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Ogletree Addresses Standing Room Only Crowd In Ames

HLS Professor Speaks About Thomas Confirmation Hearings

Harvard Law School Professor Charles Ogletree '78, who

By Evette Harrison

served as special counsel to Oklahoma University Law Professor Anita Hill during her sexual harassment proceedings against then Supreme Court Nominee Clarence Thomas, addressed a special session of Saturday School on Friday, October 18, 1991.

Ogletree spoke about the hearings generally, and more particularly about his involvement as Hill's adviser. He said he did not know Hill very well and was initially reluctant to join the defense team when approached by supporters of Hill who were looking for an experienced litigator. He became involved at the behest of mutual friends just days before she was to testify before the Senate Judiciary Committee.

According to Ogletree, "the hearings were conducted in an unorthodox manner that inhibited

the quest for truth, and guaranteed that partisan politics would govern the outcome of the proceedings."

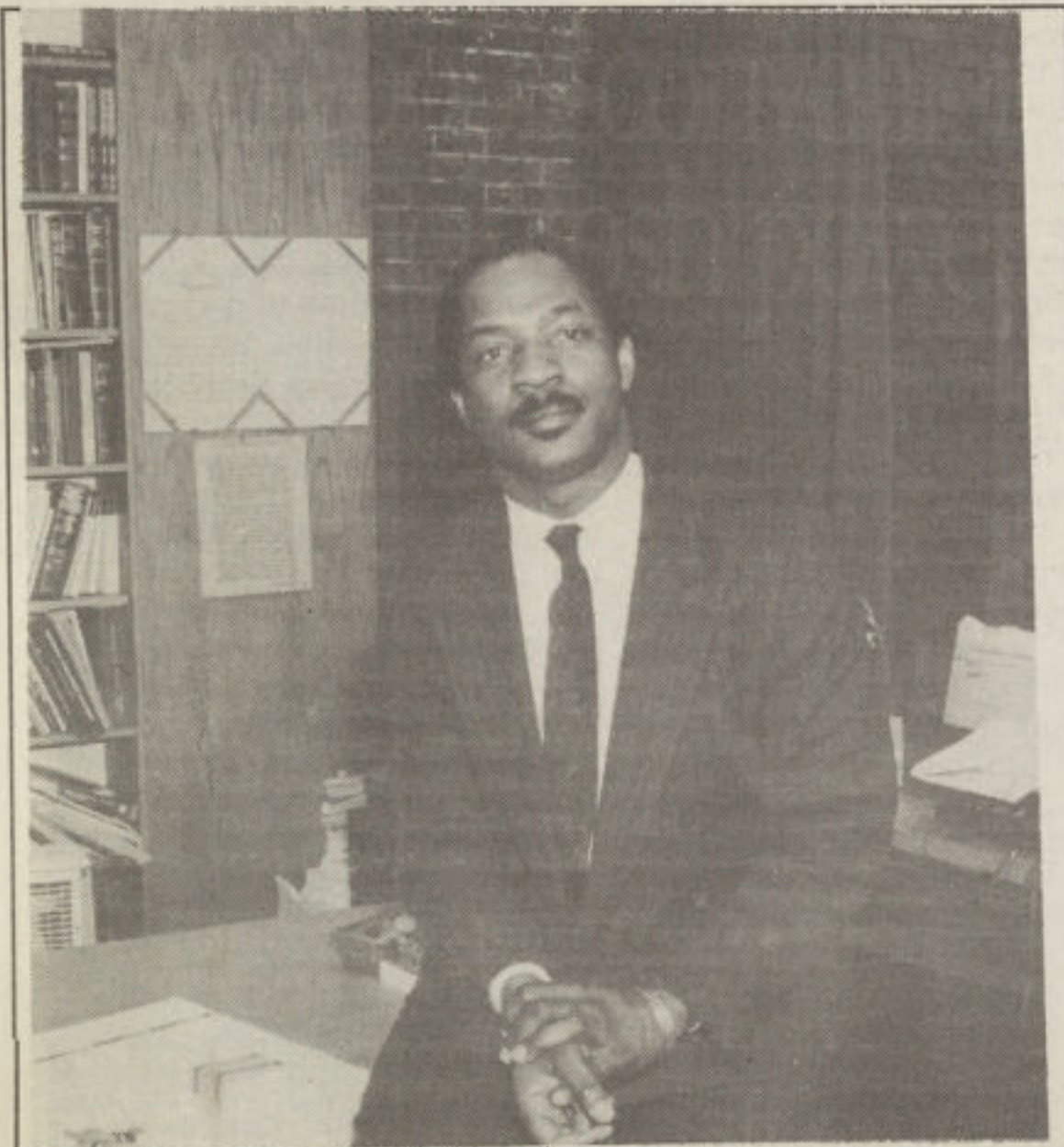
"Some senators claimed to be fact-finders yet acted as adversaries. Other senators were not as aggressive as they should have been because they were intimidated by Thomas's claims of racism predicated on stereotypes of black male sexuality," he continued.

As a strategy, Ogletree advocated that his client take a polygraph test after her testimony. The test was intended to support her version of the events as well as lend credibility to the testimony of subsequent witnesses. Ogletree mentioned that polygraph tests, although not admissible in court, are highly persuasive and often used by prosecutors and public defenders in litigation. Willingness to take the test is beneficial to claimants because it shows honesty on their part.

Professor Hill passed the polygraph test.

During the hearings, Senator Orrin Hatch, (R-Utah), remarked that the use of the test was unreliable and nothing more than a trick by a "two-bit, slick lawyer." Ogletree noted however, the polygraph test was administered by a credible, well known individual who had conducted tests for the government for several years on a number of high profile cases. Even though Ogletree was an early and forceful opponent of Thomas, near the end of the session, he remarked that both Hill and Thomas could serve as role models in the black community because of their achievements.

Ogletree is director of the Criminal Justice Institute at HLS and a former chief public defender in the District of Columbia. The event was attended by students, staff and many alumni who were on campus for the reunion weekend and the inauguration of President Rudenstine. Even given the short notice of the special session, the Ames Courtroom was overflowing.



Special Counsel to Anita Hill, professor Charles Ogletree, in a moment of repose and reflection in his office.

Rudenstine Inaugurated As 26th University President

Neil L. Rudenstine was installed as Harvard University's

By Maggie S. Tucker
Crimson Reporter

26th president on Friday, October 18 in a grand ceremony marked by ancient tradition and modern-day festivity.

More than 15,000 people crowded into Tercentenary Theater to see the former Princeton provost inaugurated as president. Rudenstine officially assumed his post on July 1.

The inauguration was much larger and more elaborate than the past three have been, perhaps a reflection of Rudenstine's eagerness, as an outsider, to introduce to himself to the Harvard community.

The University's two most recent presidents, Derek C. Bok, J.D. '54 and Nathan M. Pusey, sat on both sides of the traditional Presidential Chair during the ceremony. Governor William F. Weld, J.D. '70, Sen. Edward M. Kennedy (D. Mass.) and Rep. Joseph P. Kennedy III also attended the event.

Approximately 100 delegates from the universities, colleges and professional associations across the U.S. were present, as

were officials from Oxford and Cambridge Universities in England.

In a tradition dating back to the 18th century, Rudenstine received the University's insignia—silver keys, early Harvard seals and first College record—from members of the governing boards.

The new president then sat in the Presidential Chair, an ancient triangular wooden seat.

The inauguration began with a procession of the assembled dignitaries through Tercentenary Theater. After the Memorial Church bell was rung, the Reverend Peter J. Gomes, Plummer professor of Christian morals, offered a prayer.

Hanna H. Gray, president of the University of Chicago, welcomed Rudenstine on behalf of the representatives from other academic institutions. Gray, a Harvard overseer, was also a member of the committee that chose the new president.

"In extending our warmest welcome, we recall the saying that every good institution by its life helps every other institution," said Gray.

"This is an auspicious day for us all," Gray concluded.

Franklin D. Raines, president of the Board of Overseers, remarked on how much the world has changed over the last 20 years. Raines highlighted the irony of his participation in the inauguration considering his radicalism as a Harvard student.

"One who called for a student strike from the steps of Widener Library now inaugurates a University president on the steps of Memorial Church," he said.

Raines asked that Rudenstine "not only preserve Harvard, but also renew her."

Senior Fellow of the Corporation Charles P. Slichter charged Rudenstine with supervising the continued selection of the finest students and faculty in the nation.

Slichter compared the role of Harvard's president to that of an orchestra conductor, saying that although individual musicians make the music, a great conductor can add the inspiration and coherence to their performance.

"As you pick up the baton, we look forward eagerly to the concert," he said.

Following the performance of music from J.S. Bach's "Art of the Fugue" by the Avalon Brass Quintet, Rudenstine gave a half-hour address. The installation then ended with the singing of "Fair Harvard" by the assembly and a final ringing of the bell.

At a press conference following the inauguration, Rudenstine said that he found the Presidential Chair "very comfortable, actually."

"My back is bad so I need a straight chair," he explained.

At his 1971 inauguration, Bok made Harvard history by leaving the triangular chair to go back to his previous seat. Bok had said later that he found the Presidential Chair very uncomfortable.

Rudenstine said he feels "considerably awed" by the task ahead of him.

Responding to a question about the positive press coverage he has had so far,

Head Of The Charles Victory For HLS Students

Two hundred thousand people lined the river to watch

By Johanna Davis

the Head of the Charles on Sunday, but for several HLS rowers, the race was more than a spectator sport. First-year student Tom Auth rowed to victory with the U.S. Lightweight Team, fourteen seconds ahead of second place France in the Lightweight 8 Competition. And, the HLS Women's crew, led by third-year Co-Captains Rachel Mariner and Kristin Lund, finished strongly in their first Head of the Charles Race in over five years.

Auth, who rowed with the U.S. Team during his college summers, traveled to the World Championships in Vienna where the team won a bronze medal earlier this year. But winning the Head was still exciting for Auth. "This is the rowing capital of the United States, and the Head of the Charles is the most prestigious rowing race in the U.S.—the most number of spectators, and the most crews. It's truly becoming an international event."

The U.S. Lightweight 8 narrowly beat out the French, who had

been favored after coming in second in Vienna. Auth explained that during the race, it was difficult to tell how well the team was rowing due to the staggered starts. "In head racing, you're not sure where you are relative to the competition. We didn't know how we did compared to anyone else until the results were posted." Nevertheless, the team did pass four boats in route to the win: Georgetown, Harvard, Rutgers, and Bachelor's Boat Club.

The eight member team plans to stay together despite the temptation for individual members to try out for the U.S. Heavyweight Team, which competes in the Olympics. Lightweight racing is currently not an Olympic event, although lightweight rowers have pushed in recent years to compete. Auth stated, "We have a good chance to win the Lightweight World Championship in Montreal in 1992 if we all stay together in Boston."

Auth has been practicing with the team based out of the Boston Rowing Center for the past three years. The team has raced in many head races together, including the Head of the Ohio, and the Head of the Connecticut

Victory page 2



Rudenstine says he is comfortable in the president's chair.

Rudenstine page 11



Tom Auth '94 working out with the U.S. Lightweight Team.

Victory

continued from page 1

which the U.S. team won last weekend.

Several members live as far away as California, Florida, and Minnesota, but a core of five members have been training together in Boston for the whole fall season.

Auth feels it is challenging but rewarding to row competitively while at Law School, and doesn't mind the 5:45 a.m. wake-up call. "It's an excellent diversion from law school, and I think it's healthy to devote two or three hours each day to something unrelated to class work." Most of all, it's a great source of enjoyment and satisfaction.

The Harvard Law School Women's Crew didn't win the event, but felt as proudly as Auth about their accomplishment. The team placed 21st out of 28 boats in the Club 8 division, but Co-Captain Lund considered even entering the race a victory.

"This is the first head race we've rowed, and I was thrilled with the way we performed. We're like the Bad News Bears of Rowing," Lund said.

Co-Captain Mariner founded the Women's Club three years ago, and the team has been consistently hampered by funding trouble, inferior equipment, and lack of coaching. The equipment problem was especially acute the day of the race, as the HLS Women's team had to flip a coin with the Harvard Business School Women's Crew for the better of "two bad boats," according to Mariner. The team lost the toss, and ended up rowing in a men's boat, which was 100 pounds heavier than a women's boat and rigged at the wrong height for the women as well. "We just call it the barge," commented 1L Coxswain Sherman Lau.

"The boat was difficult to steer," said Mariner, "and getting through bridges with so many boats around is a hairy business anyway."

After being lottoried out of last year's Regatta at the last minute, members of the women's team were especially excited to compete this year. "We were thrilled with the way we performed and we did it for each other," Lund said. "Every other team had funding, coaching, and equipment; every

advantage that we didn't have. We had to be scrappy and do it on our own," she continued.

Team members said vocal support from law school students (including novices from the team) inspired them. Third-year student Andree Gagnon said a special fan also helped the team's morale: as the team rowed by in their maroon shirts (embossed with their slogan, "We'd Rather Roe than Wade,") Gagnon's three-year-old daughter Kate shouted from a bridge, "Go Mom!" Gagnon said, "After that, we rowed better than we have ever rowed before on the last leg."

Most team members concurred with Auth that the regular early morning practices actually helped the students make more effective use of their time.

Mariner said, "One L's are often worried it will cut into their schoolwork, but I would say that's equivocally untrue. By 8:30AM you've already been working out and you can start your day. It's actually conducive to getting work done."

Both co-captains feel optimistic about the future of the club after the 3L's which dominated this year's boat graduate. "We have a B boat set up and many novices who we've trained want to continue next year, and we're all still looking to do wind sprints (quick 1000 meter races) next fall," observed Mariner.

But, they also agree that underfunding of the club is a barrier to future success. Lund stated, "It would be nice if the Law School even gave us enough money to pay all the fees just to enter the Regatta. They gave us only about \$280 for the whole year. This is an underfunded club competing in an expensive sport."

The Harvard Law School Men's Crew competed in previous Head races, but did not even have sufficient funds or interest to enter the Head of the Charles this year.

Ex-captain Greg Shapiro, 1L, felt the Dean of Students effectively doomed the men's program for the fall. Shapiro commented, "I thought we'd be able to get a casual team going this year, but the cut in funding prevented it. If you can't tell people there's going to be a Head of the Charles at the end of October, no one wants to get up at 6 a.m."

City Year Serves Boston Well

Tomorrow, October 26, City Year, an organization founded by former Harvard Law students, Alan Khazel, '87 and Michael Brown, '88, is sponsoring The

By Madeline Fain
Special to the RECORD

Boston Serve-a-thon. The event, involving a variety of projects, is designed to help remind HLS students that there is a greater community outside of the school which we are also a part of. City Year sponsors events other than the Serve-a-thon. The organization has achieved national attention since its birth in 1988 as a model for the National Service Movement. In addition to the Serve-a-thon and other projects it sponsors, City Year also offers outreach and assistance for other programs like it.

Referred to by some of its members as an "urban peace corps," City Year brings young people (ages 17-22) from many different backgrounds together for the purpose of working for the Greater Boston community. Each full-time participant works for approximately nine months helping with the development and implementation of various community organizations. Tutoring in elementary schools, building homeless shelters, and assisting the mentally handicapped are only a few of the projects with which City Year members are involved.

Although the people in City Year are paid relatively little—\$100 a week plus a \$5000 scholarship when they get out, they feel that much of the reward comes from the work they do.

Says Stanford graduate Mike MacCrystall, "The City Year concept goes beyond altruism and volunteering. Many people here believe that working in the city with such a diverse group helps to create a sense of community and develop leaders. This is an experience that is not limited in what it can do. Also the diversity of the corps provides open doors for those who would not otherwise have them."

In addition to college graduates such as MacCrystall, high school drop-outs and former gang members are among those who compose the unique group of City

Year members.

Harvard Law School's link to the Boston Serve-a-thon this year is through 1L Julie Lythcott. Lythcott, also a Stanford graduate, became acquainted with MacCrystall through the university as well as volunteer work. As a team leader, Julie Lythcott urges others to join her in community service on Saturday.

When asked why she thinks it is important for law students to get involved, Lythcott replied, "As law students we are becoming part of an elite group which means that we can potentially lose sight of the community."

What we can contribute at a grass-roots level becomes vital because it helps to keep us from distancing ourselves from our surroundings. Hopefully, the work we do assists the community in which we spend time in addition to enriching our own lives."

Those participating in the Serve-a-thon will be involved in a variety of projects. Some of the locations where volunteers will work are homeless shelters, schools, detox centers, hospitals, senior centers, and parks. Participants also collect pledges in order to help City Year continue their dedication to community service.

Even if you have not signed up already, you can still participate in the Boston Serve-a-thon. It may be too late for you to collect pledges, but you can still contribute with your hands. Join the other law school students who have already signed up by leaving a note in Julie Lythcott's Hark box this afternoon.



Julie Lythcott '94



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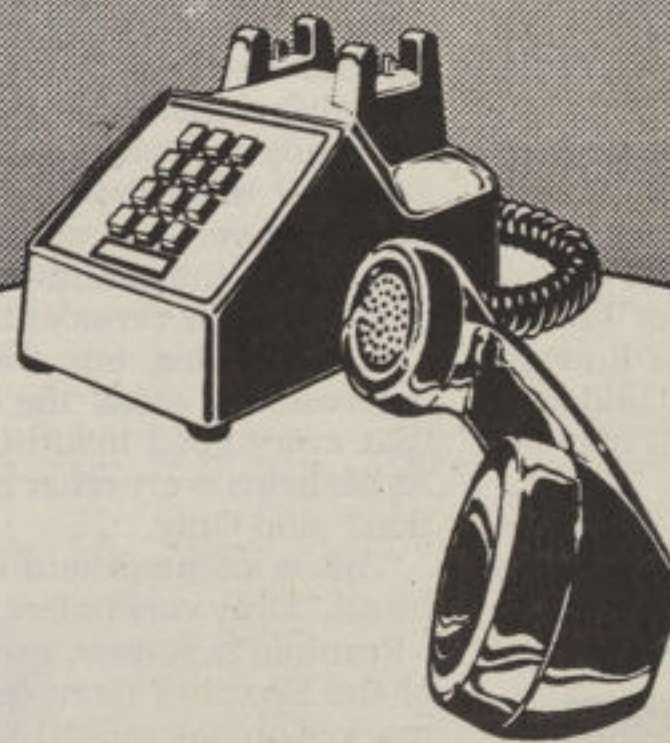
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Nation Of Islam Speaker Ignites Student Protest

Dr. Abdul Alim Muhammad, a Washington D.C. activist and a national

By G. Sharon Stone

spokesman for the Nation of Islam, has been the subject of heated debate and accusations at Harvard Law School for the past week and a half. In a speech given to a Special Session of Saturday School on Tuesday, October 15th, Dr. Muhammad touted the values of family cohesiveness, economic self-sufficiency, the value of hard work and education, and the need for educated blacks to champion the rights of their severely disadvantaged African-American brothers and sisters.

However, despite the ostensibly laudable contents of his speech, Dr. Muhammad also made other statements that have become the focal point of the debate between members of the Jewish Law Students Association (JLSA) and the Black Law Students Association (BLSA).

Towards the end of his speech, Muhammad admonished his mostly black audience not to be "scared to death of white people, Jews, or people who stand in opposition to you."

When asked if he believed the accusa-

tions of Chicago city employee, and nation of Islam adherent, Steven Cokely, that Jewish doctors had injected blacks with the Aids virus, and whether he believed that there was a worldwide Jewish conspiracy, Muhammad answered rather matter-of-factly in the affirmative.

Dr. Muhammad's statements, no doubt, confirmed the fears of members of JLSA who had made allegations of Dr. Muhammad's anti-Semitism even before he arrived at HLS.

Dean Sarah Wald informed the RECORD that she first became aware of JLSA's concern on Tuesday, October 11, four days before the scheduled speech.

"JLSA had approached Dean Clark, but he was unavailable so they were routed to me. They communicated their concerns as noted on the flyer they had put together. First, they wanted the Dean to consider issuing a statement, and secondly they wanted to ensure that the free speech guidelines were in place for the event."

The guidelines require that a moderator oversee the event, that there be a question and answer period, that peaceful protest and placards are kept at the back of the room so as not to

unduly disturb the audience, and lastly, the guidelines entail the use of police officers to maintain security and restrict access to the event to Harvard students.

At the event, JLSA confided its protest to silently holding placards in the back of the room during the speech, and waited until the question and answer period to question Dr. Muhammad regarding past statements that could be construed as anti-Semitic.

Some students however, found JLSA's protest to be inappropriate.

BLSA member Candace Smith, 2L stated, "This is the first occasion at the law school, that I've heard a speaker speak to me about black issues that are important to me. If I can get a kernel of that, then I'm willing to filter out some of the bad. I find it particularly insulting that people think we are unable to effectively distinguish the good from the bad."

"The heart of the matter is that there are issues particular to black students that we need to address. They are unique and individual to our situation. If we have to cater to other people's interest, BLSA's agenda will get diluted so as to become ineffectual or non-existent. Other organizations need to recognize this and become sensitive to this themselves."

In contrast, Professor Randall Kennedy, who listened to much of the speech then brandished a protest sign stating "Anti-Semitism has no place at HLS," found very little substance in Muhammad's speech.

"I listened to his speech for about an hour and a half and other than whatever educational value there may have been in seeing someone rant and rave, other than its value as a spectacle, the substance of what he had to say was empty."

"In fact, it was worse than empty because it was quite clear that his

remarks, considered in full totality, were racist."

Kennedy noted that he came to the speech because he was interested to hear how the Nation of Islam was dealing with the problem of drugs in besieged communities.

"I can understand that as a rationale to hear this person even if some of what he has to say is objectionable. But this guy did not talk about that issue, he made no serious effort to grapple with the problem. It became evident that he is adept at deflecting and evading questions, but it also became clear that he is no serious intellectual."

"There may've been an argument to initially invite him. Having seen the emptiness of his remarks, I would question the attempt to invest time in inviting him again."

Jeffrey Rosenthal, 3L stated that what he found most disconcerting was the audiences response to the speech.

"I was disappointed that he didn't receive any negative feedback from the people who he was appealing to. That kind of protest would have been the only kind that really mattered because he didn't give a damn about the Jews who were there protesting, 'cause he doesn't care what we think."

Noting that Professor Kennedy joined the protesting Jewish students, Rosenthal stated that "I admire him a great deal, I think I have more respect for him than any other professor in the school."

Jewish students on the whole appear to have been less intimidated and hurt by Muhammad's speech than by the subtle support he appeared to be receiving from the audience, an audience that included mostly black fellow HLS students.

"Even putting aside for the moment the blatantly slanderous anti-Semitic remarks of Dr. Muhammad, what wa-

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Photo Credit: R.L. Kennedy

Nation of Islam representative, Dr. Abdul Muhammad, speaking to an attentive audience.

Prejudice Should Not be Propagated

The recent visit to the HLS campus by Dr. Abdul Alim Muhammad, national

By Benham Dayanim
JLSA President

spokesperson for Louis Farrakhan's Nation of Islam, has elicited feelings of hurt and anger among Jewish students.

We at JLSA, upon learning of Dr. Muhammad's impending visit only a few days before the event, prepared an informational leaflet which we inserted in most HLS students' Hark boxes and distributed at the address itself. The leaflet outlined our position affirming the right of anyone to speak at HLS.

At the same time, it expressed our condemnation of Dr. Muhammad's history of anti-Semitic rhetoric and our disappointment over Saturday School's invitation. We prepared placards and conducted a peaceful protest, then attended Dr. Muhammad's address to hear what he had to say.

Those who attended the presentation and subsequent discussion learned that Dr. Muhammad believes, among other things, that Jewish doctors have injected Blacks with the AIDS virus, that an international Jewish conspiracy controls the world, and that no effective anti-Semitism exists in the world today. He also embarked upon a tortured discourse as to why European, or "Ashke-Nazi" (his pronunciation), Jews aren't really Jews at all, alleging that they converted centuries ago from other religions.

During a later discussion among black and Jewish students, convened at our invitation with the endorsement of Professor Charles Ogletree, we discussed exactly why we feel these remarks constitute anti-Semitism.

Many Jewish students attempted to convey our hurt and outrage at witnessing our people slandered and our identities denied. Dr. Muhammad's utilization and reconfiguration of age-old calumnies, such as the ancient blood libels, evoked for some of us personal anguish. The outspoken support among many for Dr. Muhammad's message and the refusal of others to acknowledge

the anti-Semitic character of his remarks exacerbated this pain.

Considerations of space and deference to the candor of those who attended Sunday's forum prevent me from attempting a detailed exposition of both communities' perceptions of the past two weeks' events. Jews feel offended and betrayed by what appears to be a lack of sensitivity toward slights and insults rooted in our long experience of persecution and discrimination that continues, in varying forms and places, to this day. Blacks have voiced resentment over perceived intrusions into their autonomy and lack of respect for their judgment. I must mention, with appreciation and respect, the vocal support for our concerns that I and other JLSA members have received from non-Jews, both black and white, since Dr. Muhammad's speech.

Above all, the events of the past weeks have instilled in me a profound sadness at the lack of communication between African-Americans and Jews on campus and the misconceptions and misinformation that inevitably result.

The JLSA board hopes to continue a dialogue between the two groups, one that we have advocated consistently since our elections and to which we reaffirm our commitment today. We also propose a voluntary policy of cooperation among campus organizations.

If any group contemplates inviting a speaker whom it suspects others view as racist, anti-Semitic, or biased in any way, it should notify, as a matter of courtesy, the appropriate representative of those likely to find offense. Such a policy would not confer upon any organization a role in the other's affairs, but it would enable the sponsoring group to ascertain sensitivities in a more complete fashion and allow those who object sufficient time to formulate a reasoned, deliberate response.

The justifiable frustration and anger in the African-American community demands redress. No African-American should incur blame for desiring strong and effective leadership. However, anyone who chooses to ignore the evil of prejudice in order to embrace its pro-

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Strong Black Voices Must Be Heard

The Honorable Minister Farrakhan and Dr. Muhammad are considered by many

By Ronald Sullivan
BLSA PAC Chairperson

African Americans to represent an important aspect of our struggle for civil rights in America. Moreover, the Nation of Islam is directly responsible for "cleaning up" drug-infested housing projects across the country, educating thousands of inner-city African-American youths, creating safe living and working environments in traditionally crime-ridden neighborhoods, and developing viable economic alternatives for the masses of historically disenfranchised black people.

To the extent that the African American community has been disproportionately affected by drug addiction and the related evils of crime, violence, poverty, and AIDS, the Nation of Islam's proven solutions to some of these problems are laudable.

Although BLSA members recognize the perceptions and concerns of the Jewish community as important, BLSA also recognizes the stark reality that the Nation of Islam has provided solutions to problems that have eluded other leaders both within the African-American community and outside of our community. Such solutions are integral to our very survival and they will be heard.

Specifically, Dr. Muhammad initiated and administered the extremely effective "Dopebuster" program in Washington, D.C. Dr. Muhammad and members of Mosque #4 in Washington D.C. went into the Mayfair Mansion and the Paradise Manor housing projects and virtually extinguished drugs and crime from the two complexes. Eight to nine thousand people benefited from Dr. Muhammad's commendable efforts.

Some comments regarding the protest by the Jewish Law Students Association (JLSA) are necessary.

First, JLSA disseminated flyers containing inflammatory propaganda outlining statements allegedly made by Dr. Muhammad and other Ministers of the

Nation of Islam. These flyers contained unsubstantiated mischaracterizations and statements taken grossly out of context that were attributed to Dr. Muhammad and other Ministers from the Nation of Islam. Such irresponsible action unfairly fueled antagonistic feelings toward Dr. Muhammad long before he had a chance to speak.

Second, JLSA criticized the Saturday School program for lending legitimacy to the views articulated by Dr. Muhammad. Logic and experience do not support this proposition. Saturday School has never endorsed the views of any of its speakers, rather it has merely provided a forum for vigorous intellectual debate and discourse.

One would expect intelligent and educated people to thrive on being placed in critical contact with different ideologies, perspectives, and philosophies. In fact, the exchange that occurred between Dr. Muhammad and members of the JLSA exemplified the benefit of challenging ideas adduced in an intellectual forum; Harvard Law School should always ensure the free, open, lively, and unfettered exchange of ideas.

Third, some Jewish students complained that Saturday School was insensitive to their perceptions of the Nation of Islam as anti-Semitic. To be sure, Professor Ogletree extended the invitation to Dr. Muhammad based upon repeated urging by several African-American students at the Law School. While some BLSA members may have been aware of potential Jewish concerns, their primary concern was Dr. Muhammad's accomplishments in addressing the problems of drugs and poverty in D.C. It was in this spirit that students requested that Professor Ogletree invite Dr. Muhammad to the Law School.

Fourth, JLSA was not consistent in its objection to Saturday School's invitation to Dr. Muhammad. Another Nation of Islam Minister, Don Muhammad, Minister of Mosque #7 in Boston, has accepted invitations to the Harvard Law School on several occasions made by

Black Voices page 5

Rosenberg Answers Question: How Real is L. A. Law?

"L.A. Law" fans were happy to get the inside scoop on the law behind the

By Lee Gordon
Special to the RECORD

drama from Charles Rosenberg, legal adviser to the popular T.V. show. On October 17th, before the showing of the second episode of the season in the Harkness Commons, Rosenberg answered a series of questions including, "How accurate is T.V. Law?", "Who decides which side in a controversy should prevail?" and, "How much control can a legal adviser exert over final decisions?"

Few were surprised to find out that the show does not hit the law right on the mark. But rather than mistakes, most variations from true law are an intentional exercise of dramatic license.

Who decides whether the white officer who shoots the black suspect should be found guilty or not guilty, and on what grounds? Again, the legal adviser has little say, and the law itself is, at best, of secondary authority. "The most dramatic outcome prevails," he said. Rosenberg's listeners seemed somewhat agitated by the idea that justice was not an authority for "L.A. Law" script writers, but the approach makes sense. "The goal," said Rosenberg, "is to make both sides of a controversy as strong as possible, and to determine the verdict by the more dramatic result."

What if the show's reading of the law is so wrong that a case couldn't realistically be resolved as the show portrays it? The decision to go forward with a script is a group effort between writers, producers, directors, and advisers, but the final say belongs to Bocho. Even if

character in many ways that would complicate her intended role.

Where is the show going? Well, Grace Van Owen appears to have taken center stage, while last season's newcomers like C.J. and Tommy are acquiring an audience of their own.

This season has already introduced a few new faces, most notably the character Susan Bloom, a crass entertainment lawyer who has contracted with McKenney, Brachman for office space. However, old faces like Cousak and Cifuentes will be tough to replace.

"They're still casting," Rosenberg said, "for someone to replace the hunk role

Victor Cifuentes had." "L.A. Law" still seems to be the perfect stress reliever for a packed crowd of one to two hundred law students, perhaps more for bringing people together than for the quality of the drama.

Sure, it's all a little hokey; of course McKenney, Brachman is not a typical law firm; but "L.A. Law" must be doing something right. Rosenberg recalled his mother asking him, after seeing the show's Earl Jones trial last season, if Jones was really guilty. "It's just a show, Mom," Rosenberg told her. "But like many others, she thinks I'm hiding something."

Teachers for a Democratic Culture was created to oppose charges by organizations such as the National Association of Scholars (NAS) that "political correctness" has endangered free speech and stifled academic debate on America's college campuses.

As an example, Mr. Rosenberg made reference to one of his own suggestions, namely his recommendation that the character David Newmeyer should become the Receiver of McKenney, Brachman near the end of last season.

The humorous move provided many laughs, and the character was perfect for the part, except for the fact that a party with material interests in a firm cannot legally become that firm's receiver. But why should reality stand in the way of good entertainment?

"Stephen Bocho is an equal opportunity offender!" Who would say such a thing? According to Rosenberg, Bocho said this of himself, explaining in part his desire to create controversy. How about race riots in the courtroom?"

that final decision makes lawyers and law students cringe, the adviser must grin and bear it.

The cases themselves are not always central to the script. In fact, many of the cases are created strictly for the purpose of allowing certain character developments.

"Each character has an arc of experience," he said, "and this is determined at the beginning of the season." So, while fans may not want to hear that Grace had a miscarriage and broke up with Victor Cifuentes, Jimmi Smits (who plays Cifuentes) is long gone, and the writers must account for his absence. Likewise, were Grace to keep her baby, a new character would need to be created for the baby, one which would affect Grace's

Senator McCarthy Speaks To Group At HLS

Former U.S. Senator Eugene McCarthy, a probable Democratic candidate for

By Anna D. Wilde and Sean L. Presant
Crimson Reporters

President, delivered what many considered his first election speech of the campaign season before a modest crowd of 60 at Harvard Law School on October 14, 1991.

"I've already announced [my candidacy]," he said, "I'm almost ready to make a declaration, but not quite."

McCarthy, who has run for president twice before, spoke about the evolution of the modern presidency and the flaws in what the office has become.

"There is a fundamental disdain or disrespect for the Constitution," he said. He added that he especially disapproved of the modern presidents' constant use of the veto.

"Presidents who use the veto excessively encourage Congress to be irresponsible in what they send to the president," said McCarthy.

The Bush administration has been particularly guilty of this, he said.

McCarthy also criticized the tendency of the modern presidents, particularly

Bush, to emphasize and take advantage of the divisions and tensions in modern society.

"There is a willingness to exploit the most critical areas in which there is a prejudice or a danger of prejudice in this country," he said.

McCarthy cited the nomination of Clarence Thomas to the Supreme Court as an example, calling it an attempt to "set Blacks against Blacks."

Another problem of the modern presidency, he asserted, is the tendency to avoid responsibility. He calls Bush the first "no-fault" President.

"George doesn't like to say 'I,' the Senator said.

In an open question session after the lecture, McCarthy was asked about Professor Anita Hill's testimony before the Senate Judiciary Committee.

"It's a Senate hearing that got out of hand," he said, "It's become a trial, not a hearing."

He added that he thought Thomas was "unqualified."

When asked if his age was relevant to his candidacy, the senator replied: "I'm in a lot better health than George Bush."

The 1990-1991 winners of the prestigious Sears Prizes were second-year students Mark Filip and Jonathan Molot, and first-year students Alisa Klein and David B. Smith. The prizes, established in 1912 by Sarah C. Sears in memory of her son, Joshua Montgomery Sears '04, are awarded annually to the four students with the highest grades in their first- and second-year classes.

UUU

Mark Filip, the son of Robert and Rosalie Filip of Park Ridge, Illinois, graduated *summa cum laude* from the University of Illinois in 1988 with degrees in Economics and History. At Illinois, Filip co-captained the Illini lacrosse team and served as student member of the University Board of Trustees.

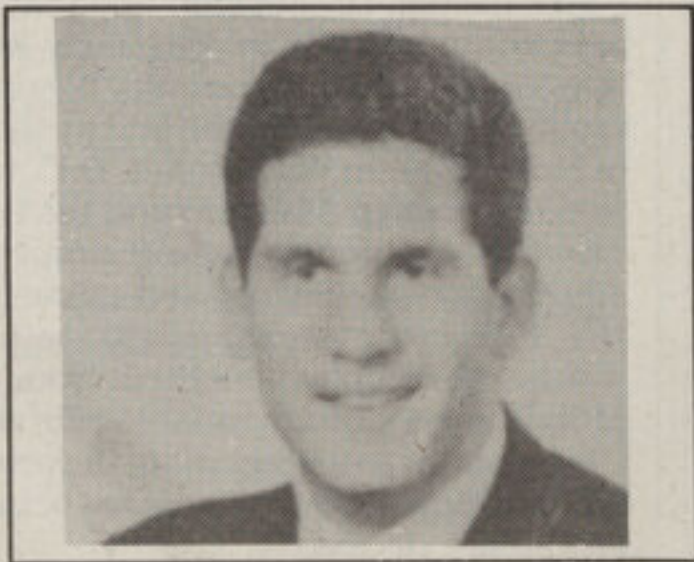
From 1988-1990, Mark attended Christ Church College, Oxford, England, graduating with First Class Honors in law. He spent the past summer splitting between the New York law firm of Wachtell, Lipton, Rosen & Katz and the criminal division of the Department of Justice in Washington, D.C. He is an editor of the *Harvard Law Review*, and following graduation will be clerking for Judge Stephen Williams '61, U.S. Court of Appeals, D.C. Circuit. After his clerkship, Mark hopes to serve as an Assistant U.S. Attorney.



Mark Filip '92

Jon Molot is a third-year student from Scarsdale, New York. He graduated *magna cum laude* in 1988 from Yale College, where he majored in Economics and Political Science and was Chairman of Yale College Council (Yale's student government). Jon then worked as a legal intern in Hong Kong for the New York based Coudert Brothers before beginning his legal studies at HLS. He is currently co-chair of the *Harvard Law Review's* Articles Office.

Jon spent the summer with Ropes & Gray of Boston. After graduation, he will clerk for the Honorable Stephen Breyer '64, Chief Judge of the U.S. Court of Appeals for the 1st Circuit. Molot eventually hopes to become a law teacher, but would like to litigate for the federal government before entering academics.



Jon Molot '92

Alisa Klein, daughter of Robert and Carol Klein of Lafayette Hill, Pennsylvania, and granddaughter of Betty and Jay Lehrman, graduated *cum laude* from Princeton with a degree from the Woodrow Wilson School of Public and International Affairs. While at Princeton, she served as Executive Officer of the student government, and as a tutor for adult basic literacy.

Over the Summer, Alisa worked with the Public Citizen Litigation Group, an organization associated with former Harvard Law RECORD President Ralph Nader '58. She currently works in the Jamaica Plain Legal Services Center in Boston.

Alisa is an editor on the *Harvard Law Review* and likes to spend her free time biking and skiing.



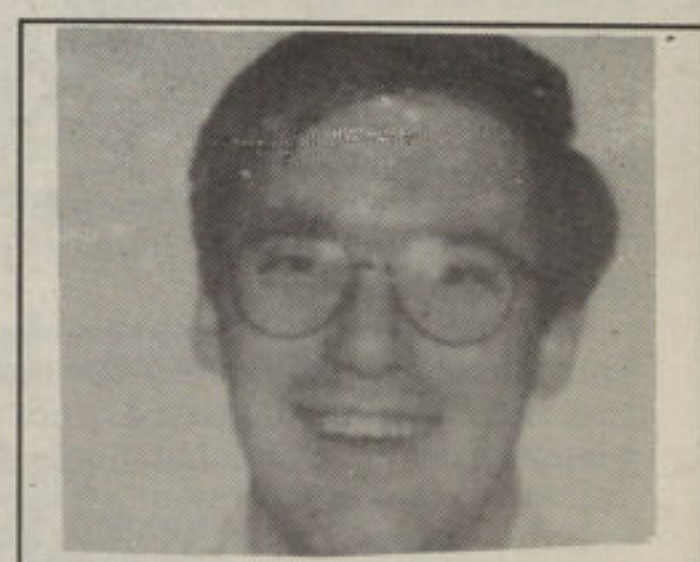
Alisa Klein '93



David Smith, son of David Smith of Barrington, Illinois and Marcia Flaherty of Batavia, Illinois graduated *magna cum laude* from Carleton College in 1988 with a degree in Philosophy. He then went on to the University of Chicago where he received a Masters in English a year later.

His Masters' work focused on critical theory and 19th century American literature. Before enrolling at HLS, David spent some time traveling in Europe. He spent last summer at Gardner, Carton & Douglas in Chicago.

David is a member of the Harvard Law Review. His interests include biking, baseball, and collecting interesting beer bottles.



David Smith '93

Restaurant Gets Rosy Review

The Black Rose
50 Church Street
492-8630

Rating: 
Dress: casual
Entrées: \$5-12

The Black Rose surely must be the Filene's Basement of Boston restaurants. At this place you can eat like a

By Mike Wang

king and still stay well within a student budget. (Where else can you feast on a full lobster dinner for only \$6.95?)

Many extravagant entrées for which restaurant patrons can usually expect to pay dearly — lobster, prime rib, grilled salmon — are \$10 or less at the Black Rose. But the quality of the food is quite good, and the original but relaxing ambience of the establishment makes the experience of dining here very pleasing indeed.

The Black Rose is often overshadowed by its popular neighbor, Chef Chow's House, and seems to be a well-kept secret. This shouldn't be the case, because this place is one of the best restaurants in the Square, especially in light of its prices.

The glaring blemish in our trip to the Black Rose was the wait for our entrées. After 45 minutes had passed, our waiter came to our table and explained that the delay wasn't his fault or the cook's fault; it was the fault of the restaurant's errant computer, which apparently decided not to spit our order out to the kitchen. (I've heard of computer excuses for billing errors, airline flight screw-ups, nuclear meltdowns, and I've often used them myself for late papers. But this was the first time I ever heard of a computer being blamed for tardy restaurant service.)

We started out with an order of onion rings (\$2.95) and a cup of clam chowder (\$1.75). The onion rings were served in a huge basket, more than enough for two, and literally melted in our mouths.

On the other hand, the chowder — which the restaurant claims won a prize in the Boston Chowdifest — was disappointing. It was served lukewarm, was thick with potatoes but sparse with clam bits, and betrayed a hint of an odd flavor, something like sour milk.

Then began the Wait, which left me wishing that I had brought along my Contracts reading. Finally, after nearly an hour — and complimentary salads — our entrées arrived, trailing wisps of steam.

We had the twin lobster special (\$10.95) and an order of prime rib (\$9.95). The lobsters, served with melted butter, were plump and the meat tasted very fresh. It was of course messy eating; don't try it unless you're with family or good friends.

The prime rib was served *au jus* and was cooked very well — not burnt to a crisp or raw enough to moo, as is often the case. But the meat was extremely fatty, enough to fill a 200-pound person's cholesterol quota for a week.

For dessert we had a slice of chocolate cake — delightfully rich and sinful — and an apple tart made with fresh apples and very little added sugar. Both were served with a bountiful side of whipped cream.

The total for our dinner, not including tip, was just under \$30, which was more than reasonable for a meal that included lobsters and prime rib. Despite the prices, this classy place is definitely not a greasy spoon.

The Black Rose is located in a simulated atrium occupying the space between three buildings. A patio-style tile floor, a three-story high ceiling, a garden-like fence and abundant greenery give the illusion of an outdoor garden. At night, lights strung across the dining room's trees create an artificial galaxy and make patrons feel like they are dining under the stars — without the blustery Boston cold.

So next time you're looking for an alternative to Chef Chow's or the Border, stay on Church Street. Try the Black Rose. You'll like it.

Guys and Dolls

The Harvard Law School Drama Society's production of *Guys and Dolls*

By G. Sharon Stone

is a treat of music, comedy, more music and more comedy. Director/Producer Adam Lehman and Musical Director Dan Beule have harnessed the talents of twenty seven stage performers, twenty one orchestra members and a large production staff to create the kind of show one would hardly expect to find at a law school.

Guys and Dolls is a classic musical comedy, with lots of good music and refreshing humor. It's a timeless story of love on opposite sides of the tracks, that is staged with the fanfare and romance of a classic 40's musical.

Lehman and Beule have accentuated the show's strengths rather than attempting to modernize or refurbish the show's somewhat dated plot. The musical numbers are sharply executed by a surprisingly broad range of talented voices and orchestral parts, while the often corny but sometimes hysterical humor is played in a caricatured, larger than life style. The choreography, staging, and costuming are also captivating and do an effective job of replicating the feel of the era.

Highlights from the First Act include Scott Auby and Ellen Chubin's duet, "I'll Know", Scott Bruner and Ellis Butler's title duet "Guys and Dolls", and Nick Rossi and Emiliano Mazlen's schticks as gambling gangsters lost somewhere between *The Godfather* and *Blazing Saddles*.

Also, don't miss Audrey Levine's solo of *Adelaine's Lament*. Ms. Levine does a remarkable job of portraying the typical gangster moll and this song is plaintive yet still funny.

The Second Act includes the dazzling men's number "Luck Be A Lady," Marc

Channick and Audrey Levine's duet "Sue Me" and the full-cast finale "Sit Down You're Rockin' The Boat" featuring Ellis Butler. *Guys and Dolls* is no patchwork musical review, it's a complete, coherent musical that is both refreshing and entertaining. It's worth a go see.

The show is being performed Thursday, Friday, and Saturday, October 24, 25 and 26 at 8:00PM in the Ropes Gray Room-Pound Hall. Tickets are on sale at the Hark and are available at the door.

Black Voices

continued from page 3

other groups on campus without protest or objection by JLSA. Minister Don Muhammad is no less a Nation of Islam Minister than Dr. Khalid Muhammad or Dr. Abdul Muhammad. This selective protest of Saturday School is disquieting.

Finally, it should be noted that an extremely productive dialogue took place between BLSA and JLSA members last Sunday, October 20. Those who attended this dialogue spoke frankly about their perceptions of Dr. Muhammad's message. Although no consensus was reached regarding such issues as anti-Semitism and the importance of Dr. Muhammad's visit, many students began to understand the others' point of view. Several students began to recognize the historical and current realities that shape and color perspectives. In short, many concluded that reasonable people can see the same phenomena from very different perspectives, and that value judgements made about another community's behavior, without knowledge of culture, history, and sensitivities, are often premature and inaccurate.

The Leisure Class to Play Club III

Harvard Law School's very own rock 'n roll band, The Leisure Class, will

By Dante Ramis

perform at Somerville's Club III on Wednesday, October 30 at 11:00 pm. This Wednesday's performance will be the first time the band will play outside of the Harvard Law School community.

The Leisure Class is a unique collection of musicians comprised entirely of eclectic students from Harvard Law School. As the band's bass player, Dave Romine, put it, "We're the best rock band at HLS. In fact, we're the only rock band at HLS."

The band's music is described by band members as original, hard rock. "Our style is just this side of heavy metal," explained lead vocalist/rhythm guitarist Tim "Timbo" Wilkins. "We wouldn't feel comfortable playing other people's music." Drummer Jim Wilon

chimed in, "Our own music is powerful enough by itself so that we don't need to play covers."

Club III, located at 608 Somerville Avenue near Porter Square, is the ideal location for a performance by the Leisure Class, said Romine. "It's the only large rock club regularly showing major acts that's close to HLS, and is especially convenient given the large number of students who live in Somerville," he said. "Not only that, we're the headline act, which is unusual for a new band at Club III," added Wilkins.

When asked about the nickname, Wilkins said, "I don't know where it came from. People just started calling me that when I was a kid."

The band is comprised of Romine, Wilon, Wilkins, and lead guitarist Curtis Payne. Payne, rumored to be well connected in the music industry, could not be reached for comment.



Leisure Class band members smiling for the camera.

CLASSIFIED

Wanted:

3rd year law student needed to help with the preparation of a case dealing with the following: Contract Law, Summary Judgment, Nominee Trust vs. Business Trust. Excellent experience for potential trial lawyer. Call 266-9220 for discussion.



HLS Drama Society presents

GUYS AND DOLLS

Ropes-Gray Room
Pound Hall
Harvard Law School

THURSDAY, OCTOBER 24 8:00
FRIDAY, OCTOBER 25 8:00
SATURDAY, OCTOBER 26 8:00

Admission: \$5
Tickets on sale at
Larkness Commons
Harvard Law School

Director & Producer
ADAM LEHMAN
Musical Director
DAN BEALE



Harvard Law Record

Volume 93, No. 5

Robert C. Arnold
Editor-In-Chief

"The desire of a man for a woman is not directed at her because she is a human being, but because she is a woman. That she is a human being is of no concern to him."
Immanuel Kant

Erase Institutional Sexism

Last year I lived on a great floor. I lived on the second floor of Story Hall in conjunction with the second floor of Shaw Hall. The fact that Story was an all men's floor and Shaw was an all women's floor made the arrangement about as close as you could get to coed dorm living at Harvard Law School at the time.

The men and women of Story 2 and Shaw 2 were united as one in many ways. We held parties together, participated in intramural athletics together, watched television together, shared the same kitchen, and had the same Resident Assistant. In fact, we generally considered ourselves to be the men and women of Story and Shaw 2, together as one. Despite the fact that there were some expected rough spots, our union and general relations throughout the year were great.

At one point in the semester, the men of Story 2 put up a poster of supermodel Cindy Crawford and proclaimed her to be our mascot and inspiration. We pasted her on the bathroom door to make sure that every man on the floor got a chance to see her at least twice a day. The women of Shaw summarily tore down the poster whenever they had the chance, claiming that it objectified women. The women would bask in the glow of victory every time they "liberated" Cindy from wherever she was placed.

As soon as they tore Cindy down, we would move her somewhere else and put her up again. As soon as the women located her, they would tear her down again. This developed into a game for some — myself included as one of the main instigators and perpetrators.

For others, however, both men and women, it wasn't a game. One Shaw women in particular complained to the Dean of Students Office and eventually won the permanent liberation of Cindy. Of course, the guys on the floor mourned the loss of our inspiration and immediately labeled the squealer a "penis envying bitch."

Back then, I never took those exchanges very seriously. It was all fun and games: a simple diversion from our desultory existence here at HLS. I thought, don't all men look at women that way? Doesn't every red-blooded American teenage male have a poster of some beautiful woman on his wall that he occasionally fawns over and fantasizes about?

As I look back, having spoken with some of the women on the floor about the ordeal and reflecting on the sex crimes that routinely appear in the news: Jimmy Swaggert, Pee Wee Herman, and especially the *Hill v. Thomas* fiasco, I regret that I was so narrow-minded and insensitive as to think that we were engaging in harmless fun.

Along those same lines, the reason that Anita Hill's testimony wasn't as destructive to Clarence Thomas's nomination as it should have been is that Thomas's behavior is typical of how men treat women. Because of the inherent, socialized, institutional sexism in our society, we now have a known sexual harasser on the Supreme Court, with the support, if the polls are to be believed, of the majority of Americans.

Anita Hill's undeniably credible testimony (it seems rather sick given the explicitness of her testimony to think that Clarence Thomas actually thought he was being cute), offers proof that what men continue to regard as flirting or as good clean fun, is more accurately characterized as blatant sexism.

Societally, we need to change that perception. Society, generally, and men, particularly, need to come to the realization that women are not objects, they are human beings. I, myself, am as guilty as the rest.

Ra

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"Congress shall make no law...abridging the freedom of speech, or of the press;..."
FIRST AMENDMENT, U.S. CONSTITUTION

Paul Taylor

Liabilities



HLS is Committed to Open, Vigorous Debate

An Open Letter to the Harvard Law School Community:

The Saturday School Program, which is directed by Assistant Professor

and speech can occur, and where controversial speakers of many types may appear. I am confident that Professor Ogletree, who also deplores and condemns anti-Semitism, will structure the events of the Saturday School Program in a manner consistent with academic values so that constructive discussion about the speaker's views, including any that may be controversial, can take place.

At my insistence, the speech by Dr. Muhammad was governed by the School's "Free Speech Guidelines" (copies of which are available through the Dean of Student's office), even though these guidelines as written apply only to events sponsored by student groups. Among other things, the guidelines called for a question and answer session, a moderator, and access to the talk for all Harvard Law School students. Members of the audience were free to express dissent but not to disrupt the ability of others to hear and see the speaker. I am pleased to learn that, despite the strong feelings generated by the event, these conditions were observed.

Robert C. Clark
October 19, 1991

Letters To The Editor

Charles Ogletree, sponsored a speech on October 15, 1991 by Dr. Abdul Alim Muhammad, a spokesman for the Nation of Islam. On Friday, October 11, I was contacted by representatives of the Jewish Law Students Association who were deeply concerned about the impending speech. They furnished me a draft position paper that listed a number of journalistic accounts of anti-Semitic statements purportedly made by Dr. Muhammad in the recent past.

It is possible, of course, that these newspaper reports of Dr. Muhammad's views are inaccurate or misleading. With that caveat, I strongly deplore and condemn the anti-Semitic statements that have been attributed to him.

As for the event itself, all students are reminded that the Harvard Law School is committed to maintaining an environment where open, vigorous debate

Abdul Muhammad and David Duke: Birds of a Feather

To the Editor:

At the Tuesday, October, 15 session of Saturday School, Abdul Muhammad, the scheduled speaker and a member of the Nation of Islam, did his best to avoid and deny charges that he is an anti-Semite.

However, after he said that Jewish doctors have injected blacks with the AIDS virus and that Jews conspired the international drug trade, it was clear that Abdul Muhammad isn't an anti-Semite the same way David Duke isn't a racist.

Dr. Muhammad also strongly implied that any black student who didn't subscribe to his unique world view is an Uncle Tom and would be subject to physical attack and even death at the hands of the black underclass and their representatives.

As a black student, I am outraged by Abdul Muhammad's anti-Semitic message and strongly condemn it. If that makes me an Uncle Tom, I am happy to be one.

G. Glenn Roque-Jackson, 3L
October 16, 1991

Tribe Overlooks Aspects of Natural Law

To the Editor:

Professor Tribe worries that Judge Thomas "might seek to replace *Roe*...with a decree that abortion is murder and that its practices or counseling cannot be permitted by any state" (Op-Ed, Sept. 13). However, Tribe overlooks the aspect of "natural law" and religious teaching which actually support abortion at any stage of pregnancy.

Judge Thomas will surely agree that the fetus, residing as it does in the womb in virtual inactivity, is free of sin — except perhaps from a *de minimus* residue of original sin.

Thus, he will recognize, if properly briefed and argued, that all aborted

fetuses must go to their spiritual reward in heaven; whereas if they had survived to their teens, twenties and thirties, and committed common transgression, many would end up in Purgatory or worse.

Surely, any clear-eyed supporter of natural law — the rights "given to man by his Creator" — would enthusiastically welcome the concept of billions of tiny, sin-free, aborted fetuses flitting about in eternal celestial rapture...Constitutionally Yours,

Stanley L. Kaufman, '35
October 7, 1991

Letters continued page 11

Next Issue November 1

Answering The Call Of Pro Bono Service

This article is a reprint, with permission, from the Boston Business Journal. Gerry Singen is the Director of the Program on the Legal Profession and a lecturer on law here at Harvard Law School.

The tradition extends back thousands of years. Lawyers are called upon, as a

By Gerry Singen

professional obligation, to provide free services to the poor. Roman standards, medieval principles, the Magna Carta, Colonial Precedent and both early and current professional codes repeat the call for pro bono service.

But of course the bar has never lived up to its ideals. Most of the poor have always gone without help or hope in the law.

The end of the 20th Century threatens to be no different, despite unparalleled leadership from bar association officials who have vigorously exhorted their colleagues to volunteer their time. Even the most optimistic calculations suggest that less than 20 percent of lawyers are answering the call, and often with less than 20 hours a year.

The need is undeniable. City, state and national studies consistently document that the poor receive legal help for less than 20 percent of their significant civil legal problems. Spouses and children can't get help, even when they are physically abused. No lawyer is available to represent families as they are evicted into homelessness. A 1987 Massachusetts Legal Assistance Corp. study proved that our local poor were no better off; as the social services benefit system collapses under current initiatives, the number of people who desperately need legal help will grow.

What is to be done? The historical answer is "not much," but conscience and justice should forbid that response. Instead the increasingly common proposal is that lawyers should be required to fill the gap. Every lawyer's professional life should include work to make the legal system accessible to all individuals. Lawyers who refuse to serve

the public good in this fashion should lose their licenses.

This controversial assertion is gathering adherents as the national disgrace of class-based denials of justice becomes increasingly public and intolerable. In New York, Chief Judge Wachtler has given the state bar one more year to meet the need; if it fails, he has said he will implement mandatory pro bono.

Florida's Supreme Court has recently ruled that every lawyer is not just encouraged but also obligated to provide free services to the poor. A number of local bar associations make regular pro bono work a condition of continued membership. Quite a few states have considered adopting mandatory pro bono, though none has done so yet.

What are the arguments against this proposal? Some lawyers have called it "involuntary servitude," but almost no court has agreed. It stretches credulity to employ the anti-slavery amendment as a tool for resisting the establishment of a fundamental condition for freedom - practical access to justice for all.

Others protest that mandatory pro bono is unfair because society places no

similar burdens on grocers, plumbers or doctors. One could quibble about doctors, during whose poorly paid internships substantial amounts of free services are routinely dispensed.

But the argument is irrelevant. Every profession has its burdens. No one has to practice law. If one chooses to be a lawyer, one takes on the duties of the profession, including the responsibility to help make the system of laws just and accessible. If the responsibility is ignored the increasingly fantastic incomes available to lawyers look more and more avaricious.

Perhaps the proper and efficient way to meet the need is through public funding. But despite important state and private supplements, the federally funded Legal Services Corp. programs receive far too little. There is no evidence to suggest that this will change under President Bush or, locally, under Governor Weld. Moreover, this argument is particularly unsuited for Massachusetts lawyers, who having just waged a vigorous, often hyperbolic campaign against the radical idea of a 5% tax on their fees.

A more serious concern is that many lawyers feel incompetent to provide relevant services to the poor. There are at least three issues here. First what do tax, real estate, and probate lawyers know about welfare law, evictions and divorce? Actually, they already know a lot. They just need to learn a bit more and lifelong study is a lawyers discipline.

Second, lots of commercial lawyers lack litigation skills. But most poverty law is advice and negotiation, just like commercial law, and much of the "litigation" takes place in very simple administrative and judicial contexts.

The lawyer's feelings are the largest problem. If a lawyer feels incompetent, he or she may act incompetently. But professional training programs can help anxious attorneys improve their basic skills, and more mature lawyers might be allowed to make financial contributions in lieu of service.

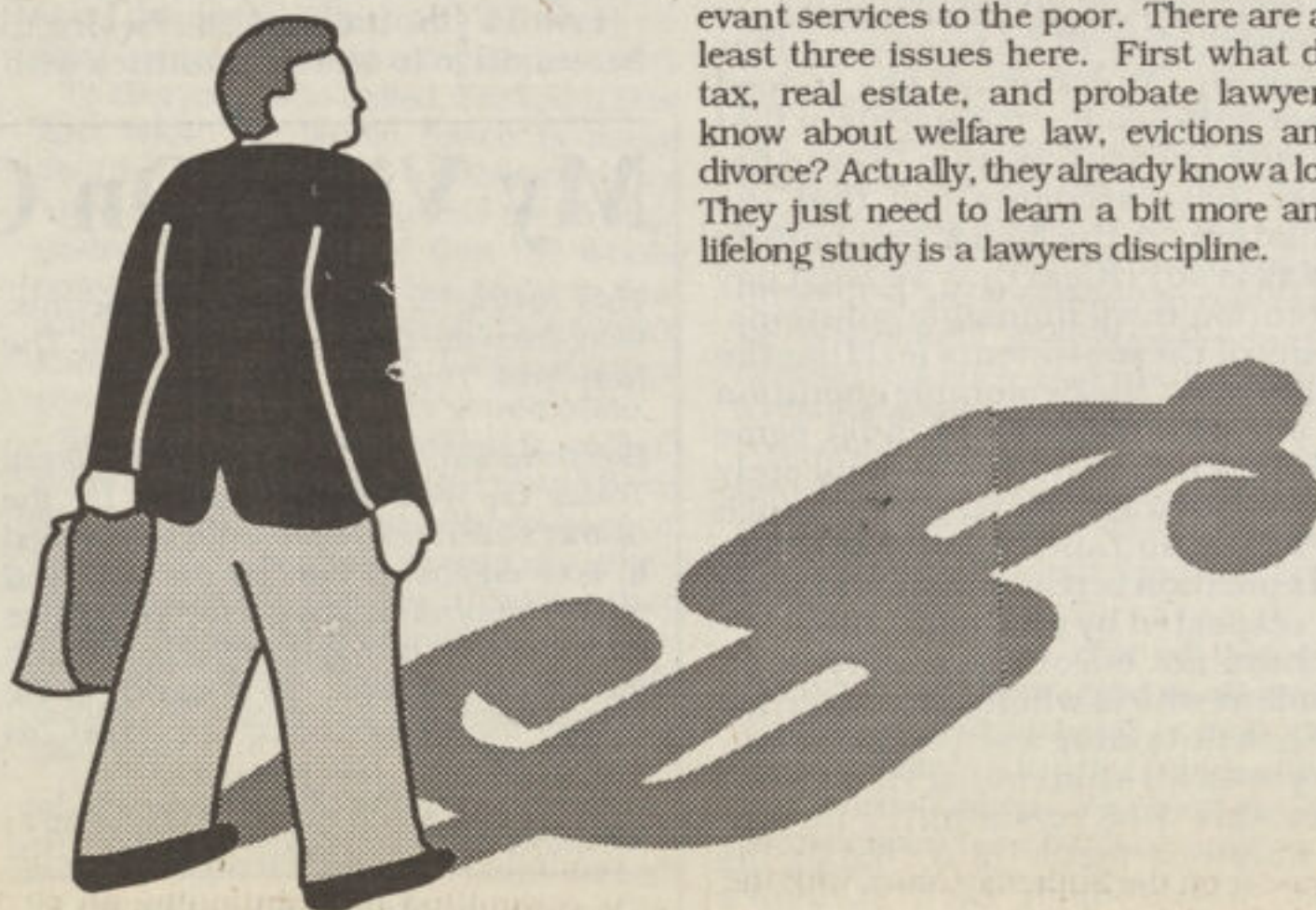
Moreover, there is no reason to allow law schools to graduate further flights of fledgling lawyers unprepared to meet the pro bono obligation. Schools like the University of Pennsylvania, Tulane, Florida State and the University of Louisville have already adopted pro bono requirements for students. Others require clinical experience, usually in poverty law work. Ultimately, law schools should teach each student enough substantive poverty law and practice skills so that every graduate can immediately enroll in a pro bono program and begin a lifelong pattern of service.

Finally, of all the objections, the most honest and least admitted to is that mandatory pro bono will reduce a lawyer's income.

Perhaps lawyers will be able to pass along the costs to their clients; covering 2 weeks of pro bono a year would only raise fees 4 percent. Even if they can't, however, few outside the profession will shed a tear if lawyers must subsidize services to the poor by reducing their incomes.

Lawyers are rich. Oh, not by the standards of CEO's in Fortune 500 companies. But in a society in which the median family income is about \$30,000 per year, lawyers are extraordinarily successful.

On any relevant criterion, lawyers will remain rich even after their mandated pro bono services have helped to ensure that meaningful access to equal justice from their legal system is available to their 45 million poorest neighbors.



Fenno

Things weren't going well for Fenno. He was having trouble convincing the recruiters that although he wasn't on the Review, he was a life member of Lincoln's Inn, which he thought developed much more important skills than working on a journal.

Also, Fenno couldn't hide the fact that he had never been to the library and, actually, didn't know where it was. "Oh, is that what the big, long, gray building is?", he was once heard to mumble in an interview. He had always thought it was a hospital or something like that filled with sick people.

No, Fenno coached himself, "I will not abandon my interviewing strategy." "Focus on your strengths," he told himself. "Tell them what sets you apart from the other 2000 stiff in blue pinstripes," he thought to himself.

However, no matter what Fenno tried, nothing seemed to work. It really was a tight market. He checked his answering machine on a typical day and it recorded no call backs, two wrong numbers, and three phone solicitations. His mom called once to tell him that he should've been a doctor anyway.

Fenno thought to himself for a moment and remembered the one sure thing that has worked time and time again throughout the history of mankind: sex. "Sex sells," he thought. "I'll use what I have, and believe me, I've got a lot."

He remembered walking into the first interview in which he decided to employ this strategy. He remembers the surprise and relief he experienced when he discovered that for the first time in his life, he would be interviewing with an attractive, heterosexual, female interviewer.

He found it difficult to keep his eyes off of her crossed legs, which sort of jutted out from beneath her hounds tooth gray skirt and exposed her well-chiseled, high

impact and low impact aerobic shaped calves. She noticed him staring, and decided to play along with him.

She asked him if he wanted anything to drink, and if he did to please help himself to the well-stocked refrigerator. He said, "Thank you, I think I will have a Diet Coke."

She watched the back of his thighs flex as he got up from the couch. "Since you're up, do you mind pouring me a glass as well?", she asked.

Fenno thought to himself that this was a great opportunity to display his strengths: his grace, his poise. OH!

While he hovered over the sink in the Charles Hotel suite, he couldn't help but feel her eyes taking a walk all over his back side. He didn't know if she was examining his Italian cut suit, which he had purchased at a discount in Tijuana, or if she was actually examining the package. He didn't think to much more about it, but he did feel uncomfortable and violated. However, he kept saying to himself, "Sex sells, sex sells." As he walked back to the couch, he made sure that his gut was sucked in and his chest was stuck out.

When he returned to his seat, she looked at him with a devilish, or perhaps possessed grin, and asked, "Did you put this pubic hair in my Diet Coke?"

Will Fenno get the call back? And, if so, will he have to live up to her expectations? To be continued in the next RECORD...

QUOTE OF THE WEEK

"It may or may not be a good track record. I think it's the best of any comparable law school."

New Harvard University president Neil Rudenstine on the lack of a minority women professors.

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LARRY GOODRICH
Senior staff correspondent for
The Christian Science Monitor

DIANNE HARTSHORN
Employment consultant

REED HARRIS
Christian Science lecturer

OCTOBER 29, 1991

7:00 pm-7:45 pm

Harvard Law School
Langdell Hall, North Classroom
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Cambridge, MA

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OPINIONS & LETTERS

Many Black Faces, Many Black Views

Although it seems like an obvious proposition, I find it necessary to point out that the African-American community is not a monolith. We are a

By Charisse Carney
BLSA President

community of different people from different backgrounds with different political ideologies. This notion became painfully clear to the nation during the Thomas Confirmation Hearings. At HLS, this notion of differing opinions within the African-American community was evidenced by the controversy surrounding the visit of Dr. Abdul Alim Muhammad.

Saturday School, at the urging of some African-American students at HLS, brought Dr. Muhammad here to speak. BLSA, as an organization, supported this event because Dr. Muhammad is an important voice in the African-American community. In short, we support recognizing and listening to the entire spectrum of voices in our community, especially those voices that offer strategic solutions to the insurmountable problems that we face.

However, in the spirit of intra-group diversity of opinion, and because I was elected to represent all African-American law students at HLS, I am writing this piece to explain the varying positions of BLSA students.

A few BLSA members felt that Dr. Muhammad should not speak at HLS. One of these students felt strongly enough to join the JLSA protest, as did African-American Professor Randall Kennedy. This sentiment must be respected both within the African-American community at HLS and by the larger HLS community.

Most BLSA members felt that Dr. Muhammad should speak at HLS; this is why BLSA, as an organization, supported the event. Nevertheless, different BLSA members used various rationales to reach this conclusion.

Some BLSA members are simply ardent First Amendment supporters, and would support Dr. Muhammad's right to speak, just as they would support David Duke's right to speak. Students with this view would rather bring a controversial speaker here and challenge her/him. This position must be respected both within the African-American HLS community, and by the larger HLS community.

Some BLSA members are not convinced that Dr. Muhammad is anti-Semitic. To this extent, there is constant bickering over specific

statements, trying to determine whether they are anti-Semitic. This debate is complicated first, because speakers are necessarily quoted out of context in newspaper articles, and

that is literally killing huge numbers of African Americans as you are reading this newspaper at Harvard Law School.

In conclusion, I will reiterate that

the obligation to move toward real solutions when your community is literally under siege? I struggle with this question on a personal level, because I am simply an African-American female law student. I must engage in my own "personal" balancing test.

However, I also struggle with this question on an organizational level because people instinctively ask me to speak for more than 200 African-American law students here at HLS. I encourage every one to have conversations with me and the other 199 BLSA students here at HLS, and to have conversations with JLSA students. Try to understand their positions and why they feel the way that they do.

Undoubtedly, this approach will have the most value, because these conversations are what diversity and maintaining a sense of community at HLS is really all about.



second because different people have different notions of anti-Semitism. Many BLSA members holding this position have examined speeches and writings of Dr. Muhammad and simply do not find him anti-Semitic. This position is reasonable and must be respected by all communities.

Finally, some BLSA members either think Dr. Muhammad has indeed made anti-Semitic statements or that he might be anti-Semitic. Nevertheless, these students feel that the situation in the black community today is so critical that we must pay attention to all plausible solutions. Many of these students feel that the concern for the deplorable condition of our own community must come first, even though they are sincerely concerned with collateral issues such as sexism and anti-Semitism. Again, this position is reasonable and must be respected by all communities.

I have not encountered any BLSA student who is wholly unconcerned with maintaining a sense of community with all students at HLS. However, this "HLS community concern" is only one factor in a "balancing test" based upon each student's personal values, experiences and philosophies. Other factors to be considered might be: the student's affinity for the First Amendment; the student's perception or perception of the "criticalness" of the African-American community's position in 1991; the student's view of the availability of alternative speakers with the same points of view and motivating qualities; and the student's opinion of the overall value in hearing the speaker.

Considering all of these factors and making a determination that Dr. Muhammad should speak at HLS does not make a student blatantly insensitive to other communities. Perhaps the student has been personally victimized or impacted by AIDS, drugs, or the random violence

my purpose for writing this article was to underscore the diversity of opinion in the African-American community. A positive consequence of Dr. Muhammad's visit is the resulting dialogue between members of the different communities here at HLS.

How do you balance the desire to be sensitive to all communities with

My View On Guns Changed

This article is reprinted, with permission, from the October 19 edition of *The New York Times*.

Before a gunman killed 22 people in Killeen, Texas, on Wednesday, October 16, the district's freshman Representative planned to vote against a ban on the sale and ownership of semiautomatic weapons. After the massacre, he voted for the ban, which the House defeated. In a speech to the House, the Congressman explained his change of mind. His remarks follow.

We are not going to solve crime today. We cannot stop all mass murders. But

By Chet Edwards

I believe, with your vote, we can take assault weapons out of the hands of drug kingpins and crazed criminals. We cannot bring back the lives lost in my district yesterday. But I hope with your vote today, perhaps, just perhaps, you can save a life in your neighborhood tomorrow.

For generations in my rural Texas district, guns have been a way of life. This issue is not about gun control; it is about saving lives.

Yesterday we saw the stark, brutal death of 22 innocent men and women. Today this House must make a choice about guns, not about hunting rifles, but about assault weapons, about Uzis. That is the choice we will make today.

In the past I have been opposed to gun control. I still am. I have talked about

statistics in states with gun control laws, but today is different. And no clock can ever turn that back.

Today, I am not talking about statistics and charts and graphs and constitutional esoteric issues. I am talking about 22 people — preachers, soldiers, mothers, fathers, teachers — who were killed brutally by this murderer.

I think this House must make a choice. For me, suddenly the old arguments ring hollow. We hear, "Guns do not kill, people do." Tell that to the families of the 22 citizens who are dead today.

We hear statistics are inconclusive. Those people yesterday were not statistics; they were caring human beings. We hear about the right to bear arms, an important right. Does that mean, though, that absolutely no limits can be placed on the possession of firearms? Surely not, not bazookas in every garage or grenade launchers in every living room, surely not.

No more than the right to free speech gives the citizen of this country the authority to yell "Fire!" in a crowded theater.

We hear this is a first step to complete gun control. Hogwash. This is one step, one reasonable common-sense effort, to put in regulations in the real world of crazed individuals and criminals. This is what this issue is all about. We cannot bring those lives back, but I hope we can make that tragedy of yesterday meaningful.

Dersh's Offensiveness Pales In Comparison To Real World

To the Editor:

It is appalling that rape victims are frequently subjected to offensive and unfounded personal attacks when they decide to press charges. This is, however, something that occurs with regularity in courtrooms across the United States today. For this reason, it is very important that we, as law students, become adequately prepared to face such situations as practicing attorneys. Unfortunately, not everyone realizes this.

The October 11th issue of the RECORD contained a letter to the editor from Maura Hughes, in which Ms. Hughes criticized Professor Dershowitz's method of teaching our Criminal Law class last spring. Specifically, Ms. Hughes found fault with Professor Dershowitz's handling of the subject of rape. She objected to his "constant preoccupation" with the crime as well as to the "language and hypotheticals" he used.

It is certainly true that the crime of rape was discussed in class more than any other. This, however, was done for a very good reason. Rape often presents a conflict for the great number of people who support defendants' rights and yet

see a particular need to protect rape victims and condemn their attackers. Students are supposed to feel awkward and frustrated when they realize potential contradictions or inconsistencies in their thinking — this is the very purpose of the Socratic method. Closing one's mind to this purpose serves no function and can only inhibit the learning process.

Ms. Hughes' biggest gripe, however, was not with the frequency of the rape discussions, but with the way in which they were conducted. It is this point with which I disagree most. Her emphasis on the "offensiveness" of Professor Dershowitz's illustrations only shows that she misses the point entirely.

Anyone who works on a rape case will undoubtedly confront the same language and attitudes that Professor Dershowitz described in class. While spending last summer working for the Queens County District Attorney in New York, I had the opportunity to participate in the prosecution of two rape cases, one of which I worked on extensively. After witnessing these trials first-hand, I can assure Ms. Hughes that Professor Dershowitz's language and hypotheticals

pale in comparison to what I saw and heard from the defense in these cases.

The real world is vastly more offensive than any examples used in class. Perhaps Ms. Hughes would prefer to be shielded from these unpleasant realities while she receives her "education," but this will leave her unprepared to respond to such examples when she faces them after passing the Bar.

As a liberal who feels great sympathy for rape victims, I certainly found Professor Dershowitz's examples to be both disagreeable and offensive, but I realized that he intended them to be so and I learned from them. The crime of rape is one in which insulting and upsetting comments are found not only outside the courtroom but in it as well. By facing similar hypothetical situations while in law school, we can avoid being caught by surprise when they are presented to us later in our careers.

Indeed, we can be prepared to respond to these types of arguments with better ones — arguments we will have crafted because we were provoked to develop them in class. It is, therefore, vital that students overcome their desire to avoid

arguments and examples that they find unpleasant.

The Harvard Law School community is not representative of the rest of the country. Ms. Hughes will certainly be very disappointed when she realizes that her whining about offensive or insulting arguments will eventually fall on the deaf ears of a judge rather than the receptive ones here at Harvard.

As Ms. Hughes herself stated, "one does not have to be a knee-jerking reactionary to find [Professor Dershowitz's] illustrations patently offensive." It seems, however, that you do have to be one not to realize the educational value of confronting such offensive material.

It is by tackling these difficult issues head on, and not by avoiding them, that we can best be prepared to defeat them as practicing attorneys. Unfortunately, Ms. Hughes and others who share her beliefs are, in the long run, only hurting the cause they seek to support by leaving themselves unprepared to fight the battles that we cannot afford to lose.

Mike Gianaris, 2L
October 17, 1991

A Feminist's Reflection On Sexual Harassment

My phone rang continually during the Thomas Hearings, Round Two. Feminist friends, far and near, male and

By Alysse MacIntyre
RECORD Columnist

female, called. Many of them asked, "What is Alysse going to say about this?" Alysse doesn't think there is anything funny about this. Alysse will try to be funny again next issue. Sorry!

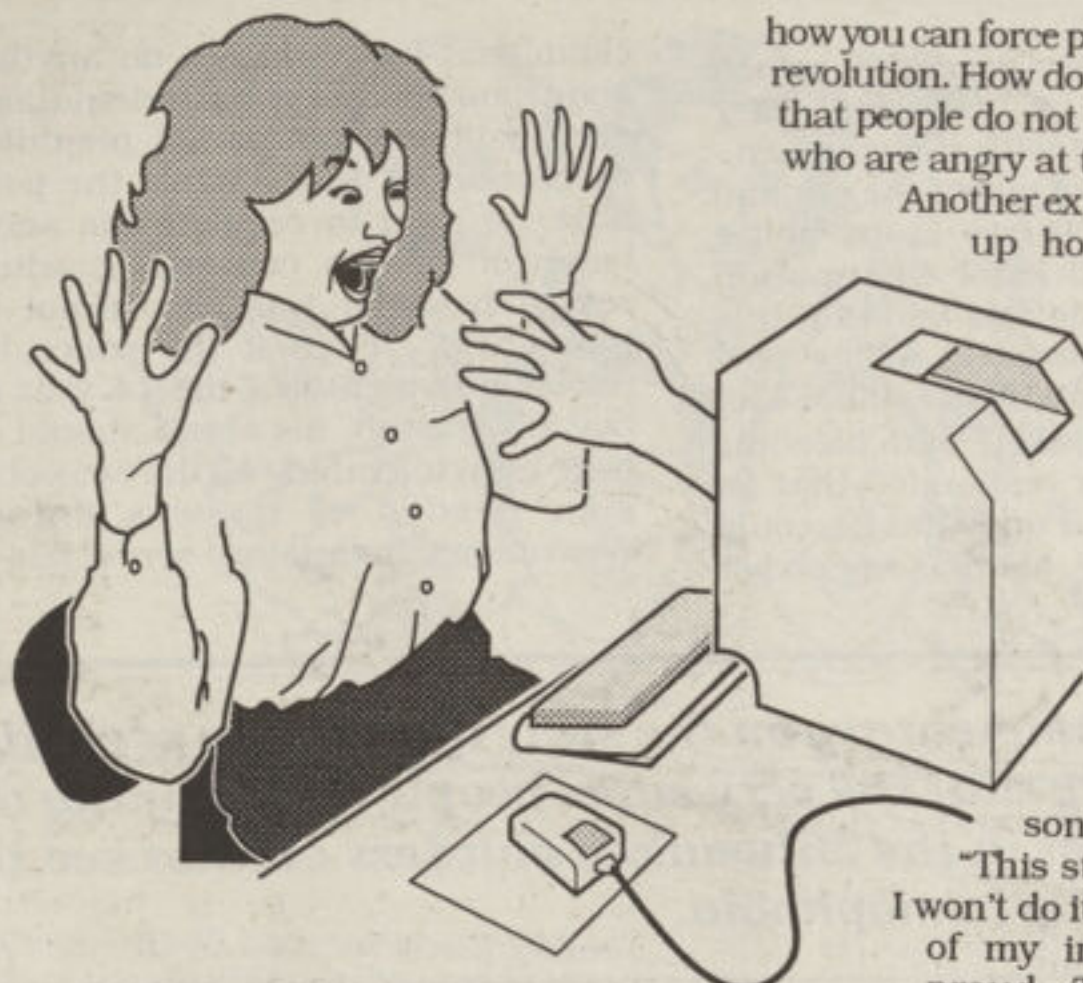
My mom called the night before the vote. She wanted to know where I would be during the vote. I told her, wherever I would be, I would be drunk. Drunk and celebrating, or drunk and bawling my eyes out. You all know where I was, celebrating my ancestry with a bottle of Scotch Whisky. I would have represented all my ancestry, but I didn't want to throw up like I did when John Dogget testified.

Sunday night, overwhelmed by a weekend of being glued to TV testimony and disgusted by the women Thomas called in his support, I escaped to the movies and saw Lily Tomlin & Jane Wagner's *Search for Signs of Intelligent Life in the Universe*. Certainly an appropriate selection in light of what I was needing.

Having seen the play before, I went to see it again for feminist inspiration. In the pivotal sequence where all the characters of the story are tied together, a group of friends celebrate women's achievements by playing the song *Ain't No Mountain High Enough* by Diana Ross and the Supremes. At the end of this sequence, while the song is played again, the main character reaffirms her commitment to feminism in spite of all the difficulties it has brought into her life that might not have occurred had she chosen an easier path. The song is transformed into an anthem of women's strength.

Uncharacteristically enough for me, the Thomas Hearings did not fill me with anger so much as a profound depression. There are basically two sides to this story: Those-Who-Get-It, who are mostly, but certainly not entirely, women who believe Hill, and Those-Who-Don't-Get-It, who are mostly, but not entirely, men who believe Thomas.

Yes, I am angry at Those-Who-Don't-Get-It. But I am much more depressed at our failure to understand one another.



how you can force people to learn, short of revolution. How do you deal with the fact that people do not like to listen to people who are angry at them?

Another ex said I should not give up hope on communication between the sexes.

He reminded me that he had turned down a job on a movie because the story was offensive to women. He reminded me that this was in part a result of my influence on him.

That one person said to a director, "This story is offensive and I won't do it," as a consequence of my influence made me proud.

The reminder that education can work was what I needed. I am concerned by the number of men that I know around the law school and that I see on TV who truly don't seem to understand what sexual harassment is, or why it is wrong.

Many of these people have nothing but good intentions. They are confused. They wonder if they can't compliment a woman on her appearance or make a joke about sex now. Yet in spite of their confusion and good intentions, most of them do not want to be "educated." They equate education on a subject such as sexual harassment as being similar to an enema.

However, education is what we need and I believe it can work. Having the privilege of this space reserved for me in the RECORD, I cannot reject this opportunity to help teach. I have a simple rule of thumb for everyone out there, good in all kinds of situations. *Put yourself in their shoes.* Your folks said it to you a hundred times, and for good reason. You don't even have to necessarily pretend that you are that person's sex or race. Give it a try.

You are a man, soon to be a graduate of an Ivy League law school. You're intelligent and ambitious. You have a male supervisor who wants to go out with you, who tries to discuss pornography with you, who tells you he has a big

penis and that his lovers are always satisfied. Are you going to tell the Dean of the School where you are now in your first teaching post, without tenure, who is your former supervisor's close friend, about these incidents?

You are a man. Men are often depicted in pornography as enjoying being gang raped, as begging for more. Is this offensive to you?

You are of French descent. People fear you when you walk by at night for this reason. They cross the street when they see you coming. They presume that you are more likely to be a criminal. How does that make you feel?

Enough said.

Probably the only thing everyone is in agreement about at the end of the Thomas hearings is that it has been a national tragedy. We are ripped apart. Everyone is angry at the other side and the members of their own group who would appear to have sold out. Everyone hates the Senate, but then that's not so bad.

The anger and backlash on all sides has taken this beyond the feminist issue of sexual harassment. This is a human issue, a community issue. What we all need now is some compassion and a reaching across the gulf that stands between us at the end of all this. For the sake of community, we need to refocus on what we share and our interdependence.

Thus, I am disappointed that at such a time as the Thomas hearings, the abortion opponents at HLS chose to redistribute information about receiving a rebate on the portion of our health service fees that go to fund abortion (which, by the way, is less than \$2 per person). I made my feelings about this practice quite clear last Spring. I can now only express my outrage at the tremendous lack of social responsibility reflected in their timing. While we on both sides are reeling from the anger and the backlash of another feminist issue, to distribute such a letter is incredible. At a time when we need to refocus on our commonality, they have instead chosen to fan the flames that divide us.

In closing, I have three things to say: *Love thy Neighbor* (Or better phrased, *Be Excellent to Each Other*). *Put Yourself in Their Shoes*, and *Ain't No Mountain High Enough*.

The Big Lie: Some Thoughts On The Thomas Hearings

There are people who genuinely believe that Clarence Thomas is telling the truth. But, there are always Young

By Kurt Hemr, 1L-1
Guest Columnist

Republicans, and for that matter, Young Democrats who will believe anything that comes out of the mouths of party leadership. This sort still believes that Watergate was just a media frame-up, or, on the other side of the coin, swears by JFK's marital fidelity. These people are pathological and not to be trusted.

Of the more cynical 98% of us, however, no one can seriously believe that

Young Republicans will swallow whole. Nevertheless, it's sour medicine for the rest of us, and so we eagerly awaited the Senate's judgment on the matter.

Unfortunately for liberals (including myself) and for Prof. Hill, this hypothesis was being weighed by the Senate, the institution in this country which feels the most sympathy for Big Lies. Consider the members of the Judiciary Committee: Chairman Joe "I wrote it myself" Biden, Dennis "I am uninfluenced by huge PAC contributions" DeConcini, Strom "I'm no racist" Thurmond, and Paul "The bowtie is a reasonable fashion statement" Simon. Among the remaining members, the

big winner of the moment is Charles "Just a massage" Robb. Or, we might consider the parties themselves: the Republicans, who claim the government isn't desperately broke, and the Democrats, who (more outrageously) claim to be a viable party.

The high point of the hearings for me was Orrin Hatch's claim that Clarence Thomas is just too smart to do something so damn stupid and self-destructive. That was definitely a Big Lie for the ages — four thousand years of empirical evidence demonstrates that there is one subject that will make a vain idiot out of any man. But here's a Bigger Lie: We are too smart to live with a political system built on such dishonesty. I'm still wrestling with that one.

Of the more cynical 98% of us, however, no one can seriously believe that Clarence has a pure heart.

Clarence has a pure heart. The real question is how much lying we will let him get away with. Before the charges of sexual harassment were made public, about a quarter of Senate Dems were allowing him to claim that he had never (not even once!) seriously thought about *Roe v. Wade*. This lie was permissible insofar as it had a built-in cost; i.e., it made him look like a moron.

A flat denial of corroborated charges of sexual harassment is a trickier matter. By the conclusion of the hearings, there was but one hypothesis that explained Anita Hill's allegations: she is a psychotic delusional who subconsciously invented a story based on elements of a similar Kansas case and *The Exorcist*. This is the Big Lie that the aforementioned

Album Review: EEOC Records Presents Confirmation Blues

By Doubting Thomas and the Overwhelmingly White Man Band

Confirmation Blues, the debut album of Doubting Thomas and the Overwhelmingly White Man Band, is a

By Mark Landis, 1L-3
Guest Columnist

tantalizing mix of lyrical assuredness and assaultive guitar licks, carefully interspersed with delicate ballads.

In the opening cut, the defiant "You Can't Book a Judge by his Title VII Violations," Doubting Thomas commands the audience's attention with his youthful confidence and self-righteousness:

*I grew up poor but I made it good
I broke no laws though I knew I could
I'm the best judge there is around
Got more ethics than this whole damn town
Bork and Ginsburg got nothin' on me
I'm bigger and prouder and just 43*

Perhaps this song best exemplifies the feel of *Confirmation Blues*. This album suggests, both musically and lyrically, a gut-wrenching assertion of self, in the face of a teeming world split between hostile and supporting forces.

While Thomas cries out for the justice due to him, back-up singer Stonewall Hill unflappably echoes his cries for justice, with quite different intentions. Meanwhile, Thomas attempts to lead his merry and not so merry cacophony (the Overwhelmingly White Man Band) through his musical vision.

This album is chock full of gems. In "Little White Lies," the band cranks up a hard-driving guitar explosion while Thomas admonishes: "I didn't go up the Hill to fetch a pail of water/so you'd better watch who you're calling little boy blue."

"The Left-Wing Conspiracy Bop" features some of the most searing lead guitar in recent memory and surprisingly straight-faced descriptions of a Kafkaesque high-tech lynching.

If "Mum's the Word (On My Views)" is the album's finest ballad, "Coke's the Real Thing, Don't Doubt Me," isn't far behind. In "The Dirt Diggin' Blues," Thomas contrasts the poor, agrarian days of his youth with the relentless search for dirt that plagues him now. And the chorus of "Den of Thieves" is right on the money: "In this den there are no books/just liars and cheats and common crooks/in this den there are no rules/just pomp and victims, cranks and fools."

The album concludes with two brilliant cover tunes. The first is a wonderfully slow, wistful version of Jim Croce's "I [Had] a Name." Thomas and the band then reach their boisterous best as they rip through a spirited rendition of Bob Dylan's "It Ain't me Babe."

In this tune, as Thomas cries categorical denial, his band of senior musicians sounds about half behind him and half against him. In the end, Doubting Thomas is able to hold together the Overwhelmingly White Man Band long enough to produce this unforgettable work. This critic, for one, thinks that Thomas' brand of adversarial rock will be more than a passing fad.

The Big Hush: The Existence Of Gays Silenced

Jeffrey Dahmer, the Milwaukee mass murderer, will soon be tried for the deaths of sixteen men. Many would

By Ed Joy
RECORD Columnist

prefer to simply forget the gruesome murders, but this horror story provides a revealing look at racism and homophobia in America.

After Dahmer's arrest, headline after headline highlighted the role played by racism in the murders where almost all the victims were People of Color; African-American, Latino and Laotian men were killed off without notice. Moreover, the words of two black women witnesses were practically ignored on the night of one of the murders.

The fact that almost all the murder victims were gay, however, was downplayed or omitted from most of the reports about the incident. Ironically, the very same people decrying the role played by racism in allowing these murders to be perpetuated were blinded by their own anti-gay prejudice from seeing that homophobia also played a central role.

In the specific incident most focused on by the press, anti-gay prejudice played a major role. According to excerpts from police and 911 transcripts, the police were called to the scene by two African-American women who witnessed a bloodied and shaken Laotian youth outside Jeffrey Dahmer's apartment. The police arrived at the scene, but were satisfied with Dahmer's claim that 14 year old Konerak Sinthasomphone was his lover and the two of them had just had a quarrel.

Transcripts from the police computer log tell the story. "Intoxicated Asian, naked male. [Laughter in background.] Was returned to his sober boyfriend. [More laughter.] The police

also joked that they needed to return to the station to be "deloused" after coming in contact with the gay men.

When a relative of one of the original witnesses called to see if the police would need additional information from her niece, she was told that this would not be necessary. She persisted, wondering why the police had not helped the naked and bleeding child. The officer responded that no child was involved and that he could not "do anything about somebody's

claim that he could not do anything about somebody's sexual orientation is a pathetic excuse for his prejudicial dereliction of duty. While the police have no right to regulate the sexual behavior of two consenting adults, sexual behavior was clearly not the issue here. Even if the police had mistakenly identified the 14 year old boy as an adult, his abuse should not have been tolerated. All the two policemen needed to do was enforce Wisconsin's mandatory arrest law for

in the Milwaukee murders cannot see the role played by homophobia. As the mayor pointed to racism as a factor, a police official stated, "These gays all choose a life-style which gets them killed." As a state representative called for an investigation of the police for ignoring the words of two black women, gay organizations and leaders received bomb threats and death threats. As media headlines screamed with charges of racism, references to gays were deleted from the facts. Even in death it seems, the existence of gays is silenced.

It is a sad commentary on the state of anti-gay prejudice in our society that the very same people condemning the role of racism in the Milwaukee murders cannot see the role played by homophobia.

sexual preference."

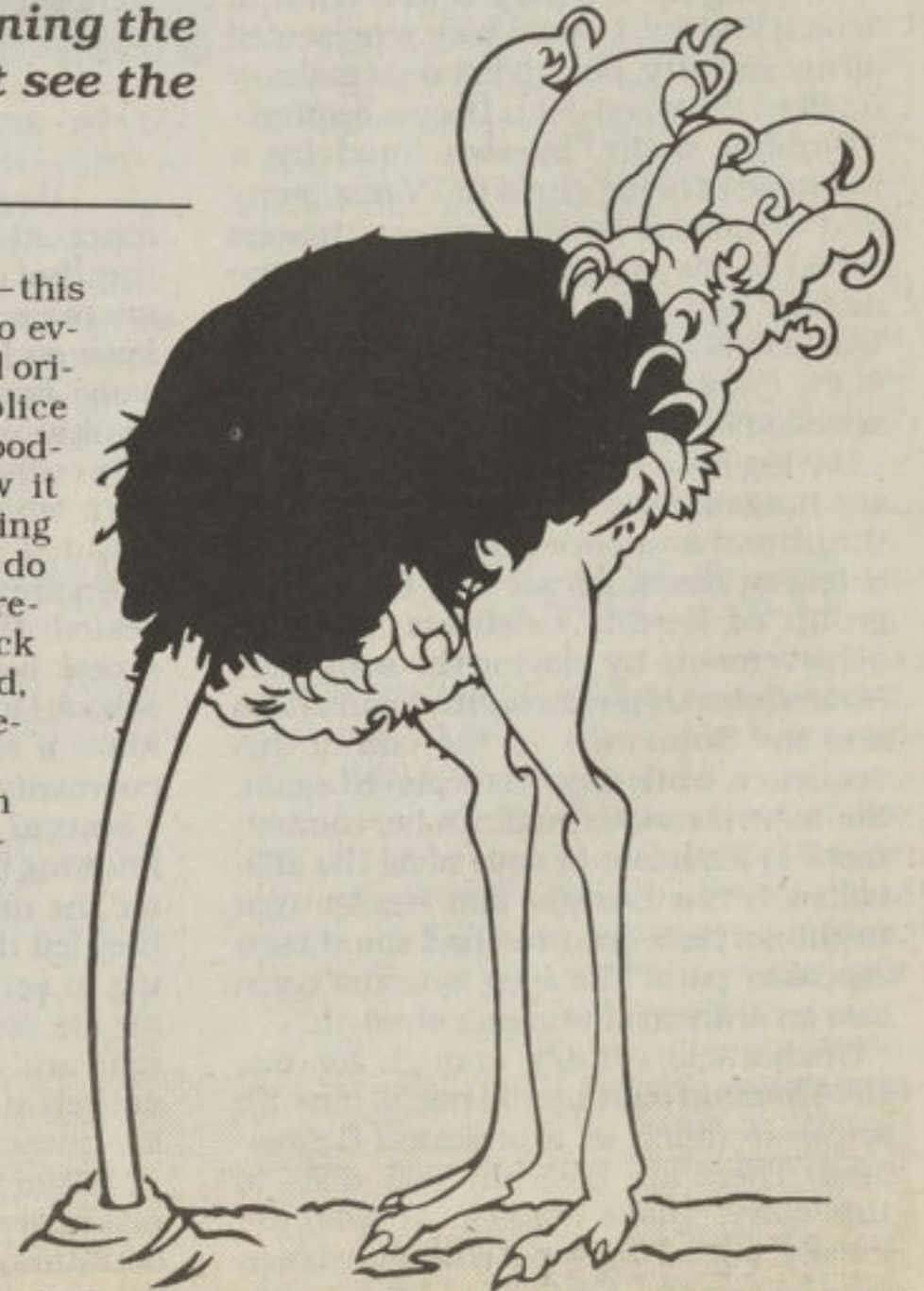
Konerak Sinthasomphone was killed that night shortly after the police departed. Jeffrey Dahmer would claim three more victim's before he was finally stopped nearly a month later. When the news broke one of the original witnesses remarked with frustration, "I wish it could have been a white person out there so maybe [the police] could have listened to him."

Racism certainly contributed to the police's lack of concern and Konerak Sinthasomphone's eventual slaying. If one simply reads the back-page articles reporting that another black youth has been killed on the city streets and compares this to the uproar that arises anytime a white person is killed, it is obvious that our society does not place as high a value on the lives of People of Color as it does on the lives of white people.

It is just as certain that anti-gay prejudice played a part. The officer's

cases of domestic violence — this law is supposed to apply to everyone regardless of sexual orientation. Here, the police blindly overlooked the bloodied boy because they saw it simply as one "fag" beating another. What two "fags" do to one another is easily disregarded, just as black on black violence is easily disregarded, because gay lives do not really matter.

It is a sad commentary on the state of anti-gay prejudice in our society that the very same people condemning the role of racism



HEY BUDDY, CAN YOU SPARE SOME CHANGE?

His name is Dollar Bill, which is kind of ironic, because I doubt he sees one very often. He's one of the growing

By Rich Wareing, 2L
RECORD Columnist

mass of displaced, dejected, and down and out people who sit and beg for money in and around the Square.

I'd seen him around before, and I may have even tossed him some change once or twice, but I had never bothered to stop and talk to him and hear his story.

The other day, after mass, I walked by him on Mass Ave. near the Harvard Book Store. He was wearing a cap which said "Vietnam: 1964-1974" and had on it the eagle's-head emblem of the 101st Airborne Division, a unit known for the courage and valor of its men since World War II. Something about that cap made me stop, something about the fact that a man who served his country with honor and distinction could end up begging for loose change. I was so outraged and saddened that I had to hear his story.

I asked him about the hat, and between swigs of cheap vodka, he told me about Vietnam.

He talked about the impossible position of killing or being killed which he faced every day for two years, about the anguish and unending guilt he felt about the women and children he killed, because he simply couldn't take any chances about who was VC and who has a friendly, and about the pain which surged through his body from the mysterious cancer he has contracted.

I listened as he told me about his "job" begging for money, about how he'd tried to kill a man he caught begging in his spot, and about how in the world capital of "sensitivity" and "social justice," he had to rely on the charity of a few friends for blankets, cloths, medicine, and most of his food.

I stood there, for the price of a few coins, and listened as a dying and decrepit man poured out his life to me simply because I was willing to stand there and listen.

William Weld, our beloved Brahmin governor, has sniffed that no money ought to be distributed to anyone unless they are "truly needy." Using the logical powers he no doubt honed to a razor-sharp edge during his years here, he has determined that while his upper-crust cabinet secretaries should get a raise, and his Ivy-League busi-

nesses, arts subsidies, and tax rates are not touched.

Others of this pack of gutless cowards are of the old school. They preach the gospel of F.D.R. and attack His Excellency for being an uncaring WASP, while all the while they do or advocate nothing that will endanger their stream of corporate donations, insurance businesses, and law practices. While this is going on, they make sure their multitudes of friends and relatives are well-provisioned with public jobs, and cut anything and everything else to

I listened as he told me about his "job" begging for money, about how he'd tried to kill a man he caught begging in his spot, and about how in the world capital of "sensitivity" and "social justice," he had to rely on the charity of a few friends for blankets, clothes, medicine, and most of his food.

ness and lawyer friends should get more tax breaks, the faceless mob which wanders the streets, his not included, looking for a meal or warm place to sleep are simply not worthy of anything but admonition for not having gotten a prep-school education and an Oxford degree as a hedge against hard times.

Meanwhile, the jackasses that we here in Massachusetts like to call a legislature sit back and do nothing. Some are of the limousine-liberal set, who wimper about fairness and justice from their Newton, West Cambridge, Back Bay, Beacon Hill, or Brookline addresses, vote their pocket-books and make Governor a man whose economic policies are reminiscent of Herbert Hoover, simply because he is polite, Harvard-educated, recycles, and is pro-choice. These same hypocrites then have the unmitigated gall to complain about, but support, the "devastating" cuts in human services His Excellency desires, so that their youth-soccer programs, community

save them.

Lost in the rhetoric and self-interests, the people like Dollar Bill are left to their own wits and the charity of others, which is often to say left to starve. They are written off and ignored by most as lazy and violent; the scum of the earth which ought to be swept off the streets and subways by vagrancy laws and "no begging" statutes. They survive, barely, and seldom realize most of their problems are not their fault, but rather the fault of a generation with no character, no sympathy, and no conscience.

Two summers with Sister Rose-Ellen and Jim Wing down at the local soup kitchen and homeless shelter will teach anybody with half a brain that most poor people aren't vicious or lazy. Some are insane, and belong in hospitals, but since the almighty ACLU knows that "freedom" is better than institutionalization and most of us are so damn hard-hearted that we won't pay for, or even allow in our neighborhoods, half-way houses, these

poor souls walk the streets, muttering to themselves mostly incomprehensible gibberish.

Some are drug addicts or alcoholics: the burned-out refuse of a dying nation who have been written-off and are forced to wander the streets looking for money to kill their pain. Some, like Dollar Bill, are the uncounted casualties of a stupid war: men who never recovered from the trauma of the insane and desperate battles into which they were thrown. Some are just down on their luck; out of work and without Ivy League educations or connections to fall back on. All are hungry and cold. All are human beings.

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And The People Are Shouting: "Include Us!"

There has been a subtle change in many news broadcasts over the last few

By Jim Datri, 3L
Managing Editor

years. While they used to open, close, and go to commercials with close-in shots of the anchor at his news desk, today the vantage point is often backed up a few feet, displaying a news set, the cameras, and sometimes the news director moving in to consult with the anchor. Another popular shot, particularly with CNN's news shows and NBC's Nightly News, is of the control booth with the various technicians doing their jobs.

A couple of seasons ago, ABC and NBC began their fall season entertainment programming promotions with a new twist. As always there were the new network slogans and musical themes, but something was a little different. Instead of just showing scenes from the new shows, there were pictures of the shows' stars clowning around in the studio parking lots, and shots of the camera operators and directors consulting on the set. Something is going on here.

In our pre-Technicolor past, when Jimmy Stewart, Cary Grant, and Loretta Young graced the silver screen, and Milton Berle and Lucille Ball filled our picture tubes, people looked with excitement to news from Hollywood or the glamour of pin-ups and matinee idols. They were hungry for gossip about the stars, and the newspaper columnists provided it. But these people of our past, rich and poor, put down that paper, left that theater, or turned off that tube, and returned to a world of living, breathing neighborhoods and communities, made up of families that worked and cohesive social organizations. Celebrities were certainly a source of awe and excitement, but they were a tempo-



rary diversion from lives that engendered a genuine sense of belonging and inclusion.

Today, we still have the gossip columnists in the electronic form of Entertainment Tonight. But high-tech gossip alone is no longer enough. Americans of the present, as any social scientific survey on the subject reveals, feel excluded from their neighborhoods and lack the time for involvement in social organizations. So they have turned outward - or, perhaps more apt, inward - to the world of movies, television shows, and news programs, and are shouting from the visceral depths of their souls: "We've been excluded from everything else. Please include us here!" And there has been a response in the form of "blooper" shows, where the audience is shown the blunders of stars who forget their lines, where hidden cameras let the audience in on practical jokes being played on stars. On the surface the emphasis is on the humor, but the need being filled is not the audience's need to laugh, but the audience's need to be included by being shown life on the set,

or being let in on a joke. This is just what the newscasts are doing by letting viewers see the news desk for what it is, a piece of a set, or ushering them into the control room, or behind the cameras.

This is not to say the old glitz of Hollywood and stature of newscasting have lost their salience. In fact, it is these qualities, once simply sources of diversion or enjoyment, that have also become the draw and hook for a public looking for meaning otherwise missing in their lives. And as the people have decided the media is the modern-day keeper of meaning (or the most easy substitute for it), the media masters have responded - perhaps symbiotically - by expanding their role from entertainer and informer to neighbor and friend.

With the 1992 Presidential campaign just around the corner, political candidates might do well to pay attention to the underpinnings of this trend. Just as Hollywood provides glamour, each candidate needs a hook and draw - like the patriotic angst of George Bush, the outsider's fight of Jimmy Carter, or the

eternal optimism of Ronald Reagan - to initially attract the public attention in its search for answers and meaning; but once he has captured that attention the candidate must continue to the most important step and let the voters in.

Much has been written about how Michael Dukakis' detached demeanor undermined his Presidential bid. But those consultants who tried to make him change that demeanor and make Dukakis what he was not made a big mistake. Michael Dukakis could have made his detached, even cold air of competence succeed, as his unique draw, by following through and showing the people how he worked. It was not his demeanor, *per se*, but the public's sense of exclusion from the real Michael Dukakis that ultimately ruined his candidacy.

Don't just show a speech; film the candidate preparing the speech. Don't just show the candidate casting a vote or signing a bill; film the work leading up to it. Entitle these spots "The Vote" or "The Speech" and show the candidate's process of work and endeavor. "Include us!" the public shouts, "Include us!"

Jim Datri is a former lobbyist and currently heads the Law Students National Network for Children.

Prejudice

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genitors deserves severe criticism.

Ultimately, Jews can protest Dr. Muhammad's statements all we wish; the real power to effect change, to demand a stop to the lies and distortions, rests with those to whom the purveyors of such bigotry appeal - African-Americans themselves.

Muhammad

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perhaps most disturbing was the mob-like reaction of large segments of the crowd. I would've expected better judgement from HLS students, then again, maybe not", stated Jonathan Klein, 3L. Behnam Dayanim, 2L, president of JLSA, also felt disappointed and hurt at the audience response.

"My sense of hurt and anger at the perceived slandering of my people and denial of my identity was exacerbated by the sense of support he appeared to be receiving from the audience. Many applauded statements most Jewish students felt were anti-semitic."

Nevertheless, Dayanim noted that he was encouraged by the fact that "over the past week, Jews have received support and heard agreement that Dr. Muhammad's statements were anti-Semitic."

"I hope to continue dialogue and mutual projects with BLSA. Hopefully this incident will result in the institution of a voluntary courtesy system where potentially affected groups are notified if a speaker is asked to speak that a certain group may find offensive. We hope this facilitates communication among groups because it is lack of communication that most often causes problems."

Charisse Carney, 3L, BLSA president, noted that Dr. Muhammad's ideas are considered controversial and elicit differing opinions from BLSA members but the general consensus is "he is an important voice in the black community and given the crisis that confronts African-Americans today, we do not have the luxury to ignore voices that may have potential solutions."

Randall Kennedy's response is that this explanation is deficient.

"Indeed the black community is in crisis, but does this crisis mean that we have to abandon all moral judgement?"

Mike Pahl, 3L, who is neither Jewish nor Black perhaps has the most comparatively unbiased perspective on this debate. He notes, "I deliberately stood in the room so as to be associated with the Jewish students protesting his anti-Semitism. Aside from Dr. Muhammad's

anti-Semitic remarks, he offered a very powerful message for black youth to choose a life centered around hard work, close ties to the family and a belief in God.

"This is a universal message that is essential to anyone's success, a message applicable to all people at all time. But, although I stood with the Jewish students to protest the anti-Semitism of the speaker, I realize that Jewish students too have long engaged in a similar type of labelling which I deplore; namely, equating any criticism of Israel with anti-Semitism."

Indeed, at this time when violent clashes have taken place between blacks and Jews in Crown Heights, Brooklyn over the accidental killing of an African-American boy and the consequential slaying of a rabbinical student, the incident at HLS seems but a storm in a teacup. But, perhaps the aftermath of this storm will bring a time of understanding.

CLASSIFIED

Blacks In Black And White And Color

The 2nd Annual Symposium on Black Americans in the Mass Media, is scheduled for Thursday-Saturday, October 24-26. The following events are scheduled: Thurs., Oct. 24, 9pm, Carpenter Center, screening of "Daughters in the Dust", by Julie Dash, followed by a discussion with the director (charge: \$5); Fri., Oct. 25, 9pm, Carpenter Center, world premiere of an all-black movie version of the "Importance Of Being Ernest", followed by a discussion with cast and crew and a gala reception (charge: \$25); Sat., Oct. 26, in LN, an all-day panel discussion, "Reinventing the Black Image in the Mass Media," featuring Henry Louis Gates, Harvard University; Dennis Greene, SONY-Columbia Studios; Massachusetts State Representative Gloria Fox; and others. (Please call 489-3799 for price info.). Questions, or interested in helping out: Call 489-3799 or 497-6251.

Letters To The Editor

When Is Cambridge Going To Have Its Parade?

To the Editor:

I perused with amusement Jim Datri's effort at satire ("Cambridge, MA: The Little Town With No Parade," Oct. 4). The substantive criticisms he raised in the article led to some ridiculous conclusions.

For example, Datri equated Iraq's occupation army with the recognized Kuwaiti government and he faulted the coalition forces for not taking as many casualties as the Iraqis. Such absurdities require no serious response.

However, a particularly strange passage criticized the allies for not destroying all of Iraq's nuclear capability. I suspect Datri would object strongly to whatever measures it might have taken (and may still take) to do the job completely. Or did he object to Iraq's nuclear, biological, and chemical capabilities being targeted at all?

According to the U.N. inspectors (who, I'll point out, wouldn't be there now if there hadn't been a war), Iraq was 15 months away from a working bomb in January, 1991. Iraq could have nuked Israel by April, 1992 - before this year's 3L class graduates law school! We should all consider for a moment the implications that development could have had for the region, the world, the economy, our own lives, and the lives of our loved ones.

Despite the logical silliness of Datri's article, I thank him for writing it. In choosing as his satirical vehicle the hundreds of parades across America that welcomed the troops home, Datri has given us concrete evidence of an attitude that the antiwar fringe struggled greatly to disavow. As many may recall, the protest element claimed to be supporting the troops while opposing the war. Of course, neither the troops, nor the American public, believed it. Separating the war and the warriors makes no more sense than

separating the law and the lawyers, or the farms and the farmers.

The parades were indeed a welcome home for the soldiers, sailors, airmen, and Marines of Desert Storm, but they were also an affirmation of support for their cause.

By attempting to disparage the war by ridiculing the parades for the troops, Datri be opposed without also opposing those who serve in it. That's why the protesters were properly marginalized by the American people. Thanks for the article Jim. You've got my vote for Grand Marshal.

Jim Bowen, 2L
October 5, 1991

Politically Correct Liberals Are Illiberal

To the Editor:

Surely Professor Dershowitz was misprinted in the September 20, 1991 edition of the RECORD.

Hey Alan, the political right is not mowing grass. They are simply enjoying themselves pointing out the illiberality of those politically correct liberals who are so intolerant of any and all ideas, thoughts or speech at variance with their own.

Alfred J. McDowell, '37
October 16, 1991

Rudenstine

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Rudenstine said he will probably "take a dive" as soon as he makes his first major decision.

"We'll do our best. I don't think we can look forward to great press or easy sailing," he said.

"I do think you have a real strong community here of people of genuine good will and intelligence, and that's a great opportunity," Rudenstine said. "If you can't make this kind of community work, then you really haven't got much of a chance for the human race."



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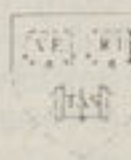
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Jesse Jackson

will be speaking

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Stay tuned for time and place.

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