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John Morris

Prof. Clark Byse addresses student-faculty forum

COGLLI Posters Taken Down by Harvard Police

By Michael Malamut

Posters designed to attract attention to the upcoming gay awareness week sponsored by the HLS Committee on Gay and Lesbian Legal Issues (COGLLI) were torn down last week by Harvard University Police. The police, responding to an anonymous complaint, removed posters from bulletin boards as well as walls and doors around the Law School.

On Wednesday, March 2, two COGLLI members posterized the legitimate bulletin boards and the walls and doors along the corridors, where official rules prohibit the placement of placards, with notices planned to attract attention to the April Gay Awareness Week.

The Harvard Police received an anonymous complaint that day to

the effect that someone was putting up offensive posters at the Law School. The police dispatched to respond to the complaint approached the students as they were posting their notices on the Hark bulletin board. The police took down the students' identification numbers to file a report.

One of the students reported that one of the policemen stated, "someone didn't like the wording," of the posters. The officer allegedly added that the posters not on bulletin boards were illegally placed and those on bulletin boards were also illegal because they "failed to carry the name of the group on the poster." Therefore, all the posters were liable for removal.

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Students and Faculty Pack Open Forum

By Steve Cowan

An overflow crowd of 350 to 400 watched and participated last Wednesday in an open forum organized and run by the Third World Coalition designed to foster communication between students and faculty.

The two-hour forum began with a speech by TWC representative George Bisharat, 3L, who assailed the faculty's hiring record as well as the inadequacy of its responses to student complaints. Bisharat employed the words of Learned Hand in *The T.J. Hooper* to respond to the Faculty Liaison Committee's comparison of Harvard's record to that of other law schools. There are actions "... so imperative that even their universal disregard will not excuse their omission." ... These institutions have unduly lagged in the adoption of the devices of affirmative action and Harvard's membership in a community of deficiencies is a cause for condemnation rather than self praise."

Patronizing Paternalism

Bisharat also criticized the administration for its patronizing paternalism and its blindness to the needs of minority communities and he asserted that members of the TWC are attempting to take their educations into their own hands. Said Bisharat, "[W]e came to Harvard Law School to gain some of

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HLS Hosts Jewish Lawyers' Conference

More than 100 Jewish law students from schools around the country gathered at HLS last Sunday to hear practicing attorneys and law professors discuss the role of the Jewish lawyer in the 1980's at the first national Jewish law students' conference.

The students also determined to establish a national network of Jewish law students, with centers at Harvard and the University of Michigan. David Mirchin, 3L, president of the Harvard Jewish Law Students Association and an organizer of the conference, said that the network would publish a monthly newsletter to share information and resources and to coordinate efforts among students at different schools.

— and I was turned down by 32 of them." Dershowitz added that when he first arrived to teach at HLS, "I cannot deny I was made to feel something less than a first-class citizen."

"Be assertive," he urged. "Be forceful. Don't accept any sort of second-class citizenship."

Daniel Levitt, a partner at New York's Kramer, Levin, Nessen, Kamin & Frankel, raised a different sort of problem for Jewish attorneys. An Orthodox Jew, Levitt represents the Iranian Central Bank, the Iranian Ministry of National Defense, and other clients with whose causes he does not sympathize. "You make certain kinds of compromises," he said. "But we all have lines we have to draw."

their rights." He recalled what he called the "sha, sha" approach of the 1940's and early 1950's, in which Jewish leaders played down instances of anti-Semitism, and tried to address problems with private, quiet discussions.

That approach began to give way in 1948, Pfeffer said, when the American Jewish Congress — over the strong objections of other segments of the organized Jewish community — filed its first Supreme Court amicus brief in the school-prayer case of *McCollum v. Board of Education*. Now, he said, there are several Jewish public interest organizations, each representing different segments of the Jewish community.

Steven Joshua Samuel of Boston's



Photos by Lon Povich

Edward Green, Daniel Levitt, HLS Prof. Alan Dershowitz and Steven Samuel discuss being Jewish lawyers in the 1980s

The day-long conference focused on the special problems that Jewish practitioners sometimes face — religious dilemmas, ethical conflicts, anti-Semitic clients and judges — and on specific ways that attorneys have found to combine a Jewish commitment with the practice of law. Prof. Alan Dershowitz noted "how recent the ascendancy of 'Jewish Jews' in law practice really is," and recalled that, barely twenty years ago, blatant anti-Semitism was quite common in the legal establishment.

"I was sensitized by Cravath, Swaine, and Moore and by Sullivan and Cromwell," Dershowitz said. "I applied to 32 New York firms — I had pretty good grades in law school

Yet Levitt urged the audience not to take to heart the lawyerly skill of rationalizing any position and not to compartmentalize the Jewish and the professional parts of their lives. "Don't be Jewish just on Saturday morning," he said. "Clients know you're Jewish. And if you act Jewish, they'll have more respect for you. Even if they're anti-Semites."

The morning's keynote speaker, Prof. Leo Pfeffer, special counsel to the American Jewish Congress and the dean of church-state litigators in the American Jewish legal community, looked back over forty years of Religion Clause cases and noted a "major change in the self-dignity and the confidence of American Jewry to resort to law to protect

Osborne, Samuel & Ott is the Boston chairperson of one of those organizations, the American Jewish Congress' Commission on Law and Social Action. Samuel urged Jewish attorneys to take on pro bono work for Jewish causes — but not to define Jewish causes too narrowly. "What's important to Jews is to be able to live in a free community that protects its own diversity," he said. "And anything we can do to protect that diversity is important, even if that issue doesn't affect us."

Other speakers at an afternoon panel outlined different ways in which to integrate Jewish commitment with legal practice.

Donna Arzt heads the Soviet
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WLA Writes to Aid Political Prisoners

By Andrea Hartman

The HLS chapter of Amnesty International and the Women's Law Association have begun efforts to help free women who are "prisoners of conscience." At the request of the HLS Amnesty group, the WLA has sent letters on behalf of five prisoners, appealing to the authorities in their countries to release the women.

Amnesty International defines itself as "a world-wide human rights movement which works impartially for the release of prisoners of conscience, men and women detained anywhere for their beliefs, color, ethnic origin, sex, religion or language, provided they have neither used nor advocated violence."

According to Jessica Neuwirth, 1L, who has worked with Amnesty International for seven years and is a member of the campus group, Amnesty International is "completely apolitical. . . . One goal in this campaign was balance and impartiality." Thus, prisoners were selected from communist and non-communist countries alike, without reference to any particular philosophy.

The letter-writing campaign for the five women prisoners was scheduled to coincide with International Women's Day on March 8. Elliot Gordon, 3L, the campus coordinator for Amnesty International, noted that the campaign was being used both as a means to reach out to women's groups not previously involved with Amnesty, and as "a way of getting people to think about the problems of women outside the United States."

According to Neuwirth, there have been two parts to the letter-writing campaign. First, Amnesty sought letters from major women's organizations and prominent women. At present, Amnesty is trying to generate as many letters as possible from all sources. Amnesty's request that the WLA send letters was part of the first stage of the campaign.

Neuwirth acted as the liaison between Amnesty and the WLA. "The

idea is that a letter from HLS carries a lot of weight," she said. Neuwirth noted that letters with Amnesty's letterhead might be dismissed by authorities simply because they have received such letters in the past. A letter on HLS stationery might have a greater impact. Commented Neuwirth, "I'm sure that the letters from HLS will be read and noted."



Sandra Yamate

Chai Feldblum, 1L, and Jessica Neuwirth, 1L

Chai Feldblum, 1L, a member of the executive board of the WLA, said the organization was given a description of the five women prisoners, and the board voted to send letters on their behalf. According to Feldblum, the letters were sent about three-and-a-half weeks ago. As yet, no responses have been received.

The prisoners themselves represent a wide variety of nationalities and beliefs. They are from Taiwan, the USSR, Chile, Ethiopia and South Africa. Only one of the women is being held for advocating feminist beliefs. Others are detained for a variety of reasons, including political beliefs and social activism.

One prisoner, Lu Hsiu-Lien, is a lawyer who received a master's degree from Harvard University. According to Amnesty International, Lu was arrested in December, 1979

in Taiwan on charges stemming from a speech she made at a human rights rally a year earlier. Lu is a feminist whose publications include "New Feminism," "The Past and Future of Taiwan," and "The Amendment for Legalizing Abortion." The government has banned most of her publications. Lu received a 12-year sentence on the basis of a confession allegedly extracted

after two months of interrogation and torture.

The WLA sent a letter to the Taiwanese government requesting that Lu be released. It read:

"I am writing on behalf of the Women's Law Association of Harvard Law School to express concern at the detention of Lu Hsiu-Lien. We believe that Lu Hsiu-Lien's treatment violated universal principles of law and justice, and on the occasion of International Women's Day we urge her immediate and unconditional release." The letter was signed by Annette Carnegie, 3L, president of the WLA.

Neuwirth and Gordon hope that the letter-writing campaign will both make people aware that there are women political prisoners and help gain their release.

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Grads to Clerk for Supreme Court

By Jack Robinson

This year's "Race for the Supremes" has just concluded and, as usual, a significant number of HLS alumni are winners. The "race" referred to describes the process whereby the Justices of the Supreme Court of the United States choose their law clerks. All of the clerks for next year have been chosen and will report to their respective Justices in July.

Each Justice chooses four clerks from hundreds of applicants who were *magna cum laude* graduates, law review editors and law school hot shots. Although a prior clerkship is not a prerequisite, very few people

become Supreme Court clerks without having had prior clerkship experience.

The location of a previous clerkship is also a factor in determining who gets to the high court. Usually those who have clerked for judges on the District of Columbia, Second, Fifth and Ninth Circuit Courts of Appeal are heavily represented in each year's group of Supreme Court clerks. Jan Horbaly, special assistant to the Chief Justice, said that "last year, over half of those awarded Supreme Court clerkships had clerked previously for the Second Circuit." He added, "This year, the D.C. Circuit has the most clerks

in the incoming group." With approximately half of the Court's clerkship positions filled with people from the D.C. Circuit this year, it appears that the D.C. Circuit is, as one 3L put it, "definitely the place to go to have a good shot at getting a 'Supreme.'"

Crimson Credentials

This year, HLS graduates account for roughly 25% of all the new clerks at the Court. They are widely distributed among the Justices, many of whom took two of their four clerks from the Law School. Justice White is the only member of the Court who will not have a clerk from HLS beginning in July. Justice White chose his clerks from Michigan, Chicago, Brigham Young and the University of Denver law schools.

Mark B. Helm, HLS '82 and former president of the *Harvard Law Review*, will be clerking for Chief Justice Burger in July. Helm, from North Hollywood, Calif., is presently completing a clerkship with Judge McGowan of the D.C. Circuit. Other Court-bound clerks from HLS '82 now with the D.C. Circuit are: David Charny (Justice Powell) from Pittsburgh, Pa., now clerking for Judge Wilkie; Michael Kellogg (Justice Rehnquist) from Atherton, Calif., also now clerking for Judge Wilkie; Victoria Radd (Justice O'Connor) from Greenfield, Mass., clerking for Judge Skelly Wright;

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Davis Skipping Town After Years at Baby Coop

If you had been "cooped up" in the Hark for three and a half years, wouldn't you try to get out? Skip Davis, who has been working at the Law School Coop since January, 1980, will be leaving HLS on May 27.

Davis is moving west to California because his roommate has accepted a job at the University of Southern California. When asked about his future plans, Davis responded, "I hope to sell my body to college students." In case that doesn't work out, he may ask if the U.S.C. bookstore is in need of experienced help. He added, "I hope to run into some

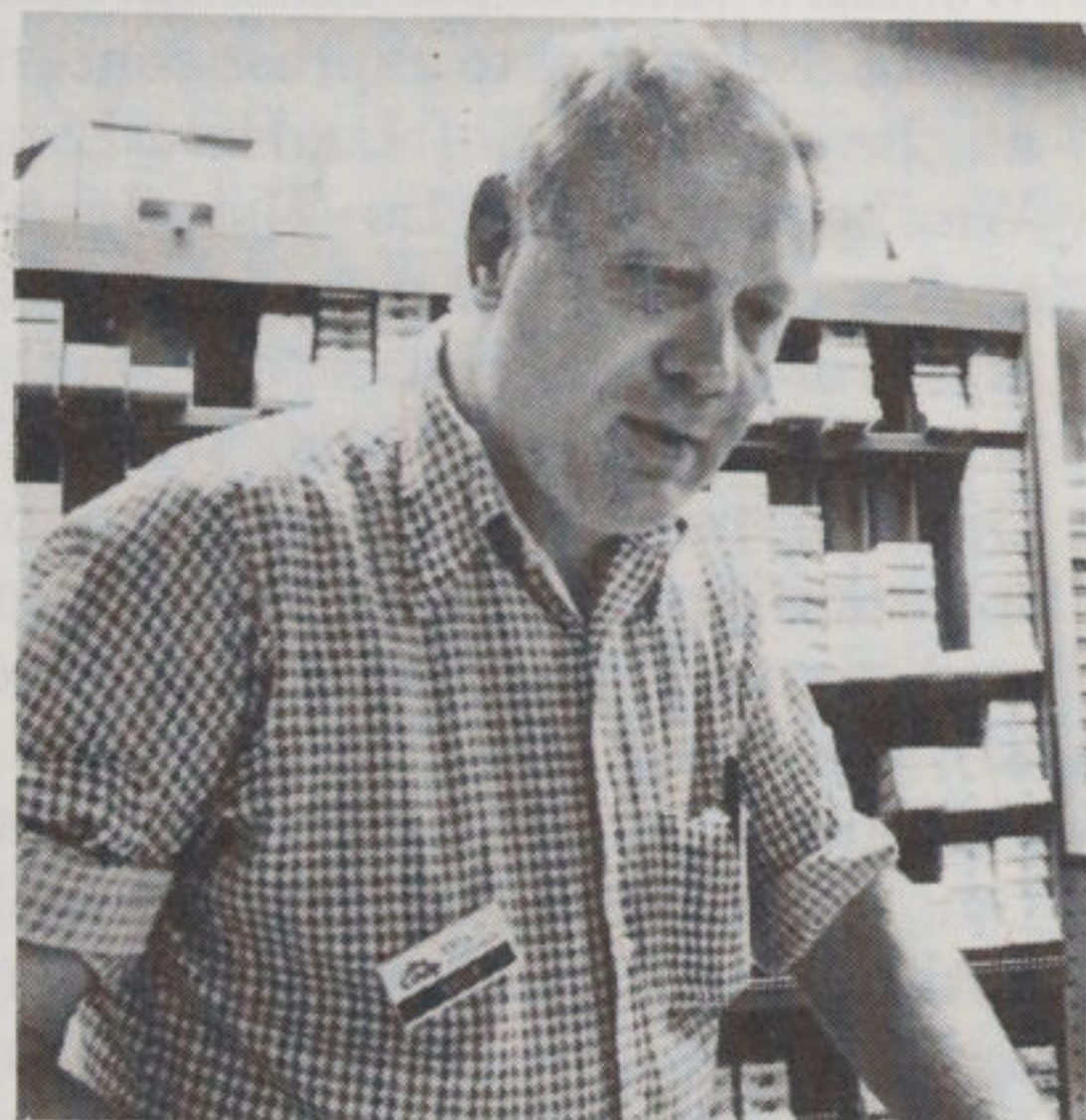
HLS students when I'm in L.A. and if I do they can buy me a drink."

Davis will miss the New England autumns and, of course, the law students. He likes the fact that the Law School Coop is more relaxed and informal than the Big Coop and that "you see the same people day after day — for 3 years." Commented Davis, "I've gotten to know people on a first-name basis, actually more than a first-name basis, a Coop-number basis." He explained that some students either have unique Coop numbers or come in early in the morning, and he doesn't even have to ask these people their Coop numbers when he rings up their bill.

Although Davis has enjoyed his years at the Coop, he doesn't enjoy each semester's book rush or times when someone gives him a \$20 bill for a 25¢ purchase. Some students may have noticed this. "The Coop will have a hard time finding someone as rude as I am or with my temperament," said Davis.

When asked whether he had any parting words, Davis replied, "If in the last four years I have ever said or done anything to offend anyone, I probably meant it." Maybe he can get a job teaching law.

K.M.



Ruben Perlmutter

Skip: Our man at the Coop

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Holtzman Discusses Role as Brooklyn D.A.

By Ernie Cicconi

"What ever happened to that liberal Liz Holtzman and how's she making out as New York City's first woman D.A.?" With that question, Elizabeth Holtzman launched into an animated address before a Forum gathering of about 75 people on Thursday, March 3.

After reminiscing a bit about her days at HLS, Holtzman, '65, answered her own question by commenting on her experience as district attorney for King's County (Brooklyn), New York. Holtzman spoke first about how being a woman has affected her status as D.A. The former member of the U.S. House of Representatives from New York's 16th District (Brooklyn) noted that, throughout her campaign for D.A., her opponents conveyed an "implicit message that a woman was not strong enough to be D.A." Although that theme "struck a resonant chord in a large number of people" due to the belief that more than a Congressperson's mere "talk" would be needed to combat the pressures of a large prosecutor's office, Holtzman predicted confidently that after her four years as D.A. no one will raise the question of whether a woman can hold that job.

As D.A., a position she has held for a little more than a year, Holtzman oversees 330 attorneys and an annual budget of \$15 million, and is "accountable only to the people of Brooklyn." While mentioning the power that such a post affords, Holtzman pointed to some of the progress she has made so far. On her policy of considering women and minorities first for all available promotions, Holtzman remarked

that it was too bad it has to be done that way, but it certainly is "good to be in [the] position" to make such a plan possible. When she became Brooklyn D.A., there were no female bureau chiefs. Now there are 25.

Holtzman cited changed language as another favorable development that she has brought about. No



Peter Cohen

Holtzman on justice

longer are secretaries referred to as "girls," and the word "manpower" has become obsolete and inaccurate, because one-third of the attorneys at the Brooklyn D.A.'s office are women.

The former member of the House Judiciary Committee, who narrowly missed becoming Senator Holtzman after garnering New York's Democratic nomination for the U.S. Senate in 1980, offered a brief aside on "women in general in our judicial system." After reciting the fact that only four of the 84 federal judges appointed by President Reagan are women, Holtzman quipped, "Come on, Ronnie." She quickly added that state courts are not very commendable in this regard either, since

"most women serve in family courts, traffic courts, or the like."

Lightning Rod

On the happier subject of her own accomplishments as D.A., Holtzman stressed that as a "lightning rod for cases affecting issues of women," she has brought a "feminine perspective" to the programs she has instituted. Holtzman indicated a series of projects concerning rape, an expansion of what the sex-crimes bureau does, and work with battered spouses as a few highlights of her brief tenure. "The object of my compassion has turned out to be the victim of the crime," she said, explaining why she established the first comprehensive rape-victim counseling center in Brooklyn, a pilot program on victim-impact statements, and a new administrative system whereby the same lawyer handles a case from beginning to end.

One far-reaching issue which confronted Holtzman this past year concerned the constitutionality of peremptory challenges to jurors on the basis of race. Despite the deleterious effect it would have on a prosecutor's winning percentage, Holtzman took the position that such challenges were improper. Although New York State's highest court adopted a contrary stance, Holtzman hopes the U.S. Supreme Court or perhaps the New York state legislature can be persuaded to condemn this "intentional discrimination," since it represents an "affront to society, . . . especially under the aegis of a court system which is supposedly committed to justice."

Public Interest

Holtzman next discussed the role of the D.A. as a liberal. While observing that the criminal law field has traditionally been considered the domain not only of men but also of conservatives, Holtzman likened the D.A.'s office to a public-interest law firm and professed that it is an

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WAVAW Presentation Protests Media

By Lee Christie

The intimidation and brutalization of women are so trivialized in the popular media that the media themselves, more than merely *reflecting* sexism, wife-beating, and rape, are actually *causing* these social ills. This was the message brought to a Pound Hall audience of about 50 students on March 2 by Andy Nash, a Boston-area representative of WAVAW — Women Against Violence Against Women. Nash presented a slide show depicting magazine advertisements, billboards, store-front displays, record album covers, and pornographic magazines, all of which illustrated the theme of the passive or even willing woman being intimidated, dominated, or degraded.

After the WAVAW (pronounced "way-vow") slide presentation, and a brief talk by Nash, the program broadened into a more general discussion led by Stephanie Moore, 1L, and Jennifer Wriggins, 2L. Moore's and Wriggins's special concerns are the media's (and society's) racist conceptions of rape, and the disproportionate victimization of non-white women as compared to women generally. Moore told of her undergraduate thesis, which compares the notorious case of "the Scottsboro boys" to a current Alabama case in which a retarded black man charged with raping white women has been held in perpetual — and, Moore says, brutal — custody, on the ground that he is mentally incompetent to stand trial.

Violent Glamor

Wriggins discussed her recent research into "the myth of the black rapist" and the racist use of the rape charge. Wriggins reports that, contrary to popular (white) belief, black-on-white rape is not the most common case, though it is the kind of case which consistently produces the harshest sentences upon conviction.

The centerpiece of the evening's program, jointly sponsored by the Harvard Law Guild and the Wom-

en's Law Association, was Nash's WAVAW presentation. Nash describes WAVAW as a loosely-allied coalition of local WAVAW groups, the first of which was formed in Los Angeles in 1976. WAVAW's chief aim is to expose the media's glamorized portrayals of violence against women. The main element of the Boston group's community education campaign is the slide presentation, which had its intended effect; many viewers found it both startling and offensive.

The Harvard Law Guild's Sara Rapport, 1L, said that "mixing the images of hard porn with images we all see every day makes you see that it's all part of the same phenomenon, just different points on the same continuum." Even publications as "mainstream" as *The Boston Globe Magazine* and *Vogue* have carried advertisements — for products ranging from cars and clothes to silk sheets and floor tile — in which women are pursued, intimidated, coerced, and even killed, often by men who appear in the advertisements to be companions and lovers. One woman in the audience said she "felt violated just to sit here and watch this."

Body Parts

Advertisers, according to Nash, use such images to grab the viewer's attention and to sell products, but they do not take responsibility for the social consequences of presenting such serious situations as sexually titillating or harmlessly funny. One "high-fashion" clothing ad depicts a sleek woman being slapped in the face by her fashionably-attired boyfriend. Another displays a two-frame sequence in which a terrified woman wearing a smart, sporty outfit is first seen running away from her male pursuer, and then lying dead at the bottom of a concrete stairway.

One slide taken several years ago presents a storefront window at a Harvard Square shoe store that is no longer in operation. The store was promoting a new line of hard-to-find shoe styles with a dismem-

bered, blood-spattered female mannequin and an accompanying placard that read, "We killed for these." The owners reported unusually brisk sales. In another case, an advertiser of gold jewelry presents a radically cropped photograph of a woman from her nose to her shoulders, with a hand coming into the picture from an odd angle. Earrings, chain necklaces, bracelets and rings are everywhere, and the caption, "Chain her in 14K gold," is loaded with meanings, from physical bondage to the traditional economic dependence of women upon men.

The radical cropping of photos and the frequent focus on body parts — chiefly legs and behinds — rather than the whole woman, are symptomatic of what Nash calls the "objectification" of women. A full-page auto ad depicts a series of three horizontal silhouettes: the bottom one is the car, the center one is an expensive-looking wine bottle, and the top one is a reclining nude woman. Toward what object is the urge to consume and possess being directed?

Power, Not Sex

Nash points out that objectification reaches its most severe form in actual depictions of "women as meat." The inside sleeve of a rock album cover depicts nothing but the bare backside of a woman stamped "U.S.D.A. Choice." The now-famous cover of *Hustler* magazine's June 1978 issue depicts a larger-than-life meat-grinder, with a nude female torso and legs protruding

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Objectification, Victimization of Women

above, and a red mash spewing out below. Funny? To some, perhaps. But the objectification of human beings, as a psychological process, is precisely the opposite of the anthropomorphism that makes Bambi or "E.T." the objects of love and empathy. Once the woman is objectified, the viewer is no longer responsible for her needs or feelings because, as a non-person, she has none.

Nash says that "what's happening in media isn't about sex; it's about power." Nash feels that the ever-increasing violence against women in the popular media and in pornography "teaches boys and men that gender and sexuality are connected to violence," and eventually, "violence becomes a turn-on." The WAVAW slide show ends with a cartoon depicting two small boys sitting before a TV set, with the first saying to the second, "Which is the sex and which is the violence?"

The evening's overall message was that race-hate, sexist abuse, and class oppression are best understood as different but related parts of the same problem. Nash's presentation includes examples of two stereotypical images: black women as sexually insatiable, and probably prostitutes, and Asian women as practitioners of erotic mysteries, and probably sado-masochists. According to Nash, nonwhite women are underrepresented in advertising but

disproportionately abundant in sado-masochistic pornography.

Ordinary People

As persons committed to broad social change, WAVAW's members believe that even if all sex-abusive imagery could be immediately erased, violence against women would not simply evaporate. Women's vulnerability, like that of all people, can only be remedied when no one, regardless of sex, has to live in an unsafe neighborhood, work at an unsafe job, or rely on an unsafe or inaccessible transit system. That women suffer disproportionately from violence serves, in Nash's view,

to feed the "victim" mentality and prevent women's political mobilization.

The media, according to Nash, often contribute to women's complacency: "The brutalized, victimized women tend to look unusual. They hardly ever look like you, or like 'ordinary' people you care about, so often you don't even notice it as systematic abuse of women." Although WAVAW is far from a pro-police state organization, Nash still refuses to accept the notion that tolerating "woman-hating porn" is necessarily a part of the price society must pay for the freedom of speech.

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Chadbourn and Braucher Funds Established

Two funds in memory of former HLS professors have been established during this academic year. Both commemorate men who left their marks on the law and the Law School.

The endowments are in memory of Robert Braucher and James Chadbourn. Braucher graduated from HLS in 1939, and seven years later he returned to teach in the same classrooms he had last seen as a student. He taught for 25 years. In 1971, he retired from academic life to become a justice of the Massachusetts Supreme Judicial Court. After serving with distinction for 10 years, he died in 1981.

Chadbourn was a teacher before he studied law. Only after working as a high school teacher, and later, a principal, did he attend law school at the University of North Carolina. Following a few years of private law practice, he began a teaching career in the law which found him at the University of North Carolina, Penn and UCLA. He joined the HLS faculty in 1963, and became Fessenden Professor of Law. He was widely regarded as a superb teacher

and is well known for his major revision of Wigmore's *Evidence*. Chadbourn died on Sept. 28, 1982.

The income from the endowment in Braucher's memory will be used to fund visiting professors and lecturers in commercial law and contracts, two areas to which Braucher devoted much of his teaching and research energies. The goal for the fund is \$250,000.

The Chadbourn fund was established in October, 1982, and will be used to preserve and expand the HLS library's manuscript collection. Chadbourn's widow, Erica, in her position as the first and only curator of manuscripts and archives, has dedicated many years to the maintenance of the collection. The collection currently contains approximately 1.5 million documents and photographs.

Contributions to the funds can be sent to the Robert Braucher Memorial Fund or the James Harmon Chadbourn Memorial Fund, c/o the Harvard Law School Fund, Baker House, Cambridge, MA 02138.

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"BETTER BUYS AT
BRINE'S"

European Patent Office Experiment

By Gabe Shawn Varges

While the European Community continues to be shaken by double-digit unemployment and inflation, internal disagreements on trade and defense policies, and the apparently flagging support for the goal of an integrated Europe, another Europe-wide organization may be quietly succeeding in knitting the continent together.

The organization is the European Patent Office (EPO), the newest of Europe's cooperative efforts, and one which may prove to be among the most important for bringing the continent into its next stage of economic and technological development. Created in 1977 by the European Patent Convention, the EPO is based in Munich and is responsible for granting patents valid in eleven Western European Nations: Austria, Belgium, France, Italy, Liechtenstein, Luxembourg, the Netherlands, Sweden, Switzerland, the United Kingdom and West Germany.

Prior to 1977, an inventor wishing to have patent protection in more than one European country had to secure separate patents in each country. Besides the time and cost that this involved, there was the obvious difficulty of dealing with different patent laws and languages in each country.

But high costs and needless duplication were not problems solely for applicants. National patent offices were also aware that they repeated each other's work. Although most countries enjoyed the unfettered discretion to grant patents as they saw fit, many recognized the inefficiency of the existing system and worried about the effect it could be having on European entrepreneurship. Other countries simply found it too difficult to keep up with the increasing complexity of new inventions.

With the creation of the EPO, contracting states and inventors from all countries face a much easier task. An inventor now needs to make only one application to get

patent protection in up to eleven countries. The application is handled entirely by the EPO, which uses its administrative headquarters in Munich and a modern central technical facility in The Hague to examine and test applications for novelty. The result is not only a European patent which is less expensive and quicker to get, but one which, by virtue of the rigorous examination requirements and the international backing involved, is much more reliable.

Since it began granting patents in June of 1978, the EPO has received over 85,000 applications. In 1982 the EPO handled some 28,000 applications, or seven times the number received in its first year of operation. The EPO now employs over 1,700 people (it began with 80) and has an annual budget of \$116 million. This last figure is all the more impressive because the EPO is completely self-supporting — a rarity among international governmental organizations.

Despite its early successes, many questions remain about the EPO. Whom is it serving? How is it affecting national patent systems? Is it really significant for European integration? For American lawyers and businessmen?

In an interview in December, Jeno Carl Staehlin, EPO's vice-president for legal and international affairs, provided some answers to these questions.

Staehlin received his LL.M. from HLS in 1965. After work in the private sector, he joined the Swiss Foreign Ministry and became Switzerland's delegate to the European Patent Convention, a position which led eventually to his being offered his current post at the EPO. Staehlin describes his involvement in the patent field as fortuitous. "Nothing against Harvard," he says, "but I barely knew what a patent was when I left the Law School."

RECORD: Mr. Staehlin, is the EPO a unique organization?

Staehlin: Yes, I think that it is

to some extent unique. First, it is one of the few international governmental organizations I know which is operational. What I mean is that the EPO works directly for *individuals* who are its clients (inventors, patent attorneys, industry). It is not an organization which was set up to serve states like the United Nations, NATO, OECD, etc. It was set up to deliver a product, i.e., patents.

Second, the EPO is probably the only public administration which is in a certain way in competition with other public administrations doing the same job. There still exist national patent offices in EPO member countries. Those who need patent protection in a given western European country are free to choose between going national or using the services of the EPO.

And third, the EPO is an inter-governmental organization which does not need to rely on financial contributions of its contracting states. Our . . . budget is covered by the fees we receive for the work we perform. . . . We're completely self-supporting financially.

RECORD: Does financial self-support give the EPO an independence not enjoyed by other European governmental organizations?

Staehlin: In some respects it is certainly easier to manage an office which is not dependent on national contributions and has its own income. But it is also important to have a body which supervises the activities of the office. This is the responsibility of our Administrative Council, composed of delegates from the governments of the contracting states. They keep a close eye on what we do.

RECORD: Is there a formal relation between the EPO and the European Community?

Staehlin: Up to now we are not formally linked to the European Community because some of the EPO contracting states do not belong to the Community. This would change should the Community Patent Convention enter into force. This

Aims to Cut Red Tape, Spur Research

Convention, which was signed in 1975, goes a step further than the European Patent Convention and authorizes the EPO to grant a unitary, autonomous patent with effect in all countries of the Common Market. [The current EPO patent only grants rights coextensive with those existing in the country where the patent is sought to be enforced.]

RECORD: Is the EPO of importance to European integration?

Stahlin: It certainly is. In my view the establishment of the EPO is a major political achievement. Western European countries have agreed to transfer to [the EPO] a small piece of their sovereignty. . . . And this is true not only for Common market countries but also for countries like Austria, Sweden, and Switzerland which for political reasons were not able to join the European Community. Let me add another feature which I consider to be of importance to European integration. Our organization has three official languages [English, French, and German], which means that we do not work the official language of all our member states [Italian, Dutch, etc.], as, for example, the European Community does. This represents a major political concession by these countries and facilitates our work considerably.

RECORD: Has the EPO faced any major setbacks?

Stahlin: None, up to now. The establishment of the EPO was extremely well prepared. More than 20 years of negotiations [went] into the Convention . . . and another four years into preparing in detail the setting up of the EPO.

But possible setbacks are yet to come. European patents have to pass the test of nullity procedures in national courts of our member countries. The attitude of national courts and their ability and willingness to understand and respect the terms of the European Patent Convention will be of major importance to the future of the EPO. Also, possible setbacks could come,

as in national offices, from workload blockages and problems related to the administration of an office which in five years has grown from zero to a staff of 1,700.

RECORD: Does the EPO experience suggest anything about the possibility of similar efforts in other regions?

Stahlin: The point of departure of the plans to set up a European patent office was the recognition that it was a waste of time and money to have a number of patent offices doing the same job. . . . Just remember that in order to do a good job a patent office needs a documentation of more than 10 million classified patent documents and a staff of at least 100 highly qualified technicians. This costs a lot of money and would mean, in developing countries, that too many technicians are taken away from productive work. This has led to the setting up of two regional patent organizations in Africa, one for the French speaking and the other for the English speaking countries.

RECORD: What does it suggest for a better world system of patents?

Stahlin: A truly "world" patent system is very far off. . . . There are differences of interests between industrialized countries . . . and countries in an earlier stage of development. Apart from that, there is also a philosophical divide between Western and Eastern bloc countries which generally only recognize inventors' certificates but not the private property rights of the patent proprietor. . . . Before working on a [world] system you [would] need agreement on some basic concepts. . . .

Therefore I am not very optimistic about a world patent system, but do not exclude further progress in specific areas like patent classification, filing procedures, or cooperation on a regional basis, or between Europe, the United States, and eventually Japan.

RECORD: What can we in the U.S. learn from the experience of the EPO?

Stahlin: Our EPO system is new and therefore we have had a chance to plan from scratch. The U.S. system, like the national European systems, all bear the marks of 100 years of evolution and precedent. . . . An important aspect of the EPO's work is the use of computer techniques. . . . Another fundamental lesson that the EPO can teach is that a patent office can be fully financed by application and renewal fees. But in many other ways we can learn from America. We have excellent working relations with the U.S. Patent and Trademark Office and are highly interested in Commissioner Mossinghoff's plans to achieve what he calls a 'paperless' office by the 1990's.

RECORD: Why is the EPO noteworthy for American lawyers and businessmen?

Stahlin: Because with one application drafted in English they can obtain patent protection for a market of more than 270 million people. American industry has begun to understand this. . . . Twenty-five percent of our applications now are of American origin.

RECORD: What is in the future of European patent cooperation? What can be expected of the EPO in the next decade?

Stahlin: An important step forward would be the entry into force of the Community Patent Convention. We also hope that those Western European countries which for different reasons have not yet joined the EPO will do so in the not too distant future. Patent protection is an important stimulant for technological and economic development. Patents do not merely encourage research. Patent documents as such contain a wealth of information on the latest state of world technical development and could be much more used for information purposes.

Behind Closed Doors

Our editor in chief arrived at the student-faculty forum a few minutes late. The doors to Langdell North Middle had been tightly closed. He knew that, inside, professors and students were talking, but he couldn't hear what was being said.

A man in an overcoat was guarding the door. "You can't go in," he said. "The room is full."

"Couldn't you open the door," asked the editor, "so that those of us outside could hear what those inside are saying?"

"No," the man said. "They want the doors closed."

The editor grew frustrated. Who were they? And why did they want to keep the doors closed so that those outside could not listen? He felt that something important was happening inside — something that affected him, that he wanted to be a part of. He became angry at the man who would not open the doors.

By looking through the tiny window in the closed doors, he was able to spot someone inside the room — someone who could tell the man in the overcoat to open the doors. But he could not even get inside the room to ask.

Finally, the person inside the room saw him through the small window. The editor waved frantically, and the person came outside to see what he wanted. As a result, the doors were opened so that those gathered outside could be a part of what was happening on the inside.

Getting the doors open was not easy. It meant not settling for the first "no", or the second, or even the tenth. And, sadly, the editor was rude to the man who guarded the door. But in the end, the doors were opened.

Wednesday's forum was not the ideal student-faculty dialogue: too many speeches, not enough listening, and some behavior that bordered on rudeness. But anyone in attendance must have felt the sense of frustration that results when people feel shut outside of a process that they feel affects them deeply.

We hope that Wednesday's forum opened the door to the possibility of greater student involvement in what goes on inside Harvard Law School. If it helped open that door, even a crack, then it was a success.

HARVARD LAW RECORD

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Fenno

It was 8:30 Sunday morning when the church bells jarred Fenno awake. He tumbled out of bed and crawled to the phone. "Yea," he said when he got through to the minister in the church across the street, "mightily did I party last night and today is a day of rest unto me."

"Excuse me?" said the minister.

"Do you take requests for your chimes? Play nothing. No more ecclesiastical Muzak. Tell Quasimodo or whatever your bellboy's name is that the gig is up. Otherwise, I'll buy a mail-order grenade launcher from Frank Terpil and pick bells out of your steeple one by one."

"Bless them that curse you, I always say. Turn the other cheek. Brother, why don't you join us for prayer?"

Fenno shook himself awake and pulled on jeans and his T-shirt reading, "Jesus Loves the 8th Amendment." He marched across the street, burst through the front doors of the church, and stormed down the aisle. "Brothers and sisters!" he bellowed as he strode toward the pulpit. "Half-uncles, quarter-cousins! Step-nieces! Grandpas-in-law!" People turned in surprise as he rushed by. "This is the Gospel I preach! Today's lesson is from the Book of Fenno!" He leapt to the altar and elbowed the minister aside.

"I come here with rings on my fingers but not bellicose to ask for whom the bell tolls. *Is it you?* Alexander Graham Bell? Let he who's no dumbbell bell the cat."

A murmur ran through the congregation.

"Ding dong *bell*," Fenno intoned, slapping the pulpit. "The cat is in the well. Who put her in? The belle of the ball?"

"No," the congregation answered.

"Alfred Nobel? No. Which brings me to today's teaching: No bell. You all remember who displayed silver bells and cockleshells, *don't you?*"

"Yes!" the congregation called back.

"Yes! It was Jezebel who rang Hell's Bells. If someone hits your right cheek, turn and offer your left! If a man demands your coat, give your cloak as well!"

"Amen!" the congregants roared. "Fer sure!" one of them cried out.

"And if a man asks you to stop chiming your bells at an ungodly hour, as this church has been asked, *you will cut them down from the steeple and sell them to a distant scrap merchant.*"

"Hallelujah!" the people shouted, rising in unison.

"Speedily!" shouted Fenno. Congregants streamed from the pews to haul down the bells.

"Your zeal shall be a source of much repose to me!" Fenno exclaimed over the fervent clamor. "I shall be grateful for all of my days, and especially Sunday mornings. Bless you!" he cried. "Bless you!"



Letters to the Editor of the Record

Anti-Semitism Condemned

To the Editor:

A couple of weeks ago, swastikas, the symbol of Hitler's Third Reich, were scrawled across three posters advertising Jewish activities at Harvard Law School. Last fall, someone etched a swastika into the Jewish Law Students Association bulletin board.

As members of the Harvard Law School community, we are outraged by these abhorrent expressions of anti-Semitism. We join together in condemning the intolerance and hatred that motivated these acts of vandalism.

American Indian Law Students Association

Arab Student Society

Black Law Students Association

Christian Fellowship

Committee on Gay and Lesbian Legal Issues

Computer-Aided Legal Instruction Project

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La Alianza

Law School Council

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Legal Genocide?

To the Editor:

I've been at this law school for six months now. I've seen too often tears, anxiety, and pain; oppression, nastiness, and cold stares of gossiping indifference. I've seen few hugs and far fewer kisses. I've seen no joy in learning. I've seen no learning . . . only fear of failure and the devastation and for a few the fleeting bravado of grades. I've seen the cleverest people forced to abandon their feelings to survive.

This is not education; it's genocide. In creating lawyers, this school kills people.

One of its deadliest tools is the seating chart. We're not people; we're assigned seats. We're ordered to accept our fate. We're forced to put what we value far too highly on the line: our egos. This risk is supposed to encourage our preparation — it is, it is said, our education. In fact it indoctrinates us into denying our feelings, into becoming professionals on the seating chart. It trains us to bear mistreatment, to be moved by fear of failure and embarrassment — to think on our feet.

The excuse: it makes us professionals. If legal education is a show of power and legalized rape, I want none of it. I'll not be victim to another's empowered ego. It drives me to want to do it to others — one day to set the balance by treating others as I've been treated, to show that I can be one of those at the podium that all my life I've so revered, and so little understood.

Despite legal argument, despite my professional knowledge that in law there's no right or wrong, just my side and your side, competing principles and manipulable rules, I cannot sit by and watch the victimization of people with so much to give. So much because they are people, not because this law school proclaims their epitaph: the best and the brightest.

Jonathan Zimmerman

Fenno is Doing His Job . . .

To the Editor:

Unqualified congratulations on your recent *Fenno* strips! I know not who writes this column, but s/he has turned out two of the funniest things to pass my desk in months. The story of "Fennoah and the Ark" is the best take-off on that subject since Bill Cosby. Fennomenal!

David Stivison, '79
Columbus, Ohio

. . . And Our Job, As Well

To the Editor:

While I have always enjoyed the chronicles of Fenno's "fifth-column" approach to Harvard Law School and its well established institutions, I have occasionally wondered why that invisible devil never unleashed his sabotage on the RECORD itself.

Apparently he was just biding his time.

The news story in the Feb. 4 edition entitled "Editor E. Merrill Becomes Editor Emeritus", which announced the selection of new editorial leadership at the RECORD, contained two unintended errors of self-mockery which clearly bore the mark of Fenno's evil genius.

First, the story reported the ascension of editor-in-chief Brad Hudson, who was referred to as the "Sultan of Style" — the RECORD's leading expert on grammar and syntax. The importance of Hudson's expertise was then supposed to be drilled home by the sentence which followed. I quote: "As arbiter in all matters of form, the staff became so accustomed to following his dictates that it was no surprise when he was unanimously elected . . ."

The Sultan of Style obviously has a style all his own. The subject of the sentence ("the

staff") does not agree grammatically with the phrase (describing Hudson) which precedes it, an elementary violation of grammatical rules which would be forgivable from a fakir, but not from a Sultan.

Second, the very next sentence of the story, concerning the new managing editor, provided a flip gaffe that would baffle an unwary typesetter. Quoting again: "By the simple insertion of a proofreader's transposition symbol, Editing Manager Louis J. Hoffman . . . was transformed into managing editor . . ." The managing editor doubtless realizes, as all good HLS editors must, that there is no way to transform "editing manager" into "managing editor" merely by "the simple insertion of a proofreader's transposition symbol." That is, of course, unless Fenno is editing the copy over Christmas, while the staff is in the middle of fly-outs.

Ironically, the article did not escape its editorial oversights until it turned from grammatical injury to geographical insult. Following the reports on Hudson and Hoffman, newly elected news editor Andrea Hartman of Tarzana, California was disparaged as the RECORD's "token Valley Girl". I can't argue with your grammar here, but as a resident of neighboring Sherman Oaks, California (home of the infamous Galleria — gag me with a spoon!), I can take issue with your willingness to let Moon Unit Zappa's overdone song color your perceptions of Harvard's Valley emigres. I've never met Ms. Hartman, but I'm confident she wouldn't have her toenails painted at the Galleria . . .

In any event, it's good to know that Fenno is performing his old tricks with ever-increasing bravado. After all, it's easy to verbally bulldoze Gannett House or Langdell from the safety of Everett Street, but subtly skewering the RECORD leadership in its own journal is quite an achievement.

My compliments, Fenno. Take the day off and go to class.

Lindsay Conner '80
Sherman Oaks, California

Gag us with a spoon! By the way, you could have met Ms. Hartman when she visited your firm, but she won't be around this summer. Maybe it was her editing skills. — Ed.

A Wild Card?

To the Editor:

I have not researched the point, but I believe the answer to the first question of the Sports Quiz in your January 21, 1983 issue is wrong. Oakland was not the only wild-card team to win the Super Bowl, unless the question is restricted to the post-AFL-NFL merger period. The Kansas City Chiefs were a wild-card team in the playoffs fol-

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Letters to the Editor

(Continued from Page 11)

lowing the 1969 AFL season, Oakland having won the AFL Western Conference, although I seem to recall that the AFL playoff plan that year was not considered a true wild-card system for some obscure technical reason. At any rate, the Chiefs were on the road for their two playoff games against the Jets, AFL Eastern Conference winner, and the Raiders.

Incidentally, the Chiefs' defense gave up a total of only 20 points in the playoffs and the Super Bowl — 6 against the Jets, 7 to Oakland, and 7 to Minnesota in the Super Bowl. I suspect that superb defensive performance by Bobby Bell, Buck Buchanan, Willie Lanier, Johnny Robinson, et al., is a record, but, again, I haven't looked it up.

W. M. Stapleton, '51
Kansas City, Missouri

For the 1969 season the AFL decided that the first two teams in each of the divisions would automatically make the playoffs. Hence, the Chiefs were not what would now be referred to as a wild-card entry. — Ed.

It's Relevant

To the Editor:

While a graduate with 25 years' practice in government, the military, corporations and private practice in New York and California probably cannot presume to be possessed of the experience and expertise of a 3L such as Cecil McNab, I'm not at all persuaded that the education at HLS is "irrelevant."

Sports Answers

1. George C. Scott
2. John Davidson
3. Gary Collins
4. Ken Berry
5. George Burns

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What would Mr. McNab delete? Over the years, contracts, procedure, torts, criminal law, real property, taxation, constitutional law, corporations and administrative law have all come in exceedingly handy, and I've also had occasion to utilize estate planning.

As for "Dickens and the Law," it seems to me, after a quarter-century at the bar, that many of the conditions to which Dickens objected are still with us (albeit to a reduced degree).

It seems to me the entire profession could do with some tightening up. However, there is no doubt in my mind that HLS did, in fact, prepare me to practice law in the world as it existed in 1958, and as it exists now.

Donald E. Biederman, '58
Los Angeles, California



Letter-Writing

(Continued from Page 3)

Said Gordon, "When people think of political prisoners, they usually think of men. The most prominent political prisoners in the world are men. It is important to Amnesty that no one should be imprisoned because of his or her political or religious beliefs. It is also important to realize that a lot of the prisoners are women."

Neuwirth believes that "letter-writing in general has been successful" in helping political prisoners. "In most cases," she said, "I think the letters do get read and I think [the governments] keep the letters. . . . We're convinced it makes a difference."



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Jewish Lawyers

(Continued from Page 2)

Jewry Legal Advocacy Center which she founded upon graduation from HLS. The center researches Soviet law, monitors infractions committed against Soviet Jewish dissidents, and files briefs on behalf of dissidents brought to trial.

Eli Rosenbaum described his work as a prosecutor in the Justice Department's Office of Special Investigation for Nazi War Criminals. "Unfortunately, it's too late to protect the civil rights of the victims of the Nazis," he said. "But at least the perpetrators can still be brought to justice," he added.

Prof. Penina Lahav, visiting from Jerusalem's Hebrew University Law School, outlined the Israeli legal system and highlighted opportunities for American-trained lawyers in Israel.

Leonard Zakim, East Coast Civil Rights Director of the Anti-Defamation League of B'nai B'rith, urged lawyers going into private practice to apply Jewish ethics to the use of law for social action. "We speak out against injustice not because a law has been broken, but because someone has been hurt," he said.

The afternoon's keynote speaker, Arthur Chotin, Deputy Executive Director and General Counsel of the American Israel Public Affairs Committee (the American lobby for Israel), urged Jewish lawyers to become involved in the political process.

The conference was sponsored by the Jewish law students' associations of Harvard, Northeastern, Boston University and Boston College.



Police Removed Posters, Students Charge

(Continued from Page 1)

Ben Schatz, 1L, chairperson of the HLS Committee on Gay and Lesbian Legal Issues and one of the students involved in the incident, stated, "The homophobia we've encountered is having the opposite effect of that intended. I think we all feel a little more determined and a little more proud."

Michael Isbell, 1L, a COGLLI member and the other student involved in the confrontation, reacted with surprise. "I really couldn't believe this was happening." Although he handed over his I.D. when the campus police requested it, he stated that "should this happen again, [I would] hope to be more assertive."

The next day all the posters were down. Several witnesses said they had seen Harvard police racing through the tunnels tearing down the COGLLI posters. One of them reported, "We did see them [the police] tear down the sign off the gay committee's bulletin board."

Captain Jack W. Morse played down the issue of selective enforcement of the poster regulations. He pointed out that the Harvard police respond to violations of the regulations whenever there is a complaint. "On one occasion," he pointed out, "the Harvard police even had to tear down their own posters." The Harvard police, "are constantly reminded of the delicacy of the situation and are required to go through sensitivity training."

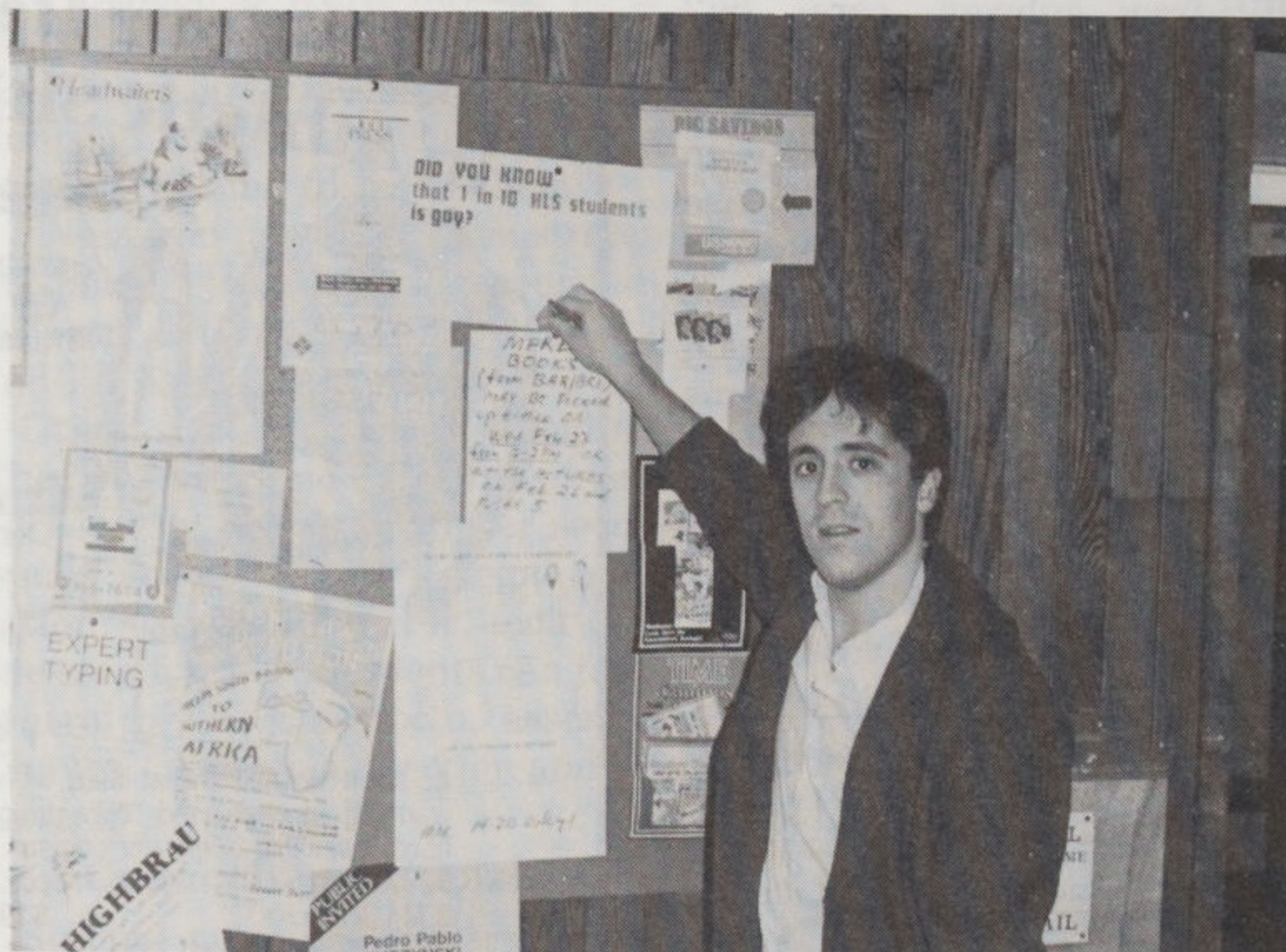
Morse said that many organizations make similar complaints of selective enforcement, but that the charge was untrue. He said that the force just does not have enough men to patrol the corridors and can only respond when possible violations are reported. When confronted with the eyewitness account of police tearing the posters from the COGLLI bulletin board, Morse replied that the officers involved "did not knowingly take anything off a bulletin board." He added that Dean of Students Mary Upton had brought the situation to his attention.

The morning after the confrontation, Schatz, Paul DiDonato, a

1L member of the COGLLI steering committee, Upton, and Prof. Richard Parker, chairman of the HLS Administrative Board, met to discuss the incident. COGLLI drafted a request that Upton contact the Harvard police and ask that a general memo be circulated within the force reminding the officers that gay students publicizing their organization should not be harassed, and that the memo be addressed particularly to the three officers who

its message would not reach the community.

Upton stated in reference to the ripping and defacing of posters: "This behavior is unsupportable." She downplayed the homophobic aspects of the incident and emphasized the issue of free speech at HLS. "I have a responsibility to all student groups and to all students," she said. Other student groups have recently suffered similar treatment from poster vandalizers, although



Mike Lyon

Ben Schatz, 1L, raising consciousness

confronted Schatz and Isbell on Wednesday night. They also asked Upton to send a memo to the custodial staff reminding them that they are not to selectively tear down posters.

Finally, COGLLI requested that a notice be placed in the *Adviser* reminding members of the Law School community that tearing down posters is a serious offense. Upton agreed to place a notice in the *Adviser* and send a memo to the custodial staff, but she said that it was sufficient that she had brought the situation to the attention of Morse, and that it was thenceforth a police matter.

DiDonato emphasized "the seriousness and the complexity of the situation." He felt it was an indignity that a recognized Law School organization should feel that

perhaps not by the Harvard police, she added.

Parker admitted that the school's poster policy is not clear on a number of points, including whether students can be disciplined for tearing down improperly placed posters. He did not foresee any punishment for those who postered illicitly on walls and doors. He emphasized his concern about selective enforcement and hoped that the school would remain a "sufficiently free, robust and open forum for discussion," adding that he would try to see that enforcement of posting rules did not impose on free speech.

Commenting on the situation, Schatz emphasized "the tearing down of legitimately posted gay rights posters is an act of bigotry — nothing more, nothing less."



Surviving as a Woman and a Liberal

(Continued from Page 5)

"important place to be to achieve objectives of justice." She indicated that she remains committed to the larger issues as well as to winning cases, and suggested some new approaches to the criminal justice process.

With evident pride, Holtzman mentioned her introduction of a subway clean-up program in Brooklyn — which has yielded 550 graffiti-free subway cars, 662 scrubbing participants, and "virtually no recidivism" — as one experiment in adding flexibility to sentencing procedures. In response to the "extraordinary overcrowding in jails," Holtzman looks to alternative methods of punishment such as expanded public work programs and restitution for non-violent crimes.

"Even if we had a perfect criminal justice system . . . we couldn't have it functioning perfectly in an im-

perfect society," Holtzman said. She called attention to the epidemics of handguns, unemployment and discrimination. Holtzman also noted the ever-growing glorification of violence, as evidenced by its treatment in the popular media and by the national defense budget. Finally, Holtzman noted the lack of

education or a decent environment as additional social problems which stand as obstacles to the achievement of justice in both criminal law and society as a whole. "We have a long way to go in both respects," she added.



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I. Adult Snoopy-2 T-Shirt. (Corresponds to "F" above) S,M,L,XL **\$9**

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Students Voice Grievances at Open Forum

(Continued from Page 1)

your wisdom . . . and we want your help if that is possible."

Following a standing ovation for Bisharat and a short comment by Prof. Paul Weiler commending the forum, the moderator, Irma Tyler-Wood, 2L, opened the floor to questions. The overwhelming majority of the questions that followed concerned the Law School's faculty hiring, and the structure of the curriculum.

Criticism of the faculty's record in its hiring of minorities (of both genders) and women (of all races) were answered by selection committee Chairman Alvin Warren's insistence that although the committee has been trying for 15 years, the size of the pool of applicants has frustrated their dedicated efforts to find qualified minority scholars.

Many students questioned this dedication. One pointed out that this is similar to the arguments that were raised concerning affirmative action for students in years past, but that this objection was overcome by recruiting the best students available. Another responded to Warren's statement that the progress so far is just a start by stating that any start which does so little in 15 years is highly inadequate.

Another student asked how the faculty defined "qualified minority scholars." Prof. Warren stated that the Law School seeks individuals who have distinguished themselves in practice. He dismissed assertions

that candidates were required to have been members of the *Harvard Law Review*.

Faculty Education

Seeming to accept, for the moment, that it is impossible to change the makeup of the faculty, one student asked what steps current faculty members are taking to educate themselves regarding the needs of women and minorities.

Prof. Phil Heymann stated, "No one ever told you to come to Harvard Law School to learn how to be a woman or to learn how to be a Black . . . Those are terribly important things in life, but this isn't the place for you to come to learn them."

"What you just said demonstrates my point," the student responded. "It's not as though law is one thing and life is another."

Other professors, including Charles Fried and Abram Chayes, agreed that these and other social issues are critical to a legal education. Chayes, however, took this one step further. Students can take control of the classroom, asserted Chayes. "Ask me a question and I'll have to answer it."

Curriculum Criticized

Student questions concerning the curriculum ranged across a broad spectrum from the complaint that there is too little criminal law to the lack of adequate consideration of feminist jurisprudential scholarship. The primary complaint, however, revolved around the dis-

parity between the Law School's official insistence that it does not endorse careers in corporate law and the direction in which the school's curriculum pushes students.

Prof. Fried responded in two ways. First, he maintained, there are numerous courses at the Law School dealing with the "concerns of people who are disadvantaged." Second, he objected to characterizations that disparage courses such as Corporate Finance and Advanced Estate Planning. "To rail against this," said Fried, "seems to be about as irrelevant as railing against the fact that at MIT they're teaching people to make electric generators instead of teaching them to change fuses and fix toasters."

A number of students were unhappy with Fried's statements. One student from the Environmental Law Society asserted that the array of socially relevant courses Fried referred to are rarely taught. When they are offered, it is by a visiting professor and for very few credits.

The paucity of clinical programs available at HLS was another of the students' most frequent complaints. Faculty members responded that a great deal is being done to remedy inadequacies, but that it is a misperception to conceive of this as an area of unfulfilled over-demand.

Prof. Morton Horowitz criticized students' requests for altering the subject matter of courses taught at HLS. "There are no good-guy subjects and bad-guy subjects . . . and it shouldn't become that to anybody who has serious interest in changing this law school or changing society." Prof. Clark Byse added that he felt his role was not to teach topical courses, but to train students in the skills essential to being good lawyers.

Many students also voiced concern over the impersonal, cold and distanced treatment that they often receive from faculty members. Others complained about the minimal input students are permitted in administrative decisions, as well as the patronizing attitude of mistrust toward student representatives.

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Sports Quiz

Note: Today's sports quiz asks you to identify athletes who have the same name (first and last) as actors or television personalities.

1. Remembered as a fine defensive player, this first baseman, who began his career with the Red Sox in 1966, played in the 1967 World Series and returned to the Red Sox from the Brewers in 1977, shares his name with an actor best known for his portrayal of a famous military man. Name these men.
2. Plagued with back and knee injuries in recent years, this goaltender, whose brilliant play led the New York Rangers to an upset victory over the New York Islanders in the 1979 Stanley Cup semi-finals, has the same name as a well-known television personality who has hosted his own talk show. Name these men.
3. An excellent wide-receiver who played opposite Paul Warfield on the fine Cleveland Brown teams of the late 1960s, this Maryland alumnus has the same name as the current host of Boston's "Hour Magazine" TV show. Name these men.
4. The star of the old TV show "Mayberry R.F.D." shares his name with a former outfielder whose 14-year major league career began with the Chicago White Sox in 1962, continued with the California Angels in 1971 and included stints with Milwaukee and Cleveland. Name these men.
5. A third-place finisher in the recent Doral Open in Florida, this member of the PGA tour has the same name as one of America's most beloved actor-comedians. Name these men.

(Answers on Page 13)

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Clerkships

(Continued from Page 4)

William Fisher (Justice Marshall), clerking for Judge Harry Edwards; and Peter Huber (Justice O'Connor), clerking for Judge Ruth Bader Ginsburg.

Other law clerks from HLS '82 are: Scott McIntosh (Justice Blackmun), now clerking for Judge Stephen Breyer of the First Circuit; and Howell Jackson (Justice Marshall), clerking for Judge Jon Newman of the Second Circuit.

Not Just '82s

Not all of this year's clerks from Harvard are members of the Class of '82. Jeff Kindler, from Upper Montclair, N.J., graduated in 1980 and then clerked for Judge Bazelon of the D.C. Circuit for one year. Kindler, now with the Washington law firm of Williams & Connolly, will begin clerking for Justice Brennan in July. Another of Justice Brennan's clerks from the Law School is also in private practice now. John Savarese, HLS '81, from Darien, Conn., is with the Washington firm of Miller, Cassidy, Larroca & Lewin. Last year, Savarese clerked for Judge Lewis Pollak of the Eastern District of Pennsylvania. One other Harvard graduate who clerked for a District Judge is Lawrence Rosenthal, HLS '81. Rosenthal is from Potomac, Md. and is now clerking for Judge Prentice Marshall of the Northern District of Illinois. He will begin work with Justice Stevens in July.

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