



Harvard Law Record

Volume 91, No. 6

America's Oldest Law School Newspaper

November 2, 1990

Kuwait Ambassador Speaks

Nassir Says Hope For Peace Dim

By RECORD staff

Under heavy security, the Kuwaiti Ambassador to the U.S. voiced urgent concerns over the atrocities being inflicted upon his people and brought dark tidings to HLS students about prospects for a peaceful resolution of the Gulf crisis.

The Ambassador, Sheikh Saud Nasir, called for immediate action to reverse the brutalization being inflicted upon his nation by the army of Saddam Hussein, the Iraqi leader who invaded Kuwait last August. "We are under brutal and violent occupation of our country by Iraq," said Nasir to a crowd of about 100 in Ames courtroom last Tuesday. "While we discuss the legal-



Kuwaiti Ambassador to the U.S., Sheikh Saud Nasir.

ties of [the invasion] there are human elements involved.... As each day passes we get more worried."

Nasir expressed deep pessimism about the possibility of a peaceful resolution to the Gulf crisis. "I hope for a peaceful solution" he said, "but frankly

(see KUWAIT on page 12)

Faculty Votes Today On Library Renovation

By George Paul

After six years of study, the faculty is on the brink of choosing from among three library renovation and space allocation plans, each of which would profoundly alter the face of the HLS campus.

The faculty is scheduled to convene today in a special meeting called to hold a vote that was postponed two weeks ago.

The vote was called off when several faculty members disagreed with the strategic vision of the plans and refused to cooperate with the efforts of Dean Robert C. Clark, '72 to bring the matter to a final vote so quickly.

The alternate plans, designed to accommodate future space needs for the library, faculty offices, and classrooms for the next 20-30 years, share many features but differ on the choice between a new building on Holmes Field (the quad in front

of Langdell) or an underground addition between Langdell and the ILS building.

A special faculty-student committee that studied the issue favors a new building on the quad.

Under each plan, however, the law school library would be exhaustively overhauled. In addition to new climate control, electric and mechanical systems, the cellar-like inter-floored "closed stacks" under the reading room will be normalized, allowing open browsing and pleasant reader stations. New stairways, elevators and bathrooms will be added, and the entire facility will be made handicapped accessible. Small group study rooms and individual carrels, including "wet" ones that accommodate computer terminals, are slated to be added. Each plan would add 23,000 square feet of space to the law school.

However, one plan would add most new space in an underground (see Building on page 12)

Judge In Trial Of Mayor Barry Faces Tough Questions

By RECORD Staff

Judge Penfield Jackson, questioning from students at an HLS forum sponsored by the Criminal Justice Institute, defended his decision to sentence Washington, D.C. Mayor Marion Barry to six months in jail and criticized the jury for only convicting the mayor on one of the 14 counts against him.

"In eight years of presiding over trials I have never seen a stronger government case," said Jackson.

A student asked Judge Jackson why public servants like Oliver North and Michael Deaver were given community service for their crimes against government, while Barry was given jail time.

"The principal distinction is that Michael Deaver

was not a high public official at the time he committed his crime," said Jackson. "He was a private citizen ... Mr. Barry is the chief elected official and the most prominent person in the city for the last twelve years."

"His actions represent a breach of the public trust. There was no such trust imposed on Mike Deaver at the time he committed his offense."

Jackson also said he felt racism did not play a role in the decision to bring the case against Barry or in his sentencing. Both Barry and his defense lawyer, R. Kenneth Mundy, repeatedly characterized the government's case as a politically and racially motivated effort to oust Barry from office.

"I do not think [the charge of racism is] true," said Jackson. "The investigation was pursued because he was the mayor — the chief executive officer of the

capital city of the United States, and there were rumors he was a habitual user of illegal drugs."

"I am quite certain in my own mind that race or politics played no part" in the government's case, said Jackson.

Jackson said he felt there was enough evidence to acquit Barry on two of the 14 counts. Despite the fact Barry was not convicted of perjury, Jackson said he concluded from the evidence that Barry had indeed perjured himself before the grand jury. The judge said he considered his conclusion during the sentencing.

"I have no doubt based on the evidence I heard that he did not tell the truth to the grand jury," said Jackson, adding that judges were entitled to con-

(see JACKSON on page 12)

No Justice To Be Found For Ames Moot Court Finale

By Paul Tarr

The Ames Final Competition will take place this year without its star attraction—the presence of a Supreme Court Justice.

This year will be the first time since the early 1980s that the competition will be held without one of the Supremes.

Recently retired Justice William Brennan '32 was slated to sit as a guest judge at the November 15 competition, but had to cancel for medical reasons. His recent withdrawal left too little time for the school to schedule a High Court replacement.

Dean Robert C. Clark '72 announced last Tuesday that Judge Frank Easterbrook of the Seventh Circuit will sit in Brennan's place, joining Judge Cynthia Holcomb of the Ninth

Circuit and Solicitor General Kenneth Starr on the bench. Holcomb will serve in Brennan's place as chief judge.

In a letter to the 12 Ames finalists, Clark acknowledged their disappointment but stated his belief that the remaining judges "will constitute a court of the highest quality."

"Obviously we were disappointed when Justice Brennan told us he couldn't judge," said Jerry Sorokin, 3L, the president of the Board of Student Advisors, which runs the competition.

"We know how hard the teams work," he added. "Part of the award of being able to argue before a Supreme Court Justice ... but we have a very esteemed panel that may hold one, two, or even three future Justices."

Student responses to the announcement varied. Several

(see AMES on page 12)

Dershowitz Depicted On Silver Screen

By RECORD Staff

Harvard Law School has hit the big screen again. Scott Turow's [78] film adaptation of his best-selling murder mystery, *Presumed Innocent*, was a summer box office smash.

Now the intrepid Prof. Alan Dershowitz has a Hollywood version of his best-seller, *Reversal of Fortune*. The movie is Dershowitz' account of his part in defending Claus von Bulow, who was convicted of murdering his heiress wife. On appeal to the Rhode Island Supreme Court, Dershowitz, with HLS students assisting in the research, succeeded in getting von Bulow's conviction reversed.

But according to some current HLS students who have seen the film, Hollywood's Dershowitz is implausibly pompous condescending.

Most students interviewed described the film as highly enjoyable nonetheless.

The celluloid Dershowitz, played by Ron Silver, is described by

students as a self-righteous crusader whose explanations of his actions fail to persuade, something, they say, the original rarely fails to do.

"After having seen Professor Dershowitz in class and having been impressed by him as the most clever professor I have seen, I was surprised how much less impressive the character in the film is," commented E.E. Neuman, 2L. "The film is no substitute for the classroom experience."

Others agreed. "I thought Dershowitz was presented in a very simplistic way," commented Ellen Goodman, 2L. "It was very pat."

Third year student, Steven Borsand said that the attempts by the Dershowitz character to justify his involvement in the von Bulow case were unconvincing. "To convince his students to keep working for him, he explains how the principle of the case will be used to help the poor. Even though the argument is completely ridiculous, all the students nod and go back to work."

Professor Dershowitz, who dis-

avowed having any artistic control over the film, agreed that the presentation of his relationship with his students was unrealistic. "I would never talk down to my students like that," said Dershowitz. Nonetheless, Dershowitz praised the film as "the most realistic movie about a trial ever made."

Nan Watanabe, 2L, a research assistant for Dershowitz, said that the film captured important as-



Prof. Alan Dershowitz

**MARTINDALE-HUBBELL[®]
WILL SOON BE ONLINE.
RIGHT WHERE
YOU'D EXPECT IT.**

Exclusively On The LEXIS[®] Service.

LEXIS[®]
The Power To Win[®]

© 1990 Mead Data Central, Inc. All rights reserved. LEXIS and The Power To Win are registered trademarks for information products and services of Mead Data Central, Inc. Martindale-Hubbell is a registered trademark of Reed Publishing (USA) Inc.

Runners-Up Denounce Election For Class Marshall

By Malcolm E. Harrison

The election to determine the class marshalls for the Class of 1993 might be over, but two losing candidates have continued to question the system used to tally the votes.

David Chasen, 3L, and George Anhang, 3L, who finished fifth and sixth respectively in an election in which the top four candidates became class marshalls, are complaining that the complicated vote tallying system - which simulates an elimination round elec-

tion - was not explained well to the members of the class.

In addition, they assert that the decision of the Law School Council to hold the elections on consecutive days, instead of at the beginning and end of the week, resulted in many 3Ls not having the chance to take place in the voting process.

"Unless the electorate knows what type of voting system is being used, they will not know how to use their ballots well," Anhang said recently. "This is a complicated method and it was not explained well. It seems unreasonable

to ask people to vote in an election and without having first explained to them how those votes would be counted."

The source of Anhang and Chasen's complaints is the system for counting the votes that the LSC has been using for years. Each third year was allowed to rank his or her choice for class marshall. The ballots were separated according to the first choice of each voter. If no candidate has 20 percent of the total vote plus one, then the votes of the candidate with the fewest votes were distributed to the second candidate on those ballots. The process

continued until four people had amassed the necessary support.

The problem, the ex-candidates said, is that few 3Ls understood the system.

"This voting system is not perfect," said Chasen who dropped from third during the first round of balloting to fifth at the end. "Either fix the system or make people aware of how it is working."

Tom Samuelian, 3L puts little credence into the complaints of his classmates.

"I see this as a case of 'I didn't win so (see LSC on page 11)"

Clapprood Stumps For Silber At HLS

In a stump speech at Harvard yesterday, Democratic candidate for lieutenant governor Marjorie J. Clapprood defended her outspoken running mate John R. Silber and said that she was the ticket's progressive anchor.

"John Silber has something that Weld hasn't got—that's me," she said.

Clapprood promoted her "progressive" ideas and expressed her fears about the November 6 election.

"I was born a Democrat in Brookline to a mother who quoted F.D.R. and Harry Truman to me in utero," Clapprood told the 50 audience members in Pound Hall 102 at HLS. "I have great fear that the election to be held eight days and four and a half hours from now will be driven by anger and apathy."

Clapprood said that the Democratic ticket intended to bring financial solvency back to Massachusetts and acknowledged that Gov. Michael S. Dukakis, '60 had made "some bad choices over the last few years." By the candidate placed most of the blame for the state's fiscal troubles on a national and regional recession brought on by the "Reagan/Bush administration's deficit."

"To suggest that we should read their lips while they're talking out of both sides of their mouth is a very tough thing to do," she said, "and the Weld Cellucci ticket is lip-synching 'Don't Worry, Be Happy.'"

In the question and answer session that followed the short speech, Clapprood spent almost all of her time trying to explain some "Silber shockers," remarks made by her running mate that she said have offended every constituency she had.

"John Silber is the only man that can make me look like Mother Teresa. He has an obsession to share what he thinks you need to know," Clapprood

said.

One questioner said she was so angry about Silber's abortion position that she was considering writing in Clapprood for Governor. In response, the candidate said "There is not a leading standard bearer for pro-choice at the top of either ticket," but pointer to her own strong pro-choice influence in a Silber administration as a reason to vote Democratic.

She also said that Silber's constituency on the abortion rights issue was better than the "flip-flops" of Republican gubernatorial candidate William F. Weld.

In response to charges from the audience that Silber "is not a feminist" and is "an ingrained sexist," Clapprood called the Boston University president on-leave "an equalist who sets an extraordinarily high standard."

In addition, she said that her presence on the ticket was important. A working, single mother, Clapprood said, "I'll almost be the damn governor."

Alluding to report that Silber once called the English Department at B.U. a "Damn matriarchy," Clapprood said Silber had said to her, "you should celebrate the opportunity to have the Silber/Clapprood administration be a damn matriarchy."

Clapprood also said that Silber's opposition to the Citizens for Limited Taxation tax rollback petition made him a more progressive candidate that Weld.

"John Silber supports gay rights, Bill Weld clearly opposes gay rights," Clapprood said.

And taunting Weld on his strong position against gun control she said, "You don't need an Uzi to kill Bambi."

Harvard Crimson, Tuesday, Oct. 30, 1990.



photo by Har. and Crimson

Democratic candidate for Lt. Governor Marjorie Clapprood

Harvard Hosts Napalsa

by Grande Lum
(special to the RECORD)

More than 175 law students from across the nation participated in the National Asian/Pacific American Law Students Association (NAPALSA) Conference held at Harvard Law School last weekend.

NAPALSA, an organization that represents law students who are of Asian and Pacific Island descent, sponsors an annual conference to evaluate the progress of the Asian-Pacific American legal community and to assess prospects for the future. This year marks the tenth anniversary of the conference, and the first time it has been held at Harvard.

"Empowerment Through Law" was the conference theme. The panels focused on legal education, and community and political issues.

Law students from all over the country were represented and included students from Stanford, Vanderbilt, Georgetown, NYU, Columbia and San Diego.

John Reed, 1L, said, "The best thing about the conference was that you realized there were students from all over the country who have a human vision of law. When I'm just studying cases, everything I seemed to care about was peripheral to the case. But at the conference, I felt a sense of community. It was a community that saw law as a means to make society better."

"Overall, the speakers provided a lot of different perspectives," said Lucy Koh, 1L. "There were differences in how panelists perceived the role of law and the role of lawyers."

A panel on the legislative and political interests of Asian-Pacific Americans discussed the successes and failures over the last ten years. Paul Igasaki, Chief Washington D.C. lobbyist for the

Japanese American Citizens League, the oldest and largest Asian-American civil rights organization, discussed the movement that led to the signing of the Redress and Reparation Bill by then President Reagan. The bill contained an apology and provided funds to Japanese Americans interned during World War II.

May Louie, a National Rainbow Coalition board member, stressed that "Asian Americans need to run progressive political campaigns" in order to gain support in diverse communities. Dan Lan, who recently lost a close primary campaign for a Massachusetts state legislature seat, shared insights from the campaign trail.

The keynote speaker was Wallace Loh, newly appointed dean of the University of Washington Law School. Loh is the first Asian American Law School dean. Loh noted that as dean, he is not only "a gatekeeper of the profession, but also is overseeing the training ground for the next generation of leaders in our country." One of his goals is to help more Asian Americans be those leaders.

"We were very inspired by his speech. He was an eloquent man who gave us a fresh perspective on what it is to be Asian American," said Chi Chi Wu, 3L.

Many of the HLS students who attended the conference left inspired and motivated. "It was good to know that Asian Americans are getting into important positions in the legal system. It made me feel more responsibility to our communities to work harder, because I met lawyers and students who really care," said Frank Yokoyama, 1L.

Conference Organizer Chi Chi Wu summed up, "The conference was two months of really hard work. Yet we felt highly gratified to see and hear articulate panelists who challenged us to be involved and to be leaders."

RECORD Wins Awards From American Bar Association

The American Bar Association has bestowed the coveted first-place "Award of Excellence" upon the Harvard Law RECORD for general news reporting excellence during the 1989-90 academic year.

"I am very pleased with the awards for they are a credit to the hard work and efforts of the editors and staff," said Patrick Miles, 3L, current editor-in-chief of the RECORD. "The editors last year, Greg Herbert [90] and Erich Hackenberg [90], always strove for nothing but excellence in the RECORD."

This marks the first time since

the 1986-87 academic year that the RECORD has garnered first place in this prestigious contest among nationally accredited law schools.

In addition, two 1989-90 RECORD editorial cartoons won awards. One earned first place for an "Editorial Cartoon on Internal Law School Affairs" and the other finished second for an "Editorial Cartoon on Broader Aspects of the Law."

Second place finishes were awarded to RECORD reporters for a "Feature Article On Internal Law School Affairs" and a "Feature Article On Law In The Community."

Harvard Law Record

Volume 91, No. 6

Patrick Miles, Jr.
Editor-In-Chief

Set The RECORD Straight

The RECORD editors and staff feel that it is important to respond to the allegations that have recently been disseminated to the Harvard Law School campus.

First, certain individuals are concerned with the role that Steven Donziger, 3L, has on the RECORD. During the mid-1980s, Mr. Donziger was the chief correspondent for United Press International (UPI) in Managua, Nicaragua. Mr. Donziger has time and time again proven himself to be an excellent and responsible journalist. Mr. Donziger, like many others, contributes to the RECORD in various ways. However, he does not have "more impact over the content of the RECORD than any other person at the newspaper" as has been charged. The editor-in-chief obviously has the most impact on the content of the RECORD, and to think otherwise is incorrect.

It is true that Mr. Donziger contributes to the editing process. Many people who help on production nights are called upon to copy edit articles. In many instances, news or feature articles may be turned in that contain factual errors, are poorly written, or may only present one side of the story by not having enough source quotations. Thus, a copy editor with the help of others on the staff will attempt to improve the quality of the piece. This is a well settled editing practice, and it is done so that every article that goes into the RECORD is the best it can possibly be given our limited resources.

Many people participate on production nights, many people influence and edit news stories, many people assist in layout, many people reorganize and add depth to articles, and many people compose headlines. Usually, a person does many of these functions, if not all. But, in the end the editor-in-chief is responsible for the content of the paper. All of the choices are either accepted or rejected by the editor.

The RECORD did not seek to cover up the story on Mr. Donziger's role in the newspaper. In a discussion with Robert Niewyck, 2L, he agreed that a column in a newspaper is not the appropriate place to debate the internal editing process of that particular newspaper. When someone is interested in joining the RECORD, they are not asked about their politics, they are asked what abilities they have to contribute to the RECORD, and whether they are willing to share those abilities with the RECORD. The only exception to this rule occurs when someone expresses an interest in writing a column, and our objective here is obtaining a balance of political perspectives.

The RECORD welcomes all political viewpoints. If a certain person happens to have a certain viewpoint or bias, hopefully that person will put aside their personal feelings for the betterment of the newspaper, and if not, the numerous people who edit a particular article should prevent an overly slanted article. Objectivity is the key to credibility in journalism.

Women's Law Association (WLA) members write about women's issues, many Black Law Student Association (BLSA) members report on issues concerning the Black community, etc. A person's association with a particular group on campus will not disqualify them from working on the RECORD.

The call by some, who perceive themselves to have different viewpoints than the RECORD, for readers of the RECORD to talk to people "who can force changes at the RECORD," and lists "Dean Clark, Dean Wald, and the Harvard Law School Association (which funds the RECORD)" in order to "set the RECORD straight" is deeply disturbing. Editorial independence is the most valuable asset a student newspaper can have. As much as we respect Dean Clark and Dean Wald, we are certain that they would agree it is entirely inappropriate for them to get involved in the internal workings of the RECORD. If the individuals who wrote the letter want a newspaper more reflective of official opinion, we suggest they go work for the Harvard Gazette.

The policy of whose names are in the staff box has been informal, and used as a way to recognize a person's contribution to the RECORD. Mr. Donziger, citing his professional background, felt he did not need the accolades of a place in the masthead. In retrospect, omitting Mr. Donziger from the masthead was a mistake, largely because it provided fuel for groundless suspicions of a bias in our coverage. This error will be rectified. But, to assert that any deception or malice was intended toward our readers is entirely unfounded.

—P.M.

Staff

NEWS EDITOR George Paul
ASSOCIATE EDITOR Paul Tarr
FEATURES EDITOR Sharon Stone
STAFF Robert Arnold, Doug Berman, Eli Clark, Greg Dingens,
Steven Donziger, Fenno, Mary Flood, Richard Ford,
Dan Greaney, Evette Harrison, Malcolm Harrison, Robert Niewyck
Felicia Ravago, Kristen Swartz,
Carol Umhoefer
BUSINESS MANAGER John Bautista
BUSINESS STAFF Dan Goldberg, Ron Goldstein

PRINTING BY THE HARVARD CRIMSON

Editorial/Letter Policy

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

The RECORD welcomes letters to the editor on any subject from students, alumni and interested members of the law community. Letters are printed as space provides and are edited for space and clarity. All letters should include the name(s) and phone number(s) of the author(s). All letters submitted become the property of the RECORD.

Gay Student Decides To Come Out

To The Editor:

Whether you find the thought appealing or not, Harvard Law School provides a more tolerant atmosphere than the world in general. The views on racial diversity and sexuality equality here foster an attitude in which attempts to squelch the justified rights of these groups are quickly and diligently re-

that I am an ordinary person with both virtues and faults. To date, I consider my greatest fault to be my fear of accepting the consequences of my full identity. My membership in the minority is undisclosed and celibacy remains my practice, however, I have no doubt that I am gay. Even my best lifelong friends do not know and as of yet I do not have the courage to become a member of one of society's most misunderstood and abused minorities.

There is much confusion about the subject of homosexuality in the general public. This may be understandable since the average individual does not believe there is any reason why he or she should devote time to the subject and simply accepts the stereotypes. While this ignorance may be understandable, it is also at the heart of discrimination against gay people. It is not a matter of choice. I have no more chosen to be homosexual than the majority choose to be heterosexual or the minority choose to be black or hispanic. If there were a choice to be made, I would choose not to be gay. Not because it is immoral or unethical to be

(see JOY on page 6)

Letters To The Editor

butted. Unfortunately, all minority groups do not share equal footing in this respect. There exists a minority which has yet to even receive full recognition as such. The group which I speak of shares a different sexual orientation than the majority.

As a homosexual male, I can only relate the experiences of one member of the group. I have always tried to live my life in a moral and principled fashion and I am highly critical of my sense of right and wrong so that I may become a better person. Of course, as any human being my actions often fall short of my ideals. In short, my point here is

WLA Blasts RECORD For Article On Law Review

To the editor:

We must begin by chastising Mary Flood and the editors of the RECORD for releasing such a shockingly biased and inaccurate account of our conversations with Mary Flood about the paucity of women selected from the class of 1992 for the Harvard Law Review.

We were completely livid when we read the first incredible account presented by Ms. Flood of our conversations. Clearly, Mr. Chen and Mr. Niewyck also found it ludicrous to read that the Co-Chairs of the Harvard Women's Law Association would state in public that there are issues that women could not address as completely as men. We thought it was ludicrous as well, particularly because it is not at all what we told Ms. Flood. Beware members of the HLS community -- you must not believe everything you read.

The HLS community must know that the debate which appeared in the past two issues of the RECORD was entirely manufactured by the RECORD. Since the printing of Ms. Flood's initial column, we have learned from one of the RECORD staff that Mary Flood was

instructed by the editors to go out and find someone to say that the Harvard Law Review should institute an affirmative action program to guarantee the presence of women on its staff. Such a mandate obviously blinded Ms. Flood's professional judgment when she composed her column, for she printed only our comments espousing affirmative action as a viable option for addressing the existing problem. She printed these "radical" suggestions to the exclusion of every other suggestion that we explicitly discussed with her about how to correct the situation. These suggestions included a coordinated outreach by the WLA and the Harvard Law Review to reach a greater number of women, WLA-sponsored workshops on how to approach the writing competition, greater attention afforded to issues that are of particular concern to women in the Review, and others. These less controversial suggestions were attributed only to Barack Obama and Lisa Hay of The Harvard Law Review.

Finally, Ms. Flood gave a completely

(see WLA on page 5)

Kaplow Clarifies Tenure-Track Record On Minorities

To the Editor:

Linda Singer requested information concerning my statement that approximately 45 percent of additions to the tenure-track faculty in the past 8-10 years have been minorities and women. First, to clarify, by tenure-track I include the tenured faculty, as I have repeatedly stated. Second, to remind of the context, I first offered these statistics at last year's open forum on diversity. They were not prepared in advance; rather, they were my spontaneous reaction to what I saw as repeated misleading statements: the Harvard Law School, it was asserted, should be judged by results, but no reasonable reference was made to those

results. I then noted the change in the full-time faculty since I graduated in 1981. I chose this date simply because of my personal perspective--that is, I couldn't help but notice the dramatic change since I had been a student, a degree of change far beyond what any of us then would have anticipated.

As to the statistics themselves, the new members officially on the faculty at the time of my statement were Professors and Assistant Professors Bebachuk, Charny, Ediey, Estrich, Fallon, Terry Fisher, Frug, Glendon, Jackson, Kaplow, David Kennedy, Randy Kennedy, Kraakman, Meltzer, Minow, Ogletree, Sullivan, and Wilkins.

(see KAPLOW on page 6)

Correction

The Amnesty International column in the October 26 issue of the RECORD contained the wrong headline. It

should have read, "A.I. Letter Writing Helps Armenians Get Freedom." The RECORD regrets the error.

U.S. Government: The System Is Not Working

We see it in the newspapers and on television screens every day. It is a ubiquitous reality of consequential circumstance: Our government no longer works.

Sure, the government is capable of arousing both the oblivious American

By Robert Arnold
Columnist

patriotism and the anxiety-driven international coalition necessary to stare down a Middle Eastern tyrant, and sure the government is capable of preserving a scandal-ridden and rampantly corrupt savings and loan industry, but there are, and will continue to be, many costs and inequities in the process.

American citizens are being deceived, neglected, and abused by their government.

Budgets aren't being balanced or agreed upon, deficits aren't being cut or even curbed, vital and much desired legislation is vetoed, and services, the primary responsibility of government, aren't being provided. It seems as if Americans get very little of value in

Robert C. Arnold, 1L, is a RECORD Columnist

exchange for their blind faith and tax dollars.

Our government--that elaborate system of checks and balances that was so brilliantly designed and implemented by the precursors of democracy and the founders of our country so long ago--has gotten out of hand and has become an embarrassing and farcical derivation of the word "democracy."

Not that our system was ever intended to be a democracy in the truest sense of the word, it wasn't. It was however intended to be representative of its citizens, which, it isn't.

No longer do our elected leaders represent constituents--which whether Democrat or Republican want the same thing, that is, to keep taxes low and to spend money in ways that will benefit them, (contrary to the popular Republican myth that paints Democrats as tax and spend fiends--taxes are simply a necessary means to a necessary end, just ask Republican leader George Bush), representatives have become mere water boys and wet nurses for the special interests and deep pockets which run this country.

On Election Day, November 6th, Americans across the country, includ-

ing absentee students, will be asked to engage in the most taken-for-granted, ritualistic, and symbolic gesture of democracy--the right to vote. This set of elections will renew all 435 seats in the House, 35 of the 100 U.S. Senate seats, and 36 of the 50 state governorships.

Irrespective of which candidates win or lose on that day: whether it be John Silber or William Weld in Massachusetts, whether it be Harvey Gantt or Jesse Helms in North Carolina, whether it be Diane Feinstein or Pete Wilson in California, whether it be Ann Richards or Clayton Williams in Texas, or whether it be whomever or whomever in wherever, I fear that the biggest losers will not be amongst the people on the ballots, but amongst the people in the booths, and worst yet, amongst the disenfranchised many whom, for whatever reasons, have long since decided to remove themselves from the playing field.

This is no time for apathy from the American citizen.

We are involved in a Middle Eastern "crisis" which threatens to become a long, drawn out, and mortally costly war. We are in the midst of a recession, (yes it has arrived), that threatens to become, and already is, a depression in

many parts of the country--the only reason our economy hasn't completely fallen apart already is because other countries (so far) have decided that, because America is a nation of consumptionaholics, the world cannot afford an American economic collapse.

At the base of all of this is, again, our government.

The elections of next Tuesday will change only a few faces, and this is unfortunate. I propose that our system of governance--the way we elect representatives, the way that campaigns are financed and conducted, election rules, etc., needs some serious investigation and reform. I propose that America is in need of our own versions of *glasnost* and *perestroika*.

In this world of continual and rapid changes in which our government has no clue whatsoever as to what its citizens want, how much interest American citizens take in their own governance will determine whether our country survives the 1990's as a beacon of opportunity, freedom, and wealth; or, continues to decay, erode, and degenerate into a wasteland of overburdened, over-restricted, and disregarded citizens.

I believe, as George Orwell once said,

WLA

(continued from page 4)

ludicrous account of our discussion on the possible impact of this year's writing competition topic on the numbers of women who picked up the packet and those who actually turned it in. We told her that we, PERSONALLY found the corporate free speech topic cumbersome and uninspiring. We EXPLICITLY explained to her that our own PERSONAL tastes in intellectual debate lie elsewhere, and EXPLICITLY told her that we would be that [sic] LAST ONES ON EARTH to suggest that there could be some topics that women could not write about competently. It was thoroughly unprofessional and irresponsible reporting for Ms. Flood and the editors of the RECORD to have excluded from her article our flat rejection of the obvious implications of an unqualified statement on what women find interesting to write on. Were they simply intending to create an inflammatory debate, or perhaps increase their readership? Such tactics are commonly

known as yellow journalism.

We have since spoken with Mr. Niewyk and clarified the unfortunate confusion on this subject. The account above effectively dispenses with the apparent disagreement between us. Obviously, we couldn't agree with him more that a "stereotype by any other name stinks." Perhaps this will teach him, Mr. Chen and others to verify what they read when the account seems particularly ludicrous, before launching into an ad feminam, if you will, assault.

To Mr. Chen we must first say that we are deeply disappointed with the speed with which he launched into a completely unnecessary personal attack when what is at issue is really a conceptual disagreement. Mr. Chen, you will always find folks with whom you disagree, but it is simply bad manners to insult people and call them names. "Unmitigated stupidity" was simply uncalled for, even if you don't like affirmative action.

Further, we reject your contention that the presence of a mere 18 women in any class at the Harvard Law Review would ever sound "hosannas" at our annual WLA dinner, regardless of how politically correct your computer programs may be. You unwittingly address

the ever-present question within the university debate, known as "the relevant applicant pool." We contend that until the numbers of women holding positions of power are more representative of the percentage of competent women in the society as a whole, no one will ever sound a "hosanna" in the WLA.

You presume that it is acceptable to have only 107 women as opposed to 179 men apply for 36 positions each year. We do not. You probably would not question that for some, the relevant applicant pool for this spring's writing competition is the 42% figure representing the number of women in the class of 1993. We say that the number of women in this year's class is a disgrace, because it represents a decline in the percentage of women matriculating over the past 4 years, and every lost female matriculant is precious to us. To say that a "statistical aberration" resulted in the low number of women from the class of '92 at the Law Review does not comfort us; in fact it frightens us that you could be so easily lulled into complacency by a computer program's solution of an endemic social problem.

Finally, you contend that an affirma-

tive action solution cheapens the Harvard Law Review for everyone. You are buying into the language of the oppressor--if your interviewer chose to think less of your obvious accomplishments at the Law Review because of your ethnicity, then that is his or her problem and not yours. That interviewer misunderstands the affirmative action policy at the Review, for as it is presently employed it is no more than a management tool to equalize the opportunities available among those who would already have made it onto the Review on the merits of their writing and research skills. You and your interviewer should realize that affirmative action ought only be controversial to the extent that persons, unfortunately, choose to attach a "stigma" to the individual who will benefit, rather than to the larger concept of applying such a tool to correct for past injustices.

Affirmative action is only one of a number of possible answers to the problem of assuring equal opportunity for persons of all backgrounds. It presently guarantees an enriched debate at the Review and level the playing field for those who have traditionally been marginalized by the system. Look to the table of contents of the Law Review for the past twenty years and try to tell me that any of the socially responsible topics addressed by the Review could have made it to the editor's table without the presence of progressives, gays and lesbians, women, people of color and others who made it their business to see that this publication lived up to its reputation. There should be no reason to shy away from affirmative action simply to avoid controversy when it is such an obvious alternative for solving an existing problem.

—Patricia Arzuaga, 2L
Michelle Benecke, 2L

Editors' Note: The RECORD stands behind the article.

Law of the Jungle — By The Idle Rich



Next
RECORD
November
16

Perspectives On Gender And Legal Careers

My first interview on campus this fall was with the female partner whom I quoted last week. In the middle of that interview, the telephone rang. The call was from another partner who had a new deal that he thought my interviewer should handle. He told her that not only was she perfect for this deal -

By Robert K. Niewyk
RECORD Columnist

- she was the only one who could do it. She said to me, "I don't know what in the world he's talking about. I've never done a deal anything like that. The only thing I can think of is that the client is a woman."

We spent the rest of the interview talking about being a woman in a big-city law firm. Since that first interview, I have asked many of my female interviewers about their experiences in their firms. Here is what they have said, as reported by a male who in high-school called himself a feminist, until he discovered that females and liberals had a proprietary interest in that label.

"A large percentage of women leave their law firms before they have the chance to make partner, a far greater percentage than men. But I do think the primary reason women leave is that they want to and can do so. Most of the women who have this type of job are married to men who also have this type of job. A family can easily live on one ridiculously large income rather than two. So if women decide they want to leave and spend more time with their kids, there aren't any financial barriers to their doing so. . . . But the atmosphere of work changes significantly as more and more women leave. The people who are leaving are the ones you share more common interests with. As

the years progress, you are more and more in a man's world. Even the topics of lunch conversations are very different."

"As far as I can tell, the male attorneys who are married are for the most part not married to other attorneys or women with other 'equal status' jobs. Sure, it's possible that the woman could be the lawyer and the man could be the teacher, but men are still far less willing to have their wives make twice as much money as them."

"My strengths as a lawyer all flow from the fact that I am a woman. I didn't realize that for a long time."

"For the most part, I don't think there's much of a problem with overt discrimination any more. I certainly notice when I'm the only woman in a room, but no one ever asks me to get coffee or assumes I'm not a lawyer or anything outrageous like that. But there are certainly differences between law firms. Sometimes you don't realize how good you've got it until you go somewhere else. I've worked with lawyers from other major firms whom I thought were just atrocious towards women. They would spend a good part of their day talking about how good looking the secretaries were, or how well that blond guard at the embassy filled out her uniform. The attorneys from my firm on these deals just kept quiet or tried to change the subject."

"Many of the issues that are thought

of as 'women's issues' should really be an issue for everyone. I think we should all be concerned with the fact that a New York law practice is utterly incompatible with family life, whether you're a man or a woman."

"I think people spend too much time discussing the issues of being a woman lawyer."

"The pressures of work are nothing compared to those of being a mother and balancing that with work. People who take maternity leave quite often take the leave and then don't come back. You have to really like work in order to come back, to be willing to put up with the pressures of scheduling and babysitters. Especially if you don't have to work for a living. . . .

"I've been working part-time for the last six months. Sure, I'm a partner, but I don't think it would have been a problem at the firm to go part-time as an associate. We also have an emergency day care center for those whose everyday day care falls through. Maybe as a new mother I'm just especially tuned into this issue, but I really think that the problems with balancing work and family are far more serious for women today than any of the problems faced within the work environment itself."

The comments I received were most notable for their lack of discussion about discrimination, even unintentional discrimination, in law firms. We all know that problems for women still exist; remember the example of performance reviews from last week. I'm sure that the slant of what I was told had

something to do with two facts: 1) I'm a man, and 2) these women were recruiters who were trying to sell me on their firm.

The largest question that is raised by the above comments is whether there is any reason, other than societal assumptions about gender roles, for the responsibility to choose between work and family to be born primarily by women and not men. Quite frankly, I have no idea how to go about answering that question.

John Silber just showed us how tough it is to address the issue without letting assumptions slip in. He said that when one parent in a two-earner family earns enough money to allow it, another parent should stay home with young children. "It doesn't matter one iota to me which one stays home with the children...[But] somebody needs to be home with the child." He said this, however, only after blaming "women who have thought that a third rate day care center was just as good as a first-rate home." That such a comment came from a someone who is running for governor in one of the most culturally liberal states in the nation suggests just how deeply these traditional assumptions run.

I can, however, mention one more interviewer. This one was a man. He had worked part-time at one of the country's major law firms for two years, taking time off to care for his child. And ten days before my interview, his firm had made him a partner. Someone has pointed out to me that working part time to raise one's child might do less damage to a man's career than to a woman's. Even so, I think this person's example is a promising sign. Until very recently, the universal assumption seemed to be that if anyone was going to go part time, it was the woman. A law firm's willingness to accommodate both parents gives something to men that everyone should agree is good thing: choice.

Kaplow

(continued from page 4)

The percentage of minorities and women is 44.44 percent. (Other accounting techniques performed subsequently yielded percentages between 42 percent and 45 percent.) Some notes: excluded are reappointments of previous HLS professors who had left for a period for service elsewhere and the librarian, as well as those appointed but not yet on the faculty (William Alford and Scott Brewer) at the time my statement was made. As to offers, I do not believe all the names are public information, so I do not list them. As to other time periods, I compiled no statistics but have repeatedly stated the obvious fact that, as most minorities and women have joined the faculty recently, previous periods will show very few such appointments. (Correspondingly, figures of retirements and other departures in the past decade disproportionately involve white males, and no doubt this will continue for some time.) Finally, I should note that none of the information on actual appointments is par-

ticularly secret: sources such as the law school catalog and the yearbook (with occasional minor errors) document all of this.

In closing, I have a brief request for reciprocity: Please state what aggregate results in the past decade would have demonstrated good faith on the part of the faculty. In particular, what, in very rough terms, is the relevant pool of applicants in your view (all law school graduates interested in teaching? all in the top 10 percent of the class from top 10 law schools?) and what is the percentage of each underrepresented group you cite in this pool? Finally, what percentage of the 18 additions to the faculty in the time period stated would have been from these groups if the school had appointed in proportion to membership in these groups (as you would define it)? Twice the proportion?

This letter should not be interpreted to suggest that the school should hire based on these statistics or be judged by them. Rather, it simply responds to a request by attempting to clarify one set of facts that some have thought relevant.

-Louis Kaplow '81

Joy

(continued from page 4)

gay, but because it is difficult to be gay. Given that being gay is a characteristic of man, just as skin color and gender are characteristics of man, it would seem wrong to think that there is a right to be gay. It is more appropriate to say that gays have rights and these rights are human rights.

Most members of the HLS community would not intentionally make a racist statement in front of a black man or woman and yet I am frequently confronted with statements that question the morality or insult the dignity of gays. In order not to reveal this part of identity, I remain silent, but the pain inside is very real. When confronting the silent minority, there is no opportunity for self-censorship to screen out jokes which are meant only for humor's sake and are not intended to harm. Our presence is not readily apparent. But please be aware of the potential harm for I might be your neighbor or even your friend.

-Ed Joy, 2L

Fenno

See Fenno fly!

See Fenno fly high!

See Fenno fly without aid of harmful narcotics or hallucinogens. See Fenno fly for free with his Big Bird Bankrupt Airlines voucher, and triple bill a non-existent expense! (They fall for it every time, Suckers.)

And thank the Sky God for it. If it weren't for artificial airfares, bogus bills, conjured claims, dummy deductions, ersatz expenses, forged fees, grafted grub, hijacked highballs, ill-gotten incidentals, junket jaunts, mini-bars and multi-firm bookings, and all the other petty embezzlements which are the es-

sence of corporate hospitality, Fenno never would have been able to afford his Fly-Out Fun Fest in Fiji. (Honolulu firms are all flying recruits out this year, otherwise Fenno would be surfing the first week of November).

So while panicked 2Ls and even-further-up-the-creek 3Ls sweat it out in hot alred hotel suites, Fenno will be fanning the flames of desire with an indigent hooker on a vast white-sanded beach, on a blue Bermudian bay befilled by bathing beauties and burly boat boys basking until baked a buttery brown.

Tanned, turgid and tantalizing, Fenno will return from the tropics and triumphantly take Topeka. Yes, Fenno thinks he'll go one-for-one in the land of wheat and soy, securing a coveted summer associate position with the acclaimed Kansas firm of Flavicomus, Pedantic, Bathyscaphe Blum, Bolger & Garland.

Mom & Dad, (and the other Mom & Dad) will be so proud of their boy Fennolini upon hearing of Fenno's Forbes Fourhundredian fortune, and once more will feel that meaningful swell of pride deep inside -- just as they did one short month and a second mortgage ago when they sent off yet another \$7,000-plus check to the Fleecing University collection Korporation.

Fenno is feeling furtive, fevered even a little lachrymose about Mom & Dad, though. Too bad they can't share in the 1990 recruiting season's take, now estimated at \$1,500, a leather jacket and several pairs of shoes (Big Sales in the Big Apple).

What would the folks back at home say if they knew about Fenno's fraudulent ways? Fenno's not sure, but then again he's not asking. Fenno's not ashamed, but he's got such a good thing going:

Blum, Bolger & Garland reimbursing the Visa Gold Card bills that Mom & Dad are paying. They're sweating more than freaked out recruits sequestered in the Waldorf-Astoria Penthouse Prison.

But hell, after all, isn't that what HLS is all about? Efficiency (e.g. Capital) Maximization?

Or is it? Is not some nobler purpose imaginable? Do not these red bricks, steeped puritan cathedrals of learning, attest to the power of a purpose vindicated the upon the fields of Aniteltam and Balls Bluff and Spotsylvania and a thousand other fields -- a faith which may perhaps be served by considerations of efficiency, certainly, but which would never deign to make such calculations in service of a vulgar, sweaty-palmed selfishness such as is so frequently seen in these parts. What of duty, honor, country?

"HOW TO MAXIMIZE YOUR SCORES On First Year Exams"

Date: November 8, 1990

Time: 1:00PM - 2:00PM

Room: Langdell Hall

PROFESSOR CHARLES H. WHITEBREAD

from the University of Southern California Law Center reveals the practical aspects of perfecting your exam-taking skills.



PROFESSOR WHITEBREAD is an alumnus of Princeton University and Yale Law School. He formerly taught at the University of Virginia Law School, and his written works include *Criminal Procedure* (Foundation Press). Professor Whitebread is a national lecturer for BAR/BRI bar review.

barbri
BAR REVIEW

Foreign Lawyers Put Lives On The Line

By L. I. Vakili

Justice, blindfolded, scales balanced in her hand, symbolizes what is essential for a just legal system: judicial impartiality and independence. Lawyers and judges are the conduits for this system, a crucial link in the protection of human rights, whose duty it is to assure the rule of law. When members of the legal profession are subject to attacks, threats, and assassinations human rights are twice placed in jeopardy.



Not only are the rights of the citizen violated, but the means for vindicating those rights is threatened.

Under the Basic Principles on the Independence of the Judiciary, the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders called on governments to "respect and observe the independence of the judiciary." The UN recognized that "adequate protection of the rights of citizens requires that all persons have effective access to legal services provided by lawyers who are able to perform effectively their proper role in the defense of those rights. . . without any undue interference from any quarter." The U.N. also recommended that states "provide for protection of practicing lawyers against undue restrictions and pressures in the exercise of their functions."

Despite U.N. recognition of the importance of the independence and protection of the legal profession, lawyers and judges in a disturbingly large number of countries must risk their liberty and even their lives in order to carry out their

professional obligations. Between July 1, 1989 and June 30, 1990, jurists in 44 countries suffered reprisals for carrying out their professional duties: 67 were assassinated, 165 were detained, 40 attacked, 67 received threats of violence, and 54 were professionally sanctioned (by disbarment, removal from the bench, or banning). According to international human rights' monitors, such as Amnesty International, the International Commission of Jurists, and the Lawyers Committee for Human Rights, few cases involving violent attacks against lawyers and judges are ever investigated by the competent authorities and rarely are the guilty parties brought to justice. The following cases are illustrative of the situations facing members of the legal profession around the world:

In Mexico, On May 22, 1990, Norma Corona Saplenz, lawyer and President of the Commission on the Defense of Human Rights of Sinaloa was gunned down on a busy street in Sinaloa. Corona was instrumental in securing the passage of a bill before the Sinaloa State Congress, only five days before her death, which invalidated the use of statements obtained through the use of torture, and established a maximum ten-year sentence for public servants who practice torture. In April 1990, Corona told the press that if anything was to happen to her, the Federal Judicial Police would be responsible.

Lawyers in Sri Lanka were repeatedly the victims of violent attacks and continued harassment both from government paramilitary forces and armed opposition groups. Ten Sri Lankan lawyers were assassinated, twelve harassed, and at least 20 other lawyers received death threats warning them against pursuing their work on habeas corpus petitions on behalf of "disappeared" prisoners and others arrested in southern Sri Lanka. The lawyer Charitha Lankapura, was responsible for filing hundreds of habeas corpus

petitions on behalf of people who had "disappeared" following arrests by the Sri Lankan Security forces or who claimed to have been illegally detained. Lankapura was killed on July 7, 1989 by two gunmen; he had received repeated death threats warning him to stop filing writs of habeas corpus.

On 24 April 1990, Wanderlin Torres Pinheiro, a lawyer who provided legal assistance to farmers in Brazil, was assassinated by gunmen as he left a building with his wife and two children. For over ten years, Torres had defended the rights of farmers against large landowners in No Xavantina, Brazil. In Brazil, attorneys and organizers assisting the rural poor in land disputes, particularly in the north and northeast, continue to be harassed, threatened and even killed, often by hired guns in the pay of large landowners. According to international human rights organizations, in not one of the 180 cases of harassment and persecution against Brazilian lawyers documented since 1977 has the guilty party brought to justice and convicted.

In 1990, following a June 30 coup d'etat, the new Sudanese government has aimed at undermining the legal community by replacing the secular court system with a militant Islamic judiciary. Additionally, all legal and human rights organizations have been banned, including the Sudanese Bar Association, the Sudan Legal Aid Association, and the Sudanese Human Rights Organization. The government established military courts, presided over by army officers and following summary procedures, under which the accused has no right to a defense counsel and which can impose capital punishment.

The case of Maria Elena Diaz Perez is illustrative of the situation facing members of the legal profession in Columbia. Judge Diaz replaced a judge who fled the country and whose father

had been murdered as a result of her investigation of 1988 massacres of banana plantation workers. Upon assuming control of the investigations, Judge Diaz confirmed warrants for the arrest of three members of the armed forces, two alleged leaders of Columbia's largest narcotics ring, and a city mayor. On July 28, 1989, Judge Diaz was killed by armed men as she travelled by car accompanied by three bodyguards. Among the judges and lawyers who run the gravest risks in Columbia are those investigating crimes allegedly carried out by or with the acquiescence of the armed forces. The 70 cases of judges and lawyers harassed and persecuted in the past year, including the assassination of 37, reflects the inability of the government to maintain even minimum standards of safety for the legal profession.

Undermining the independence of the judiciary and the legal profession exacerbates human rights violations and increases the impunity of those that commit them. In order for any legal system to be effective lawyers must be free to take on and judges to adjudicate unpopular cases, cases which test societal and governmental tolerance. As we enter the legal profession in the United States, it is important for us to consider what it means to enter the profession in other countries. As future lawyers and judges, we have the opportunity to actively promote and defend the independence of the legal profession, both at home and abroad.

The cases in this article were compiled by the Centre for the Independence of Judges and Lawyers, a section of the Geneva-based International Commission of Jurists for whom the author worked during the summer of 1990. The CIJL Report is dedicated "to all the brave men and women listed here who have tried, in the face of repression, to uphold the finest traditions of the legal profession."

Red Bones Stands Out For Bar-B-Que

By Karen Levy

Redbones

55 Chester Street

T: Redline to Davis Square - 2 minute walk.

Tel. #628-2200

No reservations. Closed Mondays. Sun - Thurs. 4:30 p.m. - 10 p.m.; Fri. - Sat. 4:30 p.m. - 11 p.m. Room for large and small parties. Full bar. Prices: Appetizers: \$2 - \$5; Entrees \$6 - \$12.

Loading Zone

150 Kneeland Street

T: Redline to South station - 5 minute walk.

Tel. #695-0087

Reservations recommended. Open lunch and dinner. Weekend brunch. Thurs. - Sat. open until midnight. Prices: Appetizers \$3 - \$6; Entrees \$10-14.

Jimmy Mac's

300 Beacon Street

Tel. #547-1770

No reservations. Closed Mondays. Tues - Sat. 11 a.m. - 11 p.m.; Sunday 12 - 10 p.m. Prices: Sandwiches \$4-\$6; Platters \$6-\$13; Sides \$1 - \$3.

Jake and Earl's Dixie Barbeque

271 Cambridge Street

Tel. #491-6568

Take-out only. Open daily 11 a.m. - 11:30 p.m. Prices: Entrees \$6 - \$15 Sides \$2 - \$4.

Beckoning almost as much as a Texas sunset or the warm Gulf Stream waters are a few points of light: Boston's handful of Southern/BBQ joints.

When you enter Redbones, although you are in Somerville, try to keep in mind the slower pace of life down South -- it might temper your annoyance of the usual hour wait. Luckily, drinks, darts, lots of tables and a jukebox complete with "Mack the Knife" make the hour pass quickly. (We got take out appetizers and brought them downstairs while we waited.) Once upstairs, prepare to indulge. For starters, the nachos are good as are the "catfingers" -- deepfried catfish with a spicy tartar sauce, corn fritters -- fried just right with chunks of kernels and a bowl of maple syrup, and the hushpuppies -- heavier than the corn fritters and less sweet.

For a main meal, the Fried Catfish, and Sausage of the Day is a larger version of the appetizer; the "Barbeque Belt" features their specialties: Texas Brisket (thick and smokey meat), Memphis Rack (pork spareribs), Arkansas Ribs (a meaty pork rib, more like a pork chop) and Texas Beef Ribs. All the pit barbeque entrees come with your choice of sweet, mild, hot and vinegar sauces -- but you can sample all of these to avoid the tough decision. Draped over mounds of coleslaw and beans and bread, the perfectly cooked meats are falling off the plates.

While I found the quality of the meat to be superb, there have reportedly been occasional slips.

Different combinations of potato salad, cole slaw, beans, rice and fries accompany the entree depending on the selection. If you can find room, try as a side dish the vegetable of the day which is often down-home specialty fried okra (dipped in salsa) or candied yams. Then there are always the regulars: Cajun dirty rice (flavored with chicken livers,

ground pork and spices), or Southern succotash (a vegetable melange of corn and beans) or corn pudding (a creamy corn souffle spiked with cheese and chilis.) Normally, Redbones serves cornbread; on the night we went, they were out by the time we were seated. But, the feature that will make me eternally faithful to Redbones is the use of giant mustard jars (cleaned of course) to serve enough delicious iced tea to actually last through the whole main course!

Even if you've had enough, you cannot leave without trying a slice of rich and gooey pecan pie or moist and smooth Southern sweet potato pie, both served with a generous helping of whipped cream.

Can't afford to wait at Redbones? Still want to try that "Barbeque and Southern hospitality?" Here's a bit about some of the alternatives:

Don Levy, the owner of the Blue Diner tried to replicate "Barbeque and Southern Hospitality" in his masterpiece of

restaurant design, the Loading Zone. And if hip, sleek design were enough, he would have succeeded. How hip, how sleek? Try interlocking garage doors that comprise the restaurant's facade, rows of high-backed rolling chairs, twisted metal extension lamps hanging from the exposed pipes along the high ceiling, the extended version of the English Beat's "I Confess" on the airwaves, and the tables! Each is an individualized glass covered sculpture. Our table featured stones with a marbled sand pattern. Other tables featured such whimsical, colorful designs as abstractly arranged painted wooden blocks, or cooler wire metal sculptures. Levy commissioned 49 local artists to design an original table each: the result is quite impressive.

The menu of the Loading Zone recalls that of Redbones; unfortunately, the likeness ends abruptly there. This yuppie-haven in the midst of the warehouse of Atlantic Avenue -- literally a

(see BAR-B-QUE on page 11)

Fast Urged For Hunger Awareness

By RECORD Staff

The Harvard International Law Society will sponsor Oxfam America's annual "Fast for a World Harvest," Thurs. Nov. 15. The event raises money and world awareness of the plight of the world's starving. "Students are urged to fast for twenty-four hours beginning at sundown on Wed., Nov. 14 to raise both money and consciousness," said Peter Cicchino, 2L, a member of the ILS Social Action Committee.

Cicchino commented, "The fast offers one very small way of experiencing existential solidarity with those around

the world who go hungry every day. Further, the fast provides an opportunity to take the money that would have been spent on a day's food and donate it to the work of Oxfam. It is one modest but meaningful way of addressing a problem by which most of us, understandably are overwhelmed."

HLS' goal is to raise \$1,000 from the HLS community for Oxfam. Cicchino challenged "all students, staff, and faculty at HLS to make a donation. We will be staffing tables in the Hark on November 13th, 14th and 15th." The fast will conclude with a showing of "Harvest of Hunger," a documentary film

(see FAST on page 11)

United States Treads Fine Line In Middle East

The Persian Gulf conflict brings to mind the well-known paradox in politics in which the likelihood of solving an old conflict may be greatest when this conflict is at its highest point of escalation. The Persian Gulf conflict may provide the means to a peace process in the Middle East. This conflict has important consequences on the leadership of the Arab world and the relation of the United States with the countries of the Middle East.

Historically, one of the obstacles to a peace process in the Middle East has

By Adel A. Nassar, L.L.M.
John V. Bautista, 3L
Guest Columnists

been the vicious circle created by the Arab leadership. In order for an Arab country to lead the Arab world, it needed to adopt a radical position in the Israeli-Arab conflict and to champion the Palestinian cause. At the same time, it was impossible for an Arab country to enter into negotiations with the Israelis without the support of this Arab leadership. However, the legitimacy of this Arab leader would be undermined if it accepted such negotiations. Egypt was a good example of this. Egypt's legitimacy was established under Abdel Nasser and Sadat and was founded on two wars against Israel. When Egypt entered into the Camp David Agreement in 1978, it was immediately expelled from the Arab League. Before the Gulf crisis, Egypt (ironically supported by Iraq) returned timidly to the Arab League.

With the ensuing Gulf crisis, Egypt is faced with the opportunity to recapture its leadership position. First, Egypt mediated the negotiations between Iraq and Kuwait preceding the invasion. Immediately after the invasion, Husni Mubarak, convened a meeting of the

Arab League in Cairo and despite the resistance of certain Arab countries, Egypt imposed its own option of dealing with the crisis, specifically by asking the United States to send troops to Saudi Arabia. The General Secretary of the Arab League, Shadli-al-Klibi, and the representative of the Arab League to the United Nations, Clovis Maksoud, later resigned under pressure from Egypt, which obtained the support of the majority of the states of the Arab League in its position against Iraq.

If Saddam Hussein's Iraq is defeated, Egypt would likely become the leader of the Arab world. Such leadership would create three new elements for peace in the Middle East: (1) Such leadership would be in the hands of the only Arab country to enter into a peace treaty with Israel; (2) Such leadership would be in the hands of the closest ally of the United States in the Arab world; (3) Such leadership would find its legitimacy in an Arab-Arab conflict rather than an Israeli-Arab conflict.

However, these elements for peace will be useful as long as the radical atmosphere in the population of the Middle East is extinguished and replaced by an air of confidence.

The popular support among Arab populations of the Iraqi invasion of Kuwait may have the following explanation: A deep sense of frustration among the Arab populace towards (1) wealthy Arab regimes such as those of Kuwait and Saudi Arabia and (2) the United States for its appearance in the eyes of the Arab populace as an unfair arbitrator of the Israeli-Arab conflict (One justification that Saddam Hussein attempted to advance for his invasion of Kuwait was to undermine U.S. policy in the Israeli-Arab conflict by attacking an Arab ally of the United States).

Therefore, the United States must avoid the appearance in this conflict of

being a supporter of wealthy Arab regimes, but become a protector of the territorial sovereignty of Kuwait. In this way, the United States would be able to help create a new framework of relations in the Arab world where the riches of oil would be more evenly distributed.

In addition, the entrance of the United States in the Middle East in this Gulf conflict was by invitation of its Arab allies, specifically Egypt and Saudi Arabia. This presents an opportunity for the United States to adopt an impartial position in the Israeli-Arab conflict by maintaining its unconditional support of the existence of the state of Israel, but not necessarily its support of all the policies of different Israeli governments.

As a result of the existence of the leadership of the Arab League in the hands of Egypt and the reformulation of U.S. policy in the Middle East, Israel and the Arab countries will be compelled to begin negotiations for settlement of the Palestinian question and to create an area of cooperation in the Middle East.

This supposes that the match-up between Iraq and the United States backed by moderate Arab countries and the United Nations will end in a complete defeat of Saddam Hussein's regime and a complete victory of moderation in the Middle East without the appearance of the United States having bullied an Arab country. Otherwise, Hussein will be able to radicalize all the Arab world, to endanger the moderate options for peace, and to destabilize the region for a long period of time, putting an end to hopes of peace and endangering U.S. interests in the region and even in other conflicts.

Finally, the fact that the United States is the unique power after perestroika to be able to deal with the Gulf conflict creates the opportunity for the United

States to change its image in the Middle East and even in the third world, but also to reach a peaceful agreement between Israel and the Arabs under its supervision. Such an opportunity is limited by time because the possible interference of another major power would change completely the actual scenario of the Middle East.

Help Prevent Violence to Children

Volunteers needed for the Parental Stress Hotline

A 24-Hour Toll-Free Counseling Service for Parents Under Pressure.

For more information call Sarah Belcher 437-1990.

Three new ways to survive college.



With Apple's introduction of three new Macintosh® computers, meeting the challenges of college life just got a whole lot easier. Because now, everybody can afford a Macintosh.

The **Macintosh Classic** is our most affordable model, yet it comes with everything you need—including a hard disk drive. The **Macintosh LC** combines color capabilities with affordability. And the **Macintosh IIfx** is perfect for students who need a computer with extra power and expandability.

No matter which Macintosh you choose, you'll have a computer that lightens your work load without

giving you another tough subject to learn. Every Macintosh computer is easy to set up and even easier to master. And when you've learned one program, you're well on your way to learning them all. That's because thousands of available programs all work in the same, consistent manner. You can even share information with someone who uses a different type of computer—thanks to Apple's versatile SuperDrive™, which reads from and writes to Macintosh, MS-DOS, OS/2, and Apple® II floppy disks.

See the new Macintosh computers for yourself, and find out how surviving college just got a whole lot easier.

For more information call or visit the
TECHNOLOGY PRODUCT CENTER
65 Rear Mt. Auburn Street
M-F, 9-5 • 495-5450
Educational Discounts



The power to be your best.™

PMBR Results Speak for Themselves

During the last 14 years, PMBR students have achieved the **highest** MBE scores in many jurisdictions. Here's a sampling of just how well our students perform on the MBE:

Student	MBE Score	Jurisdiction
• Bill Burton	193	Arkansas
• Paul Watterson	186	Pennsylvania
• H. Bradley Staggs	180	New York
• Peter Ficktin	178	Michigan
• Mitchell Barker	177	Utah
• Gregory P. Smith	177	New Mexico
• Jacqueline Palmer	177	Michigan
• Pamela Thomas	176	New York
• Jim Byers	175	Michigan
• Deborah Rose Jordan	175	Florida
• Jeff Jacobson	174	Pennsylvania
• Revan Schwartz	174	Florida
• Sharon Miles	173	Michigan
• Kevin Coleman	172	Florida
• Neal Slifkin	172	Pennsylvania
• Brian Miller	171	Pennsylvania
• Louise Werho	171	Arizona
• Thomas DeMarco	171	New York

WEST COAST OFFICE
1247 6th Street
Santa Monica, CA 90401

(213) 459-8481

NEW YORK OFFICE
450 7th Avenue, Suite 3504
New York, NY 10123

(212) 947-2525

EAST COAST OFFICE
211 Bainbridge Street
Philadelphia, PA 19147

(215) 925-4109

NATIONWIDE TOLL FREE NUMBER: (800) 523-0777

LSC

(continued from page 3)

change the rules," Samuelian said. "I'm sorry that there are people who didn't win who wanted to, but that's the nature of elections."

Samuelian supported the vote-tallying system noting that it has been used for years at Harvard and is common among multi-party parliaments.

He also pointed out that in spite of Anhang and Chasen's complaints about the timing of the election, the number of people who participated - about 40

percent - was high for a student election. Samuelian said that absentee balloting was available. In fact, two were sent out, though not for the class marshal election.

In any event, both sides recognize that the support for Jan-Michelle Lemon, the first class marshal and class speaker, was so overwhelming that she would have won under any system, and no one is pushing for a re-vote.

The two ex-candidates, however, would still press for reform in the future.

"I don't care about the fact that I'm not a class marshal," Chasen said. "The point is that the system they used was highly questionable, and I think they should have explained it more."

Fast

(continued from page 8)

discussing world hunger and Oxfam at 4:00 on the 15th in Langdell North.

Oxfam is "a community of people committed to relieving the plight of these millions. It was founded in 1942, and since has earned a global reputation for innovative yet realistic aid to some of the poorest people in the world. One hundred percent of Oxfam's income comes from private sources," according to Cicchino.

According to Oxfam information, a billion people, or 20 percent of the world's population, experience hunger during a year. Nearly one in five people worldwide is chronically malnourished - too hungry to lead an active, productive life. Each hour, 2,500 people die of

hunger. This year 40,000 children under the age of five will die of hunger each day. One-third of the world's children are significantly underweight for their age.

Cicchino offered an example of an Oxfam success story: Sital Nohamed Nur, joined the Oxfam-funded Rora project after escaping war in northern Ethiopia. With Oxfam help, she used proper farming techniques and terraced her steep and hilly farm to increase the water absorbed thus slowing down erosion. The following year, she also received an ox for plowing from Oxfam. The yield has increased dramatically, says an Oxfam Report, "with the water sleeping on the land."

"The story of Sital and her family is the human side of the devastating reality behind the numbing statistics on world poverty and hunger" said Cicchino. "Sital's story has a reasonably happy ending. This is not the case for literally hundreds of millions of people

Bar-B-Que

(continued from page 8)

loading zone -- beckoned us full of promise of a smoky BBQ feast, but the food at the Loading Zone falls short of expectations. While a few bright spots are worth mentioning: excellent margaritas, perfect hushpuppies and tasty butternut squash, the execution of the meal did not do justice to the good quality of the ingredients. The Jambalaya special was served cold (we still don't know if this was intentional or not) and bland, the Peel-and-Eat Spicy Shrimp were not worth the effort, and the Barbecue Sampling (I chose pulled pork, brisket and babyback ribs) could have been great -- except for the small problem that someone seemed to have forgotten the BBQ sauce. When we finally obtained it, we found it lacking in zip and smokiness.

Then there was the service. At the Loading Zone, true age-old Southern

hospitality seems to have been sacrificed on the altar of 90's urban hipness. Not only did the waiter roll his eyes at me while I placed my order, -- is he a starving artist fed up with customers misunderstanding his table's creative vision? -- but also he failed to give us the complete dessert selection. We ended up with a lousy piece of chocolate cake, only to find later that desserts included a wide variety of pies in keeping with the menu, such as pecan, sweet potato, lemon chess and pumpkin.

Still haven't sold you on Redbones? Okay, here's another. If you live near the Beacon Street Star Market, you're probably already familiar with **Jimmy Mac's**. Jimmy Mac's boasts good barbeque, an extensive menu with lots of native specialties and a choice between the cafeteria-like dining room and speedy take-out. The pulled pork and the chopped beef were delicious, and the pork ribs are pretty tender, adequately meaty and smothered in a tangy and mildly spicy barbeque sauce. The "O'Yes Sweet Potato Pie" was a bit dry -- certainly not like Redbones -- but Jimmy Mac's offers fun desserts like banana pudding, chocolate cookie pudding, key lime

pie, lemon chess, and chocolate chess pie among others. In addition to the pit barbeque sandwiches and platters, Jimmy Mac's features Texas' chicken fried steak as well as real Southern fried chicken. In the end, however, an evening at Jimmy Mac's can't compare to an evening at Redbones. For a quick fix of BBQ, it'll do; but for that Southern hospitality, Beacon street just isn't far enough away.

Still not enough choices? Well, a review on BBQ would not be complete without Cambridge's own Jake and Earl's Dixie BBQ. Although they only serve take-out, Jake and Earl's in Inman Square make up for their apparent lack of Southern hospitality by offering what are arguably the best ribs of all. (East Coast Grill, the highly-acclaimed restaurant counterpart to Jake and Earl's, features the same barbeque in the upscale context of an extended menu of nouvelle Southwestern cuisine, which puts it in a different category than the

restaurants in this review). A bit pricier than the others, a slab of meaty, Memphis dry-rub ribs -with or without BBQ sauced or a sweet and tender pulled pork sandwich make Jake and Earl's worth the trip. Plus, there's my personal favorite: Jamaican jerk chicken, a slow-barbecued chicken marinated in a spicy vinegar rub. Although it's not really in keeping with the Southern theme, this specialty of Jake and Earl's can't be found at any of the other pit BBQ places. At Jake and Earl's you don't have to even bother with the just-average trimmings; the meat can hold up even without corn bread, potato salad, beans or slaw.

Southerners: don't despair! Redbones is not too far away and, in an emergency, Jimmy Mac's and Jake and Earl's are convenient to most high-density HLS neighborhoods. All others: if you haven't already been converted to "Barbeque and Southern hospitality," now couldn't be a better time.

NOVEMBER 2, 1990

9PM-1AM

MIT Walker Building • Morss Hall • Memorial Drive, Cambridge
Proceeds to benefit the Boston Latino Community



LIVE Band & D.J.

\$10.00 in advance

\$12.00 at the door

Refreshments with positive I.D.

College I.D. Required

Sponsored by:

Club Latino (MIT)
MIT Graduate Student Council
LUCHA (MIT)
SHPE (MIT)
Colombian Association (MIT)
Alianza (WELLESLEY)
La Alianza (Harvard Law School)

MEZCLA (Wellesley)
Latinos Unidos (Boston University)
OLAA (Boston College)
National Chicano Health Organization
(Harvard Medical School)
Boriqua Health Organization
(Harvard Medical School)

La Cultura Hispana (Bentley College)
Latin American Society (Tufts University)
LASO (Northeastern University)
Hispanic Student Caucus
(Harvard School of Government)
MECHA (Harvard School of Education)
RAZA (Harvard)

Building

(continued from page 1)

ground level between Langdell and the ILS building. The other two would add a new building at the north (or closest to the Hark) end of Holmes Field, the large, grassy quad in front of Langdell.

The plans, developed by the HLS Space Committee, were presented to the faculty two weeks ago.

The majority of the Committee has recommended a plan which would add new classrooms and move faculty out of Langdell into a new building on Holmes Field, would expand the Langdell collection area by moving the main library entrance to the second floor and providing a more inviting study area with above ground reading and study areas.

Committee chair Andrew Kaufman '54 says the plan's chief advantage is that it "provides the most efficient use of Langdell to provide services for the users, mainly students." Furthermore, it provides a "pleasant and effective place for students to do research."

Others were unhappy with the plan because it displaces faculty and would give the library more space than it needs. Professor Lewis Sargentich '70, a Committee member, offered an alternate plan similar to the recommended plan but that would that would keep the fac-

ulty in Langdell and move more classrooms to the Holmes building site.

Sargentich suggested that "library needs have been over-emphasized" and that the committee let those needs "trump all other concerns." Three of the five faculty committee members have served on the library committee.

One of Sargentich's concerns is about what he termed a lack of discussion on building on the Holmes field site. "I would have liked to have heard from those opposed to the use of the Holmes Field site," Sargentich said. "There are lots of alternatives."

Professor Terry Fisher '82, a Committee member and potentially displaced academic, disagrees. "Moving the faculty is better from the library's standpoint and also from the faculty's standpoint," he said. "Faculty offices in the midst of a functioning library would not be very pleasant."

Other faculty reactions were mixed. Professor Detlev Vagts said he was "unhappy at the idea [of moving]" but realized "change has to happen. It is awkward for the library to be parcelled out." Dan Meltzer said although he favors the plan in general, one "drawback" is that the location on Holmes field "is further from the school and other faculty."

Librarian Terry Martin said two big benefits to library users would be "linking the reading room with the stacks" and making the building "more

hospitable to new technology." Martin said the committee's plan seems to be the one "that will give the school what it wants."

Students expressed concern that the faculty might put their own interests ahead of student interests. Steve Friedman, 2L, said, "I think the faculty has to look at what is best for Harvard Law, not just what is best for them."

One issue is the size of the library budget once the Langdell renovations are complete. LSC president Tom Samuelian, 3L, said the issue was not raised last year at a meeting between the LSC and Space Committee. Ch'iu Lien Chang, 2L, stated, "Expanding the library and air conditioning Langdell are good ideas, but that could mean it'll cost more to operate the library. Who is going to pay? Students?"

Both Kaufman and Fisher said the general library budget would not increase and might even be reduced by the plan because of increased efficiency. Fisher said that the new plan would not "increase the amount of books [in the collection], involve no more faculty usage, and only moderately increase student usage." Thus, while demand remained level, the increased efficiency could save money.

In any case, Sargentich suggested that the Holmes site would be better suited to classrooms than to faculty offices. Sargentich said, "The Holmes site would be much better for

classrooms... because they would be more modern classrooms with handicapped access." Additionally, new technologies could be properly utilized, according to Sargentich. "We could park all new technologies in that building," he said.

Another problem Sargentich has with the majority deals with book storage. "At some point we have a greater responsibility to microform collection because [older] books are falling apart." Sargentich noted it would be expensive but could be done in consortia with other schools.

Sargentich said he hopes "We [the faculty] will commit ourselves to look carefully at book storage on site for the next thirty years and factor that into the plans." He did said he favored either of the alternate plans to the committee's recommended one.

Students were pleased at the increased accessibility for disabled students. Mark McGoldrick, 2L, stated, "Currently, the Langdell area under consideration for renovation is the area with most critical access needs. I am heartened at the proposal. Even though it will be completed after the current students with disabilities have graduated, the renovations will give incapacitated students a better shot at attaining an equal education. The major renovation plans are for reasons beyond disabilities; they are for improved access for all students." McGoldrick

and other students have developed an access plan for the rest of the school.

A third plan would construct library space under the courtyard between Langdell North and ILS. The space could be used for closed compact storage space. This would be expensive and difficult given the condition of the land and the space would not be readily convertible should it no longer be needed for book storage. In addition, a four story building would be built on the Bence's site. The research program could feasibly be moved there providing more space for classrooms.

Student organizations in Austin would be displaced to Story Hall. A move LSC president Tom Samuelian, 3L, expressed concern about and suggested the faculty should look at closely. Andy Kaufman said moving the organizations would allow students to share common services such as conference rooms and secretaries. Kaufman added that the move to Story would put students closer to the Harkness and could be safer. He said, "It would also get students out of places far away and lonely late in the evening."

The plans reflect the combined efforts of the student-faculty space committee, faculty, and library staff. The plans were developed by Shepley Bullfinch, one of the nation's preeminent library-design firms.

Ames

(continued from page 1)

expressed disappointment, while recognizing that scheduling conflicts and time constraints left the administration with few alternatives.

"I feel honored to be in the competition, so I can't complain too much [about not getting Brennan], but it was really going to be the highlight of my career to argue a case before a Supreme Court Justice while still in law school," said Steve Parkinson. "I would just like to know that all that could be done to make it happen has been done."

Rhoda Weeks, another finalist, said, "The general consensus is that Easterbrook is a good judge... the larger concern seems to be the break in tradition that this signifies."

Another finalist who wished to remain anonymous, said, "If we had waited any longer, we might have gotten a claims court judge, but instead we got a really hot circuit court judge."

Brennan was invited to sit

last January. After his retirement from the Supreme Court in July, he reaffirmed his intention to participate. Then, in an August correspondence with Dean Clark, he said that he had cancelled all his mid-November engagements except for Ames and the Hinton moot court competition at the University of Chicago Law School.

On September 6, Brennan regretfully informed the school that his doctor had advised him against traveling to Cambridge. The 84 year-old Brennan cited poor health as his reason for stepping down from the Court last summer.

With the remaining Justices and former Justice Lewis Powell '32 unable to sit for the Finals, Clark then extended the invitation to Easterbrook.

In the final analysis, Parkinson was able to find humor in the situation.

"I know it's a sensitive situation and that Harvard wants to maintain good relations with the Supreme Court. But I still find it hard to believe that there isn't a Supreme Court Justice who isn't busy on a Thursday night."

"The idea of seating him and the entire retinue as a sort of phalanx of force... that seemed to me to send the wrong message to the jury. The Court of Appeals disagreed."

David Troutt, 3L, asked Jackson why he criticized the jury for "importing community" standards into its deliberations, while at the same time justifying the exclusion of Farrakhan and Stallings by using his own community standards.

"I would have felt the same way about a Ku Klux Klansman," said Jackson. "Anyone who has racial antipathy I would exclude."

Asked if he thought he might have used his own subjective values during sentencing, Jackson said, "If I've done so, I've done so subconsciously and I am unaware of it."

Jackson

(continued from page 1)

sider "total offense conduct" at sentencing.

Another student asked Jackson why he banned Minister Louis Farrakhan and Rev. George Stallings from attending the trial as Barry's guests.

"I will allow anybody [into court] who is not an outspoken racist on either side," said Jackson. Both men, the judge said, are "outspoken racists... who believe most human affairs are driven by matters of race."

Jackson, whose decision to exclude the men was overturned on appeal, said he worried that the presence of Farrakhan and his bodyguards in the front row would intimidate the jury.

Reversal

(continued from page 1)

pects of Dershowitz's personality despite its tendency to exaggerate. "It was basically an accurate portrayal of what he feels about his work, but it was simplified for laymen," said Watanabe.

Watanabe singled out the film's presentation of an incident in which Dershowitz impulsively destroys a telephone as an example of Hollywood's tendency to embellish. "That did not happen," said Watanabe. Watanabe also expressed dismay over the film's heavy handed treatment of a subplot involving a death penalty appeal being pursued concurrently with the von Bulow case. In reality, said Watanabe, the appellees were white and from Arizona. In the film, the appellees were black and from Alabama. "The issue is one of class, not race," said Watanabe. "They went for a simple, stereotyped appeal and really distorted the case."

Dershowitz, however stated that the characters in the death penalty subplot were best understood as a "composite" of clients from several of his death-penalty appeals.

Students also took issue with the film's presentation of HLS.

"The setting was a little too grand," said Goodman. "Too much gothic grandeur, ringing bells and polished mahogany."

Doubts were also expressed about the portrayal of the relationship between Dershowitz and the law students who worked for him on the von Bulow appeal. "The movie showed a bunch of brilliant students cavorting in the professor's house," said Goodman. "I don't know how Professor Dershowitz organizes his research staff, but that seemed a little too fun."

Watanabe, however, says the actual living arrangements of the von Bulow research team were along the lines shown in the film. "My understanding is that the students lived at his house because he was single at the time and they had a very short time in which to file the appeal," said Watanabe.

The film's portrayal of legal research was also seen as somewhat unconvincing. "The work the students did was more like detective work and sleuthing than what the students I know who have worked for Professor Dershowitz have done," said Goodman. "[In the film] he has fifteen researchers and only one of them ever makes a reference to a book -- and he's not a student."

characterized the Iraqi invasion as self-defense.

Nasir was also scheduled to appear at the first forum but the Iraqis would not agree such an arrangement.

Nasir explained his country's position: "The situation is very simple the way we see it... there's been a crime, there's been a trial, and a verdict-- ten U.N. resolutions calling for an embargo and [for Iraq's withdrawal from Kuwait]... Faced with ten U.N. resolutions and faced with isolation from the entire world, Iraq now has two choices: withdrawal or remain."

Fellow panelists Lenore Martin, author of the book *The Unstable Gulf: Threats from Within*, and George Lane, former U.S. Ambassador to Yemen were more optimistic about a peaceful resolution to

Kuwait

(continued from page 1)

I don't see any possibility that in the near future this dictator is going to change his mind."

"Violence is the only thing dictators understand," said Nasir. "If driven to force, our people are the victims, and American [soldiers] will also be victims." Unfortunately, he added, "the decision is not with us, but with Saddam Hussein."

Nasir's assessment, at a forum sponsored by the Middle Eastern Law Students Association (MELSA) last Tuesday, was in sharp contrast to the version offered two weeks ago to HLS students by the Iraqi Ambassador to the U.S. Mohamed Sadiq-al Mahat, who

Harvard Law Record (ISSN 0017-8101) is published bi-weekly during the school year. Harvard Law School Record Corporation, 23 Everett St., Cambridge, Mass. 02138-9984. Telephone (617) 495-4418. Subscription price: \$20.00 year mailed; \$30.00 year mailed outside U.S. Individual copies: 50 cents at the Law School, \$1.00 mailed. Second-class postage paid at Boston, Mass. and additional mailing offices.

Copyright 1990 by the Harvard Law School Record Corporation and by the contributors.

POSTMASTER: Send address changes to Harvard Law School Association, Harvard Law School, Cambridge, Mass. 02138.

ALUMNI/AE ADDRESS CHANGES: Alumni/ae who receive the RECORD as a result of membership in the Harvard Law School Association should mail change-of-address information to the Harvard Law School Association, Harvard Law School, Cambridge, Mass. 02138.

Each alumnus/a receiving a RECORD subscription through the Harvard Law School Assn. should be on notice that \$5.00 of H.L.S.A. annual dues are used to fulfill the RECORD subscription he or she receives. Dues paid at any time during the H.L.S.A. fiscal year that began on July 1, 1990 and ends on June 30, 1991 purchase a subscription that begins in January 1991 and expires in December 1991.

return address:
HARVARD LAW SCHOOL
ASSOCIATION
HARVARD LAW SCHOOL
CAMBRIDGE, MA 02138-
9984

SECOND-CLASS POSTAGE
PAID AT BOSTON, MA
AND ADDITIONAL OFFICES

the conflict.

Lane said, "Frankly, I think there is still a chance for a nonmilitary solution but it is going to be a difficult [problem] to work out."