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Liebman Named Columbia Dean

By George Paul

Professor Lance Liebman '67, law professor and former associate dean, will leave Harvard Law School to become the eleventh dean of the Columbia University School of Law.

Liebman, who has taught at HLS for the past twenty years, will begin his deanship July 1. He replaces Barbara Aronstein Black who steps down after five and one half years as dean to return to teaching and research at Columbia.

Liebman said of his appointment, "I am delighted to have the opportunity to participate with Columbia's outstanding faculty and students in adapting legal scholarship and legal education to new realities."

Dean Clark '72 announced Liebman's acceptance to the faculty, and offered a collegial salute. "I know that all of you will, as I do, receive this news with a profound sense of loss as well as happiness for Lance and respect for Columbia's good judgment," he said.

Professor Charles Haar '48, who co-authored a property casebook with Liebman, echoed the Dean's sentiment. He said, "It is a great loss of colleagueship for me. Not only is he an extraordinary person with respect to property law, but also to exchange ideas with. He's made a tremendous contribution here."

Professor Philip Heymann '60, co-author of an ethics textbook with Liebman, said, "We'll miss him at Harvard. Students will



Professor Lance Liebman, '67 will leave to become Dean of Columbia's Law School.

miss him and the faculty will miss him as well. He's been, for a long time, a faculty leader here at Harvard."

He added that, "It is a nice way to miss somebody—by having then become dean of another great law school. He will be a great dean. Columbia will enjoy a golden age with him there."

Columbia University President, Michael Sovern, said that Liebman would bring vision and energy to Columbia. "I am delighted that we have persuaded Lance Liebman to return to New York," he said, "By temperament, by talent and by interest

he belongs here... Brilliant and energetic, a popular teacher and a widely read author, Dean Liebman is the right leader to help us continue to build on Columbia's tradition of excellence."

Liebman is renowned for his scholarship in employment law, Japanese law, and most recently, on legal ethics. He has written extensively on property law, comparative law, employment law, and ethics, including seven books. His property casebook is used across the country. His book

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War Splits Campus

By Henry Kerner

Opinions Clash At Open Forum

If the Bush administration had hoped to prevent linkage between the Allied effort to defeat Saddam Hussein and liberate Kuwait, and the Arab-Israeli conflict, that attempt was noticeably and certainly fruitless at the Open Forum on the war in the Gulf on Friday, Feb. 1.

Although the organizers say they attempted to present a balanced view of the war issue, the crowd of about 90 law students seemed largely against the war. Reasons for opposition ranged from the immorality of all wars to the unjustness or unnecessary of this particular war.

The forum was not designed to present expert opinions on the conflict, but rather to allow students to voice their views in a non-confrontational setting, according to Peter Cicchino, 2L, the forum moderator. To this end, the organizers invited four student panelists to give a short summation of their opinions.

The first speaker, Anthony

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Call-Up Rumors As Yet Unfounded

Rumors that HLS students in the Armed Forces had been activated are not true, according to the Registrar's office. Annie Bombard, Registrar, says that no student has had to withdraw because he or she has been called by the Armed Services. She said that if that were to happen in the future, she would "anticipate no problem with them returning."

Margaret Stock, 2L, and a reservist in the Army added that if somebody had to leave school during the semester that person would get a tuition refund. Neither Margaret Stock nor Carolyn Langer, 2L, an M.D. and National Guardsman, have been called, even though reports on television have indicated that doctors are particularly in demand. Neither anticipate being called up, but reaffirm their willingness to go if called. "I made a commitment," says Dr. Langer, "and if called upon I would feel an obligation to fulfill my service." Ms. Stock expressed similar sentiments.

Dean Cuisine

Former Dean Co-authors Cookbook

By Sharon Stone

Old HLS Deans never die, they just go on to write cookbooks. Or so it seems with James Vorenberg '51, whose cookbook has gotten rave reviews from Julia Child.

Vorenberg, Roscoe Pound Professor of law and former Dean of HLS (1981-1989) co-wrote with Jack Greenberg, former vice-dean of Columbia Law School, "Dean Cuisine, or The Liberated Man's Guide To Fine Cooking" to be published next month.

The co-authors have different specialties, Dean Greenberg oversees the stuffed vegetables and pastas while Dean Vorenberg concentrates on desserts. The result is a book of fine recipes that can usually be prepared in an hour.

Child, who reviewed the book for the Harvard Law Bulletin, wrote, "I very much like this no nonsense collection of recipes with a minimum of bothersome detail but enough for the enthusiast to follow. A running commentary and personal remarks make the recipes a good read, and the authors' relaxed

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Dean Vorenberg, left, with Dean Greenberg, right, and meal, center.

Students Intervene in CCR Suit

By George Paul

Fifty students calling themselves Students for Constructive Diversity (SCD) have filed a motion to intervene pro se in the Coalition for Civil Rights (CCR) employment discrimination lawsuit against Harvard. The intervenors contend that the suit is meritless and brought only to attract media attention to the group and to harass the Law School administration.

SCD, which includes minority members, seeks an end to the lawsuit. They also counter-claimed against CCR for \$200,000 in damages for abuse of process, tortious interference with contractual relations, and intentional interference with advantageous relations.

The group claims that the CCR suit hampers students' abilities to obtain quality legal education and will hurt the Law School's ongoing effort to attract minority professors.

SCD member Mike Guzman, 3L, said the group hopes to accomplish two goals. "First, [we hope] the judge, by seeing our papers and signatures will see that CCR is not in any way representative of the student

body of Harvard. Second, on campus, we hope to open the dialogue on appropriate ways to foster diversity," he said.

An SCD spokesman insisted that "CCR is a fringe group of HLS students who have pushed their political agenda of forcing the Law School to hire professors without regard to traditional merit-based criteria such as professional credentials and scholarly publications to unpalatable extremes."

Boykin countered that CCR's lawsuit was brought to focus attention on the legitimate need for faculty diversity. He added, "We never claimed to represent every student at Harvard. But the same issues are still important and still need to be addressed."

According to SCD, the CCR suit goes too far and will politicize the hiring process and polarize the faculty and student body. Guzman noted that "What really galvanized the group is the feeling that the CCR lawsuit is an inappropriate way to achieve the goal of diversity."

Intervention is necessary, the SCD motion states, because Harvard has not properly represented student interests and because Harvard employees and CCR are colluding. SCD

argues that Harvard "in its paternalistic role of educator, does not share the SCD's interest in deterring the plaintiffs from filing future vexatious and harassing lawsuits."

CCR is undeterred. Spokesman Keith Boykin, 2L, downplayed any effect that the intervenors might have on their effort. "I think the motion will have no effect on the case whatsoever," he said. "We are confident that the judge will dismiss this motion."

Boykin says the intervenor's are on shaky legal ground. "They [SCD] rely on a misrepresentation of [Mass. Gen. Law ch.] 151(b)." Plaintiff's action was brought under Mass. R. Civ. P. 24 and ch. 151 s. 5, which in some cases grants an unconditional right to intervene. Massachusetts Rules of Civil Procedure provide a right of intervention "when a statute of the Commonwealth confers an unconditional right to intervene." To support the intervention, SCD's Memorandum quotes Ch. 151B s. 5 to indicate "any complainant may intervene as of right in said civil action." Boykin said the quoted pas-

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Dean Clark Out Of Presidency Race

Steven Kastenber

The next president of Harvard University will be — someone other than Dean Robert Clark. Since last fall, the University has been in the process of narrowing down a tentative list of 35 to 50 candidates to a more manageable "short list." The group includes political figures, prominent scientists, presidents of other universities, and several Harvard deans.

Clark was apparently in the running for several months. His name was said to appear on the provisional medium list, and he may even hold a place on the short list, he is not thought to be a strong candidate, according to Tara Nyak, editorial chair of the *Harvard Crimson*.

For his part, Clark disavowed a desire to be president, and described the prospect of his being tapped for the position as extremely unlikely. "It doesn't make sense structurally," he said, noting that the outgoing president, Derek Bok, was also a professor at, and dean of, the law school. The search committee, he says, is unlikely to favor a Clark presidency out of any sense of tradition or *deja vu*.

Rather, Clark asserts the committee

is likely to look to some other field of expertise in the interests of institutional balance. Clark feels that the committee is looking for "someone with first hand experience with other parts of the University." The law school is not thought to be an arm of the University greatly in need of strengthening or additional attention. Clark suggested that "it's time for a scientist," as part of a University effort to strengthen its teaching of the sciences.

In fact, a number of scientists are thought to be under consideration. They include Earth and Planetary Sciences Chair Michael B. McElroy; Mallinckrodt Professor of Chemistry Jeremy R. Knowles; Gaiser Professor of Biological Chemistry Christopher T. Walsh, Jr.; and noted botanist Peter H. Raven.

"I have a lot of projects here," Clark said of his taxing current position. "I'm still learning the job."

Other Harvard deans under consideration are Ronald F. Thiemann of the Divinity School, and Robert D. Putnam of the Kennedy School of Government.

The search committee has said that it will select a new president within the next six weeks. Apparently passed over but not forgotten, Clark said he expects the decision to be made by the end of February.

Law Review Elects New Leader

By The Staff

After a grueling thirteen-hour election, David Ellen, 2L, ascended to the presidency of the Harvard Law Review on Sunday, February 3.

Ellen described the goals of his board of editors as being "to give our best efforts at fulfilling both aspects of the Law Review's traditional mission of publishing the best legal articles possible and developing the writing and editing skills of our own students." Ellen said that his board will seek a broad range of articles, "from whatever perspective and on whatever subject possible, from anti-trust to critical race theory."

A proponent of continuing the Law Review's traditional affirmative action program, Ellen takes a wait-and-see approach to the possibility of extending the program to include women. The finding that women comprised only 25 percent of the students chosen for the Law Review in last year's competition became a topic of controversy last fall. "We'll watch for what happens again this year to see whether it was simply a

statistical blip or whether it reflects the beginning of a worrisome trend," said Ellen. "Continuity of diversity of background as well as interest will continue to be a central concern of the Law Review election process."

If the next competition also yields a disproportionately small number of female editors, says Ellen, "the entire Law review body will have to meet and decide collectively whether to pursue a more thorough inquiry into the disproportionality." He added, "I hope that it is a statistical blip."

Ellen, 26, is native of Philadelphia and a graduate of Harvard College, '86-'87. As an undergraduate he majored in History and Science, writing a thesis entitled "Darwin in the Harvard Classroom: from the Old to the New Curriculum." The thesis traced the evolution of moral philosophy in nineteenth-century American colleges.

Following graduation, he was Marshall Scholar at King's College, Cambridge University. At Cambridge, he studied political theory, and wrote a series of essays on a number of American political theory surrounding the constitution and the revolution.

Students Rally For Israel

Since the first missile attacks on Israel, many Americans have vocally supported Israel. One such show of support was held Wednesday, January 30 in Harvard Yard featuring Alan Dershowitz.

The popular spokesperson for Jewish causes said we need to show solidarity

By Bill Martin

with the people of Israel in this time of crisis and to protest Saddam Hussein's use of missiles against Israel.

Although Professor Dershowitz has been critical of the Israeli government in the past, he believes that regardless of the government's policies, this is a time in which "every right thinking person, Jewish or otherwise, should stand together against the SCUD missile attacks against civilian population centers."

Indeed, the very prospect of SCUD missiles crashing into Israel with chemical warheads has recalled painful memories of the Holocaust, according to Dershowitz.

American Jews are actively supporting

Israel. They are attending rallies, raising funds for the residents in Tel Aviv and elsewhere who suffered damage to their person and property, and are traveling to Israel to stay with family and friends.

For his part, Dershowitz said he would continue to be active in gathering support for Israel on other campuses and around the world. He doesn't preclude the possibility of going to Israel "if the situation gets worse."

From a legal standpoint, Iraq's attacks on Israel are in violation of several principles of international law that proscribe attacks on civilian centers and non-combatants, according to Dershowitz. Dershowitz spoke briefly about plans to file lawsuits on behalf of those families whose homes were destroyed by SCUD missiles against a number of German companies who have supplied Iraq with the resources and technology to develop chemical weapons and expand Iraqi SCUD capability.

Dershowitz noted, "The German people owe a special sensitivity to Israel and to the Jewish people to make sure that their weapons of mass destruction are never used against them."

There are also plans to file suits against

the Iraqi government to seize the assets of Iraqi banks in the U.S. and in Europe.

Like many people in this country, Dershowitz has mixed views about the war. Although he believes, in retrospect, that sanctions could not have worked, he thinks the price to pay to liberate Kuwait is too high. "I don't think it's worth American lives to simply restore Kuwait to a monarchical dictatorship. . . [Although] the idea of disabling Saddam's war machine may be a worthwhile effort."

Dershowitz rejects the idea of an international Middle East conference, preferring a regional conference between Israel and the Arab states. A future conference, he said, should address not only the Palestinian question as it relates to Israel and Jordan, but also the future of Arab minorities such as the Kurds in Iraq who seek statehood and the prevention of human rights abuses. Dershowitz commented, "To look at the Palestinian problem only in relation to Israel is a mistake."

Liebman

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entitled *Employment Law* was the first ever written on the subject. It covers areas such as drug testing, discrimination, sexual harassment, safety and health, and social security.

More recently, his book *The Social Responsibilities of Lawyers*, co-written with Heymann, was praised as being "destined to have a marked impact upon the teaching, practice and ethics of law," according to a review in the *Michigan Law Review*.

Liebman graduated from Yale College in 1962 after majoring in politics and economics. He studied English history for the next two years at Cambridge University before earning his law degree magna cum laude. He was President of the Harvard Law Review.

Upon graduation he clerked for U.S. Supreme Court Justice Byron White. Liebman returned to Harvard Law School as an assistant professor in 1970 after serving as an assistant to New York City Mayor John Lindsay on transportation issues. He served as associate dean from 1981 to 1984.

Cookbook

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approach should give should give anyone the confidence to plunge in without fear of failure."

Commenting on the unique perspective of a cookbook written by men, Child notes, "The male approach to cookery, in my observation, is much freer, faster, more daring, and more casual than the female, and it would seem to me that this book, filled with the enjoyment of creating good things to eat, it is indeed 'The Liberated Man's Guide to Fine Cooking'."

The authors note that their regular forays into cooking began as a result of their efforts "to share the responsibility for preparing meals, as our wives have almost always had demanding, full time jobs. The problem could have been solved by slapdash hamburgers, TV dinners, household help or eating out. These answers, however, ranged from unsatisfying to economically impossible or inconvenient." Their expertise and the resultant cookbook therefore stemmed from the realization that "participation by men [was] necessary if women's liberation was not to mark the end of fine cooking on a regular basis."

The cookbook, has more than 200 recipes from all over the world and has been in the making for over 10 years.

"We spent a month with our wives together on the French Riviera and began doing more elaborate cooking," Vorenberg recalled. "Then I became dean and Jack was flying around for human rights and becoming dean. We were always on the verge of finishing."

Greenberg's human rights travel abroad meant that He was able to make more contributions to the cookbook. As the cookbook notes however, Vorenberg's main contribution "was to apply a measure of restraint—thus protecting readers from Mexican grilled grasshoppers and Philippine fertilized duck-eggs."

Don't Miss Our
Valentine's Day
Issue



Professor Alan Dershowitz Urges Students to Stand up for Israel In Gulf War

Harvard Law Record

Volume 92, No. 1

Daniel J. Greaney
Editor-In-Chief

The Return Of The Center

Has it been noted that Gulf War marks the mastery by the formerly silent, occasionally lumpen, usually trusting and fundamentally decent majority of middle-of-the-road Americans of the techniques of political radicalism?

Everyone expected the anti-war protests—given the histrionic propensities of the sixties hold-overs and their acolytes, peace marches rallies and open-air concerts already seemed a certainty when the war was only a possibility. And, sure enough, they materialized on cue, complete with tie-dyed shirts.

But who expected the counter-protestors? In the original of the event which the anti-war movement mistakenly believes itself to be reliving—Vietnam—the peace movement's opponents were red-faced, fist-shaking "super-patriots," who were easy to discredit because they were quick to anger. When they lost their tempers, they aided the protestor's claims of moral superiority.

Now the mainstream is more sophisticated, a bit less rough around the edges. The "support our troops" forces invoke the same visual iconography of the Civil Rights movement as do the anti-war protestors. They march with hands clasped, assemble peaceably, sing in unison. What's more, they rationally defend their positions, and do so with a combination of reasonableness and sincerity which makes them at least as credible as the anti-war protestors.

What accounts for the appearance of the counter-protestors? I suspect simply a feeling that their opinions were not being adequately represented by overly manipulable media and a feeling that this time too much was at stake to remain silent.

What is the significance of the counter-protestors? Quite possibly, the mobilization of centrist opinion will be the most important development of the war. For a generation, an absolutist conception of individual rights has reigned in the Supreme Court while special interest groups have governed in the Congress. The result is a system of government increasingly incompetent at serving the common interest. Now, with the advent of the counter-protest, an opinion group which appears to represent the mainstream of public sentiment has acquired the ability to counter a marginal, narrowly-focused interest and assert itself in behalf of a popular conception of the common well-being. While I did not agree with the president's decision to go to war, I respect the legitimacy of the process through which the decision was made and of the idea of majority rule. The counter-protests represent a step towards restoring effective majority rule.

A parallel development seems to be taking form here on campus. Here too moderate opinion is beginning to find a voice in a "debate" which has largely been dominated by the stagy antics of the left. By intervening in the suit against the law school brought by the Coalition for Civil Rights, Students for Constructive Diversity have adopted the techniques of the left to move the debate towards the center. While asking for damages of \$200,000 seems a bit drastic—not to say optimistic—I feel only a smidgen of sympathy for CCR.

DG.

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Intervenors' Inhibiting Argument

To The Editor:

I write to express my deep regret at the intervention of a group of approximately 50 students as Defendants in CCR's lawsuit against Harvard. They not only answered the claims against HLS, but counterclaimed against CCR.

Letters To The Editor

The intervenors claim CCR has engaged in the torts of "abuse of process," "tortious interference of contract," and "tortious interference with advantageous relations." They seek \$200,000 in damages from CCR.

All questions of law aside, I can understand why these students want to intervene in the lawsuit. They disagree with the merits of CCR's claims and believe it will hurt their education. But whatever the validity of their intervention, their counterclaims are another matter altogether. These are serious personal accusations against CCR and its members. Moreover, they seek to extract from CCR substantial sums of money.

Imagine the legal regime that would permit the intervenors to recover the \$200,000 they seek. In this regime, a plaintiff could become liable for tort damages, just by seeking to assert his or her civil rights.

We're not talking here about the de-

terrence of vacuous allegations. For this we have Rule 11. If HLS believed CCR's claims were so groundless as to merit sanctions, they could file a Rule 11 claim.

Neither are we talking about protection for the interests of the students seeking to intervene. Their intervention would be sufficient for this purpose.

No, the counterclaims asserted by the intervenors seek to create a regime that is specifically hostile to civil rights. This regime would virtually eliminate civil rights lawsuits.

Even those students who don't agree with the CCR lawsuit should be troubled by these counterclaims. If civil rights are to have any meaning, we cannot give those who disagree with them the right to intimidate plaintiffs.

CCR has demonstrated that women comprise 23.7% of full-time law teachers nationwide, while only 7.6% of the full-time faculty at HLS. CCR has also shown that the non-represented minority groups on the HLS faculty comprise nearly 5% of full-time law teachers nationwide (and an even higher percentage of recent hires). Whether such statistics are sufficiently probative to merit a finding that HLS's subjective hiring system has a discriminatory effect on women and minorities is a question of law. Observers may agree or disagree. But should it be tortious to bring such a claim?

— Minouche Kandel (3L)

Anti-Zionism Not Always A Sign Of Anti-Semitism

To The Editor:

I feel compelled to respond to an appalling article stuffed in the Hark boxes by an anonymous group calling themselves "Law Students For A Strong Israel." The article contends that anti-Zionism is anti-semitism and decries the double standard applied to the Jewish state, home to "history's most consistently hated group."

Regardless of whether Jews deserve the title of "most hated" (Native Americans and Africans have also suffered more than their fair share of genocide, slavery, and oppression at the hands of the civilized West), past suffering does not justify the current repression being carried out by Israel against Palestinians in the Occupied Territories. Sadly, the hope that past suffering strengthens moral righteousness does not hold true for either the current government of Israel or the students who submitted the article.

It is surely true that many anti-Zionists are closet anti-semites, just as the anti-Iraq venom being spewed by

the U.S. media reflects a not-so-subtle anti-Arabism. However, one need not be motivated by prejudice to oppose a state that grants different levels of citizenship to Jews and Arabs or to promote a state based on strictly secular, democratic state that grants no privileges based on race or religion (for the record, I support the existence both of Israel and a demilitarized Palestinian state in the Occupied Territories). To tar as bigots those who hold these views reflects the same blind prejudice that the article claims to oppose.

In the Middle East, with its interlinked religious, ethnic, political, and economic tensions, there are few clear-cut answers. What is clear is that without increased dialogue and understanding among the warring factions, blood will continue to flow.

The students who distributed this article oppose dialogue, presumably because dialogue by its nature recognizes the humanity of both participants. And if the Palestinians are human,

Zionism on page 7

Record Wrong On Gulf War

To The Editor:

The RECORD editorial on the war begins by rightly pointing out the disturbing class, ethnic and racial disparities between American society at large and our armed forces. Where it goes wrong is in its belief that this should lead us to advocate a "peace conference" with Saddam Hussein. Furthermore, it somehow reaches the rather bizarre conclusion that "sending others to do one's fighting is the moral equivalent of appeasing."

Saddam Hussein is a ruthless, brutal dictator. That fact should be obvious, yet, for some reason, it seems lost in the haze created by those who argue for compromise. Hussein has gassed over 5,000 Kurdish men, women and children. He has invaded a neighbor. He ignores the needs of his own population, initiating and maintaining lengthy and self-destructive wars that impoverish his people. This man is no icon of pan-Arabism, no model of any "ism" except totalitarianism.

To blithely explain away Hussein's

atrocities through a superficial moral relativism smacks of a paternalism and condescension that does a disservice to the peoples of the area and the world. Values such as life and individual liberty brook no such ethical tinkering.

Furthermore, demanding anything less than total withdrawal from Kuwait and dismantling of Hussein's offensive war machine would only be interpreted as enhancing Hussein's status among his people. In other words, he would gain "face," which in turn would permit him to consolidate his influence over Arab populations.

At worst, we would be consigning the entire Middle East to years of terror and destruction, abandoning the only true democracies of the region, Israel and Turkey. Alternatively, we would face the bleak prospect of a confrontation a few years down the road, this time with an Iraq capable of inflicting a nuclear catastrophe, rather than "just" those of an environmental or chemical nature.

I am not insensitive to the stark pros-

Gulf War on page 7

Smart Bombs: Dumb War

By Steve Donzer
Record Columnist

Those who think the United States is engaged in a "moral" fight in the Persian Gulf should take a late-night peek inside the discos of Cairo. There they can witness what is surely one of the more surprising sights of the war — young, draft-age Kuwaiti men dancing the night away to Madonna while working class Americans prepare to make the ultimate sacrifice to "liberate" the disco-dancers' country.

This disturbing snapshot of Kuwaiti life suggests that this war is an effort by the United States to protect the lifestyles of the Rich and Famous, both in the Middle East and at home. The people who derive immediate gain from this war are those who own oil and the means to control it. This includes a few families in the Middle East, the major oil companies (who are reporting megaprofits since the crisis began), and the American weapons manufacturers who quietly have been celebrating the sudden demonization of Saddam and the end of the peace dividend.

We might vanquish Iraq. We might reassert ourselves as the number one military power in the world. But we will still lag behind 17 countries in infant mortality. More than 35 million Americans do not have health insurance. Three million Americans — many of them Vietnam Vets — are homeless. As we spend \$1 million on every Cruise

missile (200 launched in the first hour of the war), and close to \$1 billion a day on the war, every American should stop and ponder if our country might be stronger if that money were spent on human needs instead of human destruction.

Saddam Hussein's mistake was not that he gassed the Kurds or murdered his political opponents or dragged his country into a war with Iran that killed 1 million people. None of that elicited as much as a verbal condemnation by our government, which was selling weapons to this ruthless but useful dictator. His mistake was that on August 2 he violated a fundamental principle of world affairs, as defined by the United States — that the energy reserves of the Middle East have to be firmly in the hands of the U.S. energy corporations and trusted U.S. client governments, like Saudi Arabia and the Gulf Sheikdoms.

George Bush said the Iraqi aggression must not be allowed to stand, but history tells us aggression has always been fine if it serves U.S. interests. We invaded Panama, killed between 1,000 and 2,500 civilians, and installed a puppet regime. The world objected, so the United States vetoed two U.N. Security Council Resolutions.

Israel invaded Lebanon and killed about 20,000 people. The United States vetoed a series of U.N. Security Council resolutions condemning that aggression. South Africa invaded and occupied Namibia, looting and terrorizing the population. For this racist regime

the United States decided to use "constructive diplomacy" instead of bombing Pretoria.

Morocco invaded the Western Sahara and annexed it; no protest from the U.S. Indonesia invaded East Timor and killed 200,000 people in the worst slaughter relative to the population since the Holocaust; we give Indonesia aid.

George Bush has consistently pointed to the presence of a United Nations coalition to justify restoring to power the government of Kuwait. There is more to this than meets the eye. China, with a quarter of the world's population, abstained from the vote authorizing force. The vast majority of other nations — representing the overwhelming bulk of the 4 billion people in the Third World — had no say in the final decision. Add to this fact that the U.S. has vetoed countless resolutions upholding international law and human rights and one begins to see the depths of our hypocrisy in this international body.

George Bush claimed in his State of the Union Address that he "tried every diplomatic avenue to avoid war." Actually, Bush used the diplomatic track to send an ultimatum to Saddam that anything short of complete capitulation was unacceptable. On several occasions Iraq offered to withdraw from Kuwait if all foreign troops leave the region and an international conference would be held on the Israeli occupation of the West Bank and Gaza. These Iraqi peace offers were categorically dismissed by the United States on the grounds that it would "reward" aggressors. With thousands of innocent lives hanging in the balance, this rejection of diplomacy by Bush was nothing short of outra-

geous.

Bush later claimed he did not want a ruthless dictator controlling half of the world's oil reserves. No, he would prefer a ruthless emir or a ruthless corporation to control those reserves. Ordinary people all over the world would still face the same problems of hunger and helplessness.

When public opinion polls showed that half of Americans were opposed to the war, Bush began to claim that Iraq would soon be armed with nuclear weapons. Almost immediately, experts on weaponry came forward and said Iraq was at best years from developing a nuclear weapon.

Bush talked about creating a "New World Order" by disposing of Saddam. But if this means playing by the rules of international law, the United States might have the most to lose. What Bush means is a world where U.S. police power spreads across planet earth unchecked by the former superpower arrangement. "The United States has gained a new legitimacy," Bush said on TV last week. "What we say, goes."

While Kuwaiti youth strap on their Armani suits and take their forward positions on the dance floor, our own soldiers are donning gas masks in the desert. If orders for body bags (excuse me, "human remains pouches") are any indication, about 16,000 American troops are expected to die in a ground war. Remember that Iwo Jima was only eight square miles. We bombed it for 74 straight days and still suffered 25,400 casualties in the ensuing ground assault.

The probable death of thousands of American soldiers pales in comparison

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THINKING ABOUT THINKING LIKE A LAWYER? A JUDGE? A GRAND INQUISITOR? LEARN FROM THE EXPERTS!

MANY ARE CALLED, FEW RETURN TO TELL THE.

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WE HAV VAYS OF MAKIN' YOU TAKE PROFESSIONAL RESPONSIBILITY!

Violent Femmes, Kiss Off: "I HOPE YOU KNOW THAT THIS WILL GO DOWN ON YOUR PERMANENT RECORD!"

Fenno

Editor's note: Fenno is on assignment somewhere in the Middle East.

In the beginning there was nothing but the void.

Then there was Day-Timer.

On the first day god said,

"Let there be light."

And there was light.

On the second day god said,

"Let there be land."

And there was land.

So it continued, and there was a speck of a sphere spinning in space and swarming with swine swimming in swill.

Circa 1991. But the swine don't make no mind. Until...

"Uh oh, no more light."

Someone stole the fuel.

Start over with day one.

Where in god's name is s/he when we need him/her?!

(God, now out in its newest "Allah 4.1" version, is busy aiding Jordanians hating Jews hating Palestinians hating Americans hating Iraqis hating Turks hating Algerians hating French hating Brits hating Germans hating...you get the picture).

That's OK. George Bush has something better than god, he has "Hero Week" on TNT.

But John Wayne can't do it all alone. He needs Fenno.

Fenno was expecting bad news...grades, overdue AmEx bills from the holiday season, a rent eviction notice. But a draft notice?!

(Live Coverage of "Fenno of Arabia" will continue round the clock 'til we all heave).

THE CALENDAR FOR THE NINETIES!!

THEY'RE EMPOWERED! THEY'RE ENFRANCHISED! THEY'RE

THE WHITE MEN OF HLS

ROBERT C. "NO PAIN, NO GAIN."

1991 JUNE 1991

ALAN D. "READ MY BOOK! SEE MY MOVIE!"

MBER 1991

WILLIAM "TERRY" F. "IT'S NOT MY FAULT THAT I WAS BORN A WASP."

ARY 1991

LARRY T. "I'M THOUGHTFUL, SENSITIVE AND I VOTE DEMOCRAT."

IL 1991

RANDALL K. "I AM A BLACK MAN, BUT DERRICK SAYS I THINK WHITE"

1991

ON SALE AT A NEWSTAND NEAR YOU

Two Views Of War And Protest

Don't Undermine Troops

Jim Bowen
Guest Columnist

On November 5, 1983, I steered myself to accomplish one of the most difficult tasks of my life—visiting the pregnant widow of a soldier you have watched die in combat. But as an army officer, it was my duty to him to tell her how he died serving his country. War has a terrible cost. For that reason, the decision to go to war cannot be taken lightly; but once committed the nation must unify and do its utmost to bring the war to a swift, successful, and final conclusion.

As I write this article, thousands of Americans stand ready to answer the nation's call in the sands of Kuwait and Iraq. Will our nation stand behind the awesome effort until it is successful?

Harvard Law School has a small, vocal antiwar contingent. I hope to demonstrate that their well-intentioned attempts to undermine public support for the war effort actually benefit Iraq. Hussein certainly thinks so; in his interview with CNN last week, he personally thanked the demonstrators in the West. I do not advocate limiting their constitutionally protected right to dissent. However, I do feel public opposition to the war is unwise and inappropriate in this case. It should not be allowed to go unchallenged.

First of all, our nation is at war. For the first time since Pearl Harbor, our elected representatives in Congress have faced their collective constitutional responsibility by democratically voting their authorization for military action to liberate Kuwait. This makes this war qualitatively different from any other in the past four decades. To dissent against the war after that vote is not to dissent against the President's policies, as most protesters claim, but truly to dissent against the nation's will.

This military action is unique in another important respect: it was undertaken under the authorization of the United Nations. During the Cold War, the U.N. was an ineffectual, moribund organization. The world is now a different place. Some see this crisis as an opportunity to shape the post-Cold War future; in that future, either the U.N. will be an organization able to enforce the principles of international law, or it will not. The United Nations, as well as the United States, has important values at stake in this war. To claim now that the war is somehow immoral or unjust is to undercut the legitimacy of the U.N. The long-term consequences of such action cannot be positive, and assuredly will not be peaceful. The short-term consequences of demonstrating against the war are to undermine the moral strength of international law, as embodied in the Security Council and the coalition, and the personal legitimacy of the Secretary-General.

What about diplomacy? Despite the Palestinian red herring raised by Saddam Hussein to the world's demands that he withdraw from Kuwait, there is no evidence to support any real intention on his part ever to comply with the U.N. resolutions. That did not change in five months of sanctions, and has not changed after three weeks of serious aerial bombardment. The idea that negotiations can achieve a compromise solution has little historical support, while there is ample reason to believe that parallel talks with a possibility of give-and-take provide the weaker party an incentive to drag the war on.

The only outcome left that has any chance of achieving long-term stability is full compliance by Iraq. Iraq was capable of single-handedly ending the crisis peacefully for five months, and still can. Those who champion a diplomatic solution ignore Iraq's behavior to date, and may be providing Iraq incentives not to end the war.

Some feel we should stop fighting unilaterally and continue with sanctions. I have five observations on this

issue. First, under sanctions alone, Saddam Hussein's army could, and would, coldly watch the nation starve while continuing to refuse U.N. food and medicine. Second, it is doubtful that the world, particularly the Arab nations, could ever let an embargo get to the point of famine without caving in. Third, there is ample evidence that the blockade was partially ineffective. Fourth, stopping our military efforts for no reciprocal concession rewards further intransigence. Finally, the historical record concerning economic sanctions does not give much reason for hope. Considering the totality of these arguments, it would fatally endanger the U.N. cause to stop fighting at any point short of full compliance. Protesters who favor such an approach support, in theory, civilian genocide over the destruction of Iraq's war machine and, ultimately, support a paper solution that would have only a minuscule chance of ever accomplishing our objectives.

The protest movement further supports Iraq by the one-sided, anti-U.S. nature of its protests: they picket the White House and Capitol, but not the Iraqi embassy; they caricature and mention by name President Bush, but not Saddam Hussein; they burn American flags, but not Iraqi ones.

Some protesters see this conflict as a war over oil. True, Kuwait sits atop vast petroleum reserves. If it did not, it would have negligible value to Saddam Hussein and the August 2 invasion probably never would have occurred. But that is a hypothetical situation. Kuwait is a tiny, oil-rich nation occupied by the invading army of a brutal neighboring dictatorship. Does that make it less worthy of international protection? Those who say it does potentially condemn Bahrain, Qatar, and the United Arab Emirates to similar treatment; Singapore certainly could not draw comfort. The world has, to its credit, learned in the last half-century how to deal with megalomaniacs who covet resource-rich territories. Certainly those who protest can see that the weakest nations of the world, just like the weakest citizens among us, are the most deserving of collective protection. This is not a war over oil, and sloganizing that it is merely obscures the important principles at stake.

Despite protesters' statements that they aren't protesting against the men and women serving in the Gulf, but rather against the war, their dissent is perceived by our service members as a

Continued on back page

Give Peace a Chance

Julia Gordon
Guest Columnist

I believe that the peace movement—and my participation in it—supports America and her basic values. At the outset, I want you to know how difficult this piece is for me to write. I am Jewish, and have long supported efforts to see Israel safe and protected. Many of my immediate family members live in the targeted Israeli cities, and every time SCUD missiles have hit, my fright is exceeded only by the desire for revenge against Hussein. Moreover, by opposing the war, I have opened myself up to charges that I am somehow supporting the enemy, and therefore betraying the Jewish people. This charge pains me more than I can possibly express on paper, and makes opposing this war the most difficult political and moral choice I have made perhaps in my entire life.

But the fact is, I have chosen. I cannot let my anger govern my reason. And my reason tells me that not only is this war wrong, but this war is bad for Israel, since it only exacerbates the ever-present tensions in the region without solving any of the real problems facing Israel. Saddam Hussein's actions are an outrage, and he is a fascist dictator who must be opposed. As a supporter of Israel, I recognized his destructive potential while the United States government continued to provide him with billions of dollars in aid even after he gassed his own people. I do not understand why the invasion of Kuwait required a military response, while his other actions did not. But overall, I do not agree that the U.S. had no choice but to go to war; we know that President Bush rejected numerous negotiation options. Even in the face of Hussein's egregious actions, a peaceful response would have provided a more lasting and powerful solution to the problems that plague the Middle East, and might have created a truly new world order.

I joined the peace movement first and foremost, because I support our troops. Some may find this statement disingenuous; I ask simply that they broaden your notion of what constitutes support. Although I oppose the policy that sent them there, I pray for the safety of each soldier. More important, I hope that my opposition to the use of increased force will affect decisions regarding tactics and weapons—decisions on which the lives of our troops depend. For example, in H.R. Haldemann's memoirs, he claims that President Nixon decided

not to use nuclear weapons on North Vietnam in the fall of '69 in part because he feared that "basic institutions" of the country would be disrupted by the war protesters. More recently, President Reagan's decisions regarding Central America were informed by the fear of protests. Right now, as the President and military commanders make decisions not only about the possibility of nuclear weapons, but about the desirability or necessity of an all-out ground war (which would result in the death of innumerable American soldiers, as well as Iraqi soldiers and citizens), I want to make sure my voice is heard. After all, the troops are completely dependent on the President, and he is answerable only to us. Also, by working to end or at least to circumscribe the war effort, I support those who are dependent on the troops, and the civilians caught in the cross-fire of battle.

I supported our troops before they became our troops, by fighting for increased aid to education and for government support of the unemployed and the so-called working poor, important areas given the number of people who joined the armed forces because of job unavailability or as a way to pay tuition. I will support them when they get back by working with legal services, trying to improve health care, and by fighting for the rights of minorities and the disabled.

Additionally, I resent my President telling me that I must support this war simply because it has already started. I don't understand that logic. After all, I don't support Jesse Helms just because he's already in the Senate. Along these lines, I am deeply disappointed in many senators and members of Congress who claimed to oppose the war, but felt that to break with the President would send a message to other nations that the United States could not agree on a policy. The whole point of our system of government is that one person cannot dictate policy for everyone, and that checks and balances lower the odds of making a really bad mistake. In my opinion, Congress abdicated its responsibility.

The greatness of America stems not from the ability to force others to be like us, but from our ability to make America an example that other countries will want to follow. We've heard so much from recent presidents about America as a shining city on a hill, but we never really examine what shape the city is

Peace on back page

Beneath Bravado, Fear For Family And Future

The U.S. is undefeated in war.

Of course we must overlook Vietnam, the Bay of Pigs, and all of our other covert and/or overt "police actions" and, we must overlook the failing wars

Robert Arnold
RECORD Columnist

that we wage at home on drugs, on AIDS, for civil rights, etc., (those are not really wars, but merely power-brokering, photo opportunities); however, if you talk about war, the fact is that Americans know how to fight.

King George V discovered it when he tried to levy arbitrary taxes on the young colony. The Japanese learned it after they regretfully launched a surprise attack on Pearl Harbor. The Soviets learned it when they decided to enter into a Cold War in order to make the world safe for socialism.

Don't mess with Uncle Sam: He is on helluva fighter, one helluva war machine.

We are Americans. We walk with a swagger everywhere in the world. We can easily forget that our economy is in shambles, and that our society is a

mockery of how it is idealized. We will still "kick your ass" (to paraphrase our president).

We are Americans. We chew tobacco, cuss, and walk bow-legged with our chests stuck out. We will do anything for the thrill of a fistcuffs. We are good at it and we like it.

But, what happens after we turn Iraq into an uninhabitable and abandoned parking lot?

It is 1991, and whether we agree with the war or not, most of us are very proud to be Americans and generally supportive of our troops. We are awed at our sophisticated arsenal of destruction, and sort of take a reprehensibly morbid pride in the knowledge that we can wipe out whole civilizations and view it all, in progress, on television. Most of us would welcome the opportunity to personally go one-on-one with Saddam Hussein and rip out his stupid looking mustache follicle by follicle.

However, buried in the clearer thinking part of our collective mind, we know that Saddam Hussein is not the problem by himself, nor is the sovereignty of the emir of Kuwait's kingdom, nor are the Palestinians, nor is oil. They

are all symptoms and indicators of the fact that we proud Americans are once again having to defend another creation of the ill-devised, double standards that we feebly call policy. The "white man's burden," (read imperialistic, exploitative diplomacy), has again led to an impasse.

Though we are presently reveling in the comfort of self-righteous, holier-than-thou assuredness, we still harbor fears about the potential horrors that lie ahead.

Personally, I fear that, because of this war, my sister may lose a husband and their child a father. I fear that I may lose dear friends who just love being Americans even if that means risking their lives in some far away desert. I fear that after we annihilate thousands of human beings and desecrate both the countries of Kuwait and Iraq in order to save them, the United States, the Middle East, and indeed the entire world will be far worse-off than they were on August 1, 1990. However, worst of all, because America continues to vainly battle symptoms, I fear that we will never know peace.

Assessing The Costs of America's Leading Role In War

Roy Edelstein
and
Steven Kastenber
Record Columnists

Many Americans have been grumbling about burden sharing in the Gulf War. Why don't the Arab nations send more troops to deal with their regional danger? Why should any Americans die in ground combat? Why don't the Germans and Japanese contribute more, especially when they are significantly more dependent on Mid-East oil? Shouldn't Saudi Arabia and Kuwait pay more of the costs? Although we should certainly try to recoup our expenses, we also need to recognize that leadership has costs and should be exercised when our interests outweigh the costs.

In his State of the Union Address, President Bush discussed 'the vision thing' with what appeared to be genuine sincerity and passion. The vision of America he propounded as an updated version of America as the world's policeman - the U.S. serves as the world's leader because it is the only nation possessing the economic and military strength to fulfill that role. Bush recognized, at least in passing, that with this role come certain costs that other countries do not face.

By admitting that the U.S. would have to bear extra costs as an international leader, Bush at least recognizes a tension that has often been overlooked. Leadership can be expensive in both dollars and lives. Leadership in a crisis requires initiative. But American initiative commits resources, money, technology, people, and prestige. By exposing our interests early, we give other countries the chance to take a free ride by benefitting from our actions

without bearing the costs.

If we had not responded to the invasion, perhaps another nation would have acted in our place, or perhaps the U.N. would have acted spontaneously and cooperatively under the Secretary-General's guidance. But more likely, countries would play the game of "chicken" - each one fearing to act first lest others free ride. The probable result after the Iraq invasion would be either a delayed reaction, or no strong reaction at all. If our interests are truly better served through action, then the alternatives may leave America worse off than if we had acted alone.

Collective decision-making is not palatable in a crisis. In the U.S., for example, we grant significant foreign relations power to the President. Given the need for a single decision maker, would we prefer to send 50,000 troops and place them under the command of the Saudis or Germans, letting that country decide whether and how war would occur?

When our interests mandate action, the U.S. must step forward, knowing full well the possible costs, and the danger of free-riders. By maintaining a leadership position now and in the future we can best ensure that crises are resolved so to benefit the U.S. In his speech, Bush expressed a view of a New World Order, but one in which the U.S. is the first among nations.

Recognizing that costs of leadership may be inevitable, America can still strive to have other countries pay what seems to be their 'fair share' - based on some measure of oil dependency or security improvement.

Whatever time allows, part of the solution is to solicit commitment from others in advance. The U.S. had more negotiation leverage before committing to action. After Iraq invaded Kuwait, we

consulted with Arab and Western allies and the Soviet Union, we worked within the United Nations framework, and we modified our plans accordingly. Yet even in doing all this, the U.S. took the lead in fashioning the world's response to Hussein's aggression.

Another option is to let other countries know they will be better off later for helping now. We can use our leverage with Kuwait and Saudi Arabia to include post-war benefits for those countries who contributed and participated the most (for example, guaranteed reduced oil prices). Already, this type of incentive helped increase participation in the coalition by Turkey and Egypt in exchange for economic aid from Saudi Arabia and Kuwait.

Finally, the U.S. can increase other countries' awareness of the potential damage to their reputation in America and their relationship with our government. Indeed, some in Japan advocate

greater participation to meet American complaints, warning of the likely damage to U.S. relations otherwise.

While America should try to elicit contributions to the war and to other causes in which we take a leading role, we need to recognize that we act as the world's policeman only when we believe that it serves our interests. Despite Bush's suggestion of noblesse oblige, we have not intervened in the Chinese invasion of Tibet, the Vietnamese invasion of Cambodia or Indonesia's occupation of East Timore, because we did not deem it in our best interests. When we do invade Panama, Grenada or Kuwait, we do so for our benefit, and there are greater or lesser free rider costs involved. While we should try to recapture those costs, we should not let their existence influence our decision whether or not to act.

Zionism

Continued from page 4

they deserve human rights, including the right to self-determination.

Yet to deny another's humanity is the definition of bigotry. Bigotry is always ugly, whether practiced by Jew or Arab. It always leads to violence, as surely as Israeli repression led to the intifada.

Like a great many Americans who cheer as our bombs bury another nation of non-humans, Law Students For A Strong Israel have confused strength with war and bigotry. By shutting out other voices in the conflict, they ensure a perpetuation of violence.

-RMN, 3L

Gulf War

Continued from page 4

pect of many deaths. For many years, my family has constantly worried over the welfare of our relatives in southwest Iran. We have many friends and relatives in Israel as well. And we have close friends currently serving with our U.S. forces in the Gulf. The costs in American "blood and treasure," to use George McGovern's phrase, of a prolonged conflict indeed may be significant. The alternatives, however, should chill the blood in all of us.

-Behman Dayanim, 1L

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AMES COURTROOM

SUNDAY, MARCH 3, 1991
11AM - 3PM

War Forum

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Brown, 2L, an army veteran, described the effect of the war protests on the soldiers' morale. Brown distinguished between criticism of politicians who committed the U.S. to the war and criticism of the military and its conduct of the war. "If the protestors criticize the policy-makers then that does not attack the soldiers," Brown suggested that protestors opposing the policy makers may express their support for troops by supporting the Army Red Cross, expanding the clientele in the Legal Aid Bureau to include veterans' benefits, volunteer at the Mass Bar Association and write letters to soldiers and sailors.

Joan Pepin, 2L, spoke second and opposes the war primarily on moral grounds. "War is a terrible thing—a sin against humanity or God," Pepin said. She criticized George Bush for not vigorously pursuing other avenues for peace and suggested a comprehensive peace conference discussing all the issues in the Middle East.

"Linkage is much better than war," Pepin said. If the goal is to establish a just, peaceful and lasting solution in the Middle East, then war is counter-productive because the winner's solution simply gets imposed."

The second half of the forum was intended to allow an airing of the perspectives of two groups who have particularly strong feelings about the war—a member of Jewish Law Students and a Palestinian-Jordanian student.

Speaking as an American Jew who identified with Israel, Eric Tirschwell, 2L, first discussed the involvement of American Jews in regard to the war. He stated that US involvement is not attributable to the Jewish lobby. He said, apart from the fact that neither George Bush nor James Baker would be pressed by lobby to wage war, "14 of

24 Jewish Democratic Representatives and 4 of 5 Jewish Democratic Senators voted against authorizing the President to use force." Both Bush and Baker had a rather churlish attitude towards Israel prior to Saddam Hussein's invasion of Kuwait, according to Tirschwell.

Tirschwell described his emotions when witnessing the first SCUD missile attack on Tel Aviv. That attack was felt by Jews all around the world. "An attack on Israel is an attack on all of us. Hatred of Israel is hatred of all Jews."

The final speaker was Lama Abu-Odeh, LL.M., an upper-class Palestinian-Jordanian. Abu-Odeh said she has a personal grudge against President Bush for "messing up the world as I know it." She opposes the war, because it brings terrible destruction and loss of life, and because affairs in the Arab world will be worse after the war than they were before. "Anti-American sentiment will rise, Arab fundamentalism will rise; in the struggle between rich and poor Arabs. The US is on the side of the rich Arabs, which will lead to great instability in the region. The chances of peace are going to go down. Although the US will certainly win, people won't take it lying down."

Following the panel, the audience expressed their views. All the initial comments dealt with the Israeli-Palestinian problem. Daphna Boros, 3L, an Israeli-born American citizen and a former housemate of Abu-Odeh's described their current relations as mortal political enemies. "Two people are battling for the same piece of land," she said. "This makes a solution to the problem seemingly impossible." She pointed out that Iraq's invasion on Kuwait was unprovoked while Israel's occupation of the West Bank was triggered by a Palestinian and Jordanian attack in 1967.

vehicles traveling to Jordan, post offices, electrical utilities, supply depots, and telephone companies. Without running water, Iraqi children will soon come down with diarrhea, a primary cause of infant mortality in the Third World.

It is no use to say civilians are not the intended victims. Given the nature and extent of the American bombing, it was clearly foreseeable that innocent people would suffer terrible harm and death. Nor is it enough to assure the world that "everything possible" is being done to avoid civilian casualties, for everything possible would include the avoidance of the bombing of population centers or the avoidance of war altogether. Everything possible also would have included serious negotiations with Iraq and a true exhaustion of diplomatic options.

Many Americans believe they must support the war effort not because it is just, but simply because it has already started. Yet each day's bombing missions amount to a renewed declaration of war that will result in more civilian and military deaths. Do we gag our voices and let Bush take this war to its logical conclusion, with all the devastation that entails? Is it patriotic to keep quiet when you believe your country is making a disastrous mistake?

The United States and Iraq should declare a cease-fire and return to the negotiating table. Hussein, his nuclear capability destroyed, should be presented with options that would allow him to withdraw from Kuwait and save face. Finally, the United States should support an international conference on peace in the Middle East and support all U.N. resolutions pertaining to the region—including those that call for and end to the Israeli occupation.

If we reject diplomacy and continue our assault on Iraq, I fear Bush might go down in history as the second Butcher of Baghdad.

Peace

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in. Here in America, many people go to sleep hungry. Or homeless. Or die of easily treatable diseases because of lack of access to health care. Or face insurmountable bigotry and prejudice. Our system of education is failing, and our criminal justice system already has failed. Yet, the same leaders who insist that we do not have the resources to deal with these problems and therefore must depend on individual volunteerism have managed to find a great deal of money to fight in Iraq, and no one has suggested that Raytheon donate its Patriot missiles for free.

To the people who tell me that my opposition to the war is fundamentally incompatible with supporting the troops, I make two points. One, if soldiers come home from winning a war fought with the support of all of America, and cannot find a job, or a place to live, or have to watch their children go hungry, they will quickly forget the warm glow of patriotism. A burst of fireworks can light the sky, but cannot warm a home in the depths of January. Two, if opposition to the war were not permitted, our country would be little better than Hussein's. Therefore, my opposition to the war can only damage the morale of soldiers in combat if those soldiers are convinced by war supporters that my opposition is destructive and hateful; otherwise, opposition will be seen as what it is—the proper functioning of a democratic society—and our soldiers will feel fully supported in our mutual belief that spreading democracy is a good cause.

In conclusion, I want to say that I take my responsibility as a citizen very

seriously. I vote. I volunteer. I work for the benefit of my community. I would be remiss if I did not somehow indicate my opposition to the most important policy decision my leaders have made since I was old enough to vote. I have written to senators and members of congress; I have sent petitions to the President; I do and will continue to speak out in other ways as well, from marching in the streets to writing this article. I hope you will recognize my responsibility to do these things even as we try to resolve differences that may exist between us.

Troops

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personal affront. This has a direct effect on the morale of all our troops.

The dissenters choose to portray this conflict as an executive policy without public assent, an imperialist-mercantilist power struggle over petroleum reserves. They push for diplomatic solutions yet to be defined, but clearly less than what the U.N. demands. They claim to support the soldiers by opposing the war that kills them. All these statements simply are contrary to the truth. Our soldiers fight best with the assurance that the nation is behind their efforts. This war to liberate Kuwait serves the well-defined aims adopted by Congress, pursuant to U.N. resolutions. Nothing short of complete victory will ensure long-term peace and respect for the rule of international law. No other outcome is worth the lives of America's warriors. They will do their duty to us to the best of their ability; it remains for all of us to do our duty to them by supporting their efforts to the end.

Smart Bombs

continued from page 1

to the carnage being visited upon innocent Iraqi and Kuwaiti civilians from the sky. Last week, CNN showed several American Cruise missiles flying a few hundred feet over residential neighborhoods in Baghdad. The voices of women and children were screaming in terror. Recently, B-52s are making bombing runs from ten miles high in and around Baghdad. Will they cause "collateral damage" to civilians? In our last imperial adventure, such bombing runs killed 2 million Vietnamese.

One network correspondent called the American bombing of Baghdad on Jan. 16 a "star-spangled display of lethal firepower." Yet the rockets' red glare over Iraq is expected to kill 100,000 civilians if American troops march to Baghdad, according to the Center for Defense Information. This information, of course, was not part of the congressional debate authorizing war. Public debate has been largely sanitized by the media. Our censors, who correctly understand public cheerleading for war might not survive a ground assault, have decreed that we will not be allowed to see the faces of dead or wounded American servicemen.

George Bush insists this war will not be another Vietnam. But as in Vietnam, truth has become the first casualty of war. In the fall of 1967 General Westmoreland suggested our boys would be home by Christmas. Then came the Tet offensive. On the first night of the current war, we "decimated" the Iraqi Republican Guard; knocked out all SCUD missile launchers; and wiped out command and control. None of this turned out to be true.

Mssrs. Cheney and Powell assure us that American bombs are hitting only legitimate military targets. News reports indicate the definition of "military" has been broadened to include civilian

Intervenors

continued from page 1

right of intervention for complaints relative to housing practices and not to employment practices.

Boykin further stated that "151B clearly indicates that the right to intervene in a 151B civil action is limited to those instances when the attorney general has commenced a civil action to represent a complainant. Because the attorney general has not commenced an action to represent CCR in the instant case, SCD's reliance on 151B s. 5 in the 'Motion' and 'Memorandum' is misplaced." Boykin said, "the purpose of the intervention clause in s. 5 is to provide a right of intervention only to plaintiffs in housing discrimination cases if the prosecution of their complaints has been taken over by the state attorney general. Because SCD is not a complainant, as defined by law, and because the lawsuit in question is not about a housing practice and has not been commenced by the attorney general, no legal basis exists to support SCD's intervention in this lawsuit."

SCD also contends that certain (unnamed) faculty members are aiding CCR in their suit by providing legal advice. Their motion states that "Such collusion potentially undermines the adequacy of any representation actually provided by [Harvard]."

Boykin denied the charge. "A number of people support what CCR is doing but we are not using Harvard Law professors as co-counsel. The charge is unsubstantiated."

The judge will hear arguments on Harvard's motion to dismiss on February 13th.

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