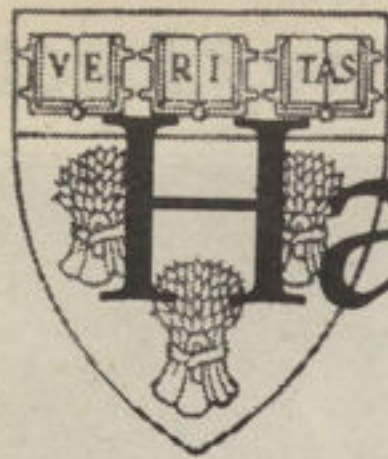




Harvard Law Record

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September 29, 1989

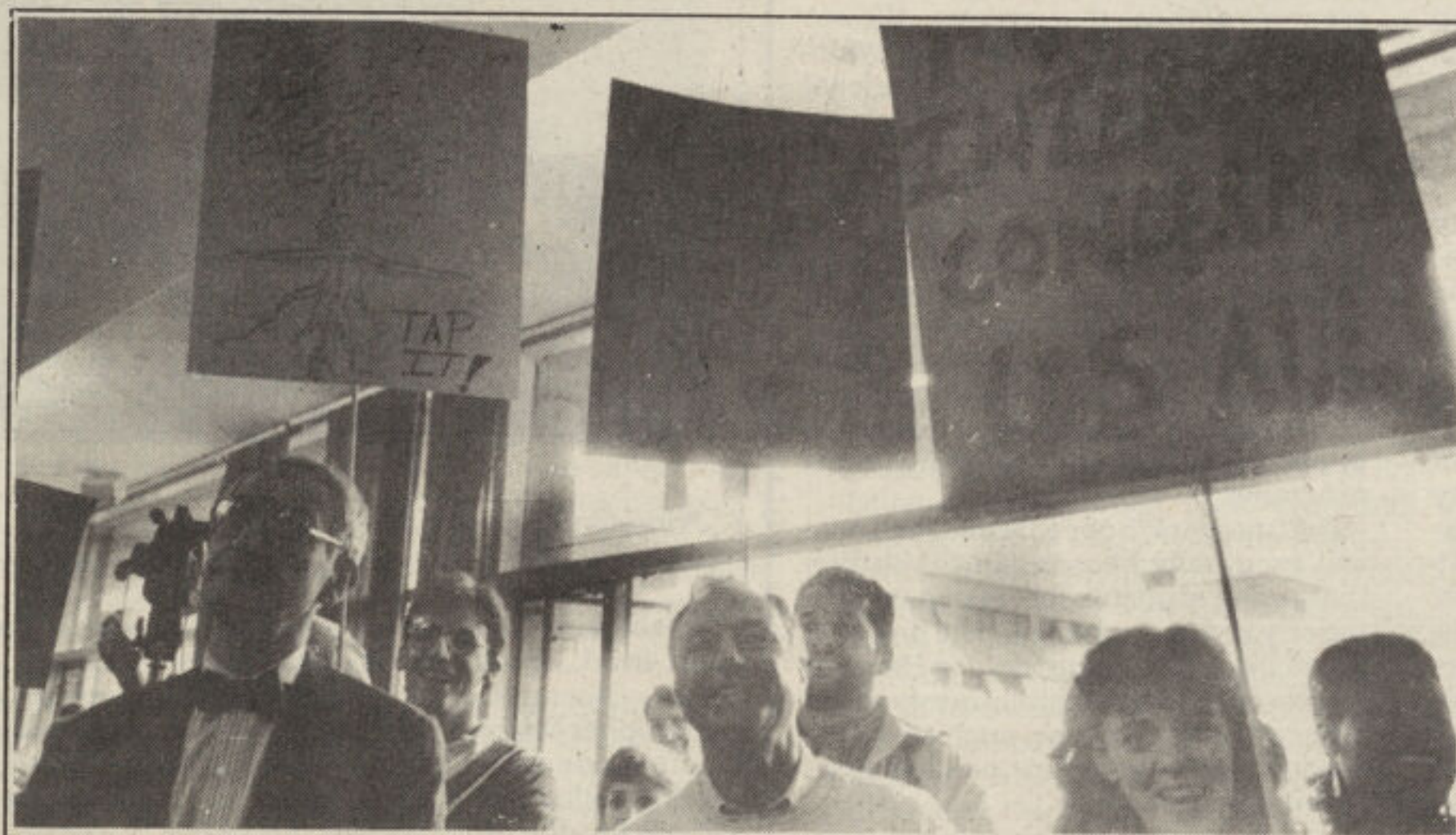
Students, Professors Rally In Support Of Public Interest

By George Paul

Organizers estimated that over 300 students crowded the Hark basement Sept. 19 to protest Dean Robert Clark's elimination of two public interest counseling positions. Clark '72 has maintained that the existing counseling programs can cover public interest needs.

For over an hour, faculty and community leaders joined students representing a variety of organizations to voice their support for public interest career alternatives. In particular, the students are asking Clark to restore a separate office for public interest placement. In addition, moderator Dan Rabinovitz, 2L, stressed that "above and beyond the two positions, we are here to say today that at a time when law schools, bar associations, and private firms around this country are trying to strengthen their commitment to public service and public interest, Harvard Law School absolutely has to strengthen its commitment in the same way."

The rally capped a week of



Profs. Charles Fried (left) and Abram Chayes '49 (center) attend the APIA rally on September 19. Both professors spoke at the rally.

Photo by Jean-Marie Simon

activities by students in which they met with Clark and sponsored a petition drive requesting the support of all law school students. According to rally organizers, over 900 of the school's 1600 students have

signed the petition calling for the restoration of the two cut positions. Many students wore blue ribbons to show their support for public interest.

Clark, in response to the students' concerns, distributed a

letter dated Sept. 21 to all students with the purpose of setting "the record straight." In the letter, Clark said that "working under the Director of Career Services will be a new placement adviser who will have

substantial responsibility for public interest counseling." The letter also explained that Clark wanted "to examine some of our assumptions about what it takes to make public interest a real career option."

The Emergency Coalition for Public Interest Placement (ECPPI) responded to Clark's letter in a Sept. 25 letter to Clark, which was distributed to HLS students. The letter, although expressing appreciation for Clark's concern, faulted Clark's lack of specificity. The letter asked how the elimination of the public interest positions is an "advance" for public interest, what "substantial responsibility for public interest" meant, and for details regarding the formation of the new "Public Interest Committee," to which Clark referred in his letter.

In addition to the ECPPI response, the Boston Sunday Globe questioned Clark's reorganization and described it as "a controversy that is leaving some egg on the face of Harvard's brand-new dean of the Law School. Clark has

(continued on back page)

Students Bid Bence's Farewell

By Erin Edmonds

After over a half-century of old fashioned drug store service at its best, Bence's Pharmacy will close its doors on Saturday, September 30. Larry Karp, the owner-pharmacist for the last 33 of the store's 53 year history, decided last spring to sell the legacy he inherited from his father to Harvard Real Estate.

His mood on Tuesday epitomized

the melancholy reaction of loyal customers. Teary eyed and gruff, Mr. Karp declared simply, "This is my choice. There was no pressure [to close the store]. I'm just tired of it." Then, poking fun at a certain cadre of patrons, he added, "I'm going to take a year's sabbatical when this place closes down."

He peered around the skeletonally stocked shelves (attributable to a rush on the half-price closing sale), and the long,

shiny counter complete with soda bar stools, and shook his head. Ambivalence reigned. Behind him were carefully hand-lettered signs advertising Bence's famous lime rickys (an ambrosial concoction of fresh lime juice and other mysterious ingredients) and inexpensive breakfasts. The grill behind him, scrupulously clean but blackened with age, was conspicuously silent.

Mr. Karp's brother-in-law Ed Clemon, who had been helping out with the store's last few days of business, came to the rescue. "This is tough on all of us," he said apologetically. "You have to understand," he explained, "this is the first retail job I ever had. I started here when I was 11 and worked on and off through college."

Just then a woman wandered in, accompanied by her small son. His hair was plastered down, obviously freshly barbered, and he climbed eagerly onto a barstool and announced that he wanted one of those "cheese sandwiches on white bread." Ed Clemon grinned a little and replied, "I think we can do that."

Ray Degraw, an employee of over two years and a sophomore at Harvard in Chinese studies, has many stories to tell. The best thing about working at Bence's, he said, was the opportunity to be acquainted with the clientele. He also quipped that the clientele was the oddest thing about the place.

"We see everyone, from Archibald Cox to Billy, who pushes his cart up and down the street with all his worldly possessions in it."

"The conversations you hear (continued on back page)



Photo by Patrick Miles

Bence's Pharmacy, serving HLS students for 53 years, will close its doors permanently Saturday.

Watkins Indicted On Rape, Assault Charges

By Greg Herbert

A Middlesex County grand jury indicted Kevin T. Watkins, 3L, on Sept. 20 on two counts of rape and one count of assault stemming from charges made by a Harvard College student that he raped her last December at his Peabody Terrace apartment.

Meanwhile, Watkins' suffered another courtroom defeat last week in his \$150 million lawsuit against Harvard University and HLS. Federal Magistrate Allyne Ross of the Eastern District of New York denied Watkins' second motion for a preliminary injunction against the law school which, if granted, would have allowed him to return to school.

Watkins will be arraigned in Massachusetts Superior Court "within weeks," according to Marcia Cohen, a spokesperson for the county's district attorney's office.

Watkins, who has moved to his home in Brooklyn, New York, told the RECORD on Sept. 25 that he had not yet been informed of the indictment or any other aspect of the criminal proceeding. He added, however, that he would continue pursuing his civil suit against Harvard "until they lock me up."

Harvard attorney Allan A. Ryan, Jr. told the Harvard Crimson that it would be "unlikely" that the federal court would hear any further proceedings on Watkins' requests for an injunction. The magistrate's decision effectively ensures that Watkins will not attend HLS for

any portion of the 1989 - 1990 academic year.

Formal criminal charges, first filed against Watkins last June, accused him of raping and assaulting the undergraduate student when she went to his apartment to retrieve videotapes in which she appeared nude. After months of proceedings, in which the tapes were viewed by HLS professors and an administrator, the HLS Administrative Board found that Watkins had made the nude videotapes "under the auspices of" the Society for Black Professional Entrepreneurs (SBPE), a law school organization founded and headed by Watkins.

As a result of the findings on the videotapes, the Ad Board last May placed a reprimand in Watkins' permanent transcript, barred him from holding office in any law school organization and disbanded the SBPE.

In response to the criminal charges against Watkins, Dean Robert Clark '72 decided to require Watkins to take a leave of absence pending resolution of the criminal proceedings. Watkins was informed of this decision on Sept. 1 when he attempted to register for classes.

Watkins has served as his own legal counsel throughout the civil suit, and appeared at the preliminary injunction hearing with his mother, who took the stand as his witness. Watkins' mother, who also appeared on his behalf during the school's investigation last spring, was cross-examined by Harvard's attorney during the day-long hearing, according to Watkins.

Greenberg, Bellow, Singesen Start 1L Poverty Law Program

By Caroline Wittcoff

Three HLS professors will launch a pilot project this fall for first year students seeking careers in anti-poverty law. It may serve as a model for future programs geared toward students interested in other areas of public interest law. The Anti-Poverty Law Mentor Program aims to train the next generation of legal services lawyers by counselling students on how to best develop their specific interests through existing anti-poverty curricula, clinical programs, extra-curricular organizations, and by assisting them in finding employment in the field.

The Program's founders, Danny Greenberg, Director of Clinical Programs, Gerry Singesen, Director of the Program on the Legal Profession, and Prof. Gary Bellow '60, have extensive legal services backgrounds. Greenberg worked for sixteen years as a legal services lawyer in the lower East side of Manhattan. Bellow, former Deputy Director of California Rural Legal Assistance, pioneered the anti-poverty law curricula at HLS in the early 1970s. Still a legal services practitioner at Westchester Legal Services, he is former Vice-President of the Legal Services Corporation.

According to Greenberg, "there are many different ways to do anti-poverty law and the program is designed to introduce students to these different areas and ways of looking at the world and to tailor a program to meet their individual needs."

Greenberg, Singesen and Bellow will use their vast network of contacts to assist students in finding both summer and permanent employment in the field of anti-poverty law. They will also advise students about the many re-

lated resources available at HLS (including 20 courses offered over the past three years, one of the most extensive selections in the U.S.), and the Low Income Protection Plan.

Study groups will be an important component of the program, and will serve as vehicles for understanding legal services delivery, and the client population. "We hope that third year written papers and analytic papers for poverty and other law journals will grow out of these discussions. We see the groups as a means of moving forward the discussion about where legal services are going in the 1990s and beyond," said Greenberg.

In its first year, the program will be limited to three or four 1Ls who express serious commitment to careers in anti-poverty law. Last summer, all entering 1Ls were sent a memorandum outlining related opportunities available here. On Oct. 11, Mentor Program applications will be made available at a public interest workshop focusing on clinical programs.

The "mentors" hope this informal pilot will eventually become an institution that draws students interested in anti-poverty law to the school. The program could be used as a model for Harvard professors and administrators with other areas of expertise, such as corporations, international law, or other areas of public-interest law.

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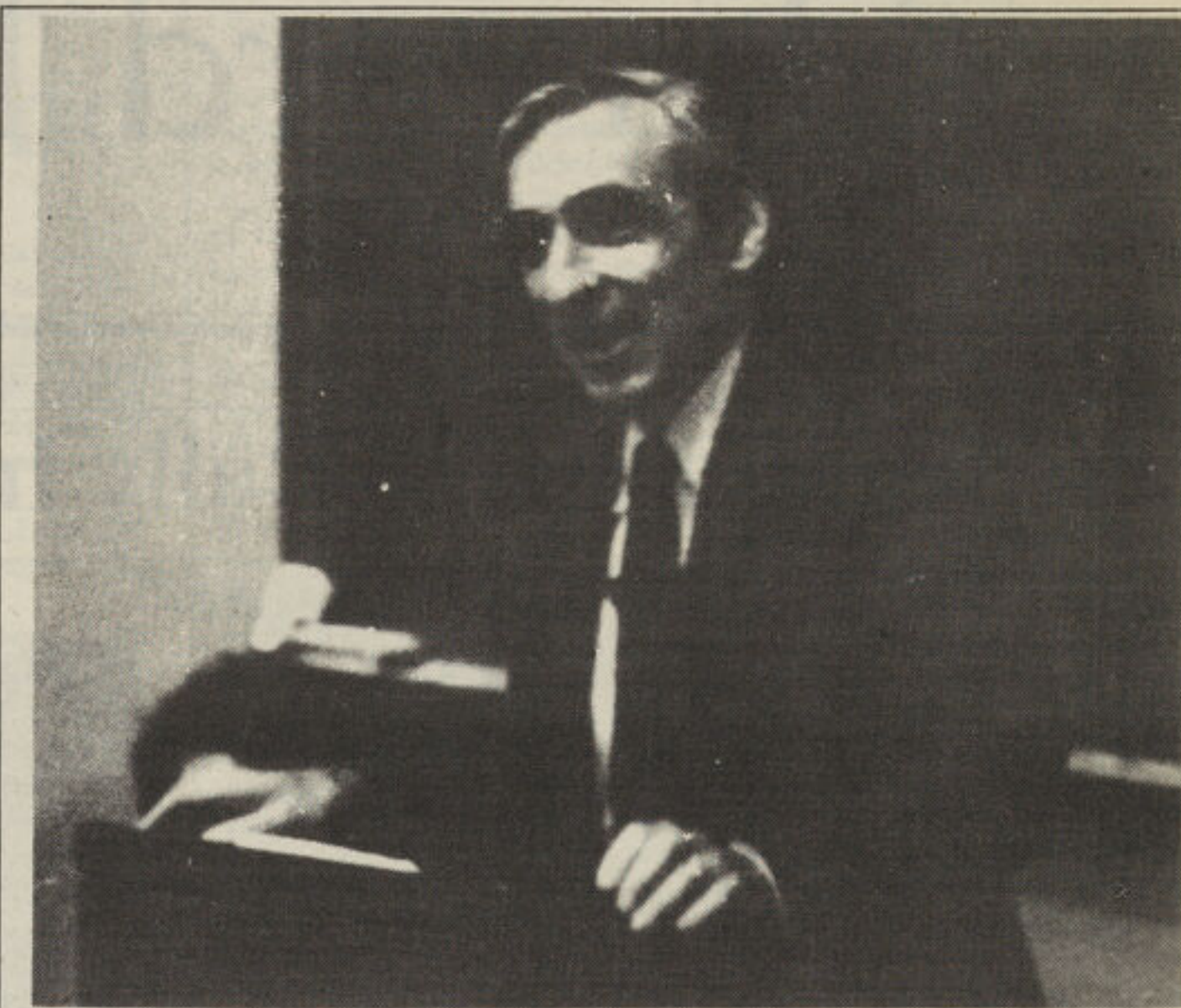


Photo by Susan Green

Princeton Professor Michael Walzer.

"Intellectual fashions are notoriously short-lived...transient but certain to return." According to noted political philosopher Michael Walzer, those fashions include many of the criticisms of American liberals.

The Princeton professor was this year's John Dewey Lecturer in the Philosophy of Law. Although he is now on the faculty of the Institute for Advanced Study, Walzer's lecture was something of a homecoming. His Ph.D. is from Harvard and he is a former Harvard government professor.

The speaker, whose many books include studies of liberal political philoso-

phy, analyzed "The Communitarian Critique of Liberalism." The lecture drew an appreciative standing-room-only audience to Austin East last week, perhaps due in part to HLS' heavy publicity of the event.

The John Dewey Lecture is funded by an endowment from the John Dewey Foundation. It honors John Dewey (1859-1952), a distinguished American philosopher, educator and author.

A faculty committee selects the speakers for various grant-funded lectures, including the John Dewey lecture, given at Harvard Law School throughout the year.

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Baker & McKenzie Minority Employment Plan Scrutinized

By Troy Morgan

Despite its new Equal Employment Opportunity Program (EEOP) and a \$100,000 scholarship program for minority law school applicants, the world's largest law firm remains the subject of close observation and skepticism about the effectiveness of its minority recruitment policy. Chicago-based Baker & McKenzie (Baker) developed the programs last summer in response to public outcry over racist remarks made by a senior partner to a black female law student during an interview at the University of Chicago Law School (U. of C.) last year.

Some law schools, including HLS, have promised to rate the effectiveness of Baker's EEOP by the numbers of minorities actually hired, promoted and retained over time, some questioned Baker's commitment to specific numerical goals.

"Baker & McKenzie never replied [at their July workshop] that they had or would establish timetables or schedules" for hiring minorities, said Prof. Charles Ogletree '78.

According to Ogletree, the law firm avoided specific commitments despite recommendations for such by Dennis W. Archer, Associate Justice of the Michigan Supreme Court and member of the ABA Commission on Opportunities for Minorities in the Profession. "They didn't want to be specific about that. They never said or implied that they had concrete goals," Ogletree said.

When the much-publicized incident of racial harassment was first reported, U. of C. and University of California's Boalt Hall School of Law temporarily banned Baker from interviewing on their campuses last Spring.

According to June Thompson, director of the Office of Career Services at HLS, the Placement Committee did not ban the firm because "we wanted them to get started right away on their EEOP,

which would allow us to monitor their proposals and programs." Thompson explained that the Placement Committee's decision did not come down until finals week last spring because "we wanted to make sure we had heard everybody's opinion before we made our decision, and that took some time."

The University of Georgetown Law Center became the first school to ban the firm this year when it retracted its invitation to interview on Sept. 12, only one week before Baker was scheduled to appear on campus. Many students had already scheduled interviews with Baker by the time the retraction was announced, according to a statement issued by Georgetown's newly-appointed Dean, Judith C. Areen. In banning the firm, Georgetown forfeited three \$5000 scholarships offered by Baker for first year minority students. The \$15,000 scholarship package represented a total larger than that offered to any other school.

Abbie Thorne, Georgetown's assistant dean for Overseas Planning and Placement and Career Services, explained that the sudden shift resulted from vocal student protest early this fall. "There had been no expression of interest on the part of students prior to now — last year they did not seem interested enough to hold a meeting, but we did see a tremendous interest in this topic as of Sept. 1 this year," she said.

Thompson told the RECORD that "at the meeting in July [a workshop presentation at the firm's Chicago headquarters] Baker recognized the fact that they would run into some opposition and difficulties on the campuses they'll visit this fall."

Areen said she regretted "the lateness of the decision, but the academic calendar and the recent change of deans delayed until now the expression of the very strong views that exist here among both students and faculty."

Dean Thorne expressed Georgetown's intention "to follow the progress of Baker and the goals that Baker has already articulated." Similarly, Thompson stated that, "Baker & McKenzie are to report back to us by January concerning their progress in this matter." According to a May 16 letter sent to Baker from the HLS Placement Committee, the firm's progress will be measured by "the number of minority students interviewed, the number invited back, the number who received offers, and the number who accepted; and ... the firm's progress in retaining minority and women attorneys."

A letter by Dean Robert W. Bennett of the Northwestern University School of Law which incorporated comments made by Ogletree, was presented to Baker in April. Suggestions in the letter included "interviewing at additional schools, in particular those with large minority student populations." Ogletree said he considered it "hard to imagine a minority recruitment program for law students that does not involve Howard Law School, Thurgood Marshall Law School or Southern University Law School. In order to appreciably increase the pool you have to recruit beyond the small number of Ivy League schools with relatively small populations of minority students."

In a phone interview on Sept. 22, Attorney Daniel Burns, Baker's recruitment coordinator in Chicago, stated that the firm "will continue interviewing at those law schools at which [it is] currently interviewing." Presently, Baker recruits at Boalt Hall, Brooklyn, Columbia, Depaul, Duke, Florida State, Fordham, usually Georgetown, Harvard, Hastings, IIT Chicago-Kent, Loyola-Chicago, Loyola-Los Angeles, New York, New York University, Northwestern, Notre Dame, Southern Methodist U., Stanford, John Marshall, Chicago, Florida, Michigan, Pennsylvania, California-Davis, California-Los Angeles, Illinois, Miami, Southern California, Texas, Virginia and Yale law schools, about 14 of which are receiving grants.

Although Burns claimed that Baker is "probably the only law firm signed up [for interviewing at HLS] that has in its firm resume a mechanism for reporting future violations," the effectiveness of this procedure has been questioned by

Bennett, Ogletree and others. Bennett's letter stated, "[y]our program is silent about what sort of action the firm would take when a complaint about the interviewing is found justifiable. Explicit attention to the sanctions question might help dispel skepticism about the effectiveness of the interviewing standards that you have provided."

Burns asserted that if a serious violation occurs again, "we are more than likely to do about what we have done on this occasion. We would act in the same manner as we have acted now." The senior partner who conducted the controversial U. of C. interview has entered a forced retirement.

Dean Robert Clark '72 has accepted on behalf of the law school two of Baker's \$5000 grants, saying, "I am delighted that Baker & McKenzie has chosen Harvard Law School to participate in their Law Student Assistance Program. We are especially very grateful for their support of minority students at the school. We are glad that they recognize the importance of having a good financial aid program."

Baker has circulated a letter challenging other firms to make similar efforts, promising to "increase the total available amount from \$100,000 to a maximum of \$200,000, in increments of \$10,000 for each program adopted by another firm (or group of firms) that establishes comparable annual assistance of at least \$100,000 per year to support or increase law school enrollment by minority law students at participating schools."

The Sept. 25 National Law Journal, in reporting Georgetown's action this fall, asserted that Baker's "penance" is sufficient, a sentiment shared by many law schools and firms, according to a senior placement official at one law school; however, the chastening of the world's largest law firm, may continue to raise vexing questions concerning racism in the legal profession. While commending Baker's substantial commitment of money to minority students, Ogletree concluded that Baker's EEOP "has some potential for success, if it is ever actually implemented. But a lot more needs to be done."

Thompson said she would schedule a meeting for interested HLS students to discuss these matters with Baker before the firm interviews here.

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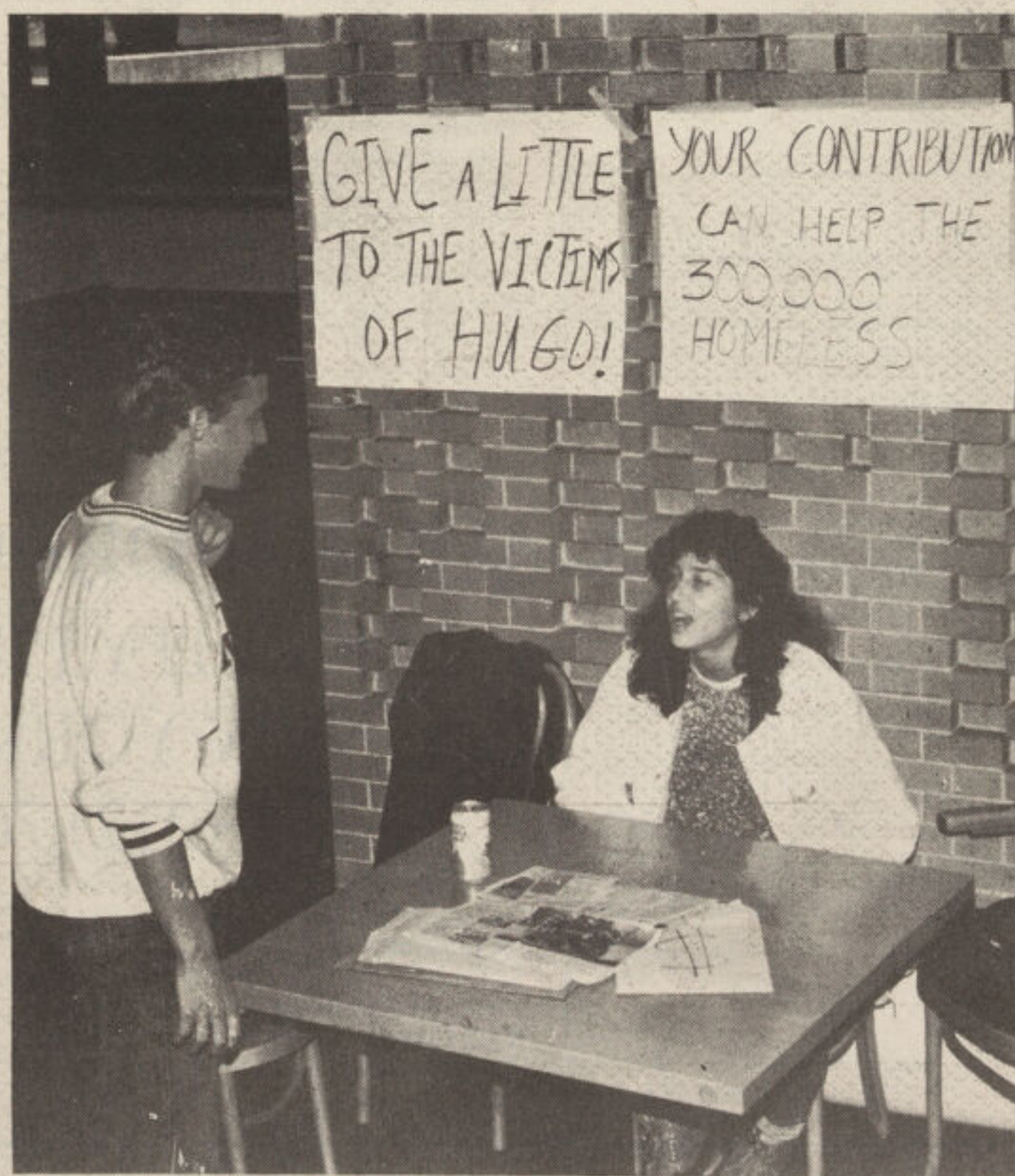


Photo by Patrick Miles

La Alianza member Jacabed Rodriguez-Coss collects money to aid victims of Hurricane Hugo in Puerto Rico.

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ABA/LSD Survey Reveals Insensitivity In Interviews

By Paul Tarr

Interview season has arrived, bringing with it grey suits, cramped schedules, and renewed questions of harassment in the job search process. This week, a report to be issued by the HLS chapter of the Law School Division of the American Bar Association (ABA/LSD) will reveal the results of a student body survey probing such incidents.

The survey, which elicited stories of racism, sexism, and homophobia, was conducted last spring in the wake of the Baker & McKenzie scandal. Its release has been accompanied by joint measures taken by the ABA/LSD and the Placement Office to avoid and redress offensive interviews.

In the now notorious Baker affair, a black woman from the University of Chicago Law School was subject to racial insults by a senior partner at the firm. It inspired protests and petitions at law school campuses across the country. Jill Israeloff, 3L, co-representative of the local ABA/LSD chapter, sought to gauge the student body's collective impressions of the interviewing process. She conceived of an exploratory survey to shed light on the question of whether "there were a lot of offensive questions being asked...a lot of inappropriate behavior going on that no one knows about."

After conferring with the ABA/LSD board, Israeloff wrote a questionnaire last April and placed it in the mailboxes of every student. Only those who considered themselves to be victims of harassment were asked to respond.

Stating that "the ABA/LSD is...seeking a method of documenting such incidents and a means to disseminate the information to...in a useful manner," the questionnaire asked whether incidents were reported, and with what results.

Close to 30 people responded. "I consider that a lot," said Israeloff, "considering student body apathy," and the likelihood that 1Ls, with less expo-

sure to interviewers, would have encountered fewer problems.

The survey promised confidentiality. Respondents were asked to reveal their gender, and the city and status (public or private) of the firm in question. An additional category asked for the race of the interviewer.

The report included the following disclosures:

"A male partner of a San Francisco firm made a 'tasteless' joke about rape. The student declined a callback as a result. The student reported the incident to the placement office, which contacted the San Francisco and New York City offices of the firm. The New York office wrote an apology to the school with a copy to the student. The student said that the partner's excuse over the phone was 'unsatisfactory.'"

"A New York City partner asked only females to report their LSAT scores."

"A student reported that a white male interviewer questioned the origin of the student's 'interesting' Jewish-sounding name. The interviewer then commented that the firm had many Brahmin lawyers with Brahmin clients. The student did not receive a callback."

"A male partner of a New York City firm made a 'blatantly homophobic remark.'"

"A white male partner of a New York City firm stated that he thought minority students got better grades than they deserved at some law schools because professors favored them. The student asked how he knew this; the partner responded, 'We get them in here and they can't write a sentence.' The student stated that 'reporting a case of discrimination can also be a very demoralizing experience.'"

"A white male partner of a firm asked a student to report his LSAT scores, how he got into HLS, and if Harvard had been 'looking for Hispanics' that year. The student reported the incident to the placement action [sic] but no known action was taken. The student received no further communication from the firm."

"A partner of a Washington, D.C., firm asked a student if she would feel uncomfortable living in D.C. as a black woman."

"A male partner of a Boston firm made three sexist remarks in a ten-minute span. He asked the student if she had children...and he made disparaging remarks about a female judge who 'was a very nice lady but over her head when it comes to complex litigation.'"

"A student reported that male partners of firms asked about her husband's occupation. One firm asked if she

"a lot of people have no idea...that a joke about rape or homosexuality is offensive."

planned to have children after she inquired about the possibility of part-time work."

By taking the survey findings to June Thompson in the Placement Office, Israeloff had hoped to alert the administration to the possibility that "the best way to improve the situation was to let the interviewers know...that students actually felt harassed."

Israeloff sought corrective action that would increase interviewer awareness; as such, responses had to allow for the possibility of unwitting offenses. Owing in part to regional and cultural differences, "a lot of people have no idea...that a joke about rape or homosexuality is offensive," she said.

Thompson was described as "extremely cooperative." She said that, although a memo detailing the school's harassment reporting mechanism was already included among the literature intended for potential employers, the office was open to suggestion.

Thompson told the RECORD she was "glad to receive the report," and confessed that the existing literature dealing with harassment—now about ten years old—was dated and in need of

rewriting.

Thompson did not recall any instance of a Harvard student extensively pursuing a complaint against an interviewer or employer. Yet such a student would be entitled to pursue "Informal Adjustment" procedures, involving discussion with a student monitor and placement office staffer designed to fashion an appropriate response. Those dissatisfied with the results may then make formal complaints to be investigated by the Subcommittee on Rules of the Committee on Placement."

Comparing the Placement Office memoranda to her own findings, Israeloff found the former to be "extremely incomplete." As a result, 1989 employer literature featured an expanded list of questions. She considers the expanded memo "a good start."

Among the currently proscribed questions are:

"Do you plan on getting married?"

"Would you move if your spouse's employment required a move?"

"What church do you attend?"

"Were you admitted under an affirmative action program?"

"How has the AIDS epidemic affected you?"

The corrective measures taken by the placement office were purposely limited in scope. The question of administering punitive sanctions, such as those taken against Baker & McKenzie, was not addressed. It is left to the aggrieved, as opposed to the Placement Office or a representative student agency, to initiate any official action against a firm. This is intended as a way to protect the student's desire for anonymity.

At the ABA/LSD National Convention this summer in Washington, D.C., the findings of the survey were presented to a committee on Minorities and Women in the Profession. Tentative plans were drawn up at the convention to sponsor similar surveys at other law schools, and the two student delegates to the national ABA's House of Delegates plan to bring harassment issues to the further attention of the professional organization.

This week, a letter from the ABA/LSD and the results of the survey will be placed in all student mailboxes. The student group will convene this fall to consider further action on the harassment issue; a new survey in the spring will assess this year's interview season; other activities will aim at encouraging the cooperation of aggrieved students with Thompson.

Shuttle To Ease Students' Path To The Law

By Jill Schlabin

An evening shuttle service for students living off-campus will begin running on a one-month trial basis on Tues., Oct. 10.

About 300 students live within the shuttle's service area. "The original impetus [for the shuttle] was the safety concern," said Paul Baisier, 3L, chair of the Law School Council's (LSC) Committee on Facilities and Services.

Surveys conducted over the past two years indicated students' desire for safe and convenient transportation to and from the campus. Subsequent efforts of the administration and (LSC) have led to this pilot program, which will be used to evaluate whether interest in the shuttle service is sufficient to implement a permanent program.

According to Administrative Dean Simone Reagor, the security issue was important to the decision to test a shuttle service. Another consideration

was off-campus students' sense of freedom to return to the law school for evening events.

The ridership will be monitored closely to gauge student interest and usage. Reagor will be involved in evaluating the program and preparing a report for Dean Robert Clark '72 to use in deciding whether to implement the service permanently in the spring or next fall.

For this one-month trial period, rides on the bus will be free. According to Baisier, if the shuttle becomes a permanent feature at HLS, the cost will probably be 50 cents per ride. A system may be developed which would let students charge the fees to their term bills.

Since it is not likely that the shuttle service will be self-funding, it will have to compete with other programs for space in next year's operating budget before it will be implemented permanently.

The current cost of running the shuttle, at no cost to riders, on a four day per week schedule is \$3600. If the shuttle goes to a permanent schedule, this cost will be reduced by collecting fares and possibly negotiating a discount with the service provider.

The shuttle will be operated by Vocell Bus Company of Somerville and initially will accommodate 16 riders. Larger buses will be used if the ridership is significantly greater.

"You have to look at it from the point of view of the service relative to the cost and whether it's fair to the other students," said Reagor. "If it proves to be an important service, we would introduce it full-time next fall."

The current shuttle route originates in front of the Hark at 5:00 p.m., Monday through Thursday. It will run every half hour thereafter until the last shuttle leaves at 1:00 a.m. The shuttle will drop off riders at their request, but designated pick-up locations will be announced.

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Harvard Law Record

Volume 89, No. 3

Erick Hachenburg Greg Herbert
Editors-in-Chief

Editorial

The 'Right' To Debate

As the members of the "Right"—that is, the Republicans, the Federalists, or Dean Clark—claim to solidify their place in American politics, they also stifle debate over many significant issues. An arrogance has overcome the Right which often leads to political decisions without sufficient consideration. This phenomenon began in the fluff-filled Reagan years. Instead of ruling by reason, Reagan ruled by conclusions based on his beliefs, and he treated his conclusions as if they were "Truths." Every politician must have beliefs to provide guidance. In politics, these beliefs should be fuel for debate. In the Reagan years, beliefs were above debate. Regardless of whether President Reagan really believed he had an inside line to the Truth or he simply wanted to avoid debate, the Reagan years may have left a lasting tradition of simply stating a decision as if the President has a monopoly on Truth and that decision being above debate.

The beginning of President George Bush's term suggests that another President has bought into the Reagan strategy. Throughout the campaign and into his presidency, Bush has offered little explanation and shunned full-scale debate. "Burning the flag is dead wrong," "the capital gains tax reduction is good for America" and other slogans make up the entire debate offered by the White House. A discussion with any constitutional scholar or tax expert will make apparent that the debate is much more complex and important than the slogans suggest.

The latest convert to the Reagan strategy is Dean Robert Clark. Over the summer, without any student input or a careful survey of the faculty, Clark eliminated two public interest posts and proposed only a vague replacement. When Clark made the decision, he must have expected that he would take a beating like the one he has taken at the law school and in the national press. The only justification for accepting such a beating must be that he expected to prevail in the long run—something we all will have to wait patiently to see. This is the essence of curbing the debate: Clark is so sure that he is right—that he is on the side of Truth—that he is willing to skip the debate, make his decision, take his beating, and assume his Truth will prevail.

The flaw in Clark's approach is that he has squelched debate. In the end, he may have arrived at the same conclusion with such a debate—although now even he may be questioning that—but it would have provided a healthier atmosphere. The Left has been frantically fighting a battle to save Harvard Law School's public interest efforts. Clark left the protesters with no alternative. Because Clark deftly avoided debate before the decision, a less constructive, after-the-fact debate is now considering all the ramifications of the decision.

Debate is embedded in our democracy. Also, it is essential to the Right's long-term political survival. Any feeling the Right has that Truth is on its side is probably caused by an overly enthusiastic reaction to its recent successes. However, history teaches an important lesson: the pendulum will soon swing back to the Left. The less the Right stands on reason and the more it believes it has some sort of divine knowledge of the Truth, the more quickly the successes will evaporate.

In the mean time, the Left must hope the unchallenged decisions do not cause too much damage.

—E.H.

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2L Defends Clark's Choices

To the Editor:

The crusade launched at HLS to convince Dean Clark to reverse his elimination of the full-time public interest placement positions has shown itself deep in moralizing but shallow in persuasive argument. The language used has elevated Dean Clark's decision to something spiritually pernicious: "Where is Harvard Law School's soul?" one student activist lamented. Dean Clark's decision has again shown that many HLS students, to paraphrase T.S. Eliot, cannot stand too much reality.

I believe that Dean Clark looked at the reality of public interest law at HLS and resisted the temptation to pretend that what he saw was a mirage. What did Dean Clark see?

He saw HLS employing two full-time staff members to oversee a program that graduated into public interest jobs

Letters To The Editor

only a handful of students. Opponents say that this low rate does not take into account the larger number of HLS graduates who at some point in their career do public interest work. This is an argument for employing two full-time staff people? My experience with HLS students is that most of them come to law school interested in public issues and intending to get involved in public interest matters at some point in their careers. It is preposterous to claim that two full-time public interest placement staff are responsible for the tendency of some HLS graduates to get involved in public interest matters at some point in their careers. Similar to St. Augustine's famous confession, HLS students at graduation tend to say, "Let me have publicly related work, but not just yet."

Dean Clark saw the need to put more money into programs such as LIPP which alleviate the financial burdens of taking a public interest job, and clinicals that teach students the practical skills they will use when they practice law privately and publicly. Dean Clark believed that more LIPP funding and increasing the quality of clinical training would, in the long run, better serve HLS students' public interest aspirations because such training grafts practical skills onto ambitions to practice in the public sector and better loan forgiveness will give students more incentive to take public interest jobs. HLS' mission is to train lawyers ca-

pable of creating diversified and rewarding careers and to introduce them to such careers. Two full-time public interest placements employees cannot significantly enhance that mission as well as Clark's plans.

Dean Clark saw a public interest placement effort that, whether intended or not, engaged in a guerilla war of cheap shots at private practice. At public interest meetings during my first year, I learned some startling information. I learned that I should "make the right moral choice" at graduation. I learned that corporate lawyers were "penguin suits." I learned that only public interest lawyers had courage and conviction. I learned that the legal world was really a Manichean world, divided clearly between the forces of good and the forces of greed. The protestations of the public interest faction that it respectfully treated private practice is a fiction. That may have been the intention, but it was not the practice. Dean Clark was right not to turn a blind eye to this reality.

Dean Clark saw a way to continue to provide public interest career information and counseling to students by consolidating the Placement Office without incurring the hard-to-justify expense of two full-time staff members. Opponents act as if Dean Clark is ready to torch the public interest job catalog. There is no evidence that Dean Clark's decision will reduce the availability of public interest opportunities to those students who wish to begin their careers that way. Opponents seem to believe that the full-time staff commitment would significantly increase opportunities and the number of courageous students. This belief ignores the harsh reality that staffing a public interest placement office with full-time employees will not overcome the reasons why so few students go into public interest jobs: public interest jobs are few and poorly paid. Dean Clark is working very hard to address the financial perils of public interest work; his strategy deserves praise and support, not derision and misrepresentation.

Dean Clark, in short, demonstrated what the current crusaders manifestly lack: an ability to think clearly about the reality of public interest law at HLS. To argue that Dean Clark has eviscerated public interest law is emotionally satisfying only for those who cannot stare reality in the face. I prefer a Dean who can stand reality and lead this law school accordingly to a bunch of students who make believe that a law school has a soul.

David P. Fidler, 2L

New Students In State Of Confusion

To the Editor:

Now I understand why I've been feeling so confused, like everything's going right by me; I don't really exist! Yes, there is a 1L from Delaware, believe it or not—sure hope you folks normally do a better job in your research! (By the way, there's at least one South Carolina 1L too—two strikes...)

Erin Monaghan
1L from Wilmington, DE

To the Editor:

Please note that your article ("Little A And Other Celebrities Enter HLS," Harvard Law Record September 15, 1989) contains (at least) two errors. Two students, myself and Michael Taggart, hail from the small but not-quite insignificant state of South Carolina. Also, my good friend, Erin Monaghan, will find it difficult explaining to her fellow Delawarans that HLS is unaware that their sole representative exists. Please note these facts for future reference. A correction would not be completely out of place.

In Humorous Indignation,
John D. Hancock (no joke), 1L

Editor's Note: The story was based on inaccurate information inadvertently relayed to the RECORD. The RECORD regrets the error.

Next RECORD:

Friday,

October 6th

Clark Decision Based On Results Rather Than Symbols

Some people around here still don't get it, so I'll explain as clearly as possible — Bob Clark is Dean of Harvard Law School. That's B-o-b C-l-a-r-k. Not Jim Vorenberg, not Derrick Bell, not anybody else.



Brad Smith
Columnist

This comes up in the context of Clark's decision to eliminate the positions of Public Interest Counselor Ron Fox and his administrative assistant, Dana Bullwinkel, integrate their functions into the Placement Office, and move June Thompson full-time into Placement. A group of students, spearheaded by the Alliance for Public Interest Alternatives (APIA), have since been circulating petitions demanding that Clark restore these two positions.

I have to admit, I was surprised when Clark announced these cuts. It would be a shame if this law school were to become nothing more than a trade school for large corporate law firms. Harvard Law School has an obligation to itself as an institution, if not to the public, to make sure that its graduates practice across the entire legal spec-

Brad Smith, 3L, serves as a senior policy analyst for the Mackinac Center, a libertarian, Michigan think-tank.

trum. For many of the reasons now being put forth by APIA, Fox seemed to be an important symbol of the school's commitment to that goal.

In making the move, however, Clark expressed his desire to move away from "symbolic" efforts and to place more

last interviewing season before Fox assumed the position, one percent of third year students went into public interest law, and just five percent into public interest, government, and legal services combined. Fox assumed the position in 1983, but presumably had

went for public interest law, and eight percent for public interest, government, and legal services. In 1985, the percentages were two percent public interest, seven percent combined; in 1986, two percent and six percent; and in 1987, the last year for which data is available, just one percent and five percent—the same as in 1982.

Second year placements tell the same story. In 1982, pre-Fox, two percent took summer jobs in public interest law, and six percent in the combined fields. In 1983 four percent of 2Ls took public interest positions for the summer, and eight percent took jobs in public interest, government, or legal services. In 1984, the figures were three percent and seven percent; in 1985, three percent and eight percent; in 1986, two percent and four percent; and in 1987, four percent and seven percent.

In short, there is absolutely no evidence that the position of Public Interest Counselor has successfully encouraged students to pursue public interest careers, either before or after Fox's arrival. Nor is there any evidence that Fox's expansion of the job from one day per week to four has had even the slightest effect on the number of students entering public interest law.

Fox and his supporters claim that a 1986 study shows that although few HLS grads go immediately to public interest law, about 20 percent do so within five years of graduation. This (continued on next page)

STUDENT PLACEMENT

Year	2Ls		3Ls	
	PIL	COMB	PIL	COMB
1982	2%	6%	1%	5%
1983	4%	8%	2%	6%
1984	3%	7%	2%	8%
1985	3%	8%	2%	7%
1986	2%	4%	2%	6%
1987	4%	7%	1%	5%

PIL - Percentage of students taking Public Interest Law jobs.
COMB - Percentage of students taking jobs in Public Interest Law, Government, or Legal Services.

emphasis on "real results." Which brings us back to the start of this column: Clark, as Dean, is not required to adhere to every administrative practice of his predecessor, not to those that might have been followed by a different appointee. He is entitled to implement his own administrative policies and be judged on the results.

Where the position of Public Interest Counselor is concerned, Clark has a pretty strong argument. According to Placement Office figures, in 1982, the

little effect — most returning students are immediately caught up in the recruiting season, and it is doubtful that many were influenced by the new, one day per week Public Interest Counselor. In any event, just two percent entered public interest law and six percent entered public interest, government, or legal services. As Fox expanded the position from one day per week to four over the next five years, these figures remained virtually unchanged. In 1984, two percent again

Break Downs

By KA



Fenno

Fenno couldn't believe his eyes. She was the most finest, foxiest, fairest, freshest, flirtatious, ooh la la French A teacher he had ever had.

"Je suis de Paris. Et toi?" she cooed. "Joe sweet day Salt Lake City," responded Fenno, fondly.

"What a dream," he thought. "It really pays to spice up those flat, flendish, fearsome, feeble, flaccid, flatulence-inducing law school classes with something morally ambiguous."

"I know why I came to French A half an hour early, but why did you?" demanded a powerfully-built backwoods bumpkin towering over Fenno's frail frame.

"I came to get a head start copying things off the black chalk board," squeaked Fenno sheepishly.

"Ces mecs sont tous des salauds," she was purring to an equally exciting compatriot who had escorted her into the room. "Ils me cassent les couilles!"

She was saying sweet and sexy things and Fenno didn't understand a word. "Qu'est-ce que c'est?" mademoiselle queried.

"Oh this?" replied Fenno. "This is a copy of the Harvard Law Record."

"Le Record. How masculine. Everything about you is so masculine, Fenno." Fenno flushed.

"Let me give you my office key, so you can come over for some furzer instruction. You seem to have some trouble w/ your tongue."

Fenno blushed. "My tongue?"

"Oui, ta langue. You must learn to relax if you want to speak good French. Il faut que tu saches pratiquer la langue française. De preference avec une prise electriflee, dans une piscine."

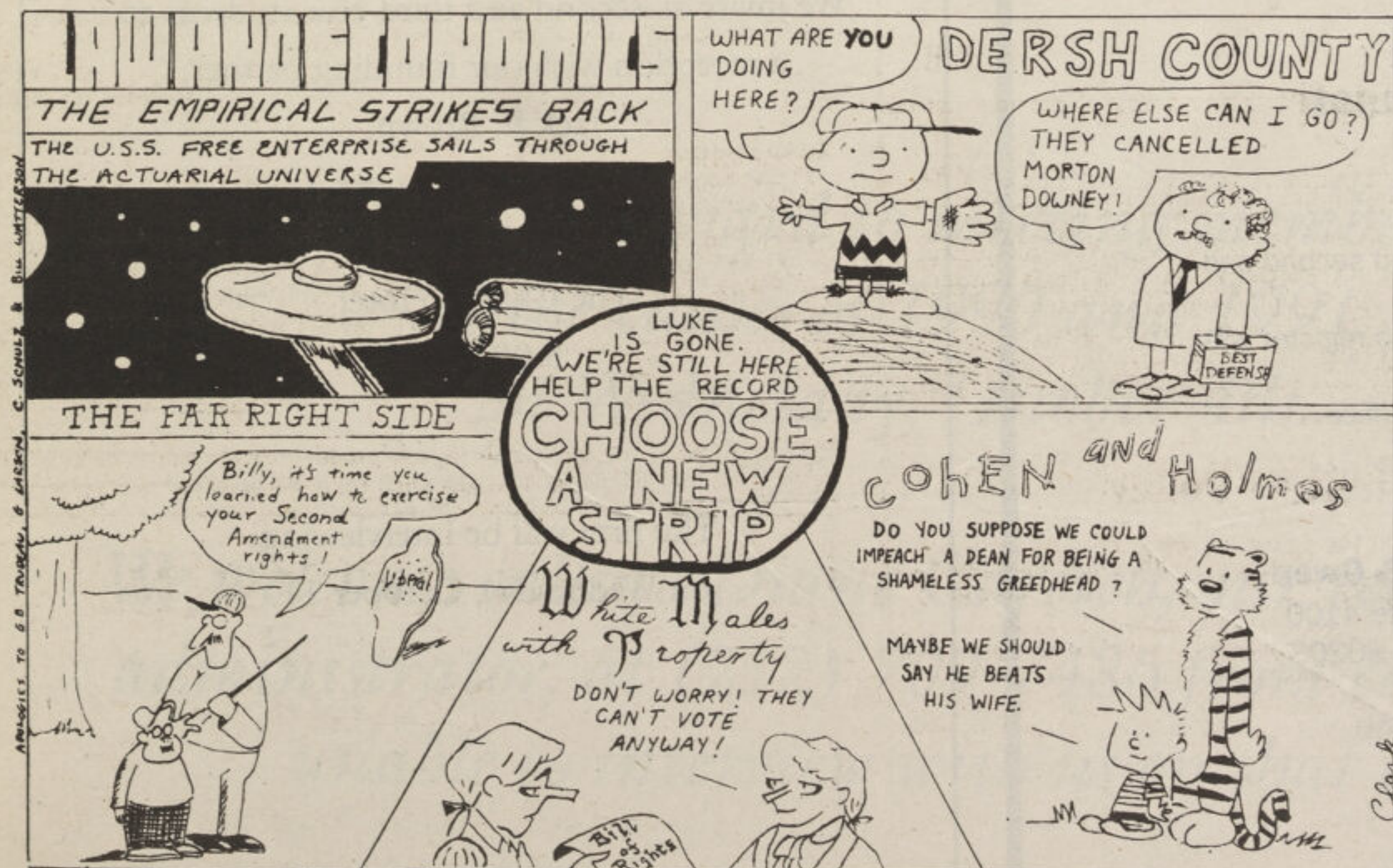
The Record fell from Fenno's flailing fingers into a feckless frappe.

OUCH! ZAP! BANG! His falling French flew far as Fenno found his freaked-out femur flabbergasted with Meister Brau fizzing on de floor. He was fixating in the foyer with foam flowing over his flippers and Frosty the Dog floating in a bucket of frozen slotsam. Forever falling asleep with M.B. fermenting on his fingers.

"What a dream," figured Fenno, and he flung Frosty out for fling on the frigid firmament.

Agenda Neutral

By Clark



Clark Detractors' Claims Unfounded

(continued from previous page)
they attribute, with no supportive evidence whatsoever, to the position of Public Interest Counselor. The study covered the class of 1981—a class that graduated well before Fox's arrival, let alone his expansion of the position from one day per week to four. Thus this claim seems quite dubious.

APIA focuses on activity Fox did, and his role as a "leader" in the field, but the only real result it can point to is Fox's funding proposal that helped Dean Vorenberg obtain a \$300,000 grant to fund public interest summer work last year. A fine achievement, to be sure, but one which might well have been done anyway.

Clark has expressed a desire to expand clinical education and has already authorized increases in the Low Income Protection Plan (LIPP). Is it possible Clark is right, that the Public Interest Counselor position is an ineffective use of resources that could go to these and other programs? On reflection, there are reasons to suppose that not only might the position of Public Interest Counselor be unproductive, it could be destructive of the goal it is meant to serve.

The very existence of the position may cause the remainder of the Placement Office to ignore the field, thus hindering counseling efforts. By channeling student concerns about public interest through the Counselor the Placement Office may become a step removed from those concerns and thus less responsive. Far from exposing more students to public interest law, the existence of the position may lead to fewer students being exposed—students who do not initially seek out the Public Interest Counselor are less likely to be exposed to public interest alternatives than it those alternatives are integrated with the rest of the placement function.

This is not intended to bash the work of either Fox or Bullwinkel, both of

whom seem to be enthusiastic, dedicated, and hard-working. Perhaps the elimination of their positions will lead to even fewer students entering such careers directly out of school. Perhaps 20 percent of HLS grads would not eventually go into public interest law if not for their efforts. Perhaps the

"Fox, APIA, and their allies have yet to produce any meaningful evidence that the position is doing anything more than alleviating guilt."

\$300,000 grant would not have been awarded. But that's the point—it's all conjecture.

Fox, APIA, and their allies have yet to produce any meaningful evidence that the position is doing anything more than, as Dean Clark put it, "alleviating guilt." Thus APIA's demand that the position be restored is premature at best.

Like it or not, Bob Clark is HLS Dean. He deserves to be judged on his results, and is not required to pursue them precisely as his predecessor did or as a different Dean might. Furthermore, where the position of Public Interest Counselor is concerned, the evidence shows he might be on to something.

Law Review Adds New Faces

By Kristen Swartz

The *Harvard Law Review* is back at it. There are 81 members this year; 42 are new (38 2L's, 4 3L's). Of the new students, 24 are male and 18 are female.

Review members are expected to work 20 hours per week, while officers and editors usually spend over 40 hours each week working on the Review.

To join the *Review*, 1Ls competed in the spring after final exams, and 3Ls "graded-on" after their second year. The four 3Ls who graded-on this year are Joy Covey, Barry Perlstein, Daniel Slifkin, and Lisa Tanzi. Of the students who made law review through the writing competition, over one-third (13 of 38 2Ls) of them were chosen from Section II, one of the "integrated sections".

Professors submit nearly 1000 articles each year competing for a place in one of the *Review's* eight issues.

Members read all of these articles at least once to narrow the selection. Typically, only ten articles will be printed. Because most professors submit their work to more than one school, the schools compete with each other to have the best articles published in their law review.

The *Review* also publishes professors' book reviews and commentaries. third-year members analyze recent Supreme Court decisions and write case commentaries for the November issues. Members submit their ideas for Notes to a committee to consider the suggestions and decide which Notes to accept.

All of the officers and editors are 3Ls. Peter Yu is the President, Caroline Brown is the Treasurer. Crystal Nix and Carl Coleman are Supervising Editors, Scott Collins is the Managing Editor, and Tom Krause, Bob Townshend and Christina Ulrich are Executive Editors. Andy Shapiro and Gordon Whitman are the Articles Editors.

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Clark Taps Meltzer, Kaplow To Become Associate Deans

By Julia R. Gordon

Dean Robert Clark '72 has appointed Profs. Louis Kaplow '81 and Daniel Meltzer '75 as the youngest associate deans in recent Harvard history. Prof. Frank Sander will continue his associate deanship.

In announcing the appointments, Clark spoke highly of both choices. He described Kaplow as "an energetic, bright person who does the work of three people." Clark said he hoped that Kaplow will help the administration focus on the "big picture" of the school's faculty research and special programs.

Meltzer, said Clark, is "fabulously gifted." Together with Sander, Meltzer will work to assess the curriculum and teaching program; he will have special responsibility for the first year class. Clark will work closely with both associate deans in carrying out his Comprehensive Curricular Assessment, a project designed to evaluate the overall content of the curriculum and research efforts through analysis of student and faculty preferences, practices at other schools, and changes in the legal profession. The data-collection portion of this program should be completed by the end of this year, and Clark aims to have recommendations ready the year after.

Kaplow has been an assistant professor here since 1982. He became a full professor in 1987, teaching tax, anti-trust law, and law and economics. He has authored numerous articles, and co-authored with Prof. Phillip Areeda '54 the book, *Antitrust Analysis* (1988).

Kaplow believes his appointment reflects an understanding that quality research contributes significantly to an academic institution's long-run success. According to Kaplow, it is no accident that the course offerings at this school are broader and more extensive than elsewhere; rather, it is a function of Harvard's long-standing commitment to encouraging research that attracts quality faculty members.

Kaplow added that, although students pay comparatively little attention to faculty research, they benefit greatly by learning from professors on the "cutting edge" of their field, and share the excitement of participating in the development of legal thought.

In addition to the research program, Kaplow oversees a dozen "special programs," ranging from the International Tax Program to the Program on Islamic Law to the Negotiation Project. He said he would particularly like to expand the international area as a whole by raising funds for additional course offerings and helping to train professors in this area. These plans, said Kaplow, "add up to quite a lot of things to do."

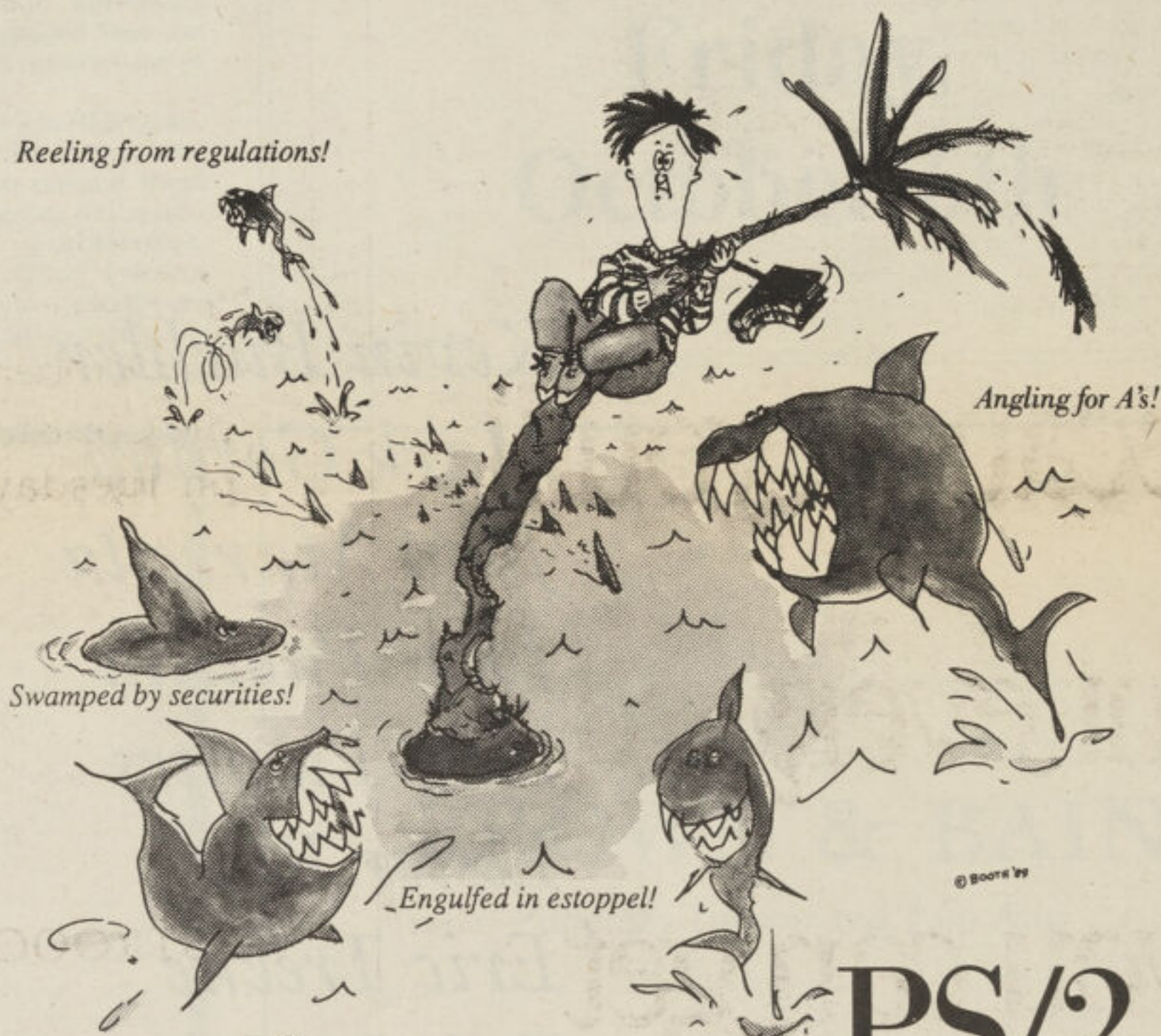
Meltzer came to the School in 1982 to teach federal courts, criminal procedure, and equitable remedies. Previously, he worked as special assistant to the Secretary of Health, Education and Welfare, Joseph A. Califano, Jr., and spent several years in private practice with Williams & Connolly in Washington, D.C.

Although Meltzer has just started to "dig into the plans," he shares Clark's conviction that the Comprehensive Curricular Assessment will result in useful recommendations. One aspect of the curriculum on which Meltzer would particularly like to focus is the first year Legal Methods program, which already has begun to undergo constructive changes. Overall, he sees his position as a vantage point from which to assess the teaching program and faculty and to see where improvements could be made or needs better met.



Newly named Associate Deans Daniel Meltzer '75 (left) and Louis Kaplow '81.

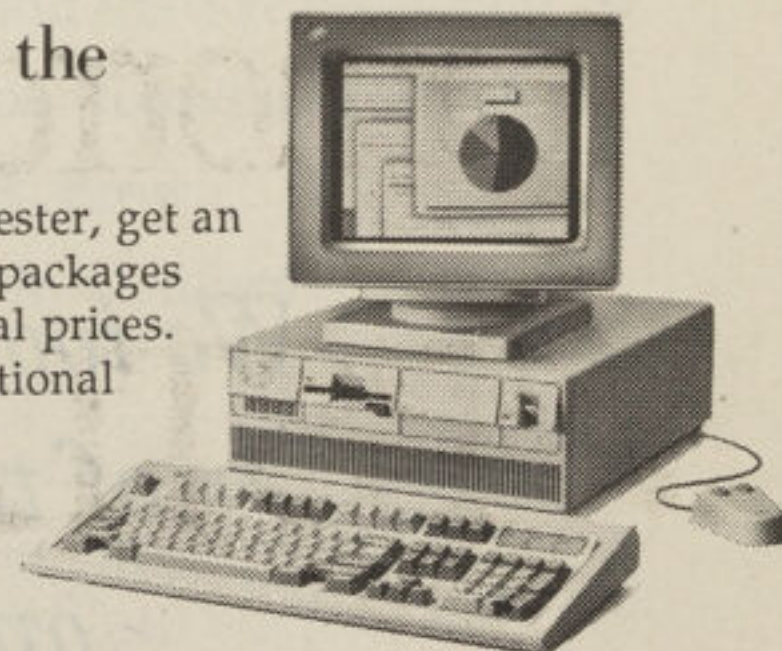
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Professors Clash On Merits Of Anti-Flag Burning Legislation

By Linda Popejoy

In testimony this summer before Congress, Profs. Laurence Tribe '66 and Charles Fried presented their viewpoints on President Bush's proposed constitutional amendment prohibiting the burning of the American flag, and on the alternative proposal of a legislative remedy.

Tribe argued before the Senate Judiciary Committee on Aug. 1 that passing a constitutional amendment prohibiting flag desecration would be a "dangerous" and "unnecessary" step for Congress to take. However, he said a statute could easily be drawn that would meet the Supreme Court's current standards as set forth recently in *Texas v. Johnson*.

Former Solicitor General Fried challenged Tribe's position, however, and told the House Subcommittee on Civil and Constitutional Rights that neither an amendment nor a statute could be implemented without contravening the First Amendment right of freedom of expression.

Tribe and Fried both indicated their reverence for the freedom to express one's political views, no matter how disagreeable, that is embodied in the First Amendment. Tribe stated in a *Boston Globe* op-ed piece that "to the extent a constitutional amendment would be designed to overturn this principle,....[such an amendment] would desecrate the flag." Fried stated that America's "commitment to liberty is our first and greatest contribution to the history of mankind."

Tribe told the Committee, however, that a constitutional statute could be drawn by Congress to protect the flag. He pointed to the Supreme Court's language in *Texas v. Johnson* which states that the government may "protect...the physical integrity of the flag in all cir-



Profs. Laurence Tribe '66 (left) and Charles Fried.

cumstances' so long as such protection is independent of whatever message a flag-destroyer happens to convey."

The problem with the proposed constitutional amendment derives from its prohibition of flag desecration, which is defined to include "defiling or displaying the flag in a contemptuous manner," said Tribe. He added that any statute with the goal of prosecuting people "based on the attitudes and the ideas that are expressed by people when they handle the flag," would be "radically incompatible" with the First Amendment. Rather, Tribe insisted, a statute must protect all desecrations of the flag, regardless of the ideas expressed by a particular desecration.

Tribe drew support for his statement from current federal laws prohibiting the desecration of currency, as well as the desecration of grave sites, churches and synagogues. These protections are not based on the attitudes and beliefs expressed by those who would desecrate these objects, Tribe said. Instead, the protective laws are based on

respect for the values expressed in the objects, and the respect that so many people have for them. Tribe argued that a statute protecting the flag from all desecrations, independent of motive, would be upheld as these other statutes have been upheld.

He noted, however, that a sharp distinction exists between his statements to the Committee and his personal convictions on the subject. Ultimately, Tribe said, the Government should not put the flag, or any other symbol "on a pedestal." In his treatise *American Constitutional Law* (1st ed. 1978) Tribe argued that even a statute such as the one he recommended to Congress has "no purpose other than to stifle expression." But Tribe said that he now feels justified in supporting a statute because the Supreme Court has indicated that it would uphold such a law. The Court has suggested that a statute on flag desecration could reflect "a range of purposes," Tribe said, and it would not be impossible for a well-known statute to pass constitutional muster.

Fried described the efforts to pass such a statute as "tricky legalistic maneuvers" which could not change the real purpose behind the statute — to punish acts of expression — a purpose which is expressly forbidden by the First Amendment. When asked what he thought of Tribe's position, Fried said that while both he and Tribe were trying to protect against a constitutional amendment, encouraging a statute was a "misguided way to do it."

Tribe stated to the contrary that Fried was being "casual" about separating his personal views from the reality of the situation. As a result, Fried's testimony against a statute could be used by the right wing to "an end we both deplore"—the passing of a constitutional amendment, Tribe said. He added that the "unfortunate" position of his colleague was the real irony of the situation, and not, as others have asserted, the testimony of the two professors who appear to have switched their ideological seats.

Such assertions represent "an oversimplification" of the difference between liberals and conservatives on First Amendment issues, Tribe said. Tribe also said that any claim that his position on a statute was a political move is "crazy" and that his main concern is protecting the Constitution from being amended in the manner Bush advocates.

Since Tribe and Fried testified, the House voted overwhelmingly in favor of HR2978, the Flag Protection Act of 1989, 380-38. The Act is very similar to the statute proposed by Senator Joseph Biden (D-Del.) which Tribe supported in his testimony. In the Senate, after much debate the Judiciary Committee reported favorably on a similar statute by a vote of 9-5 last week and reported negatively on a constitutional amendment by a vote of 8-6.

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After 53 Years, Drug Store Closes

(continued from front page) are incredible," he continued, beginning to grin a little. "I've heard everything from 18-year-old girls unabashedly discussing their human sexuality class in the middle of lunch, to a schizophrenic homeless person having a four-way conversation with himself—and answering for all four...."

As Ray trailed off, a wayward customer bounded in from the appropriately rainy afternoon, demanding his "last black-and-white frappe." This reporter, ignorant of the ways of old-fashioned soda fountains, was promptly briefed by this Mr. Steven Collins, a local art salesman who has patronized Bence's for 21 years.

"A black-and-white," he explained earnestly, "is a milkshake-like thing made with vanilla ice cream and chocolate syrup, or vice versa. I've come today for my last frappe, and then I'm going home to write a short story about it."

Ray interrupted, warning, "Don't get him started. He'll start reciting poetry."

Mr. Collins responded by enthusiastically belting out selections from Shakespeare and Bukowski. Characteristically, no one at the counter, including the little boy, paid him any mind. Mr. Collins concluded his soliloquy with a declaration that he will "miss the wit and wisdom of one Larry

Karp who has, at different times, exasperated people and also made their day."

Ray joined in again, obviously used to this jousting with the customers, and teased, "If he [Collins] recites any more poetry we're going to refuse him service."

Unperturbed, Mr. Collins expounded, "I smoked my first cigarette here! I bought my first condom here!" ("Which he still has," piped the owner's brother-in-law with a wicked grin.)

The owner watched this scene from his familiar perch behind the counter, arms folded over his blue pharmacist's jacket. He smiled a little when, after a silence during which the realizations began to resettle, Ray exclaimed, "This is the end of an institution! There are a lot of customers that have been coming here for 20-30 years! Where are they going to get lime rickeys? Even worse, where are students going to get their breakfast? They certainly can't eat at the Hark!" (In all fairness to Ray, he told this reporter to strike that last remark, and was somewhat assuaged when it was explained that the admissions committee—Ray is thinking about law school—would probably agree with his opinion about the food at HLS.)

HLS students, particularly those who have lived in the dorms, are similarly wistful.

Sadiq Reza, a 2L who lived in

the dorms last year, reported that he visited Bence's twice on Monday, and twice on Tuesday of this week, to indulge for the last time in his favorites, the breakfast specials and tuna sandwiches. "Equal to the tuna sandwiches and breakfasts, though," he said warmly, "are Larry and Ray, terrific people to be served food by. It's not your typical annoying modern yuppie cafe. It's the best place, the only place, to have breakfast and lunch at HLS."

Chris Nicholson, 2L, summed

"Where are students going to get their breakfast? They certainly can't eat at the Hark!"

up the reaction to the stunning news: "It will be a sad day for me and a few of my colleagues when Bence's closes. It's a throw-back to the 1950s. The kind of place that inspires Frank Capra films. It stands for something more than just a sandwich and a cup of coffee."

Perhaps Steven Collins (the local poetry reader mentioned earlier) best captured both the comforting personality of the store and the attitude of its soon-to-be-deprived patrons when he said, musing and only half-joking, "A lot of Cambridge therapists are going to get more clients."

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Public Interest Supporters Challenge Clark's Reorganization

(continued from front page) scheduled an interview with the RECORD next week.

At the rally, faculty expressed concern over HLS's long-standing commitment to public interest. Abram Chayes '49 stressed that "the commitment to public interest work goes right across this faculty, not just a small or ideologically defined group." Invoking memories of Felix Frankfurter, Chayes continued saying that he, as well as other faculty, came to Harvard because they felt their work here could influence areas of law concerning the people.

Former deputy director of the Washington D.C. public defend-

ers office Charles Ogletree, Jr. '78 responded to comments by Clark by saying that Harvard students do not go into public interest to "alleviate guilt." He stressed that Harvard lawyers' commitment to public interest stems from their sense of social justice. Clark previously advocated ridding school programs that "have been more for symbolic, guilt-alleviating purposes than to get a real result."

Faculty member Charles Fried echoed Ogletree's comments that "most lawyers do not work in public interest areas for guilt-alleviating reasons. It's because public interest law is much more interesting than any other areas of the law," he said.

Fried repeatedly urged students to "Do public interest, early and often." Fried added, however, that he thinks Clark understands the value of public interest. "Where [Clark] is today is raising money for the Low Income Protection Plan," he said.

Several students mentioned that there are still a large percentage of students interested in public interest work. "I came to law school in particular because I was very much interested in helping people who don't have access to the law and who see the law as being more of a hindrance than a help to them," said Cassandra Butts 2L. "I came to law school to help those people."

Not all of those students supporting the rally will be working in the public sector. "Public interest work enriches the whole bar, including private law firms. The commitment to pro bono or public interest work begins in law school. We must all realize the tools that lawyers have," commented Mike Boudett, 2L.

The crowd applauded loudly as Massachusetts Appeals Court Judge Edith Fine '57 said, "As an alumnus now, I would be very disheartened to think that Harvard would be lessening its commitment to public service at a time when it should be increased. As a judge in Massachusetts for over sixteen

years I know, everyday I see the problems that the poor have and I know how much difference...having a good legal service lawyer is."

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