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Low Income Protection Plan In Doubt

By Erick Hachenburg

Possible changes in the Low Income Protection Plan (LIPP) coverage of replacement loans have resulted in the organization of student opposition to such moves.

According to Sally Donahue, director of financial aid, removal of replacement loans from LIPP, the primary student concern, has not been considered.

"The financial aid committee is not proposing not to count replacement loans," she said. While the committee discussed the replacement loan issue at their annual re-

view last spring, they deferred any final decision pending student input, she explained.

LIPP is a loan forgiveness program sponsored by HLS to assist students who work in low-income jobs after graduation. The program limits the percentage of income that a student must budget for loan repayment.

Replacement loans are loans that the law school provides which cover imputed parental contribution or imputed student summer savings. The financial aid office determines a "need" figure for each student and provides loans and grants to cover

the "need" figure, while any additional loans are considered replacements.

Students are reacting to a change in the wording of the 1988-89 financial aid pamphlet. The guide states that "alternative forms of LIPP assistance are under consideration by the Financial Aid Committee," implying possible change in the replacement loan coverage. Professor Louis Kaplow '81, head of the financial aid committee, stated "the description was ambiguous and could be interpreted so

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Code Critical Draws Fire

By Liz Askey

Despite accusations by some students that its campaign to raise at least \$50,000 for the homeless is "forced charity," "yuppie charity," and "unfair," Code Critical (CC) Co-Chair Joseph Anderson, 3L, stressed the enthusiasm with which many law firms have received the innovative and controversial program.

"The Firm Commitment" provides an opportunity for 2Ls and 3Ls to stay in less expensive hotels during their visits to the firms, with the money saved to be donated by participating firms to the homeless. According to a flyer distributed to students last week, such accommodations would be attractive, convenient and not "second rate."

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Patty Lee

Lauren Resnick, 2L, and Tom Barnett, 3L, make the pitch for Code Critical's Firm Commitment.

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Olympic Summer Was Well Spent

By Troy Morgan

Dirk Marshall, 3L, though he did not make it to Seoul this year, is still going strong.

In the April 22 issue of the RECORD, Marshall downplayed his chances of making the U.S. Olympic swimming team, stating "my goal isn't to make the Olympics — just the selfish goal of doing my best."

Recovering from surgery on an inflamed left shoulder rotator cuff, Marshall passed up a summer job to train exclusively for the Olympic trials. After swimming 8 to 10 miles per day, Marshall said his 100 meter butterfly was "one to 1.5 seconds faster than ever before."

The morning before his trial race in Austin, Texas, however, Marshall developed a slight fever and could not keep any food down. Hours before the race, he "realized that [his] concentration had been diverted."

"I was still hoping that I was so well prepared that I would make the qualifying time anyway," he said. Although his time of 55.9 for the 100 meter butterfly was in the range of his times over the six years before his injury, he felt that he had "no strength and [that] it took more strokes to get down the pool." He would have needed a time of 53.2 to make the team.

Conceding that he "has a shot" at the 1992 Olympics in Barcelona, Spain, Marshall said that because of his injury and school, "I swim more for my personal best times and my personal satisfaction — but I certainly don't feel a failure if I don't make the Olympic team."

Of this year's Olympic trials, Marshall said, "I have never been in that kind of shape before — the feel of the water, the preparation and all. I felt it was a great accomplishment." He added that there is "probably nothing I will ever do at so high a level of competence as I did at the Olympic trials. As a complete experience, it was pretty worthwhile."



Program Offers Minority Survival Kit

By Dawn Ross

On Sept. 17 approximately 40 HLS students met for the first of four sessions of "Saturday School," the brainchild of Prof. Charles Ogletree '78, designed to prepare minority law students to overcome future educational and professional challenges.

The first session was conducted by Ogletree with assistance from Profs. Charles Nesson '63, David Wilkins '80 and Derrick Bell.

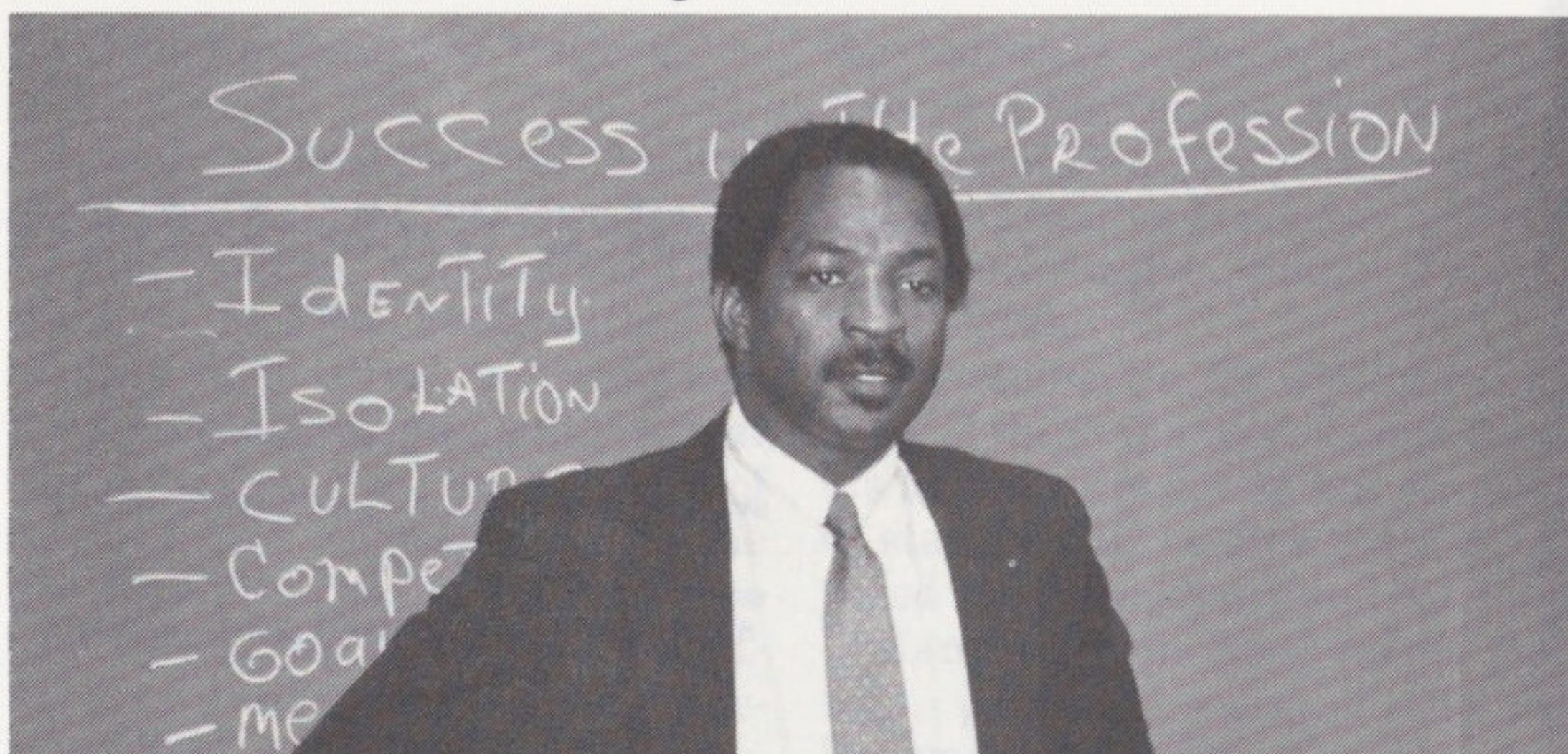
Ogletree started off by noting that it is important for minority students to recognize the challenge presented at HLS and to learn to deal with the fear many students feel when entering law school. According to Ogletree, recognizing the difference between ability and performance is integral to dealing with these kinds of problems.

Ogletree blames much of the problem on the fact that HLS students "all have the ability to be here" but often "are not told the rules." Blind ambition — believing that "you can work it out by working hard," does not always work in the law school setting, Ogletree stated.

"HLS will still screw up half of them by being lazy"

Ogletree was careful to note that Saturday School is "not a remedial course" designed to teach minority students how to read or write or take exams, but instead, to teach those students how to deal with the institution of law school and how to make it responsive to their needs. Ogletree noted that both the Black Law Students Association (BLSA) and La Alianza actively promoted the sessions to their respective memberships, although the sessions were announced at 1L Orientation and were open to anyone.

Rob Wilkins, BLSA President, stated that the program "helps us deal with problems that are generally unique to us, but may be helpful to others, too." He noted that minority students may feel strange



Patricia Lee

Professor Charles Ogletree '78 teaches minority students some keys to law school life and success.

about bringing something up in class that is not mentioned in the casebook or by the faculty and other students. Wilkins feels that it is important for students to understand that the parties in a case may have something to do with the case results.

Ray Roman, 1L, became interested in the sessions after hearing Ogletree address a La Alianza meeting. Roman said Saturday School is helpful to minority students because their backgrounds tend to be different from those of other students. He noted that "it's easier [for minorities] to feel intimidated in the environment of Harvard Law School." Other students attending noted that Saturday School is "very inspirational" and "shows that teachers care about students."

The highlight of the first session was the staging of a dialogue between Ogletree, playing the part of a confused 1L, and Nesson, as one of his professors. Nesson was sharply critical of the manner in which HLS selects students based primarily on their prior academic records and LSAT scores. Because those criteria predict "how easily students will get the message at Harvard Law School," the school ends up selecting the students which it will have the easiest time teaching, a "self-serving process, generated out of the economic realities of education."

According to Nesson, this process creates a system which does not re-

quire that HLS actually teach students. Even with the current selection process, Nesson stated that HLS will "still screw up half of them by being lazy" and "assuming students will learn by osmosis."

Nesson went on to offer some tips on how to best prepare for classwork at HLS, with a strong emphasis on "learning to argue the human story," and asking the appropriate questions. He also stressed that students should "learn not to be afraid of feeling confusion — recognize it as a signal to direct your energy" into asking more questions and trying to understand what a particular case is really about.

Nesson also expressed his dissatisfaction with the lack of feedback for HLS students and a lackluster affirmative action effort. According to Nesson, the law school "has got to be made to respond" to the needs of its students.

Following brief remarks by Wilkins and Bell, the students broke into smaller groups to discuss what they had heard and their own experiences at HLS.

Ogletree stated that he is "very pleased" with the response to Saturday School. Ogletree is planning additional sessions covering topics such as "The Myths and Realities of Affirmative Action" and "Empowerment." Guest speakers, including several judges who will relate their personal and professional experiences in the legal community, are scheduled to address future sessions.

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Firms Commit To Charity

(Continued from Page 1)

A second component of the program would allow students interviewing with non-participating firms to make a contribution by making their travel arrangements through a designated travel agent who has agreed to donate part of its standard commission to the homeless. This agent would also be used by participating firms in making travel arrangements for interviewees.

Student participation is being solicited at a sign-up table in Harkness Commons. Firms interviewing at HLS were sent letters two weeks ago, asking them to participate. According to the flyer, CC will distribute a list of students involved to participating firms and a list of these firms to students by the second week of October. Non-participating law firms will not receive any information about students participating in the program, the flyer states.

Although many students have said they think The Firm Commitment is a good idea, some have expressed concerns about the implications of non-participation in the program, especially given participating firms will know which students are not participating. Student concerns have ranged from discomfort with the pressure involved in deciding whether to participate to fear of being stigmatized for choosing not to participate when interviewed by a participating firm.

One 2L remarked, "I might have done it anyway, but now I feel I have no choice." She added that even if firms ultimately do not care whether a student participates, she felt there is a subtle pressure involved that should not be a part of the interviewing process. "I feel pressure on me to do it whether I want to or not," she stated, "and I don't think that's the way it should be."

Another 2L commented that even though she planned to participate she could see inherent elements of unfairness and coercion in the program. She added that even though

the homeless issue might be considered a liberal one, she felt that "viewing it [The Firm Commitment] as forced charity is neither a liberal nor a conservative position. The fact is, it's unfair."

One student, a 3L, was more positive. "I think it's good. I don't think it's too much to ask to ask someone to stay in a three-star hotel as opposed to a four-star hotel."

Many students have mixed feelings, partly because of the unknowns involved in the new program. One 2L, whose initial reaction was that the program was a good idea, was concerned that firms would feel pressured to participate, and that that would reflect badly on HLS students. He also noted the inherent uncertainty involved in the interviewing process, especially for 2L's, and said that he did not feel comfortable telling a firm how to conduct its flyouts.

Anderson said that although students and firms are being solicited simultaneously, he did not see any problem with students signing up before they know which firms are involved.

In response to stigma-related concerns, Anderson said, "I think that's extremely unrealistic. Any notion of firms blacklisting students is not a credible fear." Anderson stressed that firms took the initiative to make sure the program was completely voluntary. Originally CC considered having the donations come from firm lunches, but firms expressed concerns about the voluntariness of such a program. He said that firms wanted to ensure that students who did not feel comfortable with the program would not be forced to participate.

Alain Kodosi, 3L, co-chair of CC, emphasized that a substantial amount of the money raised will come from the travel agent's commission, of which firms will have no knowledge.

In terms of the pressure involved, Anderson stressed that "voluntary participation is the fundamental principle" of the program. "We do

(Continued on Page 20)

Slothful Survey

In the early spring of 1987 the HLS administration decided to survey the student body concerning the "quality of life" at HLS. This was apparently in reaction to the plentiful student moaning and groaning about virtually every imaginable aspect of life at the law school, from the design of Harkness Commons to the exam system to the social life. A questionnaire was circulated to all students, with a one dollar incentive-reward to those returning their responses to the quite lengthy survey, and with assurances that the results would be tabulated and released to the students as soon as possible.

It is now early fall of 1988. A full year and a half has passed. The actual survey results have yet to be released and no firm date in the immediate future is being given for the release of the tabulations, though the administration has said that a summary may be distributed soon.

While we have waited for the results, two of the three classes whose members responded to the questionnaire have graduated. Those respondents who remain have likely forgotten that they took part in such a survey, let alone being able to recall what their exact responses were. In the meantime, two new classes have entered HLS, with their comments and input being put on hold pending release of the elusive results, which, apparently, will vicariously summarize their opinions as well.

Every change affecting students that has been implemented over the past two years has been justified as a response to the results of the student quality of life survey. This is easy to say, and may in fact be true: many of these changes have indeed improved the treatment of students and the overall quality of campus existence. But without knowledge of the actual survey results, not merely mention of a few complaints or some resulting changes, there is no way to know if these solutions were the ones most desired as resolutions of the existing problems, or, more importantly, if these new policies have dealt with the problems that students felt to be *most* important and in need of improvement. Clearly, many of the issues addressed, especially those dealing with the quality of the educational experience at HLS, have seen no change at all.

Even were the results of the questionnaire to come out tomorrow, there is no excuse for a delay of this length in processing the survey. Assuming that the administration has nothing to hide (of what could they possibly be afraid?), the reasons seem to be only incredible inefficiency or unbelievable sloth. The administration should release the complete survey immediately. Or, better yet, HLS can begin a new survey that will efficiently and accurately reflect the opinions of today's students, not yesterday's.

J.A.G.

Fenno

Fenno flung open the refrigerator and stood bedazzled by a thousand points of light twinkling among the Meister Braus. "Now I understand," he thought wistfully.

To his disappointment, Fenno awoke to find that it was a cruel dream. Still in Langdell Reading Room, Fenno flopped down on the cushy sofa and opened his favorite J.R.R. Tolkien novel.

Then as the night passed on and the witching hour drew nigh, there came a rap, tap, tapping on the chamber door. "Hoo hoo are you?" he quaked, as a greasy tickle-worm feeling slithered up and down his frozen spine.

"It is I," hissed a voice from the outer darkness. Slowly, thin slices of red meat began rolling under the door.

"Rusty!"

"Yes. I am the Ghost of Rusty."

"Wha-what do you want?"

"To regain the unity of my spirit. You must perform a daring mission. When this Library closes at midnight, you must remain here on the cushy sofa and defy the spirits of wisdom and knowledge that dwell herein."

ZAP! The apparition vanished.

Fenno sat alone in the dark after every other living soul had departed. Whoosh! the fireplace roared ablaze and crinkled Er-iel. The busts of ancient scholars and judges began to chatter and moan.

"What doest thou in the sanctuary of Human Intellect?"

"Four-eyes!" screamed Fenno as he shivered with horror.

"Aaaagh!" groaned the spirits in frantic flight.

"Book worms!" hollered Fenno, staggering to his feet.

"Waaaaaa!" cried seemingly the four walls as ghostly paintings of terse and cynical legal realists whined in sympathy.

"It is done," came a voice from above, and all the earth did gyre and gimble in the wabe. Rusty collected himself, and he and Fenno had a very nice day after all.



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All opinions included in letters to the editor, as with editorial cartoons and editorials, belong to their authors and do not necessarily represent the opinions of the RECORD staff.

HLS, inc.

"LIPP SERVICE"

LAST YEAR, AMID MUCH FANFARE AND WELL-DESERVED PRAISE, DEAN VORENBERG AND THE FINANCIAL AID COMMITTEE UNVEILED SWEEPING CHANGES WHICH SIGNIFICANTLY STRENGTHENED THE LOW INCOME PROTECTION PLAN (LIPP).

New York Times
Harvard to Help
Pay Loans



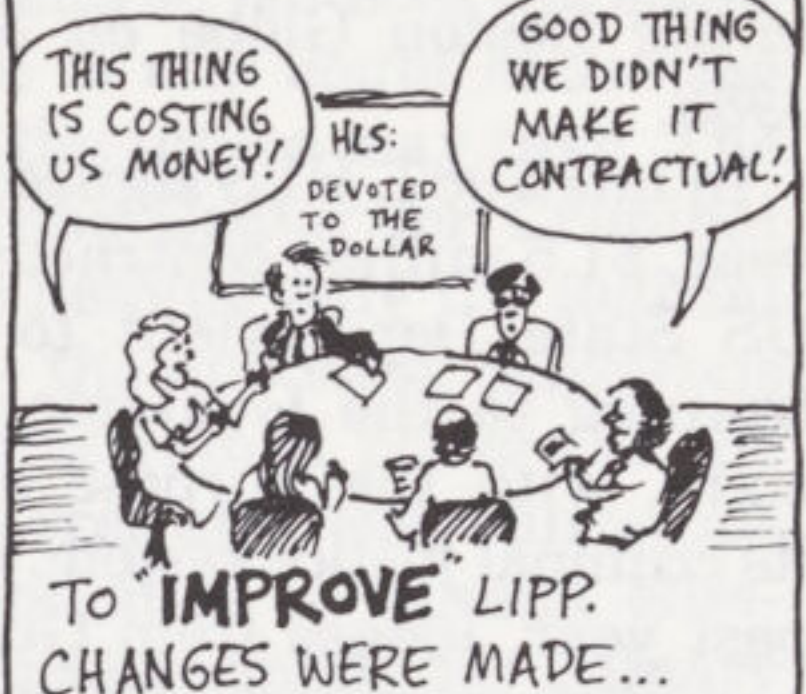
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THEN, A FUNNY THING HAPPENED...



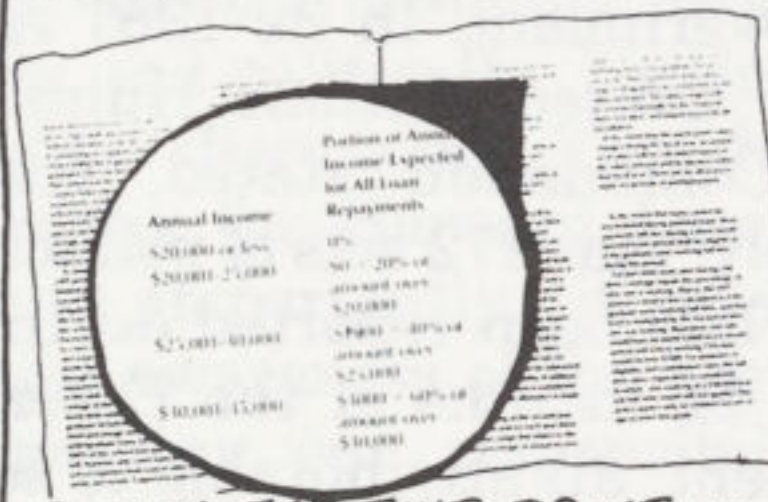
PEOPLE BEGAN TO USE THE PROGRAM.

THE FINANCIAL AID COMMITTEE SCRAMBLED INTO ACTION —



TO "IMPROVE" LIPP. CHANGES WERE MADE...

THESE CHANGES WERE ANNOUNCED WITHOUT MUCH FANFARE, NOT IN THE NEW YORK TIMES OR THE BOSTON GLOBE,



BUT IN THE FINE PRINT ON PAGE 13 OF THE FINANCIAL AID GUIDE.

MEMBERS OF THE COMMITTEE EXPLAINED THE CHANGES...

IT REALLY HELPS YOU ON THE TOP END —

EXAMPLE: Student 3 years out
Salary: \$32,000
OLD: 6% of salary \$1920/yr or \$160/month
NEW: IMPROVED! 118% increase \$3800 + 60% of salary over \$30,000 \$4200/year or \$350/month

AND ON THE BOTTOM END.

EXAMPLE: Recent graduate
Salary: \$23,000
OLD: 2% of salary \$460/year or \$38/month
NEW: IMPROVED! 310% increase \$29,000 \$580/year or \$48/month

THE AVERAGE STUDENT HAD \$2200 WORTH OF REPLACEMENT LOANS IN 87-88.

THIS COULD SAVE HLS \$6600 PER STUDENT!

... WHILE OTHERS PLANNED FURTHER "IMPROVEMENTS," SUCH AS NOT COUNTING "REPLACEMENT" LOANS AS ELIGIBLE FOR LIPP...

WHERE WILL ALL THIS LEAVE THE MANY STUDENTS WHO RELIED ON HLS, inc.'s GOOD WILL AND GOOD FAITH?

YOU'VE TAKEN CONTRACTS, YOU FIGURE IT OUT.

LIPP REPORT
JANE STUDENT
LOANS COVERED: \$3,000
LOANS NOT COVERED: \$39,000
(IS THIS THE FUTURE? IT'S UP TO YOU...)

Dead Lines

by KA

I KNOW WE'VE BEEN GOING TO THE SAME LAW SCHOOL, BUT I HAVEN'T HAD TIME TO SAY HELLO. SO, HOW WAS YOUR FIRST YEAR?

BASICALLY, IT REALLY SUCKED!

GRADES ARE RANDOM

OH? REALLY?! MY FIRST YEAR WAS FABULOUS! WHAT COULD BE BETTER THAN LEARNING ABOUT EFFICIENCY AND THE FASCINATING INS AND OUTS OF THE U.C.C.? WHEN YOU SAY YOU DIDN'T LIKE YOUR FIRST YEAR, DO YOU MEAN YOU DON'T WANNA BE A RATIONAL AUTONOMOUS UTILITY MAXIMIZER??

SOUNDS LIKE HE'S BEEN BRAIN-WASHED! I BET HE BOUGHT INTO THE "FUNDAMENTAL CONTRADICTION!"

...ACTUALLY, I JUST STOPPED BY TO BRING YOU A BOOK I THOUGHT YOU MIGHT LIKE...

GET THAT ILLOGICAL, MURKY COUNTER-PRODUCTIVE, INEFFICIENT, SUBVERSIVE PIECE OF BAD-BOY PROPAGANDA OUT OF MY HOUSE! I DON'T EVEN NEED TO READ IT TO KNOW WHAT IT SEZ!

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BY THE WAY, ARCHIE, WHAT'S THAT 'H' ON YOUR SWEATER STAND FOR? HEGEMONY??

I SHOULD HAVE KNOWN YOU'D HOOK UP WITH THOSE "ANTI-LAW" PEOPLE! YOU WERE ALWAYS A MISFIT WITH ANTI-SOCIAL, NON-CONFORMIST TENDENCIES BACK AT RIVERDALE HIGH! I BET YOU EVEN THINK THAT "DIVERSITY" IS A GOOD IDEA! HOW'D YOU LIKE A DIVERSE PROFESSOR TEACHING YOU MICROECONOMICS?

C'MON!! GET WITH THE PROGRAM!

I'M MEAN, WE'RE THE ELITE!

UH! OH! HE'S GETTING THAT BIZARRE GLASSY-EYED STARE...

AFTER ALL, EVERYONE'S GONNA GET OUTTA HERE AND MAKE OBSCENELY BIG BUCKS DOING CORPORATE LAW AT CLASSY LAW FIRMS FOR MEGA BUCKS COMPANIES, RIGHT?? NO MORE CONTRADICTIONS OR INDETERMINACY FOR THIS WEALTH MAXIMIZER, RIGHT???

I'M GETTING OUTTA HERE! THIS GUY'S DANGEROUS!

OH WELL... WHO NEEDS HIM? HE'S A POOR LOSER SLOB ANYWAY! PLUS, IT'S TIME TO WATCH MY ROLE MODEL, "BIG BOY," SQUARE OFF AGAINST "ZORBA THE CLERK."

HLS Contributes To Injustice In Guatemala

By Jean-Marie Simon

This column originally appeared in the Boston Globe on Sept. 21, 1988.

In late 1987, HLS signed a three-year, \$1.5 million contract with the US State Department to provide training to the Guatemalan judiciary, with the purpose of aiding its criminal justice system. Over the past year, judges from Guatemala and professors from HLS's Center for Criminal Justice have engaged in a series of seminars designed to improve the response of Guatemala's legal system to common crime.

As the result of three erroneous assumptions about Guatemala's human rights situation, and the power of its judiciary under a civilian government, HLS, despite its good intentions, has been co-opted by the Guatemalan military and the State Department in their bid for renewed police and military aid.

First, HLS's decision to aid Guatemala is predicated on the belief

that after the election of Christian Democrat President Vinicio Cerezo Arevalo in 1985, democracy, or at least fledgling democracy, ensued. This is false. Guatemala is a military state under the thin veil of civilian rule, and the army continues to flex its muscles of state power through murders and "disappearances."

Under a succession of open military dictatorships, Guatemala accumulated the worst human rights record in the Western Hemisphere. Between 1978 and 1985, at least 50,000 citizens were killed or "disappeared" by police, army, and paramilitary forces; in the rural highlands, the Guatemalan army razed more than 400 villages, forcing 100,000 Indians into exile and at least another 500,000 to become displaced nomads. As a result, Guatemala was deemed an international pariah, and US foreign aid was severed.

After the commencement of a civilian government, foreign aid was renewed, even though the military

has never retreated from its domination over every aspect of daily life. Four days after Cerezo's inauguration, the army promulgated a self-amnesty law, exonerating itself from past crimes. Army officers responsible for past repression have been promoted under civilian government. The coup attempt last May, supported by two-thirds of the country's military bases, forced the civilian government to concede two dozen demands to the army, all placing further restrictions on basic freedoms.

In addition, political violence has not abated under this nominal civilian government. In its 1987 report, the United Nations Human Rights Commission stated, conservatively, that 172 acts of political violence had been reported during the first 22 months of the Cerezo government, all attributable to security forces. By May 1988, levels of political violence surpassed even those of the last open military re-

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Heymann Defends Central American Effort

By Philip B. Heymann

This response to Ms. Simon's Boston Globe column was distributed to students on September 21, 1988.

In an op-ed piece in today's *Boston Globe*, Jean-Marie Simon argues that, "despite its good intentions", the Center for Criminal Justice "has been co-opted by the Guatemalan military and the [U.S.] State Department in their bid for renewed police and military aid." She has been a dedicated and courageous human rights worker in Guatemala, and is a friend, but I think on this occasion she is simply wrong, morally and politically. I welcome the public discussion. The debate is healthy for Harvard Law School. More importantly, it may vastly raise awareness of the hard issues regarding our responsibilities in areas of the world where repression has been terrible and, despite some movement toward democracy, remains very real.

A serious discussion of hard issues doesn't fit comfortably into the space

available for an op-ed piece. I've set my views out at some length in a piece that is now available at the Center for Criminal Justice in Pound 501 from Ellen Lawton. I think you'll find it interesting and urge you to get a copy.

The short version is simply this. In places with terrible histories of repression, refusing to help even the institutions embodying the best hope of decency, such as the judicial branch, is a counsel of despair and a bankrupt strategy which promises only the dividend of continued, growing repression. Attacking those who work in those institutions or those who support them can only be justified by a strategy of trying to deepen the darkness on the theory that that will bring about the dawn. Robert Kennedy liked to say: "I would rather light a candle than curse the darkness." As long as there is any hope, the worst thing one can do is to put out the candle so that everyone can see how dark it is.

Ms. Simon's argument for putting out the candle is straightforward.

Guatemala isn't a democracy; the military is still in control. She does not recognize intermediate states of mixed control, nor does she admit that there is any doubt about the direction the future may take. The fact that the Center for Criminal Justice is helping only the judicial branch — the one most dangerous to the unrestrained powers of the security forces and least dangerous to the population — doesn't eliminate our responsibility for military and police aid, according to Ms. Simon, because senators and congressmen can be misled by clever lobbyists. She does not entertain the possibility that we can make clear to legislators exactly what we do and do not support. Beyond that, when there is increased repression, we can and will urge the reduction of aid to the security forces.

Ms. Simon argues that nothing we are doing can help with political violence, although restraining state terrorism was one of the two things we contracted to work on. God

(Continued on Page 14)

GRAHAM & JAMES

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be interviewing interested second
and third year law students for its

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on

Tuesday, October 11, 1988
and
Wednesday, October 12, 1988

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Rash Of Ripoffs Hits HLS Dormitories

By John Ayon

Harvard University Police and HLS are urging students to be se-

curity conscious in the wake of early dormitory thefts.

Since Sept. 1 there have been five larcenies in the dormitories, ac-

cording to Carl Tempesta, a coordinator of Harvard University Police. He said there was "no forced entry into any of these rooms. In three of the five, the doors were unlocked."

According to Rocco Forgione, dormitory officer and co-administrator of security, most of the thefts involved taking wallets, cash, and credit cards from unlocked dorm rooms.

Forgione urges students to "be security-minded — keep doors locked and don't prop open the corridor doors." Forgione said the University Police are very willing to investigate reports of unknown persons in the dorms. He commented, "As a community, cooperation is essential even if it results in the embarrassing situation of reporting an unfamiliar neighbor."

Dean of Students Sarah Wald said, "As a community within a larger community we must be aware and sensitive to the surrounding area."

Letter to the Editor

Review Action Defended

To the Editor:

Needless to say, the story Professor Leonard related in the letter published by the RECORD last week surprised me. Insofar as the RECORD has chosen to treat the *Law Review's* rejection of an article as newsworthy, I feel constrained to correct any misimpressions that your publication of this letter may have caused.

To get to the heart of it, Professor Leonard is simply misinformed. The *Law Review* must make hard choices from among over a thousand unsolicited submissions. This, however, was not one of them. Far from "unanimously" deeming the piece in question "worthy of publication," the members of the *Review's* Articles Office agreed, unanimously, that the piece should not appear in the *Review*. The decision was made solely on the merits. The article was not rejected because our editors were too "lazy" (in your

words) to edit it.

Indeed, the idea that the *Law Review* would reject an article because it is "long and difficult" is absurd on its face. This is painfully clear to anyone who reads the *Review* on a regular basis. The current volume of the *Review* has already accepted half a dozen exceedingly "long and difficult" articles that the editors do deem worthy of publication, and expects to accept half a dozen more.

Professor Leonard never spoke with me or anyone else on the *Review* to confirm the truth of what he had heard. Nor did you bother to substantiate his letter's contents before you published it. The *Law Review* welcomes input on how it can improve its editorial process; perhaps you should do the same.

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Rash Of Ripoffs Hits HLS Dormitories

By John Ayon

Harvard University
HLS are urging students

CARL L. GORDON & REINDER

Letter to the Editor

Review Article Defended

To the Editor:

I am writing to you in response to your recent issue of the Harvard Law Record. I am a student at Harvard Law School and I am writing to you in response to your recent issue of the Harvard Law Record. I am a student at Harvard Law School and I am writing to you in response to your recent issue of the Harvard Law Record.

To me, the issue of the Harvard Law Record is a very important one. It is a publication that is read by many students and faculty members of Harvard Law School. It is a publication that is read by many students and faculty members of Harvard Law School. It is a publication that is read by many students and faculty members of Harvard Law School.

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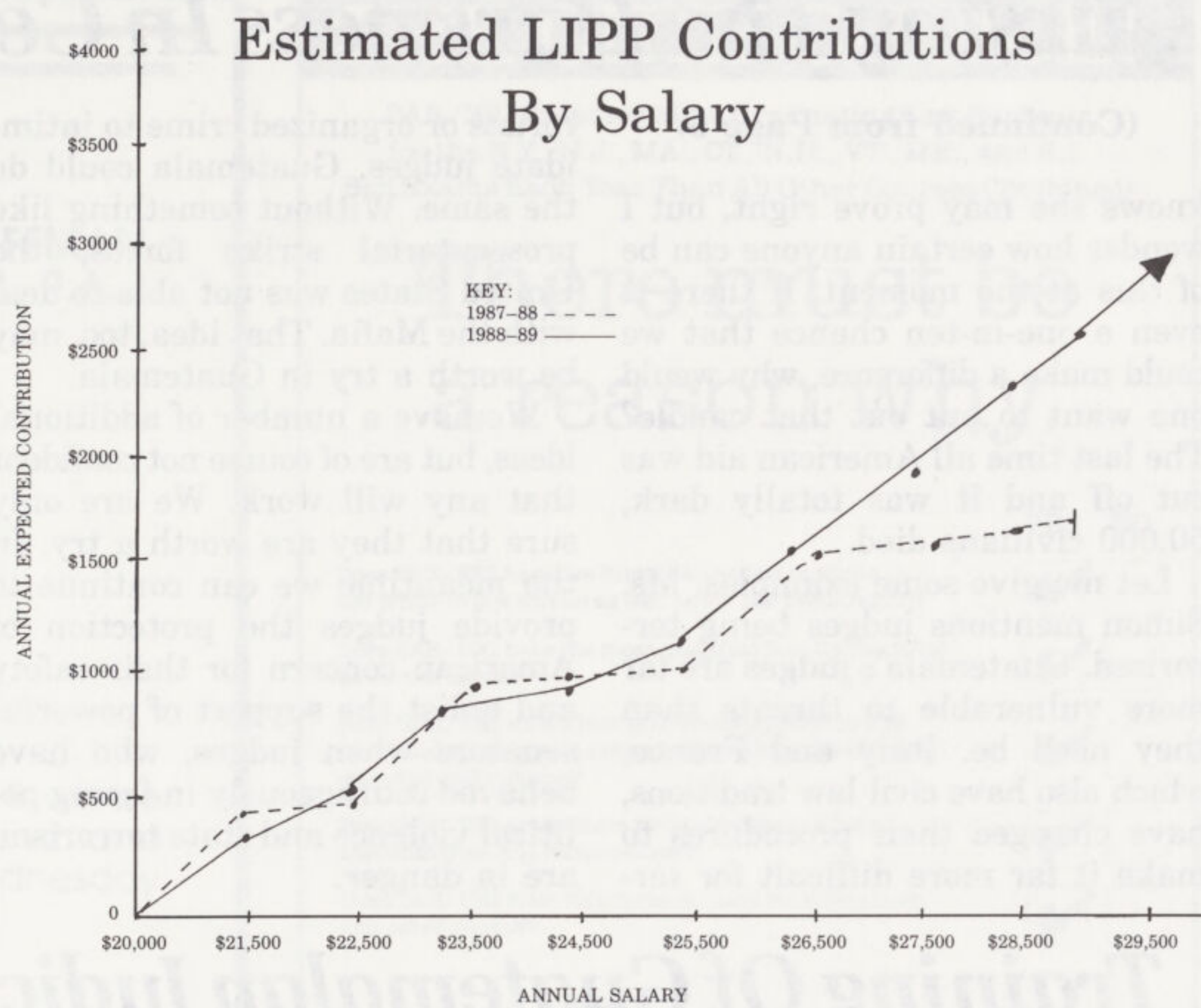
We welcome calls to Weekly Events, our most popular event, from candidates unable to interview with us at the above times. We will be pleased to see candidates on Friday morning at The Office.

Cap Increased

Last spring, the financial aid committee increased the maximum salary covered by the Low Income Protection Plan (LIPP) and adjusted the percentage a graduate is expected to contribute toward loan repayment. LIPP is designed to help students who accept low-income jobs pay back their loans.

Currently under LIPP, a graduate must contribute nothing from the first \$20,000 in income, 20% of the next \$5,000 earned, 40% of the next \$5,000, and 60% of the next \$5,000. Any income greater than \$35,000 does not qualify under LIPP.

The committee increased LIPP's income cap to \$35,000 from \$29,000 and adjusted the percentages to reduce the "cliff effect," the drastic difference in coverage that a student earning an amount just below the cap receives from a student earning an amount just above the cap. ❖



Changes in LIPP include extending the income cap and smoothing the "cliff effect."

Future Of Replacement Loans Uncertain

(Continued from Page 1)

[replacement loans] were in or out." Donahue agreed with Kaplow's interpretation of the language but added, "I was somewhat surprised that replacement loans were ever included."

The committee claims the changes are necessary because the program was so generously expanded last year. Donahue explained that it is necessary to refine the program's guidelines to keep the cost from "skyrocketing."

Students retort that they have relied on LIPP. Steve Crawford, 2L, said, "This is classical reliance. This change could force me to alter my career choice."

The reliance concern was voiced by many students. Warren Asher, 2L, said that LIPP was "a decisive and important factor in my coming to HLS. It is used for recruiting for HLS." He added, "I consider LIPP to be part of a contractual agreement."

The Alliance for Public Interest Alternatives (APIA), at an informal

meeting, expressed an interest that the LIPP program in existence when a student leaves should be the same or better than the program in existence when the student entered.

Gordon Whitman, 2L, expounded, "Students need to be able to rely on LIPP and can't until they get a financial guarantee from the administration."

In response to the student's reliance arguments, Donahue said, "Loans last year are covered under last year's guidelines." In reference to changes in LIPP, she continued, "It is not specified anywhere that the program won't change." In the last two financial aid pamphlets the law school has reserved the right to change LIPP as it deems necessary. However, the disclaimer in the 1988-89 pamphlet has been made substantially clearer and stronger.

Asher expressed a general concern that LIPP could be drastically changed at any time during his or any student's involvement with LIPP. He said, "If the program can be decreased significantly in one

year, then a student like me who expects to depend on LIPP for ten years has reason to be afraid."

Donahue was unable to supply an answer to a student's desire to have a guarantee that the program won't change. "I guess I really don't know how to respond to that," she said. "The fear of money disappearing — it could happen, but it's not likely."

The APIA suggested in its meeting and in a letter to all students that the law school should provide a guarantee by endowing the program. Donahue indicated some progress has been made in that direction.

Any changes in LIPP could have significant effect on students. Approximately 70% of HLS students will receive financial aid. According to Donahue, roughly 45% will receive replacement loans and each student will average \$2,259 in replacement loans.

❖

Cursing The Darkness In Central America

(Continued from Page 9)

knows she may prove right, but I wonder how certain anyone can be of this at the moment. If there is even a one-in-ten chance that we could make a difference, why would one want to put out that candle? The last time all American aid was cut off and it was totally dark, 50,000 civilians died.

Let me give some examples. Ms. Simon mentions judges being terrorized. Guatemala's judges are far more vulnerable to threats than they need be. Italy and France, which also have civil law traditions, have changed their procedures to make it far more difficult for ter-

rorists or organized crime to intimidate judges. Guatemala could do the same. Without something like prosecutorial strike forces, the United States was not able to deal with the Mafia. That idea, too, may be worth a try in Guatemala.

We have a number of additional ideas, but are of course not confident that any will work. We are only sure that they are worth a try. In the meantime we can continue to provide judges the protection of American concern for their safety and enlist the support of powerful senators when judges, who have behaved courageously in facing political violence and state terrorism, are in danger.

I have met many Guatemalan judges, prosecutors, lawyers, and human rights advocates working for an end to repression and violence in Guatemala. They want us to stay. In a conflict with repression carried out in the name of national and internal security it would be a lot lonelier and more dangerous to be on the side of law without the interest and support of the United States. It may be dark in Guatemala but the remedy is not to put out the candles simply to make sure that everyone will curse the darkness. That is what Ms. Simon is urging.

Prof. Heymann '60 is Director of the Center for Criminal Justice.

Training Of Guatemalan Judiciary Misguided

(Continued from Page 8)

gime, which was in power until 1986.

Guatemalan judges, including participants in the Harvard program, concur that civilian rule is a charade, and say that they are incapable of assuming a more aggressive role in the prosecution of crimes. One judge, a recent visitor to HLS, stated: "Harvard just gives us the theory; most of the law remains outside our hands, and that is where the most delicate cases lie. The essence of justice in Guatemala is not being touched." These "delicate cases" are also the most brutal: they are carried out by army or police assassins immune from the law. For their part, Guatemalan judges are not immune from army reprisals if they try to prosecute those in the army or the police who are responsible for such crimes.

Second, HLS believes that by dealing solely with common crime—by introducing methods of investigation, model courts, oral testimony, a public defender, the development of criminal case studies—it can avoid permitting the Harvard name to be co-opted for police and military assistance. HLS believes, mistakenly, that it is ethically acceptable to pursue common crime

issues while ignoring the political crime occurring every day, and that this narrow agenda can be pursued without lending legitimacy to the government's human rights abuses. Unfortunately, the evidence from Washington and Guatemala City shows that HLS's program is adding legitimacy to an abusive Guatemalan government. This legitimacy is appearing concretely in the form of police and military aid.

Although professors running the Law School program deny any relationship to the Guatemalan police, they invited the top police officials to visit HLS. The Guatemalan government publicly links the Harvard name to its petitions for foreign police assistance in the US Congress. The Guatemalan government distributed police "reform" booklets to US legislators, citing HLS's program as one type of police reform which "translates into greater effectiveness by the National Police." In Washington, Defense Minister Gramajo has used the Harvard name to campaign for military aid. Military aid has since been increased.

Third, HLS mistakenly believes that by aiding the judiciary on questions of common crime, it can build a base for attacking future political crime, even while remain-

ing isolated from human rights issues now. This scenario could appear plausible only to someone having as little experience in Guatemala as the Harvard professors running the program, who had spent almost no time in Guatemala before devising an application for US AID money. For them, Guatemala requires a quick technical fix for democracy.

The proposal submitted by the HLS professors to the US State Department stated that democracy "cannot develop or survive in any country where fears of assassination or kidnapping prevent the exercise of political rights to speak and organize." HLS is doing nothing to quell these fears.

It is time for HLS to withdraw its program. By concentrating on common crime, it is lending its name to those in Cerezo's government who, in order not to upset the army program, would deny that political crimes even exist.

Jean-Marie Simon, 1L, is Consultant to America's Watch and Amnesty International, and author of "Guatemala: Eternal Spring, Eternal Tyranny." She lived in Guatemala from 1981 to 1988.

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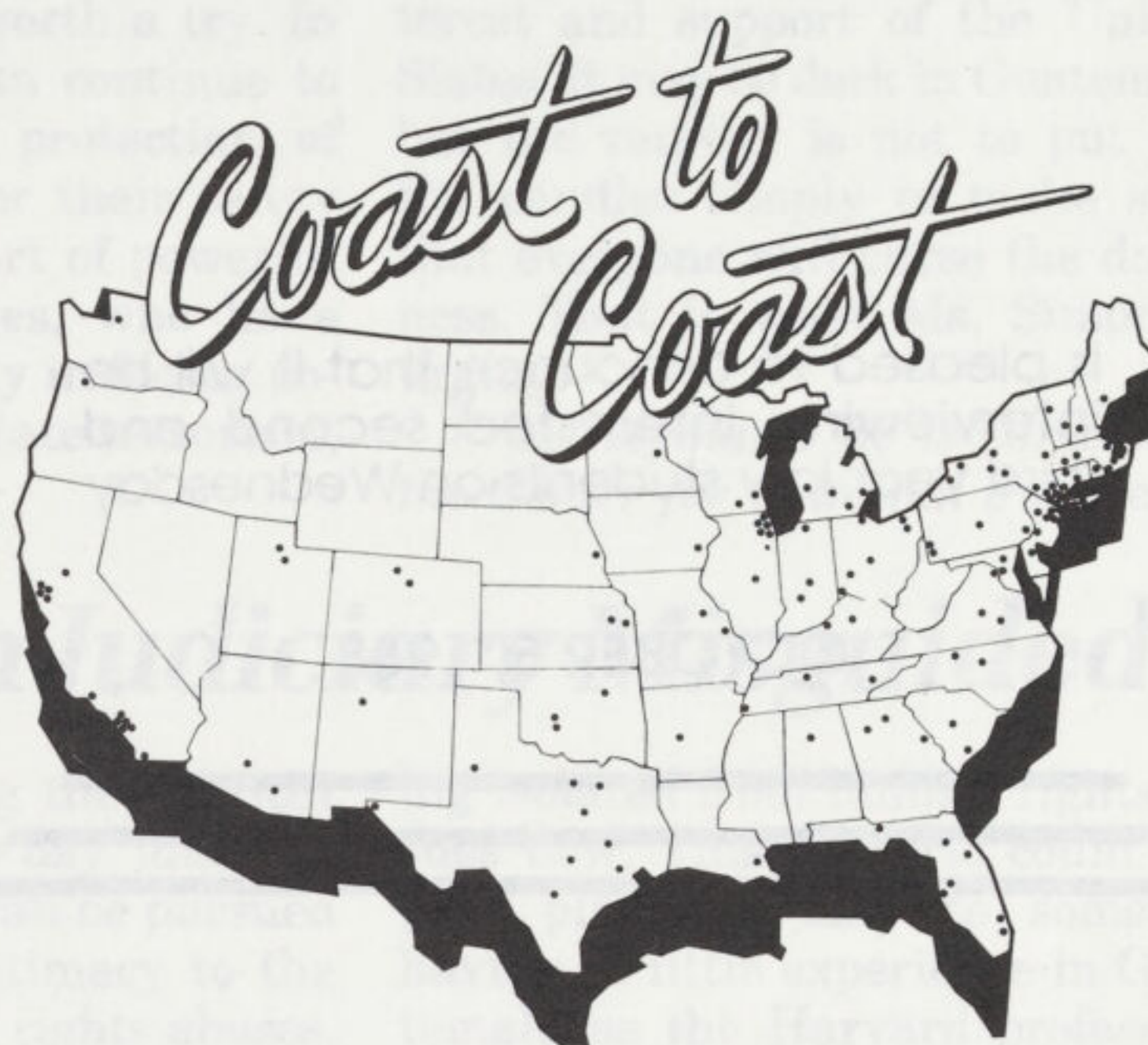
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Students Enjoy But Discount First Debate

By Dan Kroll

HLS students briefly abandoned their books and headed for the pub, as the first presidential debate between Governor Michael Dukakis '60 and Vice President George Bush filled the wide screen television in the Harkness building on Sunday, Sept. 25. Although an unofficial poll reflects the general public sentiment that no clear winner emerged from the battle, active supporters on both sides are pleased with the performances of their candidates.

campaign at HLS. Whereas Bush demonstrated his tendency to "ramble," according to Funk, Dukakis showed that he was "controlled, organized and directed."

Of course, Bush supporters had a somewhat different view. "Obviously I'm biased," said Joe Anderson, 3L, president of the HLS Republicans, "but I think Bush came out ahead." While admitting that Dukakis is "very slick," Anderson said he thought the Governor resorted to his "typical" strategy of avoiding specific issues and citing

to vote for after listening to the debates, I think the answer would be George Bush, he added.

Although optimistic about the performances of their supported candidates, students did offer some constructive criticism. Funk admitted that Dukakis could have been a little more specific and that he passed up the opportunity to challenge Bush on a few issues. "He hammered away on certain points," such as the arms-for-hostages deal and Noriega, "but there are plenty of other sources of attack on Bush," Funk said.

The "son of immigrant parents" line was "a little corny — it's been given too much play," said Kristin Cabral, 1L, who along with Funk is a co-coordinator of the Students for Dukakis effort at HLS. Cabral thought it ironic that "Dukakis has picked up many Reaganesque attributes," citing his storytelling (about the little leaguer in Houston and about the sixteen-year old female drug addict) as an example, but she thought Dukakis used it and his "one-liners" effectively. Anderson said Bush also used his one-liners effectively, but admitted that in a few instances he had problems expressing himself. Anderson said that although Bush may not be a great communicator, "he does have sincerity, which is something that's lacking in Michael Dukakis."

Danaher acknowledged that Bush's stances are not popular at HLS. "Most of the views at the school, especially those of the faculty, tend to mirror those of the ACLU," he said, but he added that "it's time Harvard discovers that Main Street, USA finds its positions on many issues repugnant." Danaher said he thought Bush's comment about Dukakis' use of a "Boston adjective" would not hurt Bush at all. "It was great. The rest of the country hates Boston and Harvard," he said.

In spite of the build-up and publicity surrounding the debate, many supporters on both sides agree that the debate will not have a significant effect on most voters.

"It was great. The rest of the country hates Boston and Harvard."

"I think Dukakis was the marginal winner — he showed he had a better grasp of the issues and a more sensible approach," said David Langer, 3L, co-chair of the administrative committee of the HLS Democrats.

"I think [Dukakis] trounced," added Steve Funk, 1L, a co-coordinator of the Students for Dukakis

occurrences from his terms as governor out of context.

Dukakis may have won as a matter of "style," admitted Charlie Danaher, 3L, an active member of the HLS Republicans. "Judging by traditional debating standards, Dukakis was the winner. But if you judge their performance by asking Americans who they're more likely

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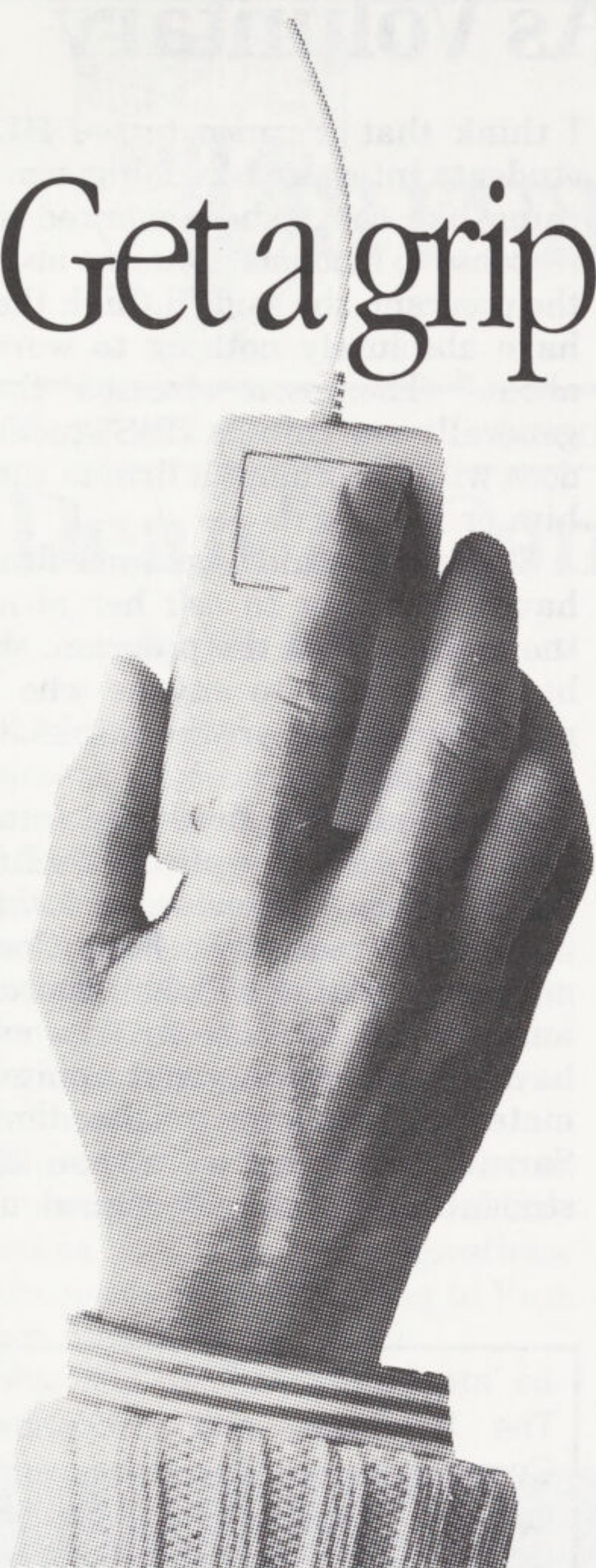
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Charity Program Defended As Voluntary

(Continued from Page 5)

not believe in guilt manipulation," he added, stressing that CC had not employed tactics such as bombarding the school with pictures of starving people.

A survey of about 40 firms over the summer yielded an initial positive response. Anderson said that many of the firms undecided about participation were concerned about the mechanics of the program, but that once they learned more, the response became more positive.

Two weeks ago letters soliciting participation were sent to all firms interviewing at HLS except Boston firms, according to CC member James Lovett, 3L. As of Sept. 27, 31 firms were supporting the program, 7 firms were not supporting the program and more than 700 had not yet responded. Some of the negative responses were from firms near Boston who don't flyout, Lovett said.

One firm response provided by

CC said that the program "is a very worthy cause and should be applauded." The firm declined to participate, however, because it felt its donation would be minimal since it normally requests the one or two HLS students who flyout to make moderately-priced travel arrangements anyway. The firm emphasized, however, that it encourages its attorneys and employees to contribute time and money to charitable organizations, including those that benefit the homeless.

Bill Sarraile, 3L, a CC volunteer, said that half the negative responses provided similar reasons and that the rest were from firms that either planned to make donations anyway or indicated they were already heavily involved in helping the homeless.

The Placement Office supports The Firm Commitment, according to June Thompson, director of placement, who has been making the office's services available to CC.

"I think that it's commendable.

I think that it's nice to see HLS students interested in doing something like this," she remarked. In response to students' concerns about the program, she said, "I think they have absolutely nothing to worry about." Thompson stressed that generally one thing a HLS student does will not prompt a firm to turn him or her down.

She said that although some firms have called her to ask her about the mechanics of the program, she has not spoken to anyone who is not participating or who thinks it's a bad idea.

More than 850 firms are interviewing at HLS this year, according to Thompson. Anderson said that in order to reach The Firm Commitment's goal of \$50,000, approximately 25% of those firms would have to participate, and approximately 600 students must commit. Sarraile said that more than 430 students have already signed up.

☛

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