

HARVARD LAW RECORD

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25 CENTS

Faculty Debates LSC Plan

By Mike Isbell

The faculty Wednesday discussed but came to no consensus on proposals by the Law School Council to provide regularized student participation in the appointments and admissions processes.

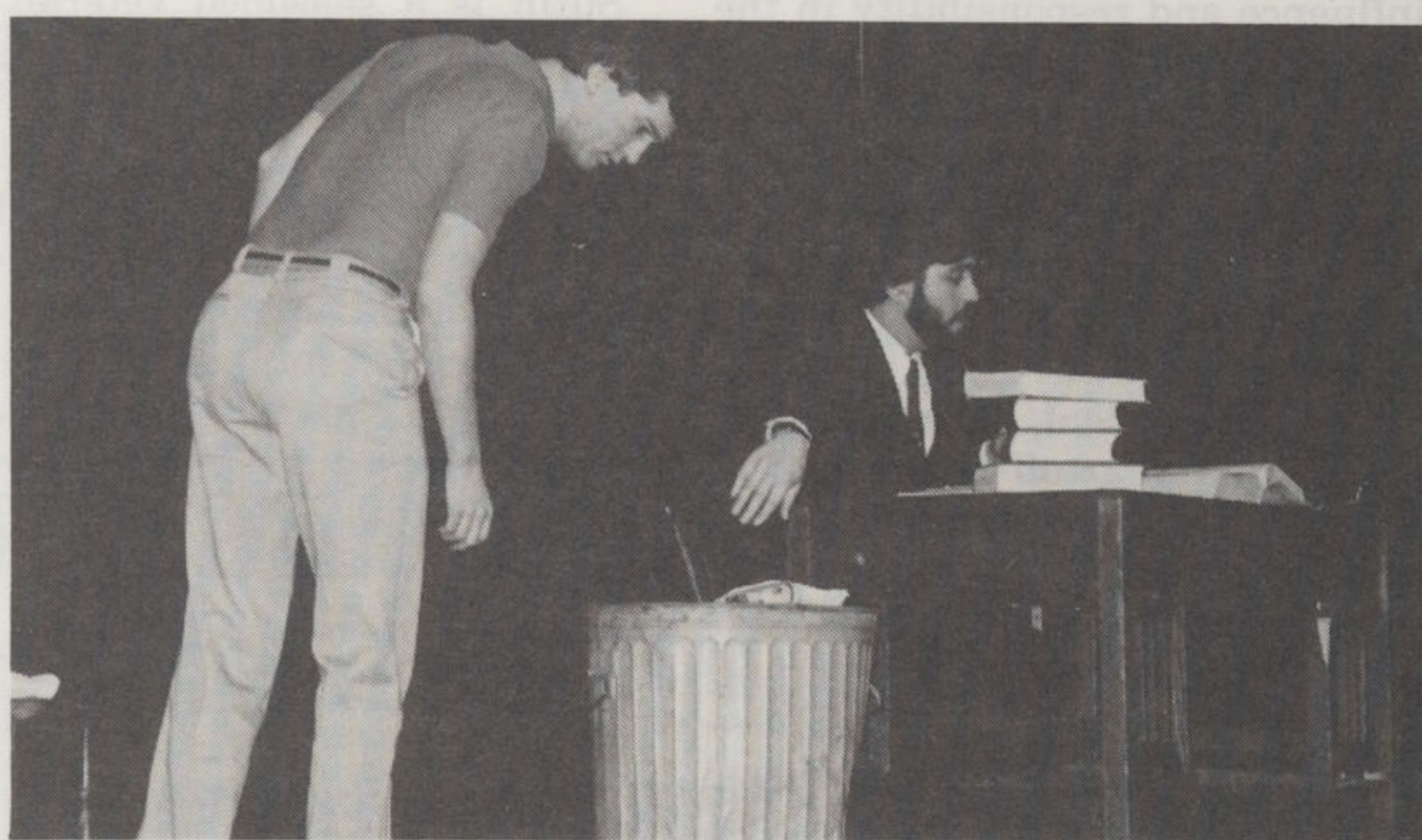
Faculty members who opposed the proposals said students are unqualified to judge the scholarly works of candidates for positions on the faculty. Several faculty members also argued that student involvement in admissions decisions would make the admissions process unwieldy and would increase the importance of arbitrary criteria such as LSAT scores and grade point averages.

The council (LSC) has asked that student representatives be allowed to vote on all admissions decisions. In addition, the LSC has proposed that the faculty either allow students to sit on the Admissions Committee or institutionalize a process whereby students have access to appointments information and meet with all prospective candidates.

Neither proposal made it past the discussion phase. Dean James Vorenberg adjourned the open portion of the meeting before the faculty could discuss the LSC's proposal to increase from five to 15 the number of council members permitted to attend faculty meetings.

"By no means by making these

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Mike Lyon

Tom Lorenzen, 2L, looks on while his roommate, Jan Miller, 2L, corrects "typos" in his 1984 casebooks. For a review of this year's Drama Society spring production, see page 16.

Rallyers Renew Opposition to S. African Investment

By Michael Malamut

Once again, some members of the Law School community are calling for the divestiture of the University's stock holdings in companies doing business in South Africa. The recent push was highlighted by a demonstration Tuesday by about 75 HLS students.

On Monday, March 13, the Advisory Committee on Shareholder Responsibility (ACSR) held an open meeting in Longfellow Hall in the Radcliffe Yard at which several members of the Law School community addressed the committee.

Sam Adelman, LL.M. and a South African exile, spoke of his experiences in South Africa which eventually led to his flight from the

country. He told of the struggle for democracy in South Africa and emphasized that it is not purely a racial struggle. He pointed to the South African government's actions against him, a white South African, in placing him under ban and forcing him to discontinue his legal studies.

Adelman said Harvard is acting undemocratically in refusing to divest. He said surveys show student and faculty sentiment are in favor of divestiture.

Adelman called the present University policy racist, as it assumes that the University can judge what is for the good of the majority in South Africa better than the South Africans themselves. He labeled the

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Presidential Campaign Comes to Campus

By Louis J. Hoffman

Law students are sometimes accused of apathy, but several here at HLS are demonstrating their involvement by becoming active in presidential politics. In addition to scores of volunteers, a number of students have reached posts of great influence and responsibility in the campaigns of each of the five Democratic contenders in the Massachusetts primary Tuesday. The Massachusetts primary victor, Sen. Gary Hart, appears to have the greatest number of HLS students in such positions.

One HLS student, Robert Shapiro, is taking a year off before his 3L year to work on Hart's national campaign. Shapiro has been working for Hart for eight months, and he stated that he's "been running Hart's presidential campaign."

Actually, Shapiro is a national field organizer, a job that requires him to put together state organizations in "troublespot" states. So far, Shapiro has worked in eight states. He was instrumental in the effort to qualify Hart for the ballot in several key states, including Illinois and Pennsylvania.

Shapiro's job is a paid one, but he commented that the campaign is only now "threatening to pay" the workers. "They've asked for our Social Security numbers," he said.

Tony Sutin, 3L, has been working in Hart's state campaign since August 1982. He is currently a regional field coordinator, with responsibility

for putting together a field organization in an area that includes nine cities and towns in the south and west suburbs of Boston, including Brookline, Newton and Wellesley.

Hooked on Politics

Sutin is a seasoned veteran of many political campaigns and a self-proclaimed "political junkie." So, when Hart was rumored to be beginning a presidential bid, Sutin called the senator's Washington office for information. He was the first or second supporter in the state.

Now Sutin does tasks such as or-

ganizing the volunteers in his region and contacting public officials, but his earlier involvement was much more varied. He noted that his first task was to clip articles, but he also worked on Hart's announcement speeches early in the campaign.

According to Sutin, the campaign was once served with a civil complaint about delegate selection, but otherwise his legal training has made little difference. "Law school has helped me deal with the stress and pressure of the campaign trail," he commented.

Sutin agreed that the "HLS

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Dual Sex Role Standard Marks Constitutional Cases

By Michael Medina

"Rethinking Sex and the Constitution" was the subject of a talk given by visiting professor Sylvia Law last Thursday. About 50 people attended the lecture which was based on an article by Law which will be published in the *University of Pennsylvania Law Review* this June.

current sex-related constitutional law in the separate doctrines relating to sexual equality on one hand, and reproductive freedom on the other. "We need to reconcile equality doctrine with sex-based biological differences" she said.

Part of the problem, Law said, is based in the social vision of sex equality. The "assimilationist" vision, she said, views certain factors, such as sex, race and eye color, as characteristics which should never matter in society and law. The assimilationist view is best developed in race, and sexual equality lawyers want to draw analogies to race in order to use the 14th amendment to get protection.

Law viewed the analogy of sex to race as a powerful one, based on historical subjugation, immutability of the characteristic, and lack of relation to ability. But, she pointed

out, there is another sort of difference, women's ability to reproduce, which is not taken into account by assimilationism.

A second vision which she identified was one which recognized sex differences based on different life experiences. The problems with this vision, she said, are that it ignores the history of laws subjugating women which were justified as protecting them, and that it could lead to generalizations of universal sex differences which might be unjust to particular individuals.

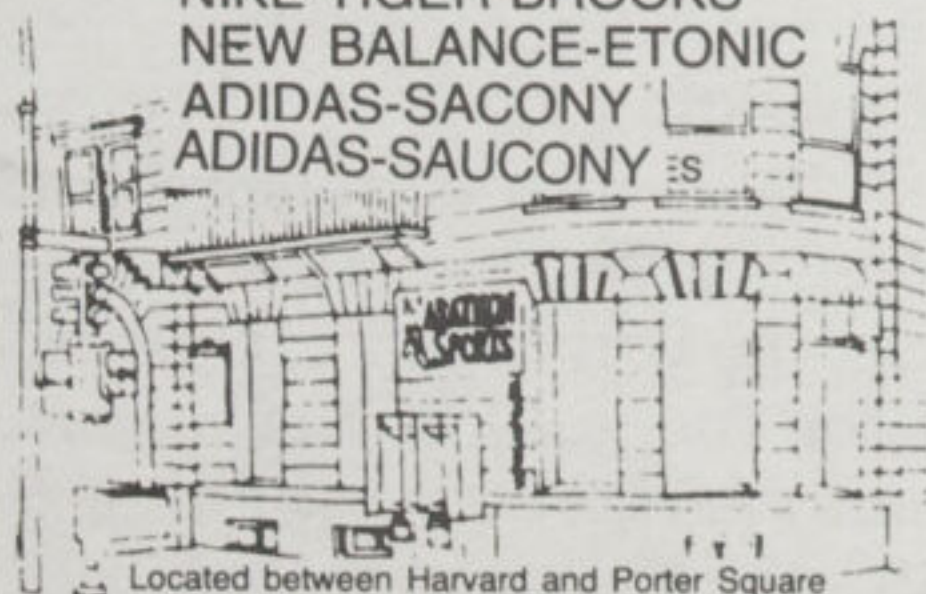
What is needed, Law said, is for laws governing reproductive biology to be "informed by a concern with sex equality." She pointed out several cases concerning unequal custody rights between fathers and mothers as showing how reproductive stereotypes get built into legal doctrine. She used as examples language used by Mr. Justice Stevens in these cases which asserted that mothers have an "unshakable responsibility" for their children while paternity is merely "an opportunity to develop a relationship."

This shows the courts' failure to focus on reality versus the myths of biological differences, Law said.

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Students Challenge Bok On Divestiture

By Burlette Carter

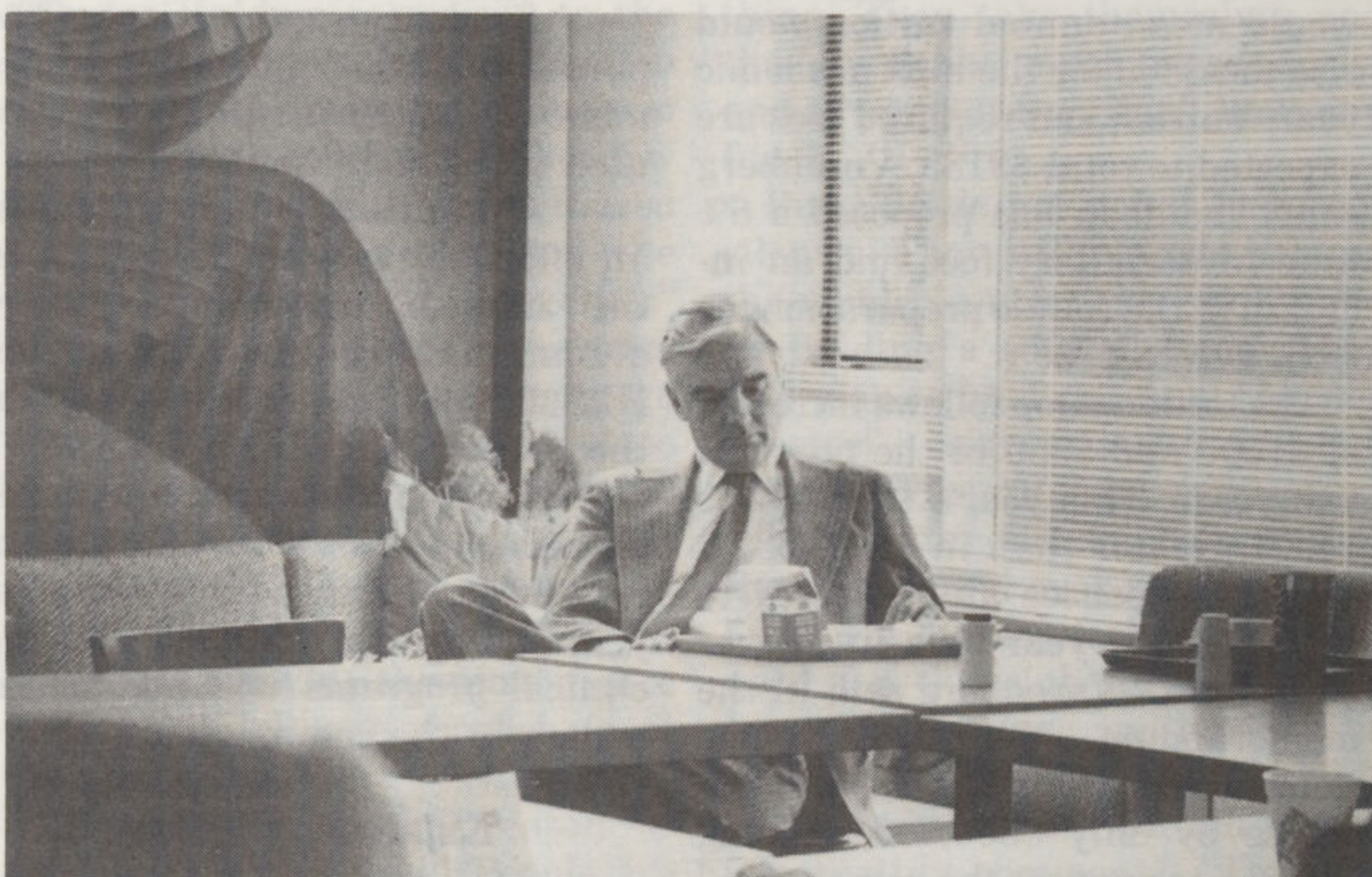
Derek Bok, president of Harvard University was the guest of the Law School's Dormitory and Student Affairs Council (DSAC) at a "brown bag lunch" on Monday, Mar. 12. The brown bag series, coordinated by Barbara Shaeffer, 3L, and Bruce McCoy, 2L, regularly invites Harvard faculty, staff and administrators to join students in an informal discussion over lunch.

The discussion with Bok, attended by about 30 students, was advertised as a chance to talk with the president about his controversial 1982 Annual Report and "related issues." McCoy and Shaeffer stated that the two of them made the decision to narrow the topic in the interest of giving the discussion some focus and avoiding a debate-type atmosphere.

However, the efforts of DSAC organizers to avoid tension were less than successful. Although much of

the discussion was calm, Bok, who declined to make his comments on the record, encountered strong challenges from students on some volatile topics. The most heated exchanges occurred over the latest push to get Harvard to divest its funds out of South Africa. Several students repeated earlier invitations

of the South African divestiture, McCoy interrupted to suggest that divestiture was not within the scope of the prearranged topic, Bok's Report. His statement encountered opposition from Ibrahim Gassama, 3L, and other students who insisted that the South Africa question be addressed. The discussion of di-



Risé Peters

Harvard President Derek Bok, '54, contemplates a question from a student at a DSAC "brown bag" lunch this week.

to the president to participate in an open forum on the divestiture question.

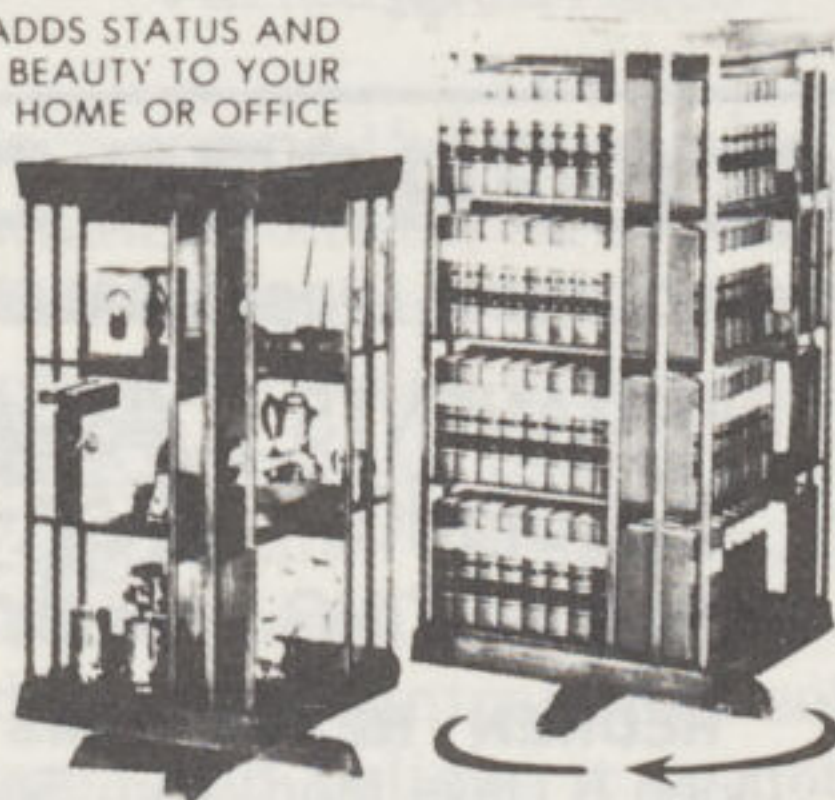
McCoy, Shaeffer and Eric Eisenberg, 3L, former president of DSAC, interrupted to counter the tension several times. After some discussion

vestiture continued in a calmer vein until the issue of faculty hiring was raised. That too, resulted in some heated conversation.

Also discussed were reducing the size of law school classes, student
(Continued on Page 8)

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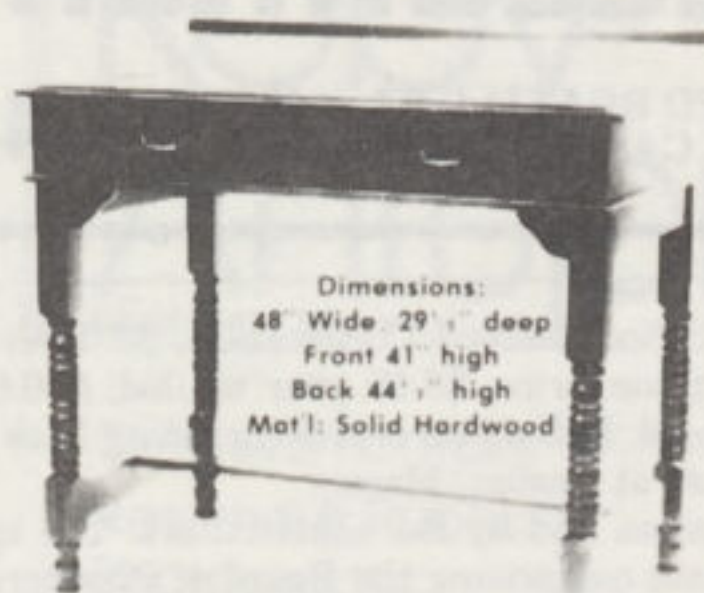
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Dean Recommends \$900 Tuition Hike

By Mike Isbell

Dean James Vorenberg will recommend to the Harvard Governing Boards an 11.4% increase in Law School tuition for 1984-85, he announced this week in a memorandum to the HLS community.

The \$900 increase, if approved, would mean annual tuition would rise to \$8800 for the next academic year. Tuition and required fees are expected to total \$9185, Vorenberg said. The dean has proposed a 6% hike in dormitory fees and an increase in the course preparation fee from \$75 to \$85.

The tuition jump follows increases of \$1000 and \$950 in the previous two years. This year's tuition was 14.5% greater than in 1982-83.

"Core expenses are expected to increase next year by a little over \$2 million," Vorenberg said in the memorandum. "But core income items other than tuition will increase by only \$560,000, leaving tuition to support the remainder."

Although endowment income is expected to grow in 1984-85, Vorenberg said, it will not match growth in core expenses. He said the proportion of core expenses supported by endowment income has dropped from 25% in 1972-73 to just under 18% for 1984-85.

The proportion of unrestricted annual giving to HLS that will be used for the school's current operating expenses will fall from 84% to 74% next year, Vorenberg said. He said the Law School hopes eventually to reduce the proportion of such giving used for current operating expenses to 50%.

Vorenberg said other income, transfers and adjustments will be used primarily to shore up the Law School's financial aid program.

Vorenberg outlined several items that he said will contribute to an

anticipated increase in total core expenses of 9%:

— Administrative departments. This item is growing much faster than all others due to increases in the University's assessment for central administrative services and the reinstitution of the Office of Vice Dean.

— Student organizations. The purchase of word processing equipment for student journals contributed to an increase in expenses.

— Alumni and Fund Office. In an effort to reverse the decline in the number and proportion of alumni making gifts to the school, HLS is spending more money on the alumni office.

— Faculty instruction. Additional teaching positions, further expansion of small sections in the first year and the Law School's growing clinical programs will add to expenses in the coming year.

Expenses to Rise

— Library expenses. The school has hired additional personnel and purchased new computers and equipment.

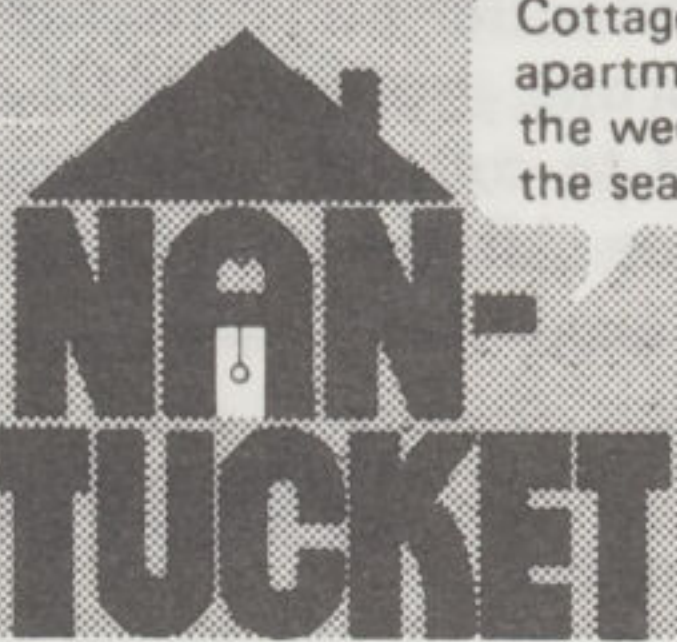
— Financial aid. The payment of

interest on loans made as part of need-based financial aid awards will increase from \$220,000 to more than \$260,000, and could increase even more. Although the number of students receiving grant aid this year increased, the increase was smaller than expected. The committee has established a first loan figure for 1984-85 of \$7350.

— Buildings and facilities. A new chiller in the International Legal Studies building and steam generators in dormitories are among the outlays planned in this area by HLS next year, but Vorenberg said the money set aside for this budget item does not provide the school with enough flexibility to cope with significant increases in energy costs.

Vorenberg said Harvard's law school tuition for 1984-85 should still be substantially lower than that charged at Chicago, Columbia, Stanford and Yale. Only two of those schools have announced tuition rates for next year. The University of Chicago will charge \$10,240 while Stanford's rate will be \$10,006.





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Somerville Bar Review Succumbs

By Gregory Klima

"Somerville Bar Review has a long tradition of existence to itself and the community at large." That is one motto of the Somerville Bar Review. Among others are "Let each become one-third of what he is capable of being" and "Home is where the beer is."

But the long tradition of existence for SBR is coming to an end. Come June, the SBR will cease to exist.

The SBR was formed in the late '70s. Its main function was to provide a source of recreation for law students. Each Thursday night the SBR would "review" a different local bar.

Bar-hopping was not SBR's only activity, though. According to Editor-in-Chief Jeff DeCora, 3L, Financial Editor Ruben Perlmutter, 3L, and Case Editor Ted Brenner, 3L, SBR also sponsored other activities. Their most famous were the "Master Blaster" parties at the SBR mansion.

Varied Activities

Each spring the group also hosts a "whaler contest," a combination of beer-chugging and road race events. Their wine and cheese parties are epicurean festivals of Mad Dog 20/20 and CheezWhiz. Their softball teams are always contenders in the intramural softball league. And believe it or not, the SBR team won the Ames Moot Court Competition in 1980.

SBR also claims to possess the greatest law outline library at HLS. They claim that even the *Law Review* called them last semester for an outline that the *Review* did not have. Of course, SBR had it on tap.

Considering all of the group's redeeming activities, one may wonder why the SBR is folding. DeCora attributes its demise mainly to the Pub in the Hark. Before the Pub opened, it was more difficult to go somewhere to drink with other law students. As a result, the SBR used to get the "wild people and the young professional-types together" to go exploring the bars in the area. But now students can simply go down to the Pub if they want to associate with other law students.

Perlmutter stated that interest in the club began to wane last spring. Then this year, with the new class of 1Ls having the convenience of the Pub, no one showed up at their meetings.

Brenner saw another reason for the death of the club. "People are afraid of us when we get together," he said. He added that people especially did not like the group's unpredictability and the fact that it lets itself go.

Perlmutter said there was mutual

contempt between the SBR and the rest of the HLS community. He sees students here as pretentious and stuffy. "We despise the facade of false propriety that students put up," he commented. DeCora added that people at HLS do not realize how good they have it. "People are always complaining about everything. They take themselves and the Law School much too seriously, and as a result they don't have any fun."

But SBR is not going to go out silently. They still plan on holding the whaler contest this spring and on fielding a softball team. They also plan to hold one final "Master Blaster" appropriately entitled "Laster Blaster."

Perlmutter did not believe that the SBR would ever make a comeback. He did not feel there was a need for the club anymore. "We want it to be dead and buried," he said.

The members of SBR did have a few parting comments. "This has to be the greatest country in the world because anywhere else we would be in jail," they all agreed.

As for HLS, they replied, "If you don't have anything nice to say to someone, say nothing."

Law Limited Remedy For Racial Violence

By Bruce Kelly

On Wednesday, March 7, three speakers discussed how communities can respond to racially motivated violence when legal remedies fail. The panel discussion, one of a series of events sponsored by the HLS Center for Criminal Justice on racially motivated violence, featured Ken Wade, an activist in the Black community of Boston; Steve Limon, deputy chief of the criminal bureau in the Middlesex County DA's office; and Richard Roberts, an attorney at Covington & Burling, formerly with the Department of Justice.

In her introduction, Nyisha Shakur, 1L, moderator of the panel, emphasized the role of direct community action in ensuring the efficacy of legal remedies, saying, "The legal remedies that we rely on for enforcement are only effective in relation to pressure for continued enforcement from the community."

She reminded the audience that there are "more subtle acts of violence than physical violence," noting that it is a form of violence to deny people necessities such as food, housing, or medical care.

Wade, the first panelist to speak, used examples from five different

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Byzantine Library Stymies Students

By Justin Hughes

This is the second part in a three-part series on changes in HLS libraries.

When Langdell library was built it was modelled on the great European libraries. The stacks were closed to everyone but staff members. The reading room's circulation desk surrounded the elevator and the main stairwell. When you wanted a book, you told someone

at the desk and they scurried into the stacks to get it for you.

In 1960, the stacks were opened to students, but there were no call numbers on the books and no comprehensive classification scheme. "So," according to Librarian Harry S. Martin, "they started slapping call numbers on books. . . . They came up with their own system of call numbers. It was pretty good, but over time deficiencies became apparent."

The problems with Langdell's call

number system are not the only headache for those managing the collection today. Space is a far greater problem. At one time Langdell's 35 miles of shelving seemed large enough to hold centuries of legal tomes, but that was before the amount of legal materials published annually quadrupled between 1940 and 1980. As Langdell became cramped, sections of books were moved about to create greater space and, inadvertently, greater confusion. Many volumes were put in storage.

Byzantine System

The result is a byzantine library system. Books in the open stacks are hard to find and books in storage, 40% of the HLS collection, are scattered about the campus everywhere from the attic of Austin to the basements of Shaw, Story, and Dane Halls.

One solution to the space problem has been to remodel Langdell. The signs in the tunnel which point to Langdell South Middle are the last hints of a classroom gobbled up by the library in 1979. In that year Langdell South Middle was converted to four levels of climate controlled stacks — the library's first outside the Treasure Room stacks. One level has been equipped with "compact storage" shelves which roll on tracks, allowing the shelves to be fitted together when not in use. The compact storage system permits a floor area the size of a Langdell classroom to hold 120,000 books instead of 60,000.

Money Problems

The problem with compact storage or any remodelling is that it is expensive. In fact, in 1979 the library could only afford to equip one of the South Middle levels with the special shelves. Moreover, it is not clear that the other classrooms in the building could be converted to book storage, regular or compact. During the 1979 conversion special supports had to be added to the foundation of the South Middle sec-

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Langdell System Reclassified, Rearranged

tion to allow for the weight of books. The north classrooms of Langdell are built on marshy ground and it might be prohibitively expensive to reinforce the north foundation to support books.

Because creating new space is such an expensive proposition and the present organization of the collection is so poor, the library has begun a program to rearrange the entire collection over the next few years. Planning for the rearrangement began in 1981, but actual moving of books did not begin until this past summer. Because space for the collection is so tight, moving books involves what Assistant Librarian Will Meredith, in charge of Collection Management, calls a "domino effect".

Moving Out

First, this summer, non-current legislative materials were moved out of temporary storage just to provide room for the Hispanic collection which was moved into storage temporarily. The Commonwealth collection was then moved to the Hispanic collection's former home. According to Meredith the new space for the Commonwealth collections will allow the most important English-speaking foreign jurisdictions to be together for the first time.

Most recently, the library staff moved the periodical collection. According to Martin, "When we started to move the periodicals, people started to say 'What the hell is going on here?'" The periodicals are being

moved to the bottom floor of Langdell where they will continue to be shelved as one block of books. At the same time as they are being moved, many — as many as the budget permit — are being reclassified in the Library of Congress (L.C.) cataloguing system.

Existential Library

Unfortunately, the periodical move was ill-timed and has taken longer than expected. "There was some misplanning," said Martin, "The staff thought they could get it done before Ames. . . . We did a lot of moves before the periodical move, but they were behind-the-scenes. They [the staff] didn't internalize the impact the periodical move would have on the public."

The effects of the move have been almost comic. One day, for example, all the bound sets of the *Yale Law Journal* disappeared. "It has become a kind of existential library," said one student. "Before the books were hard to find. Now they move about and entire sets will vanish from the shelves; no one is sure where some sets are." Once you find the serials on the bottom floor, some of the periodicals are arranged alphabetically and some are arranged by their new Library of Congress call numbers.

But there is more complexity. For example, the *Journal of Corporate Law* is supposed to be in the alphabetical section of the new periodical section, but it's actually in the Library of Congress section without L.C. call numbers. Non-le-

gal periodicals that have been given L.C. call numbers, such as medical and economic journals, won't be in the periodical area at all because under L.C. classification, they don't fall in the same number range as legal periodicals.

Although the most heavily used journals have already been reclassified, the complete reclassifying process itself will take years. This is mainly because of budget constraints, but also because of the novelty of the project. "The Library of Congress has not classed a lot of these things. We are classing them ourselves," said Meredith. "It seems as fast as possible to us. To others, it may seem glacial."

Self-Service

Major moves still in the planning stages include a complete rearrangement of the collections in the International Legal Studies Library (ILS) and the Langdell core stacks. The library's master plan also calls for changing the part of the collection in storage. For foreign jurisdictions, there will be a straight cut-off date, probably World War II. Legal materials published after the war will be kept in the stacks, everything predating the war will go into storage. All superseded domestic volumes — treatises, codes, and statutes — will be banished to storage. Rare manuscripts, now in storage in the basement of Griswold, will be rehabilitated to the middle level of Langdell South Middle. The lowest South Middle level will be used to house documents for all states. Presently only Massachusetts, New York, and California have their state documents available in the stacks. Documents from other states are in storage in Pound.

The general goal of these changes is to make the collection increasingly self-service, with more uniform organization and accessibility to heavily used items. "We want to organize the collection in some rational fashion," said Meredith. But he added, "I realize people have different ideas of 'rational'."

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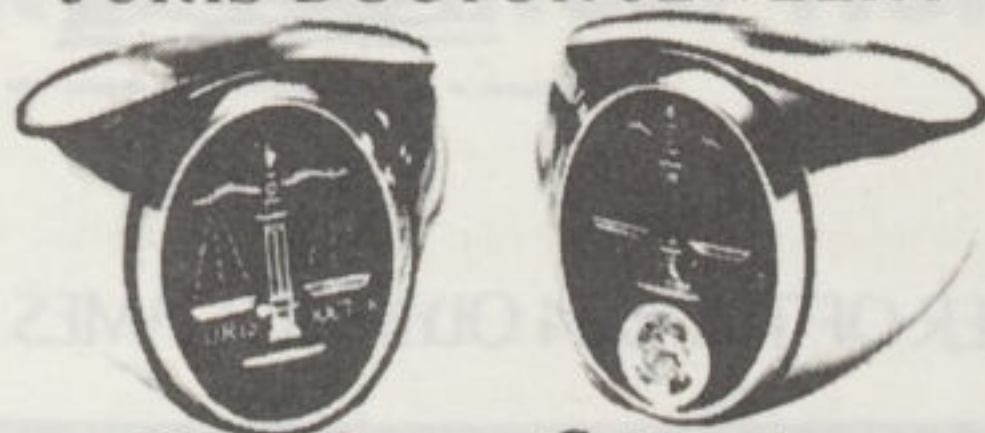
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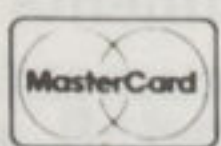
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(Continued from Page 3)

participation on faculty committees, increasing student access to faculty and administration, and expansion of clinical programs.

Afterward, Shaeffer said that the discussion was planned with the thought that the focus would be on Bok's Annual Report and the issues specifically raised therein. Shaeffer also expressed concern that it would have been unfair to require Bok to prepare to entertain questions on any topic whatsoever. Eisenberg, McCoy and Shaeffer all said that they wanted a range of opinions and issues to be aired and were concerned that the discussion not be dominated by one group of persons or one issue.

Yet the discussion raised at least two serious questions regarding such meetings: first, how DSAC should define the scope of such discussions so that those attending could clearly understand what topics were "proper subjects," and second, whether narrowing the issues to be discussed would be advisable in light of student interests and concerns. McCoy and Shaeffer said that they thought the discussion with Bok was a unique situation but that they would reconsider these issues in planning future lunches.



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Few 1Ls Attend Review's Forum

By Paul Cramer

Less than a dozen 1Ls showed up at the *Law Review's* open forum to discuss selection of *Review* editors last Friday. Approximately three dozen *Review* editors were present.

Those students who did show up at the forum questioned whether the *Review* is truly committed to having a diverse group of students as editors. Susan Keller, 1L, an or-

ganizer of the 1L petition to withhold grades from the *Review*, recommended that the *Review* editors consider organizing a "voluntary review" of which students would become editors based on submissions.

Bob Riggle, 3L, said, "Any Harvard Law School student is capable of editing the *Review*," while Stephanie Pollack, 2L, said, "It can't work out by accident that (the *Re-*

view's) criteria always produce white male editors."

Susan Hoffman, 2L, defended the *Review's* commitment to diversity. She said that the *Review* has had an affirmative action program for the past two years and that a seven-member panel that included three women and one Black student prepared this year's writing competition in order to avoid bias and promote diversity. "The presumption that the *Law Review* doesn't want to listen [to student complaints] is unfair," she said.

Unfeasible

Review editors also attacked a voluntary law review as unfeasible. David Goldstein, 2L, said the *Review* requires 90 people working 30-40 hours each week. If the *Review* had to admit more editors, Goldstein said, it would become unmanageable.

Pointing to problems the *Yale Law Review* reportedly has had, Jim Goldstein, 2L, said he had a fundamental objection to a voluntary review. "The bottom line is, I don't think the *Review* would come out."

Less Pressure?

Scott Nelson, 3L, explained the *Review's* new policy of weighting grades 70% and writing 30% in selecting half of its first-year editors. Nelson said the *Review* hoped the changes would "eliminate the excessive pressure on grades" during the first year.

First-year student Mike Wiener questioned whether the increased number of students eligible to become editors under the new plan might actually increase the pressure to get high grades. Chuck Blanchard, 2L, doubted that the pressure would increase since "grades tend to clump in groups of 10-20 where differences are small." Blanchard said he hoped students would "take the *Review* as any other option [at the Law School]" and not "single it out as the do-all and end-all of extracurricular activities."

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Seaga Decries Lack Of Understanding

By Justin Hughes

Jamaican Prime Minister Edward Seaga opened the HLS Forum's spring season on March 8 with a speech on democracies in the Caribbean region. The Prime Minister, on a two-day visit to Harvard, spoke to an audience of about 100 students and faculty in the Ames courtroom. In both his speech and the question and answer period that followed, Seaga lived up to his reputation as an eloquent speaker espousing a classical liberal vision for developing nations.

Seaga characterized the Caribbean as "a region of many states and many contradictions," but went on to place considerable emphasis on the lack of knowledge about the region among Americans. "Usually when there is a crisis in the region, there is little understanding. . . . The Caribbean has an image problem." He charged Americans with thinking about the area's political and social problems "only when some event forces a network to create a map showing where we are."

Area Highly Politicized

According to Seaga, the reality of the region is "a common legacy" of inadequate resources, burgeoning populations of young people, and tremendous economic needs. Despite these limitations, the Prime Minister views the people of the Caribbean as being highly politicized and torn in a struggle between democratic and authoritarian traditions. Seaga presented the com-

petition between these two traditions in almost dialectic terms.

Authoritarianism, according to Seaga, is a recent transplant to the region. Democracy, said Seaga, has a much longer Caribbean history, being "conceived in European parliaments . . . gestated in a tropical experience . . . and born out of a drive for national self-determination." Despite the strength of that tradition, Seaga conceded that democratic institutions "face a powerful and disturbing challenge" from Marxist ideology.

Caribbean Interests

Seaga sought to project Caribbean interests and policies as distinct from those of the United States and western nations. As an example, he pointed to Jamaica's anti-South African policy. He connected these positions to a kind of spiritual independence unique to the Caribbean democracies, "The crucible which produced our system . . . would have made us what we are . . . whether or not there was a great neighbor near us who shared our ideals."

Seaga characterized Jamaica under a socialist government in the seventies as, "a society being re-

structured against its will." Seaga cited examples of institutions established by the socialist government to parallel Cuban institutions, such as a "People's Court" and "Home Guards."

"Nowadays in Jamaica it is not popular to recall these adventures. . . . These facts are nevertheless part of our recent history," said Seaga.

Seaga deftly handled questions from the audience on the origins of the Caribbean Basin Initiative, his ties to the Reagan administration, and his handling of the recent Jamaican elections which left his party with an absolute majority in the Jamaican parliament. "We are not a one-party state, we are a one-party government," said Seaga.

On the invasion of Grenada, Seaga defended the legality of the military mission and claimed that he and fellow Caribbean leaders invited the United States to "participate in this military operation." According to the Prime Minister, the experience of the Grenadians with prior governments has created a new problem on that island. "The most difficult task is to convince them [the Grenadians] to have a political system."

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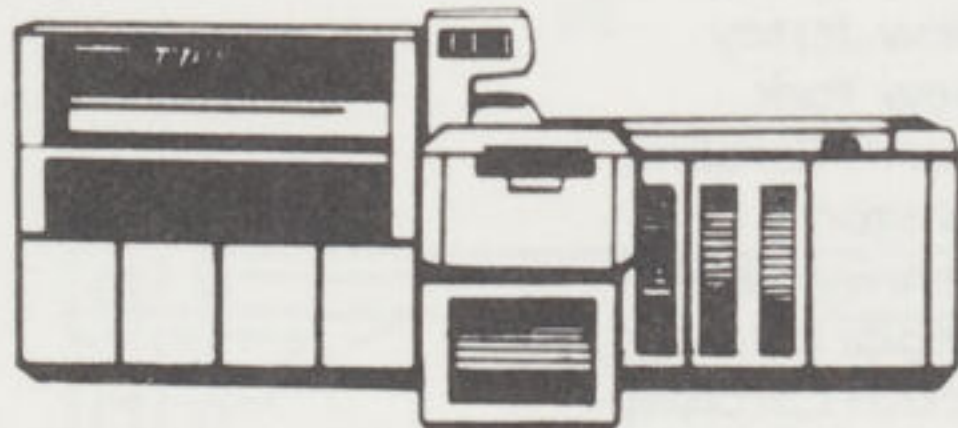
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More Silence

Spring is nearing, and the institutionalized silence at Harvard blossomed in all its beauty this week.

On Monday, Harvard University President Derek Bok was guest at a "brown bag lunch" at the Law School sponsored by the dormitory council. In DSAC's advertisements around the school, the lunch was billed as a chance to talk to the President about the controversial Bok Report and other issues. As one would expect, the RECORD had a reporter there. Bok, though, announced that all his comments would be off the record since he had not anticipated that the press would be present. It seems strange that a politician as successful as Bok could have imagined that the Law School's student newspaper would have ignored one of the few chances HLS students have to communicate directly with the President. Beyond that, though, one wonders why Bok feared that what he had to say might end up in print. Bok himself questioned the legitimacy of legal education in his widely publicized report, and he surely has contemplated at least a time or two the issue of investment in South Africa. So why was Bok so reticent?

Harvard, though, is not content to keep its own mouth shut but wishes to silence students as well. Consider the faculty's failure on Wednesday to take any action on the Law School Council's proposals to increase student participation in the appointments and admissions processes. An underlying assumption in the criticism by some of the faculty of the LSC proposals is that things are going well and the boat shouldn't be rocked. In that Harvard still appears to be perched at the top of the legal establishment, perhaps they are right. But there seems to be no inherent logic in a system that shuts students out completely. After all, the faculty is representative of no one, maybe with the exception of white males. And as for appointments, the general dissatisfaction among students with the quality of instruction here might lead one to conclude that the system doesn't necessarily work all too well as it is. Certainly, students using the informal lines of communication so stressed by Prof. Warren have yet to see the composition of the faculty change very much.

In any event, the wall erected to separate students from the institution contributes greatly to the dissatisfaction and alienation of students here. All the student-faculty forums and "Inquiries" discussions in the world can't fill this substantive vacuum.

HARVARD LAW RECORD

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Fenno

Megabucks, the biggest bonanza in planetary history — unless you count Fenno's admission to Harvard Law School — was to be awarded on Saturday, Mar. 10. Fenno always *knew* he'd win; it was only a question of when and how much.

It had come to him in a dream. Prof. Warrwolf was speaking about unearned income, and Fenno, as always, had fallen into a deep Friday afternoon snooze. Then an angel appeared unto Fenno saying: Behold, the riches of the Massachusetts state lottery are yours. To derive the winning number, the angel instructed Fenno to add the digits in Rocco Forgione's license plate, multiply by the number of classified ads in the St. Valentine's edition of the *Boston Phoenix*, subtract the number of tenured minority professors at HLS and divide by the square root of Steve's franchises.

The next day Fenno took steps to preserve his privacy. He'd seen what vast wealth had done to Michael Jackson . . . and he *hated* sunglasses.

With the determination of an antitrust lawyer working for a contingent fee, Fenno took precautions: he "borrowed" the RECORD's answering machine; laid in 16 cases of chocolate eclairs, and picked up *Rags to Riches*, Rupert Murdoch's new biography.

Exhausted but pleased, Fenno returned home, propped a chair under the doorknob, inhaled two beers and collapsed on his bed. In just three hours, he'd be a wealthy recluse.

Fenno had plans for his money. No more spring breaks in Hoboken. It would be the secret playgrounds of the jet set from now on: nude beaches in Kansas, rockfests in Utah, casinos in Vatican City.

Fenno had other ideas too — converting the grad center into a parking garage (it wouldn't take much); installing "Barcoloungers" in the back of every classroom, refurbishing the pub in *real* vinyl and buying the Appointments Committee a new vocabulary.

At 12:01 A.M. Fenno began to screen phone calls. The *National Enquirer* wanted the scoop on Fenno's sex life; the *Wall Street Journal* wanted his investment strategy; the RECORD wanted its answering machine.

Chuck and Di rang up from London, Gumby and Pokey buzzed from Hollywood, and Ronnie and Nancy called from Washington about a downpayment on the deficit.

Prof. Warrwolf called to remind Fenno that under "the Code" his winnings constituted income; Fenno's mother cut off his allowance; and his ex-girlfriend threatened to go public.

Fenno awoke with his nose in a chocolate éclair in time to hear the TV announcer read off the last digits of the winning Megabucks number. They were not the right ones.

Rerunning the divine formula in his head, Fenno realized his mistake — *there are no tenured, minority faculty at HLS.*

Letters to the Editor of the Record

Be Reasonable

To the Editor:

It is difficult to respond to a generalized attack on one's integrity and that of one's guest. It appears from his letter of March 2 that Professor Wolfman disagrees with the Justice Department's current colorblind approach to the Civil Rights Acts. It is, however, all too common at Harvard these days for disagreements to be accompanied by disrespect. Should Professor Wolfman desire to discuss calmly civil rights law, or read the speech he chose not to hear, we would be happy to oblige him. Perhaps then reasoned discourse would replace invective.

Kaj Ahlburg, 3L
Vice President,
Harvard Society for Law and
Public Policy

Self-Hatred

To the Editor:

I was disgusted and angered, though not surprised, by the letter of Alan G. Rothfeld written in response to the RECORD's story on working class students. Mr. Rothfeld was "upset by the uniformly hostile views of 'working class' students." I, in turn, was appalled by Mr. Rothfeld's uniformly ignorant, classist and putrid point of view.

This "Wall Street lawyer" glows with arrogance over the fact that his initial salary in 1968 of \$9500 was more money than his father made to support a family of five. He gleefully proclaims to us all that he is rich, and, in rhetoric dripping with philosophical import, he tells us that "rich is better." As

Mr. Rothfeld reveals, HLS helped him along his merry way, and we "immature" working class students should appreciate the fact that it can do the same for us.

Rich is not better, Mr. Rothfeld. The wealth in which you and people of your class revel exists because multitudes in this society and in the world are made to live in either poverty conditions or the most modest of circumstances. Millions pay the price in order to support the few like you and prop up the distorted consumer culture that no doubt defines your existence. As if people like you and the systems you operate are not oppressive enough, you add insult to injury by acting as though you deserved it all. Standards of libel prevent me from telling you what you truly deserve.

If you and people like you were not blind to the realities of the glorified system of theft you call American capitalism, there would be a little more hope for all of us, including people like your parents who had to support a family of five on \$9500. Oh but I am so sorry, Daddy Warbucks, this is such an immature idea on my part. I imagine the more mature thing to do would be to pre-occupy my time with fantasies of my clawing crawl to the top of the heap, and my associations with white men like you: the few, the proud, the rich!

As if you had not embarrassed yourself enough in the first part of your letter, you had to conclude with the notion that HLS was a "ticket out" of neighborhoods where men stand around and cheer while women are raped. After reading that, I felt pity for you and the startling degree of self-hate and false consciousness you harbor. I also felt anger at your illegitimate morality and at your hypocrisy.

Poor and working class people have not cornered the market (I'll use your language to see if I can get through) on virtue, but, in general, their lives retain more dignity, honesty and humanity than those of the classes who pretend to be "above" them. Your parents and their friends might know about that, but then again, they are too busy cheering rapists, according to you.

This use of rape imagery was truly the crowning touch of your letter. How dare you talk of rape when you and institutions like Harvard engage in the most brutal forms of rape every day. You do not rape on barroom tables, but you rape. In your Wall Street offices, in your boardrooms and banks, your governments and your suburban bedrooms, you rape the working classes, people of color, women and gays and lesbians. You rape with your power and the ignorance, maliciousness and insensitivity with which you wield it. And the pathetic reality is that you all do stand and cheer when you are finished.

It is only befitting that Harvard provided you with your ticket out of humanness into

the vacuity of the rich elite. It is sad that the ticket out went nowhere.

Paul A. DiDonato, 2L

Tradition

To the Editor:

Students and faculty are disappointed that Harvard University has not responded to their request that the date of commencement be changed. We are writing to give added voice to this disappointment. The upcoming elections for class officers stimulated our interests in running for one or more positions. But, given Harvard's adamant refusal to change the date of graduation to avoid coinciding with the Jewish holiday of Shavuoth, we had to stifle our enthusiasm. Neither of us could imagine planning or helping to execute ceremonies the timing of which is so grossly insensitive to Jewish students and faculty. Harvard has refused to budge, citing a long tradition. We all know that long traditions have supported other unpleasant policies in the past.

Leila R. Kern, 3L
Philip B. Kraft, 3L

Explanation

To the Editor:

Today [March 5, 1984] the HLS Forum announced its Spring 1984 schedule. We are proud of the diversity represented by our lineup, and we look forward to some truly stimulating programs. However, given the discussion (re: lack of women speakers) that surrounded the Forum's Fall 1983 schedule, we thought that some further elaboration was appropriate.

Since last July, the Forum has invited many noteworthy women to come to the Law School campus. Among these individuals were: Elizabeth Dole, Margaret Heckler, Mary Frances Berry, Jane Fonda, Joan Rivers, Meryl Streep, Sally Ride, Katherine Hepburn, Diane Sawyer, Coretta Scott King, Phyllis Schlafly, Nancy Reagan, Margaret Thatcher, Sandra Day O'Connor, Katherine Graham, Indira Gandhi, Jeanne Kirkpatrick, and Barbara Walters. Ms. Berry was very interested but just too committed for this year. Ms. Ride is in training. Ms. King is interested but this spring looks iffy. Ms. Sawyer is simply too busy with the primaries. Ms. Streep would like "nothing . . . more than to harangue a couple dozen lawyers" but cannot do it this spring because of film commitments. (She has asked for a rain check, though.) And the story goes on . . .

There are some who will view Ms. Schlafly's appearance as a deliberate response by

Letters Policy

The RECORD's policy on letters is simple. We read all of them. We do not usually acknowledge receipt of them. We print many of them, subject only to editorial discretion. We encourage letters on any subject, and particularly concerning subjects that have been covered in the RECORD. Short letters are more likely to be printed. In no event will we print individual letters longer than 700 words.

Letters should be typed and must be received by 2:00 P.M. on the Tuesday before the issue. Letters should be addressed to the RECORD rather than to third parties. In no event will the RECORD publish letters by writers who have not identified themselves to the RECORD. Organizations should identify the specific individual(s) responsible for approving the letter.

Letters to the Editor of the Record

(Continued from Page 13)

the Forum to last semester's criticisms, but this could not be farther from the truth. We seek interesting and diverse speakers, and we refuse to shy away from controversy. But we cannot control who accepts our invitations, only who receives them.

We truly regret that we do not have more women on our spring schedule, and we will redouble our efforts yet again in this regard for next fall. All we can hope for now is that what success we have in fact had in bringing diverse and controversial discussion to HLS will not be overshadowed by our lack of success with circumstances over which we have very little control.

James Attwood, 3L
For the Board of Directors,
Harvard Law Forum

Rich Is Better?

To the Editor:

In the last three years I have repeatedly been astounded by letters from wealthy HLS alumni who apparently have no understanding of, nor compassion for, the working class or the poor. Alas, the astonishment has turned to anger. I write in response to Alan Rothfeld's letter in the March 9, 1984, RECORD.

Mr. Rothfeld expressed concern about the "hostile views of 'working class' students" at HLS. Yet, he fails to see that it is the perpetuation of his "[n]ow that I am a rich lawyer, I can tell you that rich is better" attitude which infuriates us. Mr. Rothfeld would have us exchange our blue collars for blue blood and never look back at the Sodoms of our past lest we turn into pillars of social change. I sincerely hope that I never reach the level of "maturity" that would allow me to shun so callously the people of my area. I came to Harvard to learn and to grow, not to purchase a "ticket out" of my working class background.

I was particularly appalled by Mr. Rothfeld's implication that repulsive crimes like the Big Dan's gang rape could occur only in poor neighborhoods. There are crimes which are more prevalent in poor areas; theft of food is incredibly common. Rape, however, is a crime of violence; it knows no class or race boundaries. Mr. Rothfeld's baseless stereotype is paradigmatic of the bigotry against which working class students rebel. Incidentally, I wonder if Mr. Rothfeld has any memory of an almost-equally notorious gang-rape involving three Boston doctors and a high-class party?

Mr. Rothfeld attributes his "success" in life to Harvard Law School; perhaps it is time to re-define "success."

Terri E. Welch, 3L

Onward...

To the Editor:

More power to those courageous H.L.S. Students making their valiant stand against the hoary and outmoded tradition of using first-year grades as a basis for Law Review selections. It's about time that some fresh air and new ideas were allowed to clear up those musty halls. Away with all this over-emphasis on competition and achievement measured by impersonal examinations, grades and the like. These young people of promise have their heads screwed on right (and tight) in advocating those more relevant criteria, such as research, "and perhaps most importantly, an expression of desire and commitment to do the job," as you describe it.

One can only hope that such modern and perceptive attitudes will spread far beyond the limited confines to which these Class of 1986 Members would now put them. Thus, for example, why should any Law Firm hire Harvard Law Graduates when others from Slobovia Normal Night-School show more intense desire and commitment? And, with this consuming philosophy spreading like wildfire, it can only be anticipated that clients will in the future not choose their counsel on grade-equivalent standards such as demonstrated skill or successful results, but rather select their lawyers from those asserting greater desire and commitment.

Why grade-selected Law Review? Indeed, why grades; why classroom participations; why examinations; why classes; why enrollment? Why, finally, any Harvard Law School at all? From here on out I'm all for substituting High School courses in Desire and Commitment, and so do away with the whole damn legal apparatus altogether.

Onward, Lemmings, ever onward...

Arthur Stambler, '48
Washington, D.C.

Self-Serving

To the Editor:

William Jacobson's response to Glenn Morris' letter is substantially incorrect and self-serving. Jacobson's compulsive anger toward the Palestine Liberation Organization prevented him from understanding the essence of Morris' message. Morris indicated that the facts surrounding the HLS speaking engagements of Secretary of Defense Caspar

Weinberger and P.L.O. Information Officer Hassan Abdul-Rahman were essentially similar. He observed, however, that the Harvard Law School response was remarkably dissimilar.

Both forums were to be divided into a speaker's session followed by a question and answer session. Both speakers were booed and jeered by students who did not want them to be heard. Both speakers were interrupted so many times that they each departed from their prepared texts. In both engagements, while interruptions were made by sympathizers as well as opponents, these outbursts came primarily from opponents. I remember these facts because I went to hear both speakers.

The Law School community did not react to the students who prevented Abdul-Rahman from speaking, yet there was a huge outcry when Weinberger was prevented from speaking. Like Jacobson, the community explicitly made a distinction between Weinberger's right and Abdul-Rahman's right to speak freely. This distinction can only be described as *deceitful*. The First Amendment does not apply solely to alumni!

Worse yet, Jacobson's suggestion that "we should keep speakers of [Abdul-]Rahman's caliber as far away as possible", is rashly self-centered. As political history has shown, neither the Jewish Law Students Association nor the Republican Party can afford such a blind view.

If any political speech is to be protected in America, then *all* political speech must be protected. We must not only allow Caspar Weinberger and Shimon Peres to speak without interruptions, but we must also allow Hassan Abdul-Rahman [or for that matter, Yasir Arafat] to speak without interruption.

The political speech you protect today, Mr. Jacobson, may one day be your own.

Donald Christopher Tyler, 3L

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Panel Encourages Non-Legal Remedies

(Continued from Page 5)

instances of racially motivated violence with which he has been involved to support his belief that "legal actions have always been only one aspect of action against racially motivated violence." For example, when Black and Hispanic residents of the Columbia Point housing project near South Boston "suffered a state of siege" from harassment, including shots fired through windows and cars driven through the area while occupants shouted racial epithets, they organized a community self-defense patrol that helped to alleviate the problem.

Community Action

According to Wade, the legal approach to racially motivated violence can work only in conjunction with other actions, such as direct community action, indirect community action aimed at getting government officials to act, and public education.

Limon cited recent successful prosecutions while cautioning that "government intervention can help, but it's not the full solution."

He outlined difficulties he found in employing the 1979 Massachusetts Civil Rights Act, which provided new state remedies to combat

racially motivated violence.

First, he said, "We had to convince clerks, who have an incredible amount of power, to issue complaints under the act." The second problem was convincing victims to avail themselves of the legal system, a particularly difficult task when they view the police and courts warily. Finally there is the problem of proving your case in court. "Often," according to Limon, "it is difficult to put together a case even though everyone in the neighborhood knows who did it."

Limon also noted that successful prosecutions under state civil rights statutes have particularly great publicity value. "At least in this case," he said, "the court system showed that [racially motivated violence] was not going to be tolerated in the city of Boston."

The final panelist, Roberts, discussed several cases prosecuted by the Criminal Section of the Justice Department's Civil Rights Division. He commented on problems with federal prosecution.

According to Roberts, "the staff is just too small" with 20 to 25 lawyers for over 1,000 cases. Consequently, the process is conservative, with the Department of Justice going ahead only with those cases most certain of success.

He suggested that those interested in prosecuting a particular case should put pressure on the Justice Department attorney handling the case, encourage the involvement of the local U.S. Attorney's Office which has concurrent jurisdiction, and implore local politicians to use their power to speed the process.

In the subsequent question-and-answer session the three panelists expanded on their experiences and provided the details of specific cases which had been in the public eye.

In response to a direct question concerning what can be done to control racially motivated violence, all three agreed that a major stumbling block is the frequent reluctance of local police, prosecutors, and politicians actively to pursue these cases. Limon explained that there is a tendency to view such incidents as minor, saying that after cross-burnings or the painting of swastikas "the first reaction of many officials is that it's a prank of just a bunch of kids."

Ballot Useful Tool

The panelists emphasized the use of the ballot to remove unresponsive officials. Roberts cautioned, however, that political action alone is not enough.

When asked about the specific role of stronger statutes in the battle against racially motivated violence, Wade replied, "I think they are helpful, but the biggest problem is where you have a district attorney that the Black community thinks is a racist or doesn't trust. The question is, who is going to prosecute?"

Roberts took a similar approach asserting that action by police and prosecutors is needed to enforce a law. "The fact that the laws are on the books does not make them self-effecting," he said.

Limon explained that from his point-of-view as a prosecutor the laws can be valuable not principally for convicting an individual, but rather for their publicity value as an expression of official opposition to racially motivated violence.



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1984: The Year In Revue

By Steven J. Cowan

Boasting cameo appearances by Congressman Barney Frank, '77, and Dean of Students Mary Upton, as well as an original script and score, the HLS Drama Society opened its Spring musical last week.

The HLSDS version of 1984 was written principally by Julian Decyk, 3L, Temple Dickinson, 3L, and Jay Handlin, 2L, with music and lyrics by Dickinson and Charlie McGovern. The play was produced by Dale Cendali and Andrea Stang, 2L, and directed by Dickinson.

THE DEAN of HLS, played by Decyk, has decided to halt the dissension that has disturbed the school's equanimity for the last few years.

Second year student Tom Lorenzen plays Williston (Willie) Smith, a returning 2L, who is shocked and dismayed to find that there have been some changes at HLS over the summer.

Among the most notable are the evolution of policies requiring all meals be taken in the Hark, and that no law student leave campus. And that in order to foster competition, all students have been given roommates. Willie is distraught to discover that his new cohabitor is Roscoe Dembitz Gannett Griswold, a.k.a. the corporate tool, played by Jan Miller, 2L. Roscoe, it turns out, is quite pleased with THE DEAN'S changes, and in one of the First Act's most robust presentations, Miller lovingly spews his vitriol in a piece neatly entitled "Hate," by McGovern and Greg Stepanich, with lyrics by Dickinson, McGovern, Miller and 2L Edward Murray.

Topsy-turvy

This topsy-turvy world is dominated by the constant interference of the Law Review Police, a picaresque group of fascists, played by

Stang, Louise K. Epstein, 2L, and a host of unnamed others. Life at the new HLS is constantly punctuated by THE DEAN'S autocratic pronouncements over the school's ubiquitous loud speaker system followed by a sarcastic "THE DEAN loves you," or "have a nice day."

Williston's confusion is severely aggravated by his attraction to and affection for Julia Smith (same name, no relation) president of the Anti-Sex League, and a member of the Law Review Police, played by Stang.

As an extremely entertaining, though hyperbolic, Duncan Kennedy, Phil Kraft, 3L, has been banished from this zany, madcap Harvard, and is attempting to gather an insurgent force around him in the potentially more fruitful bush of coastal Connecticut.

Unfortunately for "Dinky", and his lovely (albeit Evita-esque) significant other, Mopsy Strange, played by Lee Rubin, 2L, he is un-

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Orwell's That Ends Well

able to convert anyone in New Haven except a troop of boy scouts and three inebriated members of the local chapter of the Elks Club.

Meanwhile, back at HLS, Willie's friends begin to disappear. First the level-headed Young, played by 1L, Sarah Herbert. Later even Roscoe falls prey to THE DEAN'S unbridled excesses. Shortly after hosting an almost orgiastic celebration of the Code and Regs, Victor Patrick, 2L, as Farnsworth, the living incarnation of the radical right, is banished as well.

The only rays of hope that the smitten Smiths may save HLS from the labyrinth of evil into which it has descended come from the aloof Professor O'Brian, played by Murray, and Charrington, ostensibly a nostalgic alum played by the indefatigable Ruben G. Perlmutter, 3L.

Willie is convinced that O'Brian can be trusted since he once offered Smith an illegal Nutshell to relieve "the proverbial head full of mush." Even the assistance offered by these apparent fellow-travelers proves illusory, however, and, discovered off-campus, the couple is incarcerated deep in the bowels of Austin Hall.

Inhuman Cruelty

Compounding this inhuman cruelty, THE DEAN forces the two to engage in the very activity they abhor the most. Needless to say they are shattered.

The new regime is not solely concerned with the parochial need to shape the student body. His scheme is far more pervasive, and more evil.

Integral to THE DEAN'S warped new reality is the re-formulation of American jurisprudence. To hatch this insidious plot all books are removed from the library and replaced by a Lexis bank, stored in an Ames dormitory room. Court decisions are changed at will by the omniscient HLS faculty to fit their views. The common law is thus manipulated and formed to their will, just as the students presumably have been.

A number of HLS faculty members are portrayed in an ensemble

number, "The Right Results," by Lauren Mayer with lyrics by Laurie Donahue, 1L. Although occasionally entertaining The Right Results is not the show's most gripping number. At different points both the lyrics and execution falter in this depiction of the faculty's didactic improvement of judicial decisions.



Mike Lyon

HLS students celebrate the end of the 1983-84 school year in the opening number of the HLSDS production of 1984.

This is at the heart of HLSDS' 1984. Both the right and left are lampooned here for their political machinations. From the Dean's iron-fisted authoritarianism, to Duncan Kennedy's bumbling obfuscation, all parties are attempting to mold the students.

As well as being its center, this is perhaps the script's weakest point, its assumption that the students are inert matter upon whom the HLS ideologues are working their evil political game.

That this is the authors' view of the student population appears to be confirmed by the play's conclusion. The grand finale is "The Power Elite," a number in which the student body serenades itself with such choice lines as "We're gonna be a power elite; everybody in the world gonna be at our feet. Look to the future, forget all the rest, you know we've always been the brightest and the best."

Although the inherently political

script has raised some predictable controversy, it effectively pokes fun at all sides, except, perhaps, for the mass of students who feel they are the only normal part of HLS. It seems suspiciously analogous to an inmate in an insane asylum intimating, "You know, everyone in here is crazy, except me."

Very strong performances were turned in by Rubin, as Mopsy Strange, and Kraft, as her husband "Dinky." Stang, as Julia, also delivered a skillful performance. This was highlighted by her sultry rendition of one of the production's most riveting numbers, "Sex is Really Bad For You," by Jack Balkin. Lorenzen showed flair and sensitivity in his acting, but his singing was too tentative to be effective.

Constantly clad in a "Fried is Great" T-shirt and a three piece suit respectively, Patrick and Miller were also immensely entertaining in their roles as the undying reactionary zealots.

Although the first act dragged somewhat and was generally rather slow to take shape, the production as a whole was buoyed by the vigor of the second. Overall, 1984 is a fun caricature of HLS politics. It abounds, as any school show must with "in jokes" and it jests with everyone except itself.

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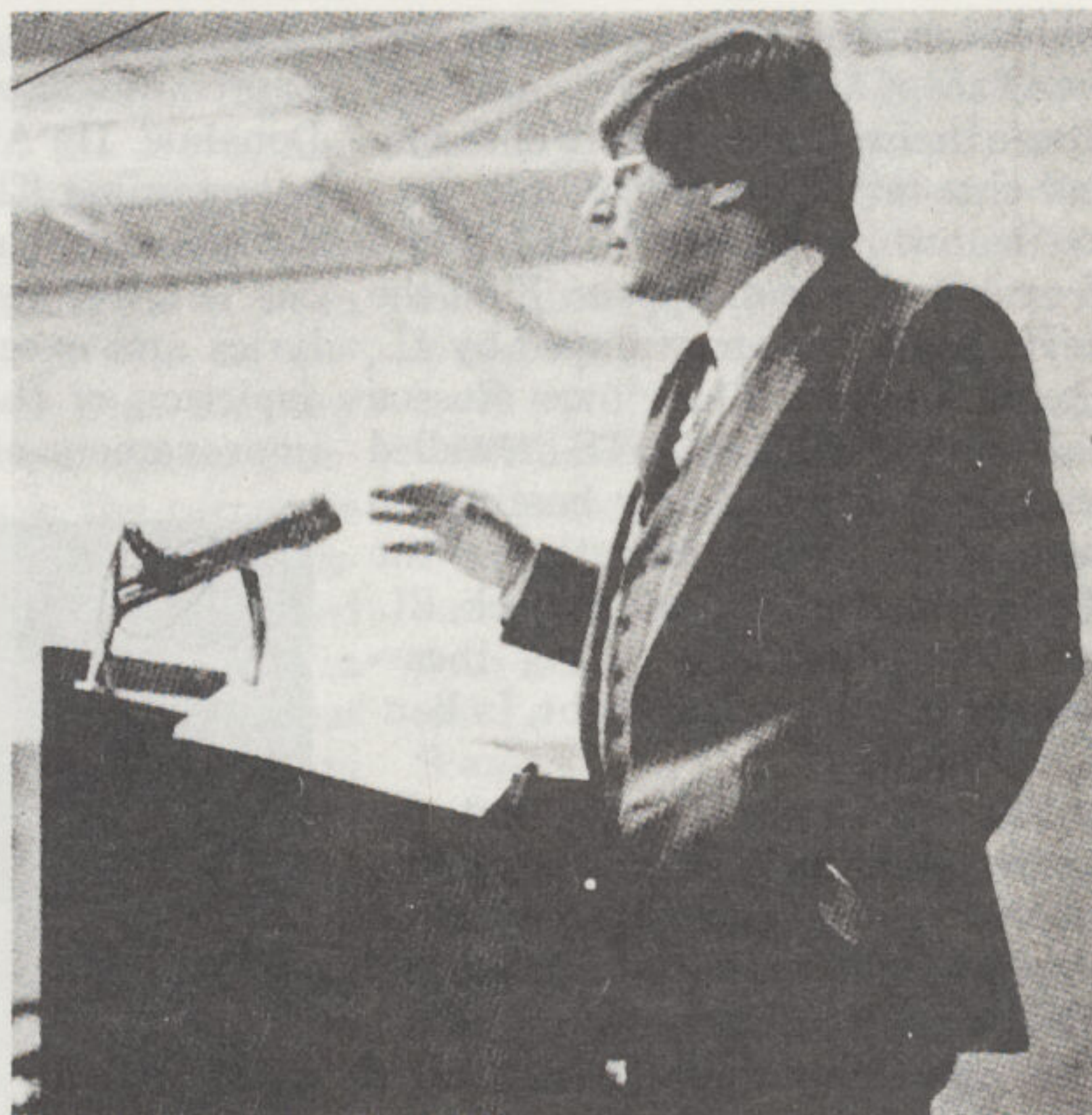
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Dual Standard 'Degrades' Both Sexes

(Continued from Page 2)

It degrades women by perpetuating a stereotype about them, while ignoring the fact that women are independent moral agents (i.e. they could choose to abandon their children) and degrades the moral worth of their choice in not doing so. It also degrades men, by assuming that fathers are absent, unidentifiable and irresponsible.

Law turned to the abortion issue as an example of how the law has placed burdens on women. She categorized these burdens in several ways:

- an invasion of women's bodies, including the health risks associated with pregnancy and childbirth;
- an impairment of women's self-determination, of women's opportunities to become fully involved and become responsible citizens;
- a denial of women's capacity to make the moral decision of whether or not to create an intimate relationship; and
- a restraint on heterosexual women's capacity of sexual expression.

Legalization of abortion was permitted not through a recognition of sex equality, Law pointed out, but on a "right to privacy" argument.

This argument, she said, doesn't address the question of the compelling state interest in protection of fetal life and often casts the issue as the rights of the woman versus the rights of the fetus. Fetal life,

however, is not the equivalent of other forms of human life because the fetus cannot survive outside the woman's body.

Law acknowledged the state's right to intervene at viability, stating that when it is technologically possible to raise children outside of women's bodies the issues are very different. But, in the present state of affairs, women are indispensable, and forcing women to bear children is a violation of their constitutional

equality. She noted that many commentators make offhand remarks assuming that this technology is "just around the corner," but that in fact the best that scientists are currently able to do with fetuses of laboratory animals is raise them from about half-way through gestation — and then only with the most sophisticated and technologically advanced scientific facilities available.

Sports Quiz

Note: Believe it or not, Spring is only a chirp and a pip away, so this week's sports quiz asks you to identify the following athletes whose first or last names denote a type of bird.

1. A 19-year veteran for the Phillies, Orioles, Astros and Cubs, this durable righthander led the National League in games started six consecutive times and for five seasons in a row topped the senior circuit in complete games and innings pitched. Name this Hall of Famer with a career record of 286 wins, 245 losses and an E.R.A. of 3.41.
2. Drafted in the fourth round by the Nets in 1980, this point guard played in the Continental League and then with the Hawks before being traded to the Knicks at the tail end of last season. Name this former Villanova star who is a resident of Paterson, N.J.
3. After breaking in as a switch-hitter with the Angels in 1966, this journeyman outfielder turned in his most productive sea-

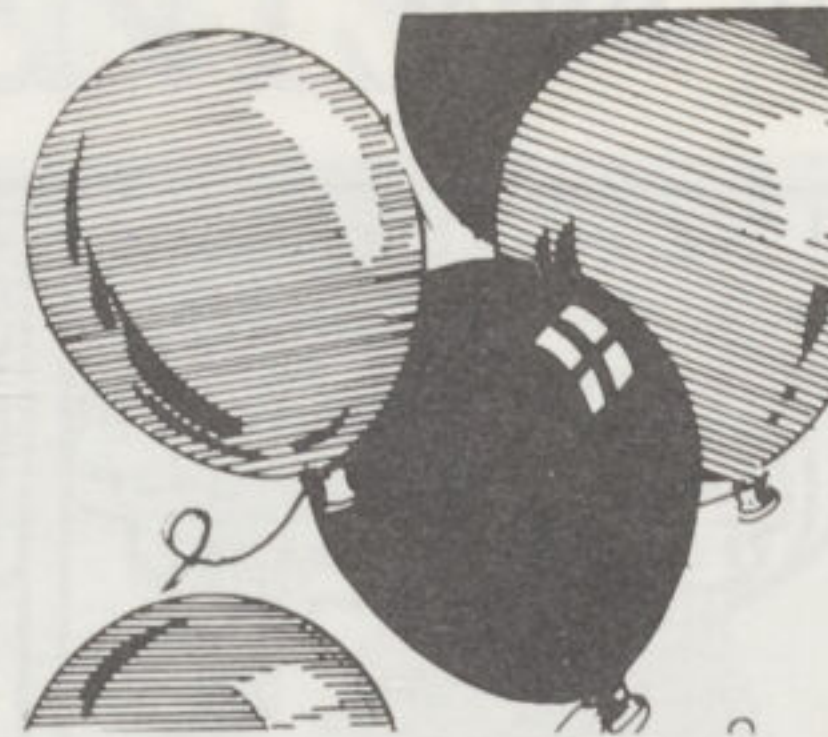
- sons with the Phillies and Dodgers while batting exclusively from the left side. Name this current Cub who would have been an obvious choice in the sports quiz concerning athletes who are "flakes."
4. Plagued by injuries in recent years, this hard-throwing righthander pitched in only 16 games for the Mets from 1973 to 1975 before coming into his own in 1976, starting 22 games that season. Name this Scottsdale, Ariz. native who led the National League with an E.R.A. of 2.43 in 1978.
 5. Hired as the general manager and coach of the North Stars before the 1967-68 season, this Lindsay, Ontario native coached the expansion club to a quarterfinal victory over the Kings in the playoffs but saw his team vanquished by the Blues in the semifinals. Name this former scout for the Bruins who has the distinction of having signed Bobby Orr to a professional contract.

(Answers on Page 23)

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Hypocrisy, Morality Issues in Divestment Debate

(Continued from Page 1)

ACSR a "paper tiger" and called upon it to disband if it could do no more than make recommendations to the Harvard Corporation which then refuses to follow them.

Ibrahim Gassama, 3L, said he was tired of speaking out on the same issues for three years at Harvard and seeing no action taken. He said his pride in Harvard has been shaken by its refusal to make any changes on its stance on divestiture.

Massachusetts Sen. Jack Backman, '48, speaking at the same meeting, condemned the University for hypocrisy and a lack of morality in its treatment of the issue.

Prof. Richard Stewart, recently appointed chairman of the ACSR, told the RECORD the committee has a weak bargaining position in that it is appointed entirely by Harvard President Derek Bok and is solely advisory with no power over University investment.

Past Recommendations

Stewart said the committee has made several recommendations in the past to the Harvard Corporation which, although falling short of calling for complete divestiture, did emphasize that the University should not continue to invest any further in companies that do not uphold the Sullivan principles. [The Sullivan principles are internationally recognized guidelines designed to eliminate the worst forms of racism in South Africa through voluntary compliance by companies.] While the Corporation has not yet taken this step, Stewart said that an "intensive dialogue" was going on between the ACSR and the Corporation on the subject.

He said he expected the ACSR to continue to pressure the Corporation to follow its guidelines. Stewart said the ACSR could go beyond its present stance to recommend even further University sanctions, short of total divestiture, on companies doing business with South Africa.

The next day, Tuesday, March 13, approximately 75 Law School stu-

dents and professors met at Harkness Commons and marched through the snow to Bok's office in Harvard Yard to demonstrate their opposition to the University's investments in South Africa.

Prof. Duncan Kennedy urged students to press the University to divest. Prof. Morton Horwitz spoke next, describing the moral reasoning behind divestiture and saying that presently the University is "talking out of two sides of its mouth." Then Gassama addressed the group, reiterating his statements made the night before. Referring to a luncheon meeting with Bok which was sponsored by the Dormitory and Student Affairs Council, Gassama called Bok's statements "facile, and glib justifications" for the current University policy on divestiture, a policy which Gassama termed "blatantly racist."

Matt Kramer, 3L, argued that Bok's responses to calls for divestiture do not make sense. Kramer said that if the University had so few investments that were in fact objectionable, terminating such holdings should not be a problem. He also claimed that Harvard's divestiture would have an important effect on the way the public at large views dealings with South Africa. Kramer acknowledged that it is

impossible for the University to maintain an absolutely pure investment policy but said that its present stance is one of direct complicity with oppression.

David Hoffman, 3L, then spoke, also referring to the previous day's luncheon meeting and what he termed Bok's refusal to attend the Law School divestiture committee's open forum, planned for April 10.

Carrying banners proclaiming "Out Now!" and "Harvard Invests in Apartheid," the crowd then trudged through the snow to Massachusetts Hall. Prof. Jerry Frug briefly addressed the crowd, restating demands for divestiture.

Sandra Ruffin, 2L, recently elected president of the Harvard Black Law Students Association (BLSA) told the crowd that there were many "living dead" who were not aware of the political and social significance of investing in South Africa and that those present were attempting to "wake the sleeping among us." Ruffin added that "people must try to make this a better world to live in by reducing injustice and inequality worldwide."

Adelman closed the rally by reminding the group of the April 10 forum and urging the attendance of all rally participants.

✽

25 Years Ago At HLS

RECORD, Vol. 28, No. 7 March 19, 1959

"Women will never be fathers. Men will never be mothers. These are axioms."

Thus Mildred McAfee Horton, former Pres. of Wellesley College, . . . set the tone of the Forum's program. . . . Mrs. Horton presented . . . arguments in favor of the separate women's college. [L]ess courage is required to invade "men's courses" (economics) as opposed to "women's courses" (sociology).

President Wm. E. Stevenson of Oberlin (co-ed) . . . pointed out . . . "We are educating young people for life. And what is life? It is men and women closely interacting . . . A mother should have some idea of how her husband works and how to manipulate her husband if necessary."

Anne G. Pannell, pres. of Sweet Briar [remarked] "matrimony almost invariably seems more attractive to a young woman than any job . . . 90% of our grads. have 3 children within 5 years." Although the working woman is becoming more prevalent . . . problems continue to arise. [Pannell's] solution — "A woman must make sure that her husband thinks that she thinks that his career is twice as important as hers."

To a question as to whether . . . one means of facilitating racial integration in the South would be to segregate the sexes and integrate the races by sex, Stevenson responded, . . . even if it would work, it "wouldn't be worth it."

✽

HLS Candidate Connection Consistent

(Continued from Page 2)

mafia" is quite active in the Hart effort. He noted that Jack Weir, '83, is Hart's Massachusetts state coordinator, and Prof. Abram Chayes and his wife are both active in fundraising.

That's Dedication

Sutin has spent varying amounts of time on the campaign. Early on he averaged an hour a week; more recently he spends "all my waking hours minus class attendance." Sutin claimed he has never missed a class for Gary Hart.

Tony Thompson, 2L, is the state student coordinator for the Jesse Jackson campaign, responsible for the entire state other than the metropolitan Boston area. Thompson's job is to organize students, to increase voter registration, and to develop a program on student issues. Thompson was active in a registration drive at five colleges in western Massachusetts that netted 3600 new voters.

Thompson has been formally involved with Jackson's presidential bid since late January. He spends over 25-30 hours each week, and says some weeks he spends as much as 50 hours.

Thompson views his position as important because he is attempting to bring new groups of people into Jackson's "Rainbow Coalition." He hopes his efforts, and those of the Jackson candidacy, will influence the Democratic party's platform. "It's important that students don't just rehash old party policies," Thompson stated. "We should inject new ideas, embrace new groups of people. It really doesn't matter in which campaign."

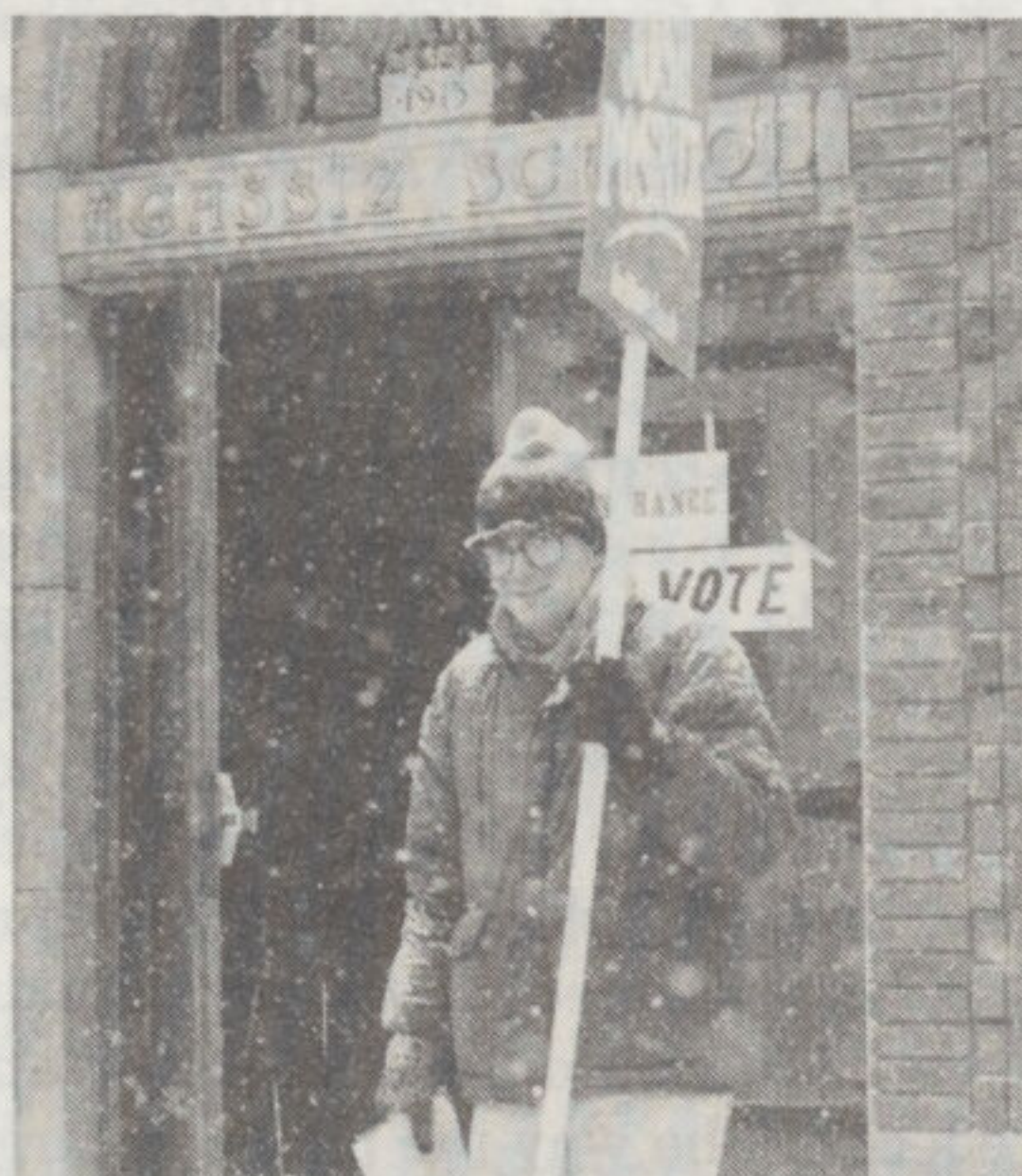
Still Listening

One 3L, David Kahne, may get a trip to the convention in San Francisco out of his political involvement. Kahne is the first McGovern delegate for the (Rep. Ed Markey's) 7th Congressional District, which includes Lexington. At press time, it appeared likely that

Kahne would indeed be heading West.

Kahne has spent 5-10 hours each week on McGovern's behalf, helping to create an informal network of law students and giving speeches in the Lexington area on the candidate's behalf.

Sen. John Glenn's presidential effort benefited from the assistance of Kent Markus, 3L. Markus was a member of Glenn's state steering committee, and was involved with the campaign as early as December 1982. His duties kept him busy 5-10 hours a week on a regular basis, but some weeks he spent as many as 50 hours on the campaign.



Risé Peters

Prof. Dan Meltzer collects signatures on a petition for ballot access at a Cambridge polling place on Tuesday.

Markus's job was to work with local coordinators to structure the campaign. The planning involved some legal research over the summer, Markus said, and he even did some statistical analysis on data collected from past Massachusetts primaries.

Markus spent spring break last year trying to organize support for the former astronaut at the Springfield, Mass. "issues convention." That midterm mini-convention was modified to include a "straw poll," Markus said, and Glenn entered the hunt for its endorsement rather late.

Jack Corrigan, 1L, is a Mondale state political director. Corrigan acts as a "troubleshooter" for the or-

ganization, coordinating activities when the former vice president is in town, raising funds, and dealing with the press. Corrigan has spent about 20 hours a week since November and said that he was "involved in all aspects of the campaign."

Getting the Bucks

Two other 3L Mondale supporters, Richard Jerome and Neil Weinstein, worked on a fundraiser last term that netted the campaign about \$150. The two organized a party at the Back Bench that attracted 25 paying law students on the same day as a nationwide fund drive was executed on Mondale's behalf. The two also assembled a list of about 35 volunteers who worked from time to time on the campaign.

Another McGovern worker, Geoff Watson, 1L, organized about 40 law students to attend a rally in downtown Boston Monday. Watson also assisted in assembling a loose coalition of about 65 HLS students-volunteers to help the candidate of his choice. Working at the school was the "best way to help out without traveling a lot to McGovern's downtown headquarters," Watson noted.

Eugene Matthews, 3L, is another student who works for Hart. Matthews coordinates the statewide "phone bank" effort, in which several dozen volunteers call voters on Hart's behalf. Matthews also acts as liaison with the Black community in the state. After the Massachusetts primary, Matthews has con-

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Campus Campaigning

(Continued from Page 1)

tinued to coordinate the liaison work with Blacks on the national level. As liaison, Matthews has tried to solicit support for Hart among both community leaders and the general voters. He created a new "issue sheet" describing Hart's positions on issues of concern to Black voters and has worked to improve Hart's visibility in Black communities through "literature drops" and rallies.

Matthews was also an early convert to Hart's cause. He began working in October filling delegate slates and generally acting as a troubleshooter. His work has expanded, and by the past week, Matthews said he spent 60-70 hours working for the Hart campaign. Glenn Hutchins, 3L, has worked on Hart's national fundraising effort. Before the New Hampshire primary, Hutchins helped organize a fundraiser which drew about 50 supporters to a Boston restaurant. Last weekend, after Hart's upset victory in New Hampshire, similar fundraisers in Massachusetts attracted nearly 500 people.

Some students are continuing political work after the Massachusetts Democratic primary.

Matthews and Hutchins have created a committee of about a dozen people to raise funds in Massachusetts for Governor James Hunt of North Carolina, who has launched a bid to unseat conservative Senator Jesse Helms in November. Matthews, who has worked with the Black Caucus, described his efforts in the fledgling Hunt organization, which plans a fundraiser over the summer, as the "most significant thing in civil rights that I've done."

Sports Answers

1. Robin Roberts
2. Rory Sparrow
3. Jay Johnstone
4. Craig Swan
5. Wren Blair

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Profs Object To Proposed Student Role

(Continued from Page 1)

proposals do we hope to have control of (the admissions and appointments processes)," LSC President Kent Markus, 3L, told the faculty. "We are really only looking for input in an advisory capacity where we don't have any now . . . We are seeking a regularized system of input . . . so we don't have to go through a struggle each time we have something that might be helpful."

Markus distributed to the faculty a memorandum detailing the admissions and appointments processes at 21 major law schools. According to Markus, "Thirteen of the 21 schools allow students to meet, interview and evaluate all candidates (for faculty positions) who come to the schools. Only Boston University, Chicago and Yale did

not have regularized student input."

Prof. Alvin Warren, chairman of the Admissions Committee, said the committee had voted 8-0 to oppose student membership on the committee. Prof. Martha Field abstained, he said.

Just Beginning

"Students are beginning in the law business and by and large don't have the knowledge, background and experience to bring to bear for comparative analysis of written scholarship," Warren said.

Warren said he also opposed the LSC's proposal to require that all candidates be interviewed by a student panel.

According to Warren, there was "widespread sentiment" on the Ad-

missions Committee for exploring ways to increase informal student involvement in appointments matters.

Prof. Elizabeth Bartholet said she favored the LSC's proposal to regularize some form of student participation in the appointments process. "Instead of having constantly to take the initiative (students) would relatively automatically get information about what our standards are," she said. "I think that many students, like me, would not like the standards when they see them in practice."

The LSC's proposal to permit students to read admissions files and vote on admissions decisions also provoked criticism from several faculty members.

"Harvard is really quite unique in the extent to which faculty members read (admissions) files," said Prof. Charles Fried. "In most other schools administrative personnel have almost total administrative control of what goes on. The criteria are much more mechanical than at Harvard."

"I just think that the (current admissions) system would likely come to a grinding halt if we increase the number of people on the (admissions) committee," Prof. Paul Weiler said. Weiler said members of the Admissions Committee invested at least 10 hours a week during the school year, reading 80 to 100 files each week. "The price of involving students in the process would be to drastically disinvolve the faculty."

Lacks Diversity

"I don't take much consolation in the fact that a lot of professors engage in the admissions process," said Stephanie Moore, a second-year student who is a council member. "Part of the problem is that the student body as well as the faculty lacks diversity. It still doesn't assure the student body of the type of diversity it would like to see."

Weiler said HLS has a better record for minority admissions than any other law school.

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