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TWENTY-FIVE CENTS

Breyer Ready for Judgeship

By Marisa Manley

During the final days of the 96th Congress, the Senate approved the appointment of Stephen Breyer to the First Circuit Court of Appeals. Breyer joined the HLS faculty in 1967 and became a full professor in 1970. He also served as Chief Counsel to the Senate Judiciary Committee for a year prior to his appointment.

The vicissitudes of Breyer's confirmation in the closing days of a Congress rent by major power re-

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Faculty, Students Search for New Librarian at HLS

By Carl Oppedahl

Morris Cohen, HLS librarian and professor of law, and Robert Berring, deputy librarian, will resign from their positions effective July, 1981. A committee with both student and faculty members has been formed to search for a new librarian.

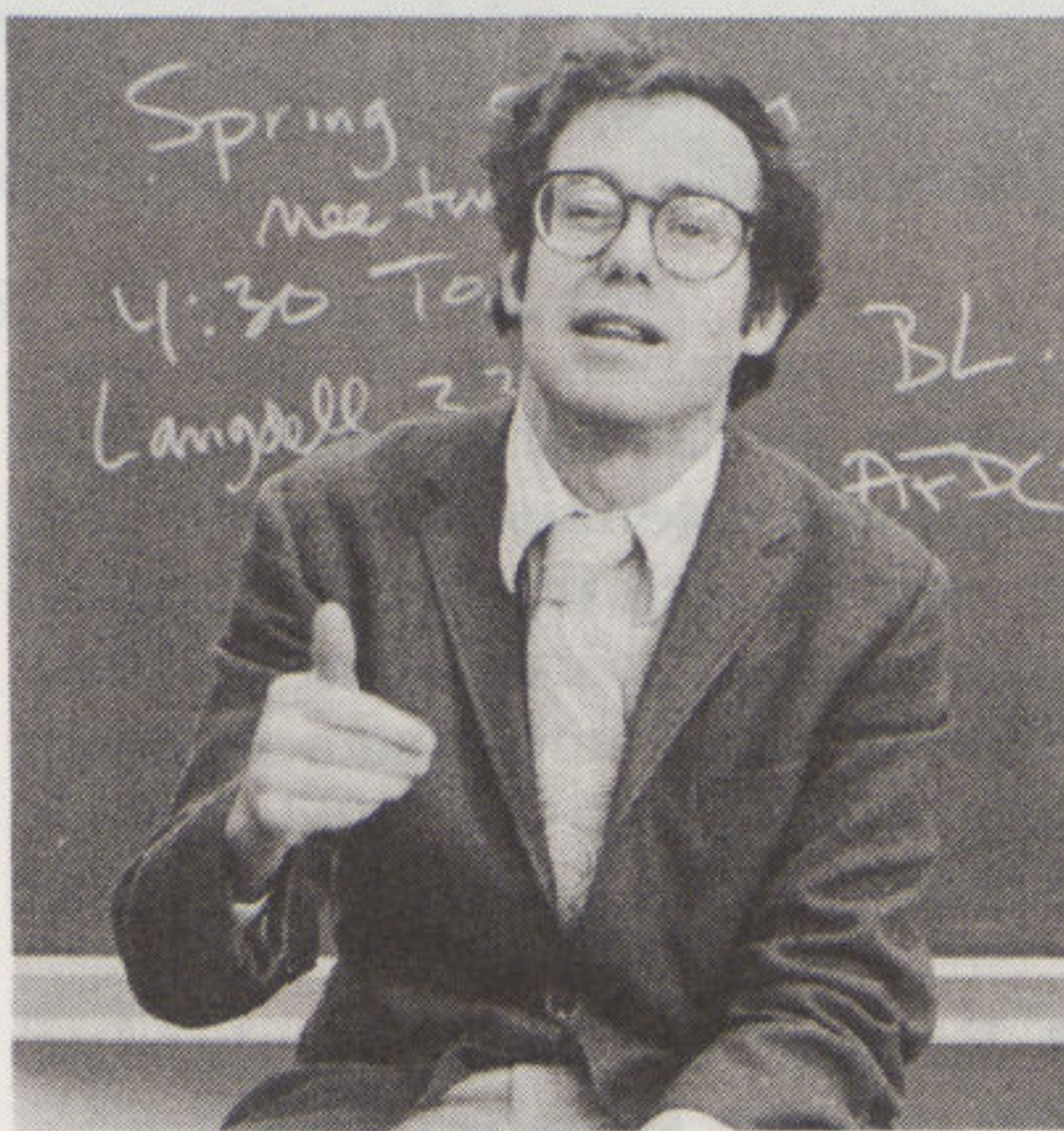
Cohen plans to revise and finish a personal project — a bibliography of American law up to the year 1860. He explained that his "true love is bibliography" and not the management of the library, and is thus resigning his position as librarian after a year's sabbatical.

Berring has accepted the position of librarian and professor of law at the University of Washington School of Law. He ascribed his departure from HLS to a situation that faces more and more couples these days: he and his wife are both professionals, with all the attendant opportunities and limitations. She will graduate from dental school soon, and wants to live on the West Coast. So it proved advantageous for him to take the position at Washington Law School.

Students Involved

Prof. Lance Liebman, chairman of the search committee, explained that the position of librarian at HLS is not tenured but can be compared to that of an assistant or associate dean, whom the Dean of the

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M.M.

Prof. Lance Liebman

Car Accident Claims 2L

By Dan Hershman

David Mark Rosenfeld, 2L, was killed on Dec. 25 in an automobile accident in the Bahamas. He would have been 33 on Jan. 4. Ellen Frank, his companion on the trip, was also killed.

Rosenfeld came to the Law School after compiling an impressive academic record and launching a promising career in medicine. He was graduated with honors from John Hopkins University in 1968 with a B.A. in Liberal Arts, and was elected to Phi Beta Kappa. After winning a Marshall Scholarship, Rosenfeld moved to King's College in Cambridge, England. In 1970 he completed studies in social

anthropology and enrolled in the King's medical school, spending two additional years in England before transferring to Harvard Medical School, and graduating from there in 1974.

In 1977 Rosenfeld was certified by the American Board of Internal Medicine. He spent three years as a house officer at Boston City Hospital, where he was involved in the primary care program. Later he became medical director of the hospital's emergency room and was responsible for the house staff teaching program. Rosenfeld also served as the associate director of Emergency Medical Services in the Department of Health and Hospi-

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Life in the Suburbs: Commuting to HLS

By Laura A. Taylor

Ever think of abandoning the Cambridge/Somerville smog for the sunnier atmosphere of the suburbs? Long to hob-nob with housewives in Fairmont station wagons? Got an insatiable desire to grow dozens of tomatoes in your back yard? Garden parties, maybe? If any of these thoughts ever crossed your mind, it may be time to bid farewell to Cambridge, Rindge Tech, and the Beacon Street Star Market.

No, you won't have to leave school. A surprisingly significant number of our classmates (19 by this reporter's HLS Directory count) have joined the ranks of "T" and B&M commuters, of car-poolers and straphangers. Yes, Virginia, it is possible to go to HLS and have your garden, too.

A House by the Beach

Alfred B. Lewis, 2L, and his fiancée, Diane Sherlock, who works for a cable TV station in Somerville, moved to a beachfront house in Marblehead this past fall, "because basically we wanted a lot of quality of life," according to Lewis. They wanted to live near the ocean and didn't mind the half hour commute into Cambridge.

Their feelings about the move have been mixed, Lewis noted: "In September and October it was really terrific, in November it was OK, in December it was passable, and this month it was eminently forgettable." Because it is primarily intended for use as a summer home, their house is not very well insulated. Their thermostat, joked Lewis, "has a wind chill factor on it."

Marblehead, a North Shore com-



Photo by John Morris

Somewhere far, far away from HLS

munity, is "a terrific place," said Lewis. Free tennis courts abound, as well as running tracks, restaurants, and picturesque views. "There's no comparison between here and Cambridge," added Sherlock.

A Better Deal than Cambridge

Lewis and Sherlock hunted for apartments in Cambridge before deciding to make the move to the suburbs. They found, however, that "for a really nice house [in Marblehead], plus transportation costs, plus utilities, it costs slightly more than a place we looked at in Cambridge that wasn't nearly as nice."

"I would recommend living up here," said Lewis. He continued, "You can get a nine-month lease. If you have a wet suit, it's a really good deal."

There are some drawbacks to living so far away from HLS, however. Sherlock and Lewis noted

that they sometimes decline invitations to parties in Cambridge, because too much travel time would be involved. Trips into Cambridge must also be carefully planned: "If you forget something, you have to buy a new one," laughed Lewis.

Mike Poindexter, 2L, lives in Norwell with his wife and two year old daughter. His one and one-half hour commute is made much more pleasant than it might otherwise have been by the fact that he car-pools with an architect and an exporter who work in Boston. Poindexter takes the "T" in each day from the Washington Street Red Line station, and meets his car-pool companions down town at the close of each day. Before joining the car-pool, Poindexter used a commuter bus, which made for a longer and more expensive trip.

Because Poindexter is a member of the National Guard and has to go to the Cape for flying practice each weekend, his housing search took him to areas south of Boston. In the first few communities he tried, "the places were lousy and the rents were too high," he said. The rents in Norwell, which is located on the South Shore near Hingham, are "still high," but the Poindexters' house is "bigger and

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HARVARD LAW RECORD

Admissions Committee Relaxes, for a Change

By John Morris

"It's Heaven."

That's what Assistant Dean and Director of Admissions Molly Geraghty said, comparing this year's admissions process to last year's.

By the end of last week, the Admissions Committee had received 4,000 applications and was reading through them at a steady pace. Last year, due to computer problems at the Law School Admissions Service, the centralized clearing house for LSAT test scores and transcripts, the process was months behind and Geraghty and her office had little to do in January. Later they were deluged when the thousands of files were finally completed.

The first letters of admission went out in the beginning of December this year and 250 have been sent now. Things don't settle down when the letters start going out, though, for applicants hear of their friends' acceptances and get anxious. "Instant pandemonium sets in when the first round of acceptances go to our chief feeder [the Ivy League] schools. The phone rings off the hook," Geraghty says. "And I pity the postmen. Postmen get brutalized after the first round goes out."

Geraghty recalls that when she was admitted here some years back she received letters from the Har-

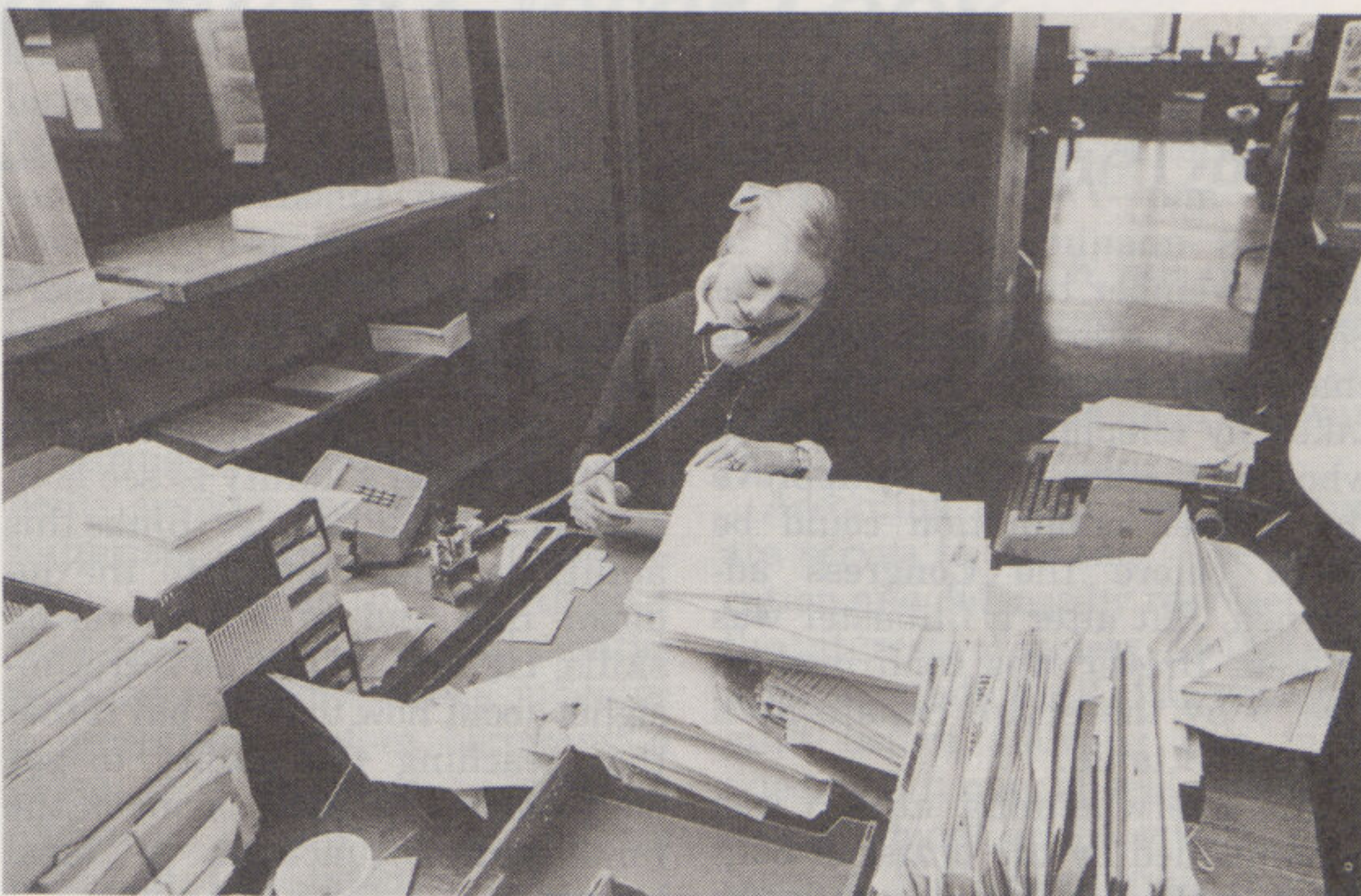


Photo by John Morris

Claire Lake tackles stack of incoming applications and fends off parents' phone calls.

vard Law Wives and a colonel recruiting for the ROTC the day before she received her admission letter. "I think their attitude toward women was a bit ambivalent then," she says.

"It's Like Reading A Lot of Short Stories"

Each application is read by one of the Assistant Deans on the committee, and every one that is admitted has his or her application read by one of the faculty members as well. By the end, each faculty

member has read at least 1000 files. But Geraghty says she thinks they like it. "You can't imagine how much fun it is — reading applications. I can't get enough of it. It's like reading a lot of short stories." The pool of applicants is self-selective to a large extent — few people apply who have no chance of being admitted and so the files are filled with colorful stories.

This year HLS is using so-called self-completing applications for the first time. Under this system, the applicants can send in their letters of recommendation and their college questionnaires themselves so they can be sure they were not forgotten by some college professor or pre-law advisor. This saves the office many phone calls from applicants checking on their files. It also means that the files come in complete so there is less filing work and a smaller chance of a mistake. Last year, for instance, 14 Daniel Cohens applied and there was always confusion when new letters came in. "We were in danger of admitting a composite Daniel Cohen," Geraghty chuckles. (None of the 14 was admitted in the end.)

Last year there were more applications denied for being incomplete than there were acceptances, so the new system is valuable.

The committee meets once a week
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New Leadership at the RECORD

When the next issue of the RECORD hits the stands on Friday, Feb. 13, there will be new editorial leadership at America's oldest law school newspaper. Mary Tarduno, 2L, of Hampton Bays, NY, succeeds Dan Hershman, 3L, of Cheltenham, PA as editor. Replacing Tarduno and Laura Taylor, 2L, of Brooklyn, NY as managing editors are Gretchen Rule, 2L, of Newbury, NH, and John Morris, 1L, of Vancouver, Canada.

Tarduno, an alumna of Lehigh University, is the third woman to head the RECORD during the past three years. A physics major at Lehigh, she brings to the RECORD

a scientific — i.e. thorough — approach to journalism and a commitment usually unheard-of in extracurricular activities.

Rule, despite her part-time legal work, responsibilities as an officer of the Law School Forum, and occasional school work, has been an active participant in all facets of RECORD production.

Morris, originally from North Carolina, has managed as a 1L to write stories, shoot pictures, carry out darkroom responsibilities and even drive to the printer's plant on a horrible night last November.



Breyer Appointment Survives Politics

(Continued from Page 1)

alignments were the focus of several stories by both *The New York Times* and *The Boston Globe*. Breyer's unanimous approval in late November by members of the Senate Judiciary Committee was challenged because the vote was taken by telephone. Some doubted whether further action to approve the Breyer nomination could be taken before the Congress adjourned. But after a filibuster was broken, Breyer was confirmed on Dec. 9 by the entire Senate by a vote of 68 to 28.

This overwhelming support was accompanied by the praise of both Senator Strom Thurmond, future chairman of the Senate Judiciary Committee, and by Republican Senator Orrin Hatch of Utah. Just eight days later on Dec. 17, in a courtroom in downtown Boston, Breyer officially assumed his duties on the bench of the First Circuit. Aside from relinquishing his post as Chief Counsel of the Judiciary Committee, Breyer also gave up the opportunity to teach Antitrust during the winter term at Harvard when he accepted his new position.

Judicious Words

As a novice, Breyer judi-

ciously declined to expound for the RECORD his views on the essential qualities required of a successful judge, or on fundamental issues facing the judiciary as a profession. Breyer says he will know more about these things in a few years than he does today.

A story in *The Boston Globe* praised Breyer's ability to see both sides of an issue. Breyer thinks this ability is fundamental to the judicial role and to all lawyering skills. He said he has no secret insights about how to do it, but rather that teaching the ability to see both sides of an issue is one of the fundamental functions of legal training.

Politics Disclaimed

Former students have said that Breyer favors judicial activism. Breyer said he advocates neither one sort of role nor another. The basic job of judges, he explained, is to interpret. How to do that properly depends on the particular field of law and the facts of a particular case. No one, he said, knows now how he will vote on cases that arise in the future; neither how he will decide, nor how other persons will characterize that decision.

Breyer also disclaimed any special charisma in attracting sup-

porters as diverse as Senator Thurmond and Senator Kennedy, who proposed Breyer's nomination. The vast majority of issues we dealt with were professional, not political, noted Breyer. "Certain differences are less important when quality depends on good professional work, not politics."

Keeping in Touch

Looking ahead to his work on the bench, Breyer said he hopes it will not lead to isolation. He intends to maintain contacts with friends and associates at the Law School and in the community. Breyer hopes to be able to continue sufficient research in administrative law and antitrust to maintain a depth of knowledge. His book *Regulation and Its Reform*, is expected to be published by Harvard University Press this fall.

Looking back on his year as Chief Counsel of the Senate Judiciary Committee, Breyer was unequivocally enthusiastic, saying without hesitation he would do it again. He said it gives a lawyer good experience in working with legislation and with political people, but also that for many lawyers a year or two at such a job would be enough. It is far removed from the ordinary practical concerns of law, counseling clients and litigating.

Even with just a month's tenure on the bench, Breyer was willing to confirm one rumor he had heard about the judiciary: "People say when you're a judge the phone rings less often than when you're a lawyer or professor. It's true." And Breyer was willing to name one part of the job he's looking forward to: knowing one's decision makes a difference.

♦♦♦

Next RECORD Feb. 13

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Chinese Law: A Closer Look

David Quinto

Editor's note: David Quinto, a senior editor of the RECORD, is on a Rotary Fellowship in Asia this year. He will return to HLS to complete his third year next fall.

On Jan. 3, an Australian law student and I met with Lui Cen Pu of the law faculty of Hangzhou University to discuss legal education and law practice in China today.

Currently China has 350 law teachers and 3000 to 4000 law students, according to Lui, but the number of each is expanding rapidly. When Hangzhou University began teaching law last fall, it had 31 teachers and 50 students; by 1985 it hopes to have 70 teachers and 600 first-year students. At Hangzhou, no students are admitted through the "backdoor," Lui says, though he concedes that most come from intellectual families.

Concentrating on "Specifics"

Of the 600 students, 200 will graduate in two years after concentrating on the "specifics" of law. The remainder will study subjects such as political theory, political economy, history of the Communist party, methodological logic and a foreign language during a four-year course. They must also study Chinese. Only six of their 33 courses will be electives.

"Every province must have at least one 'comprehensive law department' (such as Zhejiang's at Hangzhou University), but there are also six or seven 'dedicated law colleges' plus the 'law leaders' college. There are now about 50 colleges and schools teaching law in China," Lui stated. "Most have just come back — most were banned during the Cultural Revolution. I think only the Beijing University law department kept going," he continued.

Chinese law students specialize in their fourth year, Lui said. "They

can request a particular specialty or they may be persuaded to specialize in a particular thing," he explained.

During their third year, law students spend a month in court familiarizing themselves with procedures and during their fourth year they spend four and a half months working full-time with a judge or a prosecutor. Before becoming a judge, it is necessary to work an additional three years as a judge's assistant, Lui stated.

Upon graduation, the students become "state cadres" (even though not all are Communist Party members) and are compensated according to their rank in a sort of 23 grade Civil Service system. Salaries range from \$34 to \$135 per month, Lui said. Interestingly, Mao Zedong ascended only to grade 2; the only person to reach grade 1 has been Chu Teh, the first commander-in-chief of the People's Liberation Army and later chairman of the standing committee of the National People's Congress.

Individual practice is not allowed, but "the government is now considering allowing private practice," said Mr. Lui. At present attorneys fall into two categories: salaried professionals who are registered in the Law Society and part-timers who augment other income according to a fixed fee schedule. All attorneys' fees are paid by the Law Society; civil litigants "pay only for court procedure and a service charge," Lui stated. Many efforts are made to keep potential litigants out of court, he added.

Criminal Cases

In criminal cases, "the accused will usually get free representation" in confronting the tri-partite adjudicatory process, Lui said. Before a case comes to trial, the "Public Security Bureau (police) will forward the accused's file to the

'procurate' which will reinvestigate the case against the accused and then forward the file to the judge for review and an arrest warrant," Lui explained.

According to Lui, the procurate serves to "balance" the prosecution and defense by representing the interests of society. To this end, it must satisfy itself of an accused's guilt before allowing him to be tried, and it may appeal a sentence as too lenient or too severe. Members of the procurate are law trained.

The role of the defense counsel, Lui said, is to "determine whether the accused is guilty, to determine what circumstances caused the crime and to decide what sentence is reasonable. Lawyers refuse to defend guilty clients." Lui added that a defense attorney convinced of his client's innocence will seek to have the case reinvestigated and then dismissed. Forensics and psychology are among the courses required of law students.

Jiang Qing Not Defended

Time and other Western news media have reported that Jiang Qing of the Gang of Four refused to be represented by defense counsel. According to Lui, Jiang asked two of his friends to represent her but they declined to do so because her insistence on violating the norms of Chinese courtroom procedure and decorum constituted "illegal demands." Like Lui, the two defense attorneys were graduated from the Chinese People's University in Beijing, one the "national key universities." The prestigious "key" schools in China accept only the best teachers and students.

In serious criminal cases, "the individual does not press charges; the State punishes for the commission of a crime," Lui stated. Thus in rape cases it is not necessary for the victim to give testimony in

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Stories of Life

Fritz Byers

Eudora Welty, *The Collected Stories of Eudora Welty*, xvi + 622 pp. Harcourt, Brace, Jovanovich, \$17.50.

One of the truly graceful presents of the season just past offered to all of us as a special kind of communal gift, was the publication of Eudora Welty's collected short stories. All of the stories from Welty's four collections are here, plus two previously unpublished stories that are mysteriously, yet tellingly, rooted in the southern civil rights movement. The wide field of style and technique that Welty has mined in the four decades of her work is now revealed in its full sweep, and the special intimate knowledge long available to her most devoted fans is on display for all to see. (Folks are watching, too — *People Magazine* chose Welty as one of the 25 most intriguing people of the year.)

Welty's 41 stories, taken together, stand clearly as the most compelling witness we have in American letters to the riddle and richness of human life. The stories reveal much: Miss Welty's enormous charm as a writer and as a strangely soothing presence; the staggering clarity of her vision, a blend of comedy, pathos, tragedy and affirmation; and the artist's central gift — complete honesty, laced always with tenderness, to her vision. These are vivid, vital and dangerous stories, dangerous because they send such clear demands for contemplation, for reflection, for *change*.

A Master of Place

No writer in our history has been better at delivering to readers the ineffable aura of place. A word first about place in Welty's stories. Her stories are almost all set in the Deep South and have about them an unmistakably Southern tone. As a result of this, however, Welty has labored for much of her life under the pointless and deceptive

label of "Southern writer." That crude category has been a part of critical sensibility since Faulkner, and has done a great deal to damage the cultural landscape, primarily by depriving readers of honest confrontations with genuinely American artists. Not that Welty has been harmed. No such trifle could shake her kind of special genius. Rather, the threat is that the reader, catching in the fiction traces of local dialect or a vivid snatch of Mississippi countryside, will move the story out of her life to some safer, remote spot far to the South. This transport makes sense only if things like family, love and loss are special features of our Southern heritage and have about them the quaint antiquity of another time, another place. From the perspective of the urban North this of course may be true, but really no one can honestly believe what one *New York Times* critic has said: that family and love are dead letters above the Mason-Dixon line. And so, set in the evocative landscape of the rural South, Welty's stories come to us as crystalline messages that are indispensable parts of our national geography of hope.

Shocks of Recognition

Welty's first job out of graduate school was with the WPA in Mississippi, doing field interviews across the state. Nothing in her education had prepared her for the range and depth of life she encountered. In no time, she began taking her camera on the trips. Her snapshots, taken on a tiny Kodak instamatic, are slight, surface glimpses into the deep and mysterious lives of the people she met on her travels. (The pictures have now been published, with a lovely introduction by Welty, in *One Time, One Place*.) It was these brief encounters, playing on her imagination, that propelled Welty to the

creation of fiction: the photos were a moment's glimpse, and the stories are longer looks at the relationship between what she saw and what she was.

The stories give to us the products of Welty's piercing contemplation of her world. As we read them we feel, over and over, shocks of recognition. That in itself is the product of a great gift. Yet Welty's stories transcend that level in a special way, for the shocks we feel are always tempered with sympathy to the presence, mystery and doom of each other person in her vision. Welty has the archaeologist's gift of working backwards from the barest trace of fact to a vast, complex construct that goes beyond fact to truth.

Private Inquiry

Take, as one example among many, Welty's great story "A Worn Path." Welty has described the source of the story: she was in the country with a friend, painting water colors of the springtime. As she glanced up from her pad to the scene she was painting, she saw a slight, solitary figure, an old woman slowly making her way across a field. Welty says she wondered who the woman was and where she was headed, and so she wrote the story to find out. That kind of explanation itself has the quality of genius, the apparently innocent play of imagination on clear-sighted vision to produce what seems to the writer only a simple, private inquiry, and flowers for us as a brilliant, uncomplicated tale of family love and duty.

One testament to the simplicity and honesty of "A Worn Path" is the response it has received from critics who, in the face of such poignant, challenging tenderness, have attempted to dilute the story by inventing maudlin psychopathologies to transform the love into

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Welty Witnesses American Life

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psychosis. If the feeling that motivates Phoenix Jackson, the woman Welty invented to explain to herself what she saw that spring day in the country, is really love, then what are the feelings, which pale in comparison, that generate so much of modern fiction? It's an uncomfortable question, and one that Welty has never dodged.

Love and Separateness

It seems safe to say that the central preoccupation of Welty's work has been love. Or, more accurately, love and separateness. Robert Penn Warren identified these themes in Welty's work years ago, and since then they have remained and deepened under her life-long scrutiny.

Take, for instance, "A Still Moment." The story was conceived when Welty discovered that Audobon, the outlaw James Murrell and the great traveling minister Lorenzo Daw may have all been present somewhere on the Natchez Trace at the same time. This information, filtered through Welty's imagination, produced a dazzling, innovative tale (which, by the way, answers forever the criticisms of Welty as "too traditional"). Yet it is especially instructive that even here, in a story apparently about chance meetings, these three colossal figures remain indescribably alone, utterly apart. In this dense situation, amid great natural beauty, love becomes not a mode of unity, but a threat to life and personality. In a shattering moment Audobon, the legendary nature lover, is driven to kill the one thing here he has found to love. And Lorenzo Daw engages in this penetrating introspection:

He could understand God's giving Separateness first and then giving Love to follow and heal in its wonder; but God had reversed this, and given Love first and then Separateness, as though it did not matter to Him which

came first; Perhaps it was that God never counted the moments of Time; Lorenzo did that, among his tasks of love. Time did not occur to God. Therefore — did He even know of it? How to explain in Time and Separateness back to God, Who had never thought of them, Who could let the whole world come to grief in a shattering moment.

Characters all through Welty's stories, from the emotionally paralyzed salesman of "The Hitchhikers" to the heroine of "The Bride of the Inisfallen," find themselves mired in a basic contradiction in

sult of this inquiry is a story, finished the night of the murder, in the form of an internal monologue by the assassin. It is utterly convincing and asks questions that are as true, as haunting and as essential today as they were that hot August night nearly twenty years ago.

Criticism Answered

Beyond this the story answers, without trying to, much of the criticism of Welty's fiction that focused on its outward ignorance of the political and social reality of post-World War II Mississippi. Welty's

"Welty's stories come to us as crystalline messages that are indispensable parts of our national geography of hope."

their lives — they work through time and pain for the chance to love others, and rest themselves on love returned while, all around them, sound the shrieks and moans of friends, relatives, spouses, wounded by love and its contingency. I should mention that this truth, which I take to be central to Welty's work, radiates from the stories not only through the lives of simple country folk. Indeed, one of the many visible signs of Welty's great gift is the breadth of characters she creates and inhabits — salesmen, musicians, dying grandmothers, snip-petty spinster sisters and even, in the last story, the mind of a racist assassin.

This last story is worth mentioning. "Where Is the Voice Coming From" is one of the two previously-unpublished stories issuing from the civil rights movement. The night Medgar Evers was shot, Welty heard the news on the radio. As she writes in the introduction of this book, "Whoever the murderer is, I know him; not his identity but his coming about, in this time and place. That is, I ought to have learned by now, from here, what such a man, intent on such a deed, had going on in his mind." The re-

myriad tales of life in that time and place, for all their truth and beauty, failed, it was said, to dissect the racism and class hierarchy that had generated an authentic political maelstrom challenging everything about the existing social order. So Welty, when she finally addresses the movement, offers her answer in "Where Is the Voice Coming From." Her answer is, once again, to focus her steady gaze on a person and watch that person for the moment in which his action reveals, in a powerful and human way, his character. In this manner, the dense complications of love, hatred, history and loss that form the cat's cradle background of all action are confronted. And only in this manner can they be understood and, as necessary, changed.

Thus this story, like all of Welty's stories, is diamond-hard to the core in its fidelity to one person's human vision. Her stories, taken as a whole, or each on its own scale, present images of life that are resonant, complicated and, finally, lovely. It is this honesty that renders these stories so permanent and so necessary, as indispensable to us now as friendship and wilderness.



Librarians Departing; Search Commences

(Continued from Page 1)

Law School can hire and fire almost at will. Dean Sacks, who could thus select the new librarian alone if he chose to, has instead set up the committee including as members Profs. Andrew Kaufman and Charles Donahue, and students Celia Moore, 1L, and Robert Yamin, 2L. While the Faculty must ratify all appointments, Liebman told the RECORD that as a functional matter, the consensus of the committee and the Dean would suffice to select a librarian.

Yamin and Moore are both Law School representatives to the Library Committee, a faculty committee which oversees decisions and developments in the management of the library. Liebman explained that "since [the students] already knew all about the library, it made sense to put them all on the committee." According to Dean Sacks, "Liebman and I both thought it was a good idea . . . to have them involved in the process." Liebman said the students will be "100% participants" in the librarian selection, interviewing candidates and contributing to the consensus of the committee. "It's not as though students and faculty have divergent interests," he said. "Everyone wants us to have the best possible library."

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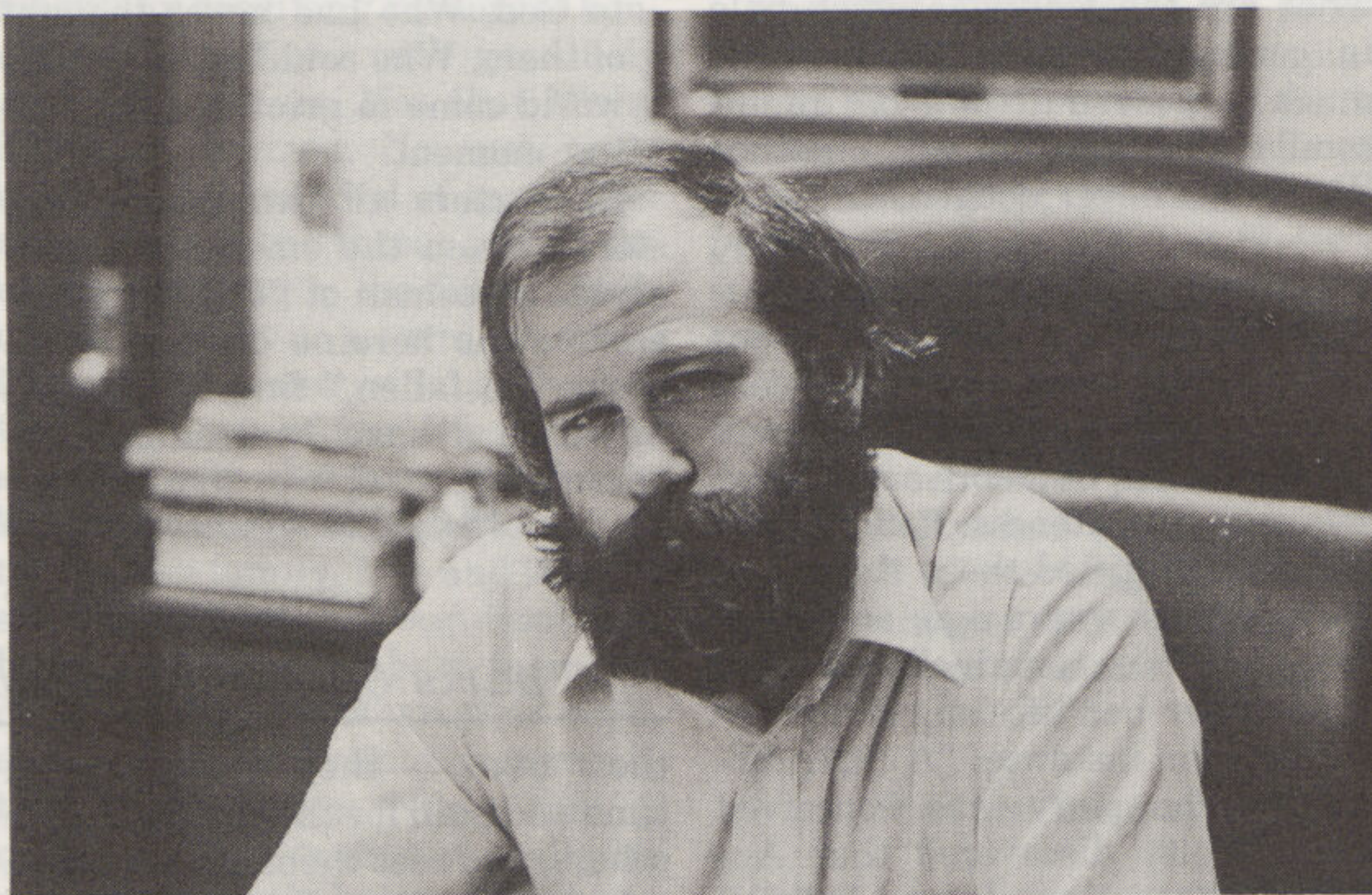
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Competition for the Best

The vacancy will be advertised in *The New York Times* and in other publications, such as *The Chronicle of Higher Education*. While it "would be nice" to hire someone within a few months, Liebman said, a candidate may

explained. "A cagey candidate for the position might hold off accepting [an offer] until there was a chance to meet the New Dean. . . . But if an ideal candidate were to appear tomorrow, and if no new Dean were in sight, that wouldn't stop [the committee] from trying to settle the matter."



Bob Berring, departing deputy librarian.

have commitments to the end of this school year or to the end of the summer. The hiring of an interim librarian might be a possibility, added Liebman.

When a new librarian finally starts work here, he or she "would likely hire or bring along an assistant librarian" since the management of the HLS library is such a big task, Liebman said. The library has 21 professional librarians and a support staff of 50, and all the attendant management responsibilities.

The work of the committee will not be easy. "This is a bizarre year for hiring law school librarians," said Berring. "Yale, Columbia, Berkeley, and Duke also have vacancies, so there will be competition for the best people."

The selection of a new librarian is further complicated by the fact that Harvard University President Derek Bok has still not announced his choice for Dean of the Law School. "The librarian has to work closely with the Dean," Liebman

Few in Field

HLS, like all educational institutions, has recognized the need to increase the number of minority group members and women in its administration. There are "a very few" blacks in the field, Liebman says, while there are rather more women, since women have traditionally gone into library science. He says that for the position of librarian "we'd like someone with a law degree as well as library credentials." But, he explained, it's hard to lure people with law degrees away from the lucrative world of private practice. Thus there aren't many people in the field.

Looking back on his more than ten years as librarian, Cohen is most proud of his work on the library expansion and of the microform project. He foresees no additional physical expansion of the library, though the conversion of older holdings to microform will continue.

(Continued on Next Page)

HLS Seeks Librarian

(Continued from Previous Page)

Dean Sacks has offered Cohen an experimental position as bibliographer and consultant on special programs. Cohen explained that if he takes the position, he hopes to complete a bibliographic review of the entire Law School collection. "No library today can buy everything that comes out," he said. "The library needs a coherent acquisitions policy."

Robert Berring came to HLS in July of 1978 as associate librarian. During 1979-80 he was acting librarian, and he has been deputy librarian since then. He is pleased with the work of his years here and feels he has contributed most to the library in the areas of computerized cataloging and relations with the other University libraries. "Most people don't know it, but the various libraries are organizationally and financially independent. So it is important that the HLS Librarian be able to work cooperatively with the other Librarians," says Berring.

The position he will take at Washington Law School is a challenging one. Berring will succeed Marian Gallagher, who has been librarian and professor of law there for more than forty years and who will be retiring this summer.

"She runs a program in which people come in, work under her for a year, and then go out to be librarians elsewhere," explained Berring. It's a high-powered program that, along with running the library, will take a lot of his time.

Cohen feels the Law School shouldn't have any difficulty getting the best person for the job. He calls the HLS library "the best academic law library in the world," which "anyone would be proud to work with."



Next RECORD Feb. 13

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Groups are non-credit and extracurricular, and open to all students throughout the University. A brochure describing the program and study groups is available at the Institute.

They're Free!

The hostages are coming home. The most frequent response we have heard since their liberation has been "It's about time." We hope that sentiment doesn't indicate that Jimmy Carter will be blamed for the outrageous duration of their captivity. The hostages are coming home, but only because Tehran decided the time was right.

There are lessons to be learned from the ugliness of the Iranian revolution, but they must be carefully drawn and delicately applied. Anti-Americanism as a political force is more powerful than ever throughout the Third World. Our diplomats must consider how this has come about and what our response should be.

If we have been humiliated in Iran, as many Americans think we have, it is probably not because we have seemed weak or an inviting target. Even Iran feared our strength, though they termed it "Satanic." It is more likely that America's recent foreign policy failures have been due to our persistence in believing, along with the Soviet Union, that small nations around the globe are empty spaces on a political chessboard. At least 52 Americans now understand the penalty for that presumption.

Soon, Mr. Bok?

Nearly seven months ago, Albert M. Sacks announced his resignation from the Deanship of HLS, effective June 30, 1981. Since last summer, University President Derek C. Bok has allegedly been looking for a new Dean. Has he found one? Nobody knows, or at least nobody's talking.

So as January fades into February and February into June, the Law School goes on, unsure of who will steer its future course. And during Dean Sacks's lame duck period, subjects bearing on the future of HLS are not being seriously considered. Who is working on setting policy for enlightened faculty appointments? Will the Hark ever be renovated?

We think Bok has had a pretty good idea of whom to pick from the ranks of HLS's faculty for a long time. Recall that by forsaking student input he has made the choice exclusively his, yet he has for some reason kept it a mystery. The longer he waits, the greater the likelihood that the new Dean will find himself "just getting used to the job" during the 1981-1982 school year. That might not seem to be a great waste of time for a faculty or administration that has been firmly planted here, but for students who have precious little time to enjoy HLS as an esteemed institution, the lack of direction and leadership is unacceptable.

HARVARD LAW RECORD

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Fenno

"This Winter Term is the pits," muttered Fenno as he struggled through the Hark with an enormous load of books. "They got the better of me this time, but watch out, Susie Castillo-Robson!"

Fenno had really thought that he had made a coup in his Winter Term course schedule. The debonair and worldly Fenno had decided that, since many students split their summer job schedules among two or three firms, there was no reason why he shouldn't be able to do the same thing with his Winter Term courses. Fenno, cleverly registering under several names, had decided to split his winter course-time three ways — Unger's Jurisprudence, Business Planning, and Antitrust were his choices.

The three-course innovation, Fenno had thought, would afford him variety, and also do wonderful things for his resume. Two classes of each per week (he figured that Antitrust would meet on Saturday), he'd assumed, would cover him. "The same face, day in and day out," he was heard whispering to a friend last October, "has got to be the most depressing thing going."

Fenno did not, however, count on the "New Intensity" policy of the Winter Term profs, nor on the workload that these same fiendish collaborators planned to impose on HLS students. "The audacity," Fenno thought, "of *calling on students* is simply intolerable!" The Business Planning weekend memo, though, was the last straw.

"This was supposed to be a vacation!" he shouted, throwing his books down in the Law School Coop and demanding a refund. "No, forget about the refund and just give me a shotgun. I'm going to get that Herwitz if it's the last thing I do!" Fenno was last spotted racing through Griswold with an AK-47 (the shotgun, he thought, just wouldn't do the trick).

By the way, Fenno hadn't worried about exam conflicts in planning his winter schedule. "I haven't taken a Law School exam yet," he said late last semester. "I made reservations at a ski lodge months ago."

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Letters to the Editor of the RECORD

Copyright or Wrong?

To the Editor:

I was startled and more than a little disappointed that editors of the RECORD chose to devote approximately 97 column inches in your November 7 issue to David Quinto's account of his quixotic and seemingly rather silly law suit against *Legal Times of Washington* and its publishers. I don't know Mr. Quinto, and I don't know anything about the merits of his claim beyond the triviality of which his own description of it reveals, but I have known Lynn and Steve Glasser for a number of years. In my frequent dealings with them as publishers and as sponsors of continuing education programs, I have found them to be entirely ethical and thoroughly competent. They are well known to and well regarded by many of the Law School's alumni.

It is disappointing to see the RECORD used as a forum for what was in large part an attack on the good names and business reputation of the Glassers. If you made the editorial judgment that Mr. Quinto's experiences as a *pro se* litigant were of sufficient interest to your readers to occupy a major part of your November 7 issue, you could at least have exercised the further judgment of deleting his self-serving allegations against his opponents and their counsel. "America's oldest law school newspaper" ought, of all publications, to be alert to the possibility that it is being used by a member of its staff to assert his personal grievances in the press in a manner which would not be permitted in a courtroom.

John F. Olson
Washington, DC

To the Editor:

In response to "A Pro Se Plaintiff's Arduous Haul" in the issue of the RECORD for Nov. 7, 1980, I no longer cast pearls before swine, which, in words of one syllable means I no longer have any hope of enlightening you. But I still have a sense of humor. I appreciate and admire tremendously writers such as Thurber, S. J. Perelman, Woody Allen, Paul Dickson and others of like talents. The writer of this article certainly belongs in this company. Upon reading this article, I laughed until I hurt. That boy has a real future in humorous writing. To sneer at the judge who is about to decide your case takes skill not ordinarily found in the legal profession. Only a consummate writer of humor could conceive of such a gambit.

And, of course, this article has to be fictitious. A place which spawns students with a "lordly and dismissive tone", who know how to grade classroom achievement, grade instructors, judge interviewers for placement in law firms, etc., could never include anyone as naive as the author of this article seems to be. And yet, the article contains

the most profound observations about the trial of cases in court that I have ever seen in the pages of the RECORD.

If you would learn what goes on in the court (where the "atmosphere" is much more "overly competitive" than in any law school), cut out this article, hang it on your mirror, and review it daily, before and after attending classes. Be assured that there is the future before you, if you are serious about learning how to try a case in court.

J. Edward Thornton
Mobile, AL

To the Editor:

Please don't leave us in suspense as to the content of Judge Flannery's rulings, or as to the ultimate outcome of *Quinto vs. "Legal Times"*. Unfortunately, the treatment which plaintiff Quinto is receiving is not limited to those litigants who represent themselves.

Ernest M. Thayer
San Francisco, CA

Censorship

To the Editor:

The account of the work of Prof. Alan Dershowitz and Ms. Jeanne Baker in obtaining the dropping of charges against the Harvard undergraduates who had shown *Deep Throat* in a dormitory was disturbing. (See 71 RECORD No. 6, pp. 3, 15, Nov. 7, 1980.) The apparent strategy to encourage the state to accept the flesh of the distributors of the obscene film whose identity and location was to be revealed by the students in exchange for their safety smacks of quibbling. It was incongruous that the account should appear in a story where Prof. Dershowitz is headlined as condemning censorship.

A defense tactic to offer up the body of another is not a defense but an admission of cowardice and a lack of belief in the original justification of the act, freedom of speech. The policy of the state to encourage the alienation of people who claim their sovereignty by spreading distrust and treachery is already widespread. The law does not need the proliferation of an informant mentality, but rather a strengthening of heart.

The irony of the fact that the name and address of the distributor were on the box in which the film had come and which had long been in police possession does not disguise the acceptance of the argument that one may save oneself in good conscience while collaborating with oppression by the state. Such an argument endorses tyranny.

John Rockwell Snowden
Lincoln, NB

Chutzpa, Part 2

To the Editor:

In reply to Pierce Wood's letter in the November 26, 1980 RECORD (published un-

der the heading "Chutzpa"), I would like to strongly support the efforts of Harvard Law students to help choose the next Dean.

I agree with Mr. Wood's statement, "Positions in the entering classes should be reserved for those who will appreciate properly the privilege of attending the country's finest law school," but disagree about who those students are.

The students who will most help Harvard are those students willing to get involved in the Law School's life, rather than spend all their waking hours over treatises and articles.

The Law School must be a cooperative educational venture among three equally important groups — the students, the faculty, and the administrators — to succeed. Students have both a *right* and a duty to push for a role in the new Dean's selection.

A similar problem arose when I was student body president at Ohio University, and, after a bitter fight with our Board of Trustees, we set up a university screening committee of fifteen members to review *all* potential new Presidential candidates. I appointed the three student members to the screening committee; each of six colleges had one member; three administrative members, two non-academic employees, and one representative of the city filled out the roster.

One member of the Trustees' screening committee met with our committee at each meeting. The final choice for President came in with the unanimous support of the screening committee and the Board of Trustees, an enviable position.

Perhaps a similar arrangement would work at Harvard. Certainly Harvard is no more than a decade behind Ohio University in educational innovation.

David V. Stivison, '79
Columbus, OH

To the Editor:

Conceptually and substantively, the recent efforts of self-appointed HLS students to participate in selection of a new Dean should be rejected. Not until one is out in the real world earning a living does one realize how very limited a student's perspective is. Students simply do not have any practical experience, and certainly no professional qualifications in the field of education, to make any kind of informed decision about who should head an institution such as HLS, of which they see one facet only. Moreover, if anything it is the alumni who should have a say (and some of the same criticism could be directed at that proposal); why should the current student body be accorded any special privilege by the chronological accident of being physically present when a vacancy occurs?

I find the current efforts by "CORDS" both presumptuous and pretentious. The

(Continued on Page 12)

Letters to the Editor of the RECORD

(Continued from Page 11)

attempted interjection of something as ridiculous as "affirmative action," which I see as morally wrong and completely unrelated to any legitimate qualification, confirms this judgment in my mind. This is an idea whose time, happily, has gone.

Richard Sybert, '76
Los Angeles, CA

To the Editor:

Re: Arrogance of Students

I came to the Law School to learn what it had to teach. I did not think I had the wisdom to tell the school what they should teach, how they should teach it, or who was the best person to be the Dean.

From what I read in the RECORD, the students today believe they already have the wisdom they need, all the experience required, and the full grasp of the mechanisms so as to be entitled to choose the Dean and run the School.

Is the Law School student of 1980 that much smarter than we were in 1946? Has he already mastered the intellectual skills and absorbed the human experience necessary for such wisdom? If so, why is he in school?

Douglas F. Stevenson, '49
Chicago, IL

To the Editor:

Please enter my concurring opinion in the letter of Pierce Wood, '39, concerning the leaders of CORDS. I particularly deplore the efforts of those disgruntled students with more chutzpah than appreciation who from time to time undertake to organize boycotts of University fundraising programs — uniformly objecting only to giving but not to accepting. It is a temptation to join in their boycott and thus reduce the number of their ilk at the Law School, but instead I plan to continue my modest annual contributions in spite of them.

Art Slade, '48

To the Editor:

As members of the Board of Student Advisors, which has attempted to play a constructive role in the process of selecting a new Dean of the Law School, we were amused, if somewhat baffled, by the comment of Mr. Pierce Wood, '39, that the process of criticizing the selection process belongs to those who can "pay for dinner at the Ritz" rather than those who gratefully should accept Thanksgiving dinner at the Salvation Army.

Assuming an average dinner price of \$40 per person — an amount which only wealthy alumni of HLS could afford — we have calculated that our tuition bill for the year might just about cover dinner at the Ritz, five days a week, for the two Law School semesters.

Perhaps Mr. Wood believes that our

\$5000+ tuition might better be spent socializing at the Ritz than worrying about the many serious educational problems posed by the selection of a new Dean.

Craig Wilson, '81
Nancy Wiegers, '81
J. E. Schreiber, '82
Anne Simonett, '81
Andrea L. Davis, '81
Richard H. Llewellyn, '81
Karen Falkenstein, '81
Laurence S. Coben, '81
Richard C. Harper, '81
Theodore A. Howard, '81

Watch It

To the HLS Faculty:

Irritants come in small and large measures at the Law School. I leave to others the heavy burden of advising you on the selection of your new Dean. May I presume to address you, instead, on the correct pronunciation of the French word "grâce"?

You use it. You *all* use it. "Coup de grâce" is one of your favorite phrases. (See also "death knell.") It is a nice phrase and I like it. But "grâce" is not to be confused with "gras" (as in "pâté de foie gras"). "Grâce" is pronounced "grahsss." "Gras" is pronounced "grah." (In both words the "ah" is as in "hahvad.") "De grâce" means, literally, "of grace," and the allusion is to a merciful ending. "Coup de gras," on the other hand, suggests a bludgeoning with an inferior cut of beefsteak. I find this latter image to be most undignified and in fact highly disconcerting when used to characterize the displacement of one judicial opinion by another. While we all agree that opinions are often bloated, to label one a "fat blow" is surely undiplomatic.

Peter Huber, '82

Ed. note: *C'est la gare.*

Politics

To the Editor:

On reading the issue of Nov. 7, I was struck and saddened by how completely divorced the RECORD and many of the students and faculty are from the mainstream of American thought. You apparently long for the resurrection of F.D.R. but that will come only on judgment day. The whole world is changing, not just the election of Reagan and the Republicans. The same trend is part of a world wide pattern. You can't just say stop the world, Harvard wants to get off. You are positively antediluvian.

Richard W. Condon, '37
Morris, IL

To the Editor:

Your two recently received editorials, one requesting everyone to vote for President Carter, and the other one misinterpreting

President-to-be Reagan's victory, call to mind the depression and fright of a wealthy uncle of my wife's when Franklin Delano Roosevelt was elected to the presidency the first time.

It does seem to me that as a lawyer to be you should at least see what happens after the now Republican Party dominated Senate and the new administration have had an opportunity to do their thing.

There are a good many boondoggles that are raising havoc with our economy. One of the worst is Section 8 of the Housing Act allegedly to help poor people but actually making millionaires overnight of real estate speculators who build edifices to house these poor people, charging the federal government tremendous rates and enabling these allegedly poor people to live not merely the good life, but the extravagant life with indoor swimming pools, gymnasiums, lounges, sun decks and God knows what else.

The same applies to the government loan program for loans to college students. College students, you among them, now have the privilege, without showing any financial need, to borrow sums of money from the federal government under the guaranteed Student Loan Program. In 1978 this program removed restrictions on parental income. Now all students are eligible for aid. \$4.42 billion will be disbursed to students under this program this year. At the University of Wisconsin the loan program has quadrupled in the last two years. The record there discloses that some of the students used the program for "play" money. One of them spent most of his \$800 loan to buy stereo speakers. Others, somewhat more astute, put the loan money into interest-bearing bank accounts and collected the gains when they graduate. Payments on the loans, at 7% interest, do not begin until nine months after a student leaves school.

The record of merchants and student finance officials in college towns from Syracuse, New York to Colorado Springs, Colorado discloses the same pattern of spending.

It is one thing to borrow money to pay tuition or living needs, this at the government's expense, but quite another thing for a student to spend it any which way he wants to.

I am citing only two instances of programs the money for which largely came not from the rich but from your parents and other parents of children in college who are paying the greatest load of the federal income tax, these being people with incomes between \$20,000 and \$50,000 a year. These are the people who just got tired of this kind of profligacy as you would have become tired of it had you been in their position.

Edgar J. Schoen, '18
Chicago, IL

Letters to the Editor of the RECORD

Errors!

To the Editor:

I am afraid that the person who prepared the Nov. 14, 1980 Sports Quiz had better go back to the record book. That quiz identifies Eddie LeBaron as "the first great left-handed quarterback in the National Football League" and as a man who "led both the San Francisco 49ers and the Dallas Cowboys." Eddie LeBaron was not a left-handed quarterback. Moreover, long-suffering Washington Redskins fans can tell you that it was the Redskins and not the 49ers that LeBaron played with before concluding his career with the Dallas Cowboys.

N. Richard Janis, '72
Washington, DC

To the Editor:

In regard to your Nov. 7 issue Sports Quiz:

My husband, who is a basketball fanatic whose knowledge embraces inutterably trivial detail, blithered at me for several minutes after reading the last question about the UCLA-Houston game in 1968. What little I could garner from that speech is that the game in which Houston, behind Elvin Hayes (he can name the rest of the team, too, but why bother), defeated the Bruins was apparently not the one which ended the famous 87-game streak.

Instead, the streak was marked on both sides by defeats to Notre Dame, in 1970-71 (behind Austin Carr) and in 1973-74, by a last-minute fall-away jump shot from the corner by Dwight Clay (who went to Pittsburgh's Fifth Avenue High School, in case anyone could possibly be interested).

Addie Wang, '80
Washington, DC

Big Mac

To the Editor:

Congratulations to Jack Lange and the other members of the RECORD staff for your coverage to date of the important issues currently being discussed by the Michelman Committee and by Big Mac. As you know from our conversations last year, I believe that the RECORD has a special responsibility in generating interest in and encouraging discourse about these issues among all segments of the Law School community. While the RECORD is but one of many ways of obtaining information for current students at HLS, for many alumni/ae it is the sole source of knowledge and understanding about these issues (despite the approximately two week time lag in delivery). And there are many alumni/ae who are concerned about the issues.

It is true, as your articles state, that the Michelman Committee's work will most likely result in some change at HLS, with the formation of a Legal Research Institute

and Major Sequential Programs as prime examples. And if Big Mac and the student body continue to put pressure on the Committee, we may finally see some progress in the feedback/grading area. Of these three, however, only feedback/grading comes close to the type of fundamental self-examination which HLS has consistently ignored over at least the past decade.

When one compares the laundry list of fundamental issues raised and researched by students in 1969 (see, e.g., "The Trouble With Grades: An Analysis of the System of Evaluation, Its Uses, and Its Effect on Legal Education, With Proposals for Change," prepared by Members of HLS Class of 1971 (Feb. 1969)) with the issues raised and researched in 1980, one notes the striking similarity — or identity — of those issues. That the diverse composition of the Michelman Committee's membership (and pragmatic considerations of faculty politics) no doubt precludes any real consensus on proposals for fundamental reform is a predictable result. But what is totally unpredictable and unacceptable is that not all Committee members even believe that these fundamental issues are worth discussing at all. It is no wonder that the incremental approach to change will emerge victorious, and that once again the serious and fundamental problems will remain barely confronted and wholly unresolved.

At worst, then, an endorsement of the incremental approach is in reality an endorsement of the status quo. Even if the Committee's work does result in a series of discrete proposals for change, the Michelman Committee's failure to agree on or even to discuss common goals or objectives for Harvard Law School as an institution eliminates any objective yardstick for evaluating the results of the amoebic incremental changes.

Thus your articles unfortunately highlight what those of us who have closely followed the work and "progress" of the Michelman Committee have feared all along: despite the broad mandate for the first "comprehensive review of the existing educational programs" at HLS in twenty years, the Committee will most certainly let this unique opportunity for major and innovative reform slip away.

Marc Alan Silverstein, '80
Washington, DC

To the Editor:

Your front-page article of Nov. 14, 1980 refers to "a series of ideas for changing the grading system at HLS. The line extends back at least to 1969 . . .". Actually the line goes back to 1954/55, when there was a great deal of unrest about grade point averages to two places to the right of the decimal point. The usual blue-ribbon joint faculty-student committee was appointed to look into the matter; as usual, no change resulted. The RECORD for spring 1955 cov-

ered the matter in some detail, including my dissent, as a member of the committee, from its apathetic report.

Chas. H. W. Talbot, '55
(Past President of RECORD)
Seattle, WA

To the Editor:

The Harvard Law School is best advised to ignore the call for pass-fail marking in the freshman year.

The advantage of the Harvard Law School is that it schools a student for the life to come, a competitive and satisfying one.

If one cannot take the pressures at school, it is wiser not to get into the intellectual pressures in the practice of law.

Intellectual pressures are useful to one who can take them.

Dana C. Backus, '29
Port Washington, NY

Somalia

To the Editor:

I noted with interest your Nov. 14 article on the Harvard Law School student fast for Somali refugee relief.

Approximately a year ago, after visiting Somalia in October, I, together with a few other former Somali Peace Corps volunteers, organized The U. S. Committee for Somali Refugee Relief. The purpose of the Committee is to raise money to purchase medicine to be distributed by UNHCR in the refugee camps.

As part of our fund-raising efforts, I sent a letter to the more than 500 members of my Law School class. Their response was both generous and heartwarming, with many of my classmates indicating a desire to help in a humanitarian effort. Congresswoman Pat Schroeder (D., Col.) '64, and Congressman Thomas E. Petri (R., Wis.) '65, have been most helpful, both in publicizing the issue and assisting in fund-raising.

We have used contributions received to send over \$166,000 worth of medicine to Somalia in the past 12 months. There are more than 800,000 refugees currently in camps in Somalia. Over 200,000 of them are children under the age of five. Obviously, the continued efforts of HLS students are needed to help alleviate the suffering of the refugees. Hopefully, there will be more events like the fast at HLS in the future.

Martin R. Ganzglass, '64
Washington, DC

To the Editor:

I have just read the article in your Nov. 14, 1980 issue on the Oxfam Somalian development assistance effort and would like to share their Boston address with others of your out-of-town readers who might be interested in contributing to that ongoing effort and who live in areas without local Oxfam branches.

Oxfam-America Inc.
302 Columbus Ave.
Boston, MA 02116

Dennett H. Buettner, '80

Life in the Suburbs: Commuting to HLS

(Continued from Page 2)

nicer" than the others that they had seen. "It would be easier if I were rich," said Poindexter, "but it's worth it to me even if it does cost a little more."

A Purge

"It's a purge for me when I go home," said Poindexter of his suburban life. "I'm just not a city person and it makes all the difference in the world for me. I didn't want to bring my daughter up in the city."

Poindexter noted that Norwell is "very much suburbia," though "not quite as much as Hingham [which is 90% Boston commuters]." He and his wife, who are in their early 30's, "do more socially [in Norwell] than we do [in Cambridge]." Most of their neighbors, said Poindexter, are in that same age group.

Stuart Davidson, 2L, is renting a house in Natick this year. Davidson, who grew up in Natick, said that he decided to move out of Cambridge because "it's cheap." He added, "I have a lot of friends out here and I usually get rides in with people who work in Cambridge." Davidson enjoys the distance his new home affords him from the Law School: "When I leave the Law School, I can really leave. When I lived in Cambridge, I could never escape it."

As for Natick's other advantages, Davidson noted: "it's near Wellesley." After a pause, he added, "so I can study at the library."

Davidson does find that living so far from Boston has made it less easy to socialize with his city friends. Friends from the Law School "rarely" come to visit him. "You kind of isolate yourself from your Cambridge friends." Another drawback is the lack of cultural and entertainment resources in the suburbs. Davidson will be moving back to the city next year, when his lease runs out.

A House in Dorchester

Not all of the HLS Cambridge

expatriates flee to the land of shopping malls and drive-ins. Rollin Chippey, 3L, shared a house in Dorchester with some friends from B.U. Medical School from May to December of last year. Chippey made the move, he said, "basically because I was tired of the whole Cambridge atmosphere. I wanted to be in a real community."

Chippey moved back to Cambridge, however. "Just the logistics of commuting back and forth were becoming a strain. If you have a break of two or three hours between classes you can't go home."

Social problems, too, were a significant factor in his decision to leave Dorchester. Chippey, who is black, asserted that he was "living in the bastion of the Ku Klux Klan . . . near Columbia Point." Several unpleasant incidents led him to move back into Harvard-owned housing on Prescott Street. "It's closer to school," he noted.

Belmont Center

The "Trilateral Commission" — Mark Green, Will Phillips, and Sandy Pensler, all 2Ls, set up housekeeping near Belmont Center this year. "It's fine except for the fact that it's a dry town, so you have to think ahead of time. It's really nice — there's a lot of space, a lot of trees," said Green.

The three set rental pricing as their main priority when they started their housing search. Accessible public transportation was also very important to Green, who does not own a car. Their house in Belmont is on a bus line which goes directly to Harvard Square. Green noted that he had also looked at a house in Hull, but decided not to take it because the only public transportation from that South Shore community is a commuter boat to Boston.

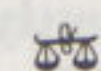
Changes in the "T" schedule have made life a bit more difficult for Green lately. The last bus to Belmont now leaves Harvard Square at 10:00 p.m., so Green has had to spend a few nights on a couch in a friend's room in Hastings.

Planning a Schedule

"The biggest difference" in living in Belmont, Green noted, "is that I find myself planning my days around when I plan to get back." He now regularly brings all of the things that he will need in any given day with him when he makes the trip into Cambridge. "You really have to try to plan something — it removes flexibility." Laughing, he added, "I must have 35 pens because I always forget to take them to school."

The nicest thing about living in Belmont, said Green, is that "you don't have to see students. Most of the younger people around here are in high school."

So, if the Law School is getting you down, think about looking for housing outside of Cambridge. Chances are you'll find more open spaces, cheaper rents, and maybe you'll make some new friends.



SPORTS QUIZ

NOTE: This week's Sports Quiz deals with important events of 1980. Each question presents a list of persons or other groups who have something in common with regard to 1980. The object is to tell what they have in common.

1. What did Villanova, Alcorn State, Western Kentucky University, Utah State and Virginia Tech have in common during 1980?
2. What did Dennis Leonard, Dan Quisenberry, Tug McGraw, Larry Christenson and Rich Gale have in common during 1980?
3. What did Phil Parkes, Rudi Krol, Vladislav Bogicevic, Teofillo Cubillas and Johann Cruyff have in common during 1980?
4. What did the Boston Celtics, Atlantic Hawks, Milwaukee Bucks and Los Angeles Lakers have in common during 1980?
5. What did Ingemar Stenmark, Robin Cousins, Hanni Wenzel, Eric Heiden and Ulrich Wehling have in common during 1980?

(Answers on Page 15)

Admissions Committee Relaxes, for a Change

(Continued from Page 3)

to discuss the hard cases, though there aren't too many of these. There are no votes. "We operate by consensus," Geraghty says. She says the committee members enjoy one another and the group is quite cheerful.

It's That Father Again

In the end, they must select 545 from the 7000 expected applications. Geraghty says the people who are not accepted are so qualified for the most part that they will get into other top schools and they handle the rejection well. "Most applicants are realistic. But their parents aren't necessarily!"

Outside in the reception area, Clair Lake answers the phone:

"Law School Admissions. May I help you? . . . Yes. Hold on a moment and I'll get someone to help you." Click.

"It's -----'s father again. He phones every week. We're good friends now."

Just as parents badger the admissions office, alumni frequently phone the members of the committee, hoping to put in the good word for a favorite applicant. "The faculty members have enough to do, though," says Geraghty.

Their work will soon be done, for the deadline for applications is February 1 and there are only 3000 more applications expected before then!



J.M.

Janice Caputo distributes applications into the baskets of the Admissions Committee members.

Car Accident Claims 2L

(Continued from Page 1)

tals for the city of Boston.

Rosenfeld's commitment to education was demonstrated by his work in both the Graduate Training Program at BCH and at Boston University Medical School, where he had been appointed in 1978 as a clinical assistant professor in the Department of Socio-Medical Sciences. He taught a course in epidemiology and gave seminars in emergency care in the inner city.

Rosenfeld's concern for health care and health policy prompted him to apply to law school. "He was intensely angry with what he saw around him," said Dr. Bill Taylor at a memorial service for Rosenfeld and Ellen Frank at Boston City Hospital on Jan. 14. "He was a scrupulously diligent and serious person, with unfailing honesty," said Taylor, who began his internship at BCH in 1974 with Rosenfeld.

Dr. Allen Meyers of BCH recalled Rosenfeld as an impatient person, "which I felt to be one of his appealing qualities." Meyers recalled his "squash games with David, for which I still bear the scars." Meyers said Rosenfeld was

"an extraordinarily talented" cook as well.

Many of Rosenfeld's classmates at HLS recalled his qualities in a letter sent to his parents. His ability to prepare for Law School, care for his children, practice medicine, and capture, with classmate Robin Landis, first prize in the Williston contract competition amazed his classmates. He had a dry sense of humor, played a sharp game of pinball, and participated in skits with his old section III classmates.

Dr. Ellen Frank, who died in the crash with Rosenfeld, was a resident at BCH, where she had worked in the coronary care unit. A graduate of the College of Physicians and Surgeons of Columbia University, she was characterized by friends and colleagues as a person who cared immensely for everyone she met professionally and socially. She had a ready smile, a kind settling influence not lost on David Rosenfeld. As one friend remarked, "Society would have benefitted so much from what they had to give."

Rosenfeld is survived by his two children and his parents, who live at 18 Drummer Boy Way, Lexington, Ma. 02173.

SPORTS ANSWERS

1. They all participated in the 1980 NCAA Basketball tournament.
2. They were all losing pitchers in the 1980 World Series.
3. They were all members of the NASL's first All-Star team.
4. They were all division winners in the 1980 NBA season.
5. They were all gold medal winners at the 1980 Winter Olympics at Lake Placid.

FRUSTRATED JOURNALISTS

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Chinese Law: A Closer Look

(Continued from Page 5)

court because the victim's written indictment can be read in court, he added. Following conviction and sentencing, the defendant or the procuratorate can appeal the verdict or the sentence at the next highest level only of the three-tiered judicial system (District Court, Upper Court, and Supreme Court).

Cases can originate in either the District or the Upper Court, Lui said. The District Court has, in addition to the judge, two trained jurors who are elected for half year terms and who have the same rights as the judge. The Upper Court has three judges and no jury. Decisions in either court must be unanimous, he added.

The age of majority is 16, though even 14-year olds can sometimes be punished as adults. "Fines are never given," Lui said, "just jail sentences." In murder, large robbery or embezzlement, and reactionary cases, death by a bullet in the back of the head follows "in no time" after affirmation of the lower court proceedings. Being a "reactionary" is not a status; it requires an act, Lui continued.

National Laws

For the most part, laws are national in character with the provinces allowed only to make regulations under those laws. An exception is made for the ethnic minorities who "can have their own laws. For instance, in Yennan they do not consider forced sex wrong. Because rape is legal, a court action must be for torn clothing," Lui continued. "Autonomous regions decide their own laws," he added.

In the civil area, Mr. Lui explained that the antipathy which Western businessmen believe the

"The Gang of Four will never recur. We're trying to strengthen the legal system . . ."

Chinese feel toward entering into contracts is partly traceable to the complicated nature of those contracts. On the Chinese side, questions of public and private ownership and duties are implicated. Within China, factories do enter into contracts with one another

and can sue one another for breach.

Most civil cases involve an action by one person against another, Lui said. "Individuals can sue the government in tort but nobody did during the Cultural Revolution," he added.

Chinese students do not need to worry about learning administrative law because there is none. People who wish to oppose a government action must petition the People's Congress.

"There were many political trials during the Cultural Revolution, but there were no real courts," Lui stated. "Lawyers worked as purchasers or teachers — nobody worked as a lawyer. Some are afraid to return to law practice," he continued. Lui himself switched from teaching law to teaching philosophy.

"The Gang of Four will never recur. We're trying to strengthen the legal system to prevent what happened in the past; we need to strengthen it further. We cannot let the law get swept away again," Lui declared. Nevertheless, Lui stated that the courts are powerless to challenge an action of the national government. He said, for example, that although the constitution requires the National People's Congress standing committee to meet yearly and the whole Congress to meet every three years, the courts are powerless to make them adhere to those schedules.

Western news media have speculated that several hundred "radicals" may be tried by China in the near future. Lui stated that Shanghai has already designated 160 persons to serve as "special judges, jurors, and members of the procuratorate for the Gang of Four running dogs."

Mr. Lui closed our conversation by saying that the Law Department of Hangzhou University, Hangzhou, China would welcome the donation of any Western legal materials, especially those that explain how such systems work.



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