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Worker Exposes Himself

By April Rockstead

A Holmes Field construction worker was fired last week for allegedly exposing himself to two law school students in Pound Hall late last Wednesday afternoon, according to the general contractor, Harvard Police and law school officials.

The construction worker, whose name was not released, was identified Thursday, February 18 by the two students as the man who exposed himself and started masturbating in front of them at approximately 4:45 PM, February 17, in the area "near the pictures of female judges on the wall" in Pound Hall, according to Harvard Police Lt. Schwab.

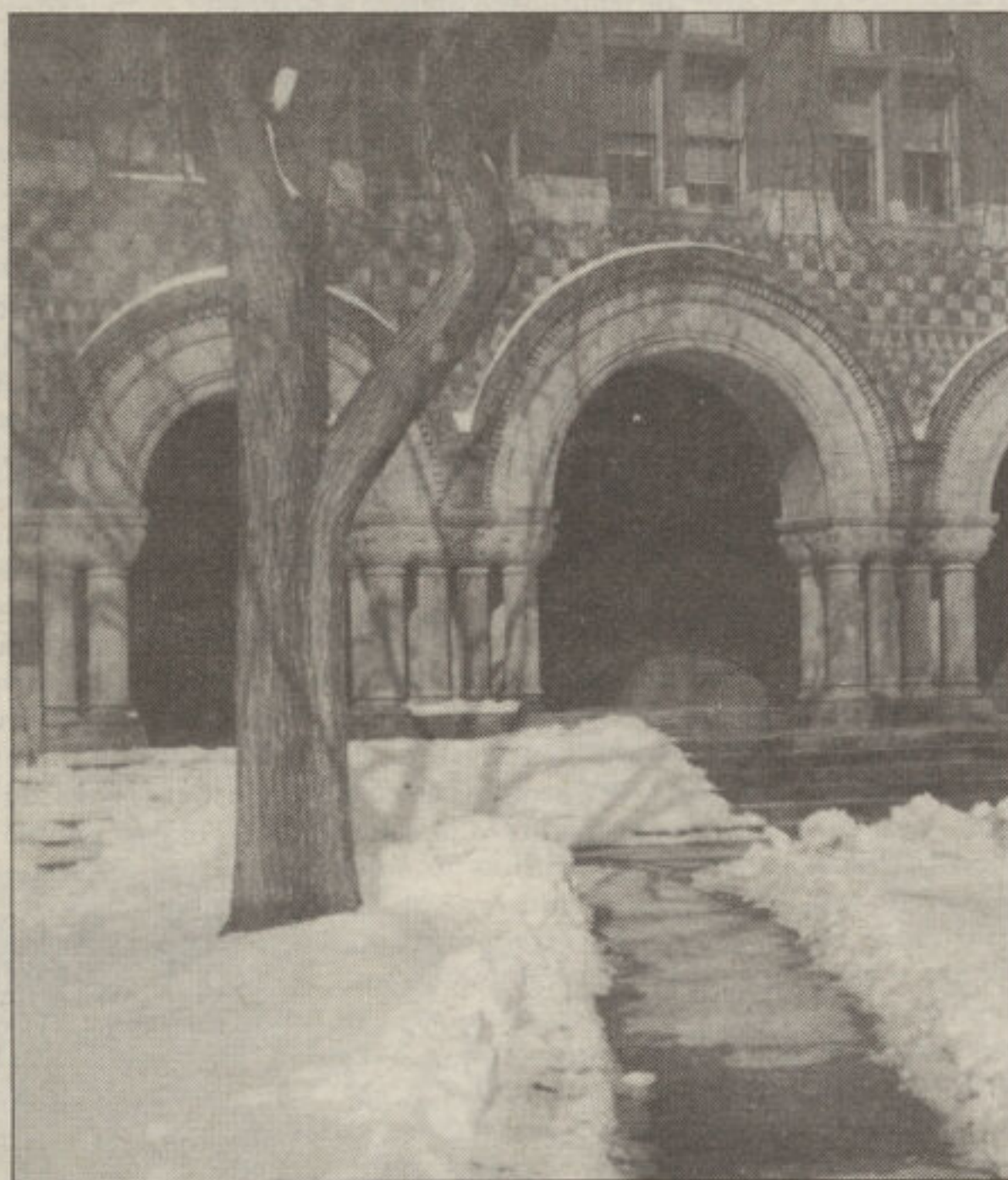
Although the man was employed by a subcontractor in the building construction, the general contractor fired him following police confirmation Friday, February 19, that he was the suspect. Termination under these circumstances is provided for by the terms of the construction contract, which are also written into all of the subcontracts, explained Steven Pelletier, project manager for the general contractor, Daniel O'Connell's Sons, Inc.

"The terms of my agreement with Harvard contain very harsh language concerning the harassment issue — termination is going to be a definite," Pelletier said.

"I'm sorry that the thing happened," he added. "I wish it hadn't, but I guess people will be people and you can't watch them 24 hours a day."

The contractors were unaware of any previous problems with the terminated employee, Pelletier said. "He

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Snow blankets the approach to Austin Hall.

Flu Bug Hits HLS

By Greg Stohr

Along with cold winds and heavy snow, the Cambridge winter has brought with it another seasonal scourge this year—the flu.

Doctors at University Health Services have seen numerous students with flu-like symptoms in the past few weeks. Several of the cases have been fairly serious, although according to Dr. Charles Weingarten, the UHS chief of medicine, the outbreak has not reached epidemic levels.

"[The syndrome] seems very prevalent and probably more so than in the last couple of years that I've been here," assessed Weingarten. "Fortunately, we haven't seen anybody that's terribly sick."

At the law school, students have noticed an increasing number of students and professors staying home from class and extracurricular activities.

"The flu has devastated the

spring musical," Todd Hartman '93 said. "One-third of our cast has come down with something. We have two-thirds attendance at most rehearsals. We're all just waiting for the time when the rest of us get it."

"I figure I'll come down with it pretty much opening night," Hartman predicted.

Weingarten said the outbreak probably reflects a cyclical phenomenon caused by the flu virus' high tendency to mutate into different strains.

"It sort of relates to how much immunity there is in the population," he explained. "The strains change, and if the new population is susceptible to the new strain, there's going to be a lot of it around."

For those who have caught the flu bug, physicians recommend bed rest, frequent fluid intake and Tylenol for fevers and aches. But like the winter season, students may just have to let it take its course.

HLS Gets an "F" for Grade Dispatch

Students Frustrated by Late Delivery

By Lisa Zornberg

Student attitudes toward receiving grades range from absolute dread to complete apathy to anxious anticipation. But nearly all students can agree

that the Law School's handling of grade dispatch last week failed with flying colors. If 2L's and 3L's felt like they waited an inordinately long time for fall semester results, well, they did. The last day of exam period was December 23, 1992, yet grades were not made available to students until February 21, 1993. This two month delay was longer than in past years, acknowledged Mrs. Bombard, Associate Registrar.

To make matters worse, many 2L's and 3L's finally

picked up their "report cards" only to find a "No Grade" designated for certain classes. Even with the delay, a number of professors had still failed to turn in grades on time.

Delinquent professors included Charles Nesson '63, who finally submitted his fall Evidence grades on February 24; Andreas Heldrich, who turned in results for Western Legal Traditions on February 23; Frank Sander '52, who has yet to turn in grades for Mediation, and Lucian Bebchuck '80, who still had not submitted grades for Corporate Finance as of Wednesday.

Asked what penalty professors face for such delinquency, Associate Dean Meltzer quipped,

please see **GRADES**, page 13

Nesson Apologizes for Evidence Exam

By Greg Stohr

In an unusual step, Professor Charles Nesson '63 has apologized to the students of his winter term Evidence class for the questions he asked on its exam.

In a February 11 letter distributed to every student in the class, Nesson acknowledged that he made a mistake in not including a question that explicitly concerned the rules of evidence.

"I want to apologize... for asking you two open-ended questions on the exam rather than my traditional combo of one bread-and-butter question and one open-ended question," Nesson wrote. "This was a mistake of judgment on my part that may have deceived you into thinking you had no opportunity to demonstrate your command of the law of evidence."

Nesson said that a complaint lodged by a student with Associate Dean Frank Sander '52 prompted the apology. Upon reflection, he thought the complaint had enough merit to warrant the letter.

"I didn't intend for it to be a big deal," Nesson said. "I was intending to acknowledge people's problems. I certainly didn't think of [the letter] as anything extraordinary."

A number of Nesson's students said they were particularly troubled by the first of the two

essay questions, which asked students to "explain the difference" between a "deal maker" and a "litigator" and to discuss which role they felt more suited to fill.

"It was not apparent what possible connection that question had with the class," said David Frakt '94, who nevertheless called Nesson's teaching "extraordinary."

Johanna Davis '94 said she was particularly upset that Nesson had indicated in class that one of the essay questions would be an issue-spotter.

"It's not right to mislead students that way," she said. "It benefited students who didn't know the evidence rules."

Nesson said that, since distributing the letter, about six students have contacted him either to tell him that they thought the exam was fair or to thank him for the class. At least one student, Carroll Peiffer '94, was sharply critical of those who complained.

"I think we just have a bunch of crybabies," Peiffer said. "I guess law students are a bunch of wimps. Mr. Nesson never should have apologized."

In spite of the concerns over the questions, Nesson said that he has been pleased with the exam papers he has read so far. Still, he admits, "if I were doing it again, I'd probably stick in a little issue spotter."



Prof. Daniel Meltzer



Prof. Charles Nesson '63

1Ls Search for Summer Jobs

By Robert Weissman

With a mere 91 days left in the semester (95 for students in Arthur Miller's '58 Civil Procedure class), 1Ls are growing increasingly frantic about the summer job search. According to the Career Services Office, about half of the 1L class has not yet made summer plans, i.e., doesn't have a job.

"1Ls always have a difficult time," says June Thompson, Director of the Careers Services Office. "Things seem to be going just about the same as last year."

As in the past, firm jobs in New York and other big coast cities are toughest to come by; students looking for public interest work, or for jobs in locations off the beaten path seem to be doing better. But few are finding the process easy.

Many students have sent resumes to more than 50 employers, but some 1Ls boast triple-digit mass-mailings. According to Thompson, this is sound strategy: "There is no such thing as overdoing it in the current market," she affirms.

Of course, sending out a multitude of letters practically guarantees a similarly overwhelming number of "ding letters." 1Ls, who may be facing

rejection for the first time in their lives, find the experience daunting, if not depressing. But the sting quickly numbs. "If you've seen one ding, you've seen them all," proclaims Stuart Kagen, who applied to thirty or forty firms in New York City, as well as to a number of public interest organizations. Some 1Ls proudly post their rejection letters on "Walls of Shame."

Public Interest Possibilities

Interest in non-profit work has been extremely high this year. More than 100 students are on the waiting list for Wasserstein grants, the HLS-administered fund that gives students grants for summer public interest work.

As with firm jobs, success in finding a public interest position requires legwork. Jodi Danis utilized the Office of the Public Interest Adviser (OPIA) to land her summer job with the Department of Justice in Washington, DC. Through OPIA's alumni contact sheet, she found a DOJ attorney willing to circulate her resume. By December, she had arranged an unpaid internship in DOJ's Civil Rights division. But, seventieth on

please see **JOBS**, page 4

Law School Council Resolves to Change

By Todd Hartman

In the brief hiatus between vacations and exams, a new year has fallen upon us and, in line with tradition, the Law School Council has taken a new approach to old problems. Responding to the contention and divisiveness which all but stalemated HLS's governing body last fall, the Council has taken several steps toward keeping such problems off the pages of *Gentlemen's Quarterly*.

"After the debacle of last October," said Council President Marie-Louise Ramsdale '93, "we immediately put together several committees aimed at reform in a politically balanced manner." The first and largest of these committees was aimed at redrafting the Council's Constitution, which was faulted for many of the Council's problems.

"The Constitution was so full of holes it was just a joke," remarked Ramsdale, "so we wanted to redraft it in order to make a real student government instead of a joke." Erik Lindseth '95 was appointed non-voting parliamentarian and asked to head the Ad Hoc Rules and Procedures Committee to rewrite the document.

"The past Constitution was a mess," agreed Lindseth, whose committee finished a proposed rewrite last Tuesday.

"We had a fairly diverse committee on issues and ideology," added committee member and Executive Vice President Enu Mainigi '94, explaining the positive result. "The reason for the diverse committee was to combat the illusion of bias which caused last fall's stalemate. The strategy proved very effective."



Enu Mainigi '94

Major features of the proposed Constitution include consolidation of the vice presidential offices, formerly appointed by the Council, into a single office elected by the student body. In addition, the respective powers of the executive and general council bodies are to be codified in specific bylaws, rather

"The Constitution was so full of holes it was just a joke," remarked Ramsdale, "so we wanted to redraft it in order to make a real student government instead of a joke."

than amorphous entries in the Constitution proper. Lastly, the number of formal committees on the Council is narrowed from six to four, eliminating unnecessary overlap and allowing for more comprehensive debate.

"There really aren't too many substantial changes between this Constitution and the last Constitution," continued Lindseth, "except that it flows better and is better structured in the proposed draft."

Perhaps more successful than the proposed reforms themselves, is the new approach the Council is taking in settling its disputes over the Law School's controversial concerns.

"Basically, after everything that happened last fall," said Ramsdale, "I realized that if we were going to get anything

accomplished as a Council and as a school, we were going to have to come together." The Council's new approach has centered around bringing representatives from all ideological viewpoints into the committee planning process.

Exemplifying the Council's recent efforts is the special committee formed to

draft a resolution on HLS's most touchy issue, faculty diversity. The committee was formed upon the initiative of Camille Holmes '93, and includes Mainigi, Rich Wareing '93 and Hank Fincher '94. They have been working for some time to hammer out an agreement on resolutions drafted by Holmes and Mainigi. The committee will present the resolutions to the Council next Wednesday.

"We've worked hard to create healthy options on this thorny issue, in ways that will be acceptable to most people on the Council," remarked Fincher.

Despite the compromises made, Holmes remains confident that, if adopted, the resolutions will have their intended effect.

"I hope that these resolutions can be passed unanimously in order to send a

strong and positive message to the faculty and administration about the importance of diversity," Holmes declared.

The recommendations include ways to get beyond the "pool problem," address issues of race and gender in a non-combative way in HLS classrooms, and specifically state that a greater number of professors from groups traditionally underrepresented at HLS should be given the opportunity to attain tenure.

Another major undertaking in progress includes Council recommendations to the Administrative Board for procedural changes. This initiative comes in the wake of last spring's controversial "Griswold Nine" trial. While no formal committee has been established, the Board has reportedly shown interest in the proposal.

Besides these promising advances in areas of contention, the Council continues to work for more tangible student welfare improvements. Perhaps most apparent is the new Hark meal card system, which culminates a three year effort on the part of Council members. In addition, the Council sponsored the Book Exchange of

two weeks ago and is currently focusing on creating a shuttle service to and from interview sites during fall recruiting. Ramsdale hopes that these efforts will also help to improve the Council's image.

"The meal cards and the book exchange," offered Ramsdale, "are things the Council is doing for which we get little credit. It seems only our quarrels make news." However, if the

Council continues its recent strides away from rivalry and toward resolution, this may no longer be the case.



Erik Lindseth '95

SFF Phone-a-thon Raises Big Bucks for Public Interest Jobs

By Andrew Greenblatt

Special to the RECORD

Many HLS students spent the week coming home from a late night in the library to find their answering machines blinking. A sudden surge in the local social scene? No, just the annual call for funding from Student Funded Fellowships (SFF) trying to raise money to support public interest work.

SFF was started in 1974 to raise money to help fund students who take summer jobs which pay them little or no money. It was the first organization of its kind in America and has since been copied in over 80 law schools across the country. SFF remains one of the most successful, having raised over \$60,000 last year.

This year's phone-a-thon shaped up to be the most successful yet. The first day set a new one day record with \$37,000 pledged by students. Traditionally 60% of telephone pledges actually materialize.

This money will be put to good use. SFF funds a diverse group of students who go to work for non-profit groups and government agencies. SFF chooses which students to fund on the basis of their financial need as well as whether they will be serving traditionally under-represented people.

"People will be taking positions ranging from US Attorney's offices to international human rights groups to traditional legal services," explained Kathy Flaherty '94, a member of the SFF board in charge of applications and interviews.

"We received over one hundred applications," she said.

Helping Fellow Students

One goal of SFF is to allow students at HLS an opportunity to experience public interest work at some point during their law school career. The Law School itself will be able to provide about \$120,000 per summer for the next three summers thanks to Alumni donations to the Wasserstein and Andres fellowships. These grants provide recipients with up to \$2,000 to supplement whatever employers are able to pay. But that isn't enough.

Stacy DeBroff, Director of the Office of Public Interest Advising explains, "Despite the fact that Harvard Law School has one of the most generous summer funding programs in the country we still have 152 students on a wait-list who are hoping to get funding in order to afford a public interest job this summer."

Furthermore, DeBroff pointed out that the \$2,000 provided by Wasserstein and Andres is often not enough to support a student through the summer and employers rarely have the money needed to supplement a student's salary. SFF is able to make the difference for many of these students by giving them the relatively small grants they need to fill in the gap.

One SFF recipient, Ashley Barr '94 worked in Sri Lanka with prisoners last summer. When asked how important the grant was to her she replied, "I literally would not have been able to do it otherwise." Barr hopes to continue doing human rights work this summer in Pakistan. "Basically it started a career for me."

Helping Those In Need
SFF serves another important func-



Students call to solicit donations for Student Funded Fellowships.

tion: it brings dozens of Harvard Law Students to the neediest communities to provide legal services to people who would otherwise go unrepresented. DeBroff put it this way, "SFF funds allow public service organizations to complete vital projects which otherwise would not be available to serve the neediest populations."

One such public service organization is the Evergreen Legal Services Center in Seattle. The Director there is Ron Roseman who says that Evergreen has had many HLS students spend the summers working with him thanks to SFF. "Without your fellowships we would not be able to have summer law clerks," he explained.

Like Barr, some SFF recipients go on to make a career of public service work, but even if they don't Roseman sees a useful purpose in having law students spend a summer serving the under-represented. He explained that working with poor people "makes the person as a lawyer a broader and better professional" even if they end up clerking for a judge and working in a law firm.

"It gives them a certain perspective," he said.

Even though the Phone-a-thon is over the fundraising continues. In the coming

weeks the faculty and staff will be asked for contributions and law firms will be asked to match the donations of their summer clerks.

But in the end 90% of the funding for SFF comes from students. Next week SFF will be placing pledge cards into the harkboxes of everyone who didn't get a chance to pledge during the Phone-a-thon. As one Phone-a-thon volunteer put it: "Please give generously."

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Class of '63 Remembers New AG Janet Reno

By Steve Yarian

Moving the nation one step closer to having its first female Attorney General, President Bill Clinton tapped the talent of Harvard Law School once again. On February 11, Clinton named Janet Reno '63 to the post of Attorney General overseeing a staff of nearly 100,000 at the Justice Department. Although she is now under a national microscope, friends and classmates remember Reno when she was just another student in Cambridge.

Reno's legal training began when she entered HLS as one of 16 women in the class of 1963. Classmates recall her as a bright but quiet student committed to public service.

Classmate and professor Charles Nesson '63 praised Reno as a highly competent person. According to Nesson, she was "an unflappable person with a grip on the problems she was dealing with." He added, "She always knew who she was and what she was doing."

In 1963, the women law students all lived in Wyeth Hall. Classmate Janine

Goldberg '63, a tax specialist in Los Angeles, recalled Reno as a hard-worker, a leader, and something of a role model.

"Janet was a serious student, a loner sometimes, and she was very supportive of the other women in the class." Remarking rather tongue-in-cheek on Reno's 6-foot-2 frame, Goldberg added, "she stood tall even then."

Professor and classmate Gerald Frug



Janet Reno '63

'63 was "thrilled" with the news of Reno's nomination and felt that it was "great for the school and for our class." He added that Reno's background especially suits her for the job. "Janet's experience as a prosecutor in a complicated urban environment makes her an excellent choice."

For the last 15 years, Reno has been the Miami area prosecutor, overseeing a staff of 230 lawyers who prosecute 40,000 felonies a year. While her background in criminal prosecution stands in sharp contrast to the experience of nominees Zoe Baird and Kimba Wood '69 before her, critics maintain that she has been reluctant to prosecute some local political corruption cases because of a lack of investigative zeal.

One of Reno's earliest and best known cases embroiled her in the racial tensions of Miami. She prosecuted five police officers for the beating of black insurance agent Arthur McDuffie. The trial was moved to Tampa where the five police officers were acquitted, sparking the Liberty City riots in Miami. In 1989, her office prosecuted police officer William Lozano for the shooting of a black motorcyclist resulting in a conviction that was later overturned.

Clinton's first two nominees, Baird and Wood, withdrew as candidates after public outrage over their employment of illegal aliens and, in Baird's case, failure to pay Social Security taxes. Reno, 54, is single and has no children. She has stated publicly that she has never hired an illegal alien or failed to pay Social Security taxes.

Senate confirmation hearings have not yet been scheduled.

Constuction Worker Caught in the Act

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was a good employee at his work. He didn't seem to have bothered anybody."

Pelletier added, "I don't think that any of us are in the position to say that the man is guilty or innocent. I just asked that he go away and take care of it."

A hearing is scheduled in mid-March before the Third District Court in Cambridge to determine whether charges will be pressed following the alleged victims' complaint, Schwab reported.

Law School administrators said the matter had been handled quickly and appropriately by the contractor.

"As far as the law school is concerned, the contractor has been very responsive, and has followed through on what he said he would do," said Administrative Dean Sandra S. Coleman, who is also a member of the Holmes Field Building Committee and the primary administrative contact for the building construction.

"We have taken steps to make sure that the individual

involved is not back on campus, not just as an employee but as a private citizen," she stated.

All construction workers are aware that they are to stay within the construction confines and out of campus buildings, Coleman said. "The workers know that they do not have access to the buildings. They know that if there is any complaint filed, that's grounds for termination."

Pelletier reported telling his employees to stay within the construction fence and warning that the buildings, with the exception of the area underground Langdell, are "off limits."

But Suzanne Richardson, Acting Dean of Students, said even though the suspect has been "warned off the premises," students should take safety precautions as a general measure.

"My advice to students and to people who work here is to be alert and aware," she said. "The law school goes to great extent to

make sure that its areas are safe, but this is still a city." The alleged victims of the exposure could not be reached for comment.



Holmes Field Building construction workers.

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BRIEFS



EC Studies Fellowship Established

The European Law Research Center at Harvard Law School has established a Visiting Fellows Program "to give gifted individuals the opportunity to help develop new ways of thinking about European law in an unparalleled academic environment," announced Professor David Kennedy '80, program director.

The Center represents a collaborative faculty effort to strengthen ties between the North American and European legal professions. Its scholarly mission is to become the foremost center for the study of European Community law in North America.

Fellows participating in the program will receive appointments of one year. Applications from students with graduate degrees are due by April 15, 1993, and grants of up to \$5,000 may be awarded. Fellows may include non-Europeans studying European law and Europeans studying other legal systems.

Former AG Offers Wisdom

Former Maine Attorney General James E. Tierney, a Morris Wasserstein Public Interest Fellow, came to Harvard Law School on Tuesday, February 23, 1993 to advise students on public law practice.

Stacy DeBroff, director of the HLS Public Interest Advising Office, commented, "Jim Tierney was selected for this program because of his long service as Maine Attorney General and his continued dedication to public service work."

Tierney also spoke with students about his experiences in international affairs, including a delegation of election observers he led last fall to Cameroon's first multi-party presidential election.

Students Volunteer to Help with Taxes

The HLS Volunteer Income Tax Assistance Program (VITA) is providing free, confidential assistance in the preparation of federal and state tax returns to residents of Cambridge, Somerville, and Boston's Chinatown neighborhood. "VITA is designed to help the low-income person, the elderly, and those who have difficulty with English," says Melissa McCann '94.

The IRS has trained and certified VITA volunteers to assist in the preparation of Massachusetts forms and federal 1040, 1040A, and 1040EZ forms. VITA students will refer persons with complicated tax returns to professional consultants.

Joe Witalec '94 recommends that "taxpayers take advantage of our services in February and March to avoid the last-minute rush." According to Kevin Werbach '94, "Joe does a fantastic job helping people with their taxes. He has that Ohio charm that really makes people like him." HLS VITA is comprised of students, employees, and community members. HLS Asian American Law Student Association members are assisting in Chinatown. HLS VITA is sponsored by HLS and the Boston law firm of Ropes & Gray.

Dersh and Tyson, Round Two

Former heavyweight boxing champion Mike Tyson's rape conviction should be reversed because key evidence that could have undermined the credibility of his accuser was wrongfully excluded, HLS Professor Alan Dershowitz argued February 15.

Dershowitz's team of defense lawyers said that three witnesses, one of whom claims to have seen Tyson and his accuser Desiree Washington kissing in Tyson's limousine, should be allowed to testify.

"We want a new trial in which all the evidence can be presented to a jury," Dershowitz said after two hours of argument before a three-judge panel of the Indiana Court of Appeals.

Trial judge Patricia J. Gifford ruled that the defense attorneys produced the witnesses too late — in the middle of the trial. Dershowitz, who did not participate in the trial defense, argued that the attorneys properly did not bring the witnesses forward until they were certain the witnesses were telling the truth.

"It is unfair to punish Mike Tyson because his lawyers acted in good faith," he said.

Dershowitz additionally argued that Gifford should have instructed the jury to consider whether Washington consented to have sex. He also contended that Gifford should have granted a new trial after discovering evidence that Washington had signed a contingency fee agreement with a civil lawyer, although both Washington and her father had testified to the contrary.

Prosecutor Lawrence M. Reuben argued that the trial was fair.

"This appeal is not about re-weighing evidence, as the defense would have you do," he said.

Tyson was convicted of raping Washington in his Indianapolis hotel room in July, 1991. The court is not expected to rule on the appeal for at least two months, officials said.

The LL.M.s Are At It Again

The Graduate Program and the International Law Society hosted an International Food Festival and Party last Saturday night. Attended by about 350 people, this was the first event of this scale held by the two groups. After sampling food from over 20 countries party-goers danced to music with a distinctly Latin American flavor. The event was planned by Yutaka Arima LL.M. '93, from Japan; Bonnie Chan LL.M. '93, from Hong Kong; Steven Lurie JD '93; and Jean-Francois Lelouch LL.M. '93, from France.

Federalist Society National Symposium to be Held at HLS

By Paul Taylor

The Federalist Society will host its twelfth annual National Symposium on Law and Public Policy at HLS, on March 12-13, 1993. The symposium is expected to draw over 400 attendees to listen to judicial and academic luminaries discuss *Judicial Decision Making: The Role of Text, Precedent, and the Rule of Law*. Jason Levine '94, Symposium Director, called the conference "an event of truly national proportions. Our audience will comprise students from over forty law schools, and scores of attorneys and judges from across the country."

The symposium is organized into five different panels, covering various aspects of the main theme. The panels will discuss: "The Enterprise of Judging"; "Stare Decisis and Constitutional Meaning"; "Text and History in Statutory Construction"; "Non-Legal Theory in Judicial Decision-Making" and "The Supreme Court as a Political Institution." The first panel will take place at 7:15 PM on March 12, and the remainder will follow over the entire day on March 13. The symposium will conclude with a gala banquet at the Charles Hotel on Saturday night.

The symposium's participants represent an array of philosophies. Said Levine, "the symposium wouldn't be that interesting if all the speakers presented the same views." Participants include: US Court of Appeals judges Frank Easterbrook of the Seventh Circuit, Morris Arnold '69 of the Eighth Circuit, Alex Kozinski and Stephen Reinhardt of the Ninth Circuit,

Douglas Ginsburg, A. Raymond Randolph, Laurence Silberman '61, and Stephen Williams '61 of the DC Circuit, and Rose Bird, former Chief Justice of the California Supreme Court. Participating Professors include Akhil Amar from Yale Law School, Lilian BeVier from the University of Virginia Law School, and Richard Fallon and Charles Fried from HLS. Dean Robert Clark '72 will present opening remarks on Friday, March 12.

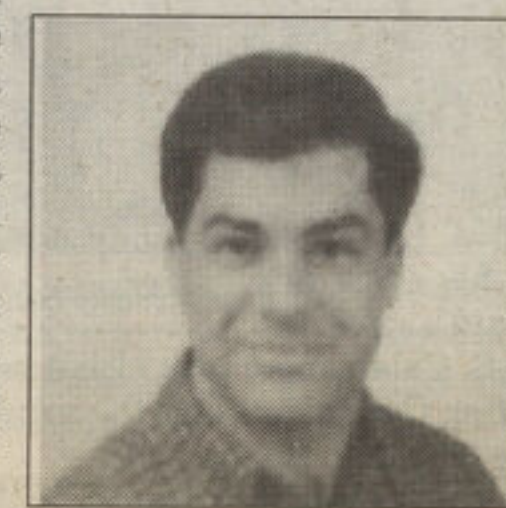
Symposia are a tradition of the Federalist Society, a national organization of students, professors, judges, and attorneys who believe in judicial restraint. The Federalist Society has chapters at over 120 law schools, and its Lawyers' Division has chapters nationwide.

Levine pointed out that "the symposia let law students discuss ideas in an informal setting with people they might otherwise never have the opportunity to meet. How often do you get the chance to have dinner with Frank Easterbrook or Laurence Silberman?"

HLS students may attend the symposium free, but must pay \$20 per person to attend the banquet. For more information, and a registration form, students may contact Jason Levine through his 2L Hark box, or call the Federalist Society at 495-0565. All symposium panels will take place in the Ames Courtroom, with a video overflow room in Austin North. Formal registration will begin at 3:00 PM on March 12, in Austin Hall Lobby. Students interested in helping out with the symposium can also contact the Federalist society.



J. MADISON



Jason Levine '94

1L Jobs Hard to Come By

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the Wasserstein waiting list, Danis still faces financing problems.

Jamie Henikoff applied to approximately thirty public interest environmental organizations. She received and accepted an offer from the Sierra Club in Washington, DC, and will obtain funding from a Wasserstein grant or from the Sierra Club.

Not all public interest applicants have found success so soon. With small staffs and smaller budgets, many public interest groups do not get around to making summer hiring decisions until late spring. For 1Ls, this draws out an already lengthy process.

John Freedman, who applied to thirteen public interest groups and attended four interviews, is still waiting for an offer. "I expect to hear any day now, but I have been expecting to hear any day for the last month," he says.

Although many 1L job seekers are genuinely interested in exploring career opportunities in public interest, others may have ulterior motives. As one honest student remarked, "I am a newly converted advocate of public interest [work], now that I don't have a firm job."

Waiting for Something to Firm Up

The landscape for 1Ls seeking jobs with large firms does not look entirely

bleak. Many have landed jobs with firms in Chicago, Washington and elsewhere. Moreover, approximately 200 1Ls have signed up for on-campus interviews later this semester, which may be promising.

But there is palpable frustration among the substantial number of students who have had few (if any) interviews and fewer (if any) job offers. To make matters worse, many have only received from firms requests for copies of their first semester grades.

Thompson says this experience is typical of the tight post-1980s job market. During the boom times of the 1980s, big firms hired significant numbers of Harvard 1Ls to circulate the firm name about campus. But according to Thompson, students who took those high levels of 1L hiring for granted will be disappointed. "Over the last three years," she contrasts, "it [the 1L job market] has settled back to what it was ten years ago."

In such a market, Thompson urges students to investigate all possibilities, including public sector law jobs and research assistant positions for HLS professors. Non-law jobs also remain an option. But for those 1Ls still facing an uncertain summer, Thompson offers a word of optimism. Just about every 1L who wants a law-related job, she says, can get one.



June Thompson

Harvard Files Lawsuit Against Local Hotels

Pre-empts Potential \$1.6 Million Lawsuit Stemming from Cancellation of AIDS Conference

By Stephen E. Frank

Crimson Reporter

Harvard has filed suit against three area hotels, in a pre-emptive effort to prevent them from winning up to \$1.6 million from the University in a potential suit of their own for compensatory damages — and much more in possible punitive damages.

Harvard's lawsuits, filed last month in Middlesex County Superior Court, stem from the University's decision in August 1991 not to sponsor the Eighth International Conference on AIDS in Boston. The move resulted in Harvard

were expected to attend.

In complaints filed last month, the University asked to be declared not liable for their decision.

Harvard AIDS Institute officials, who were to cosponsor the Boston conference, lobbied through the summer of 1991 against the restrictions, which dated back to 1987. But Secretary of Health and Human Services Louis W. Sullivan's suggestion that HIV be removed from a list of infections barring entrance to the U.S. was met with reluctance in the Justice Department.

When the Justice Department, which runs the Immigration and Naturalization Service, failed to render a decision on the

Harvard could have gone ahead with the conference if it had been willing to obtain a waiver of the restrictions from the Department of Immigration and Naturalization. Such a waiver permitted individuals with HIV to attend the 1990 International Conference on AIDS, held in San Francisco.

"Harvard went about making extensive arrangements for this conference in 1989 and 1990 even though the 1987 regulation was on the books," Hank Shafran, a spokesperson for the Marriot Copely said yesterday. "Even with that regulation on the books, Harvard could have gone to the Department of Health and Human Services and requested a waiver for the 10-day period of the conference."

According to University Attorney Robert B. Donin, Harvard had reason to believe the restrictions would be reversed by the time of the conference.

A waiver, even if obtained, would not have helped, Donin said, because the World Health Organization and the International AIDS Society had vowed to boycott the event and several activist groups had said they would protest it if the immigration ban were not dropped.

"Once the Immigration Act of 1990 was passed, we felt that the problem had been corrected because Secretary Louis Sullivan of the Department of Health and Human Services announced that he was going to take HIV off the exclusion list," Donin said. "But then the Bush administration changed course and that never happened."

Shafran said that once the damage was realized, the hotels sought to reach settlement of the losses with Harvard. The hotels would likely have accepted a lump sum payment of a portion of the damages or an agreement from the

University to provide them with future business, he said.

Shafran said Harvard refused to negotiate a settlement, prompting the hotels to threaten the University with a lawsuit late last year.

Marriot and the Park Plaza claimed in their petition for arbitration that University officials threatened them with a boycott if they pursued their case. Donin said last night the charge was untrue.

The Sheraton Hotel, which is represented by the same attorney as the Marriot and the Park Plaza, did not sign the petition for arbitration. Its case has been moved to U.S. District Court.

—from the Harvard Crimson

According to Harvard's suits, the move was a necessary response to restrictions barring HIV-positive individuals from entering the United States.

canceled reservations of several hundred hotel rooms, banquet halls and conference facilities at the Marriot Copely Place, Park Plaza and Sheraton Boston hotels.

Harvard booked the rooms in early 1990 and canceled in late August 1991, when University and conference administrators decided not to hold the 10-day meeting in the United States. More than ten thousand scientists, activists, health care officials and media representatives

list before a Bush Administration imposed August 2, 1991 deadline, AIDS Institute officials announced they would move the conference to Amsterdam.

But in their response to the lawsuits, which requests that the case be decided through arbitration, the Marriot and Park Plaza contended that Harvard was aware of regulations barring the immigration of HIV-carriers when it agreed to book the hotel rooms in early 1990.

In addition, the hotels argued,

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Rutherford Institute Sponsors Pro-Life Panel

By Lisa Zornberg

On a campus that can make a moderate look like Mussolini, finding a receptive audience for politically conservative viewpoints is no easy task. But this is precisely what the Rutherford Institute at Harvard Law School set out to do in

Right to Life Committee; Mary Roque, a Boston-based family law attorney; and Ruth Gana '91, a Visiting Researcher at HLS, who moderated the discussion.

"Our purpose was not to inflame or to make people angry," explained D.J. Snell '94, an officer of the Rutherford Institute. "Rather, it was to introduce the topic for debate and to present what we hoped

nancy as a hindrance, as debilitating, and as the antithesis of what the professional woman looks like," she remarked.

Matthews-Roth followed, offering scientific justification for the contention that individual life starts at fertilization. With the aid of slides and distributed materials, she traced human development from conception through birth, asserting: "The growing baby is not part of the woman's body. From the beginning it is genetically different, and it would be biologically incorrect to say otherwise."

Roque approached the issue legally, criticizing abortion law as inconsistent with legal doctrines in probate and tort, which, she asserted, give rights to the unborn regardless of the stage of pregnancy. "The right to choose is a smoke screen," Roque further maintained. "Legally, we don't have a right to our own body to the extent that we'll hurt ourselves or someone else."

Smith entered the discussion in a political capacity, claiming that "the cliché image favored by the media is virtually unrecognizable to we involved in the Right to Life movement." She described the movement as one marked by diversity—politically, religiously, racially and geographically.

Abortion, Smith warned, degrades both mother and child, "as well as vulnerable people in society, by establishing a moral that some lives are more or less valuable than others, based on some subjective standard. In abortion, that standard is wantedness."

Jefferson spoke last, focusing on abortion as a class issue. She admon-

ished that abortion is a dangerous mechanism for those who wish to rid society of its problems by preventing the birth of poor children, and pointed to the disproportionate effect such initiatives have on the black community.

The discussion ended with a question-answer period that panel organizers hoped would spark open debate among political adherents on both sides of the abortion issue. However, the mostly partisan exchange that ensued disappointed Snell in this regard.

"I was hoping we would get more people who were pro-choice," Snell reflected. "Obviously, when people all don't share the same opinion, you get a livelier discussion."

Although the Rutherford Institute had extended invitations to representatives of "pro-choice" campus groups, few attended. Kingston noted, however, that Linda Dunn '94, President of the Women's Law Association (WLA), did participate in the event, and called her "a woman of great integrity." WLA officially takes a "pro-choice" stance on the abortion debate.

While the panel discussion was neither particularly heated nor emotional, some students appreciated it for exactly this reason.

"The abortion debate is in danger of being nothing more than clever slogans and protest marches," observed Hunter Bates '94. "It was healthy to move beyond the bumper stickers and picket signs to an intelligent academic discourse."



Rutherford Institute panel on abortion.

Photo Courtesy of the Harvard Crimson

the "pro-life" panel discussion it sponsored Thursday, February 18th, entitled, "Abortion, Feminism, and the Dignity of Life."

Approximately 100 students gathered in Austin Hall to hear five women panelists explain and justify their opposition to abortion on medical, legal and political grounds. Panelists were Micheline Matthews-Roth, an embryologist and Harvard Medical School faculty member; Mildred Jones, Assistant Professor of Surgery at Boston University School of Medicine, and the first African-American woman to graduate from Harvard Medical School; Susan Smith, Public Policy Director of the National

would be a logical, reasonable perspective on an emotional issue."

John Kingston '94, who organized the panel along with Snell and David French '94, added, "My personal desire was to demonstrate to this campus that there can be a bottom line coherence between women's interests and the dignity of life."

The Institute is a national organization with the dual mission of defending First Amendment religious freedoms and promoting a "pro-life" agenda.

Gana led off by questioning whether the "pro-choice" movement serves to insulate underlying issues of racism and sexism from attention. "I wonder if women have not been seduced by images of preg-

New Board, New Outlook for Lincoln's Inn Society

By Glennis Gill

Having rebounded from its past troubles, the Lincoln's Inn is poised for another successful year.

Subsequent to last week's election, the Inn announced its new Board: Hank Fincher '94, Chair; Mike Marin '94, Vice-Chair; Brian Carlson '94, Interview Chair; Johanna Davis '94, Co-Interview Chair; Enu Mainigi '94, Membership Chair; Steve Weinstein '94 and Mike Rubenstein '95, Social Chairs; Carlos Spinelli '94, Alumni Chair; Jim Eastman '95, Neighborhood Relations; Kim Yahr '95, Special Events Coordinator; and Andres Lopez '95, Bar Manager.

The Inn managed to resolve the neighborhood relations problem this year, which has plagued the Inn and its activities in years past. Fincher affirmed, "We're out of the woods with our neighborhood problem."

Over the summer of '92 the Inn spent \$25,000 to improve the house. Four Inn members, Fincher, Marin, Michael Twomey '93, and Carroll Peiffer '94, spent the last week of summer vacation painting and making physical repairs. The improvements enabled the organization to get a Certificate of Use and Occupancy from the City of Cambridge, which, Fincher explains, many social clubs do not hold. Fincher adds that the Inn is continually trying to improve relations with its neighbors. For example, Inn members help out by shoveling for the next door neighbors when it snows.

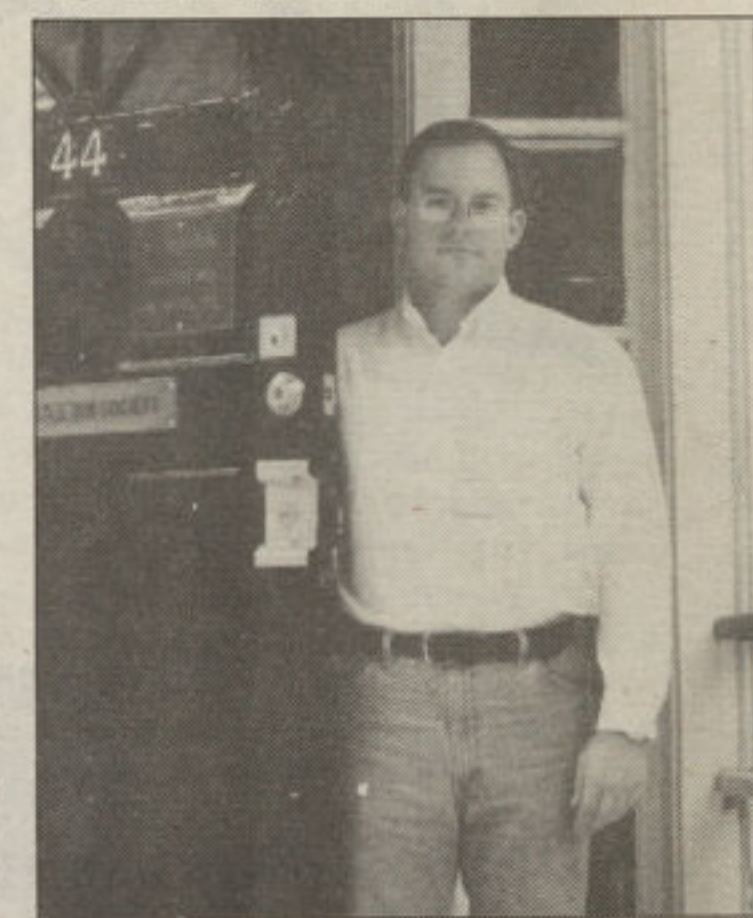
Mainigi asserts that "last year's Board did a lot to change the perception of Lincoln's Inn." She adds that "we made a lot of structural changes in the way the Inn is run."

New initiatives at the Inn continue. The bar in the basement, which was previously under-utilized, has been completely refurbished, and made into a home for a new big screen t.v., stereo, dart boards and other pub touches.

Marin, who, along with Michael Twomey, has been doing the work, is excited about giving the bar a "big face lift." He looks forward to the grand-opening of the bar when the membership dri-

ve starts in the beginning of March. "The effect will be something like a sports bar, and a cost effective one at that," Marin says, explaining that Inn members have been doing all the labor themselves to stretch limited resources.

The Inn also expanded its social repertoire this year, hosting a "Scotch Tasting," weekly dinners, happy hours and house parties, in addition to its



Hank Fincher '94 at Lincoln's Inn.

annual black-tie Christmas Dinner. However, Fincher explains that "we're looking to expand membership services beyond social ones, to include networking and other services for members. If we add some substance and keep throwing parties, it'll be the best of both worlds."

Jim Eastman adds that "one of my personal goals, and I think one shared by the whole Board, is to expand membership, not just in numbers but in diversity too — age, backgrounds, ideological preferences, etc. — because I've seen that HLS isn't the most social place. It can be downright cold, and the Lincoln's Inn can be a real force to overcome that." He adds that "it's mainly about friendship and fellowship."

Optimistic about the future of the Inn, Fincher concludes "we'll continue to have a good time despite Law School."

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Looking for EVIL

By David Lopez '93

I've been contemplating the nature of pure evil. I mean, does it really exist, is there really such a thing or do we just make up the concept to make things easier on our mind? Rob Dubose, interpreting Kant in his own way, says that all time happens at once and our minds just sort it out. Is evil like that, do we make it up, or is it nameable, defineable—something to be feared? We don't really discuss it in law school.

Last week, the question was defined for me forever. I saw pure evil, I saw it's face. But first, let me describe what it is

it something I said?" Worse, he's about to bed the girl and she says, "Call me tomorrow."

The only thing evil about that movie was me laughing. Then I saw Ed Ducayet '93 do Escamillo, the toreador, in an undergrad performance of *Carmen*. Sung in French and set in Spain, go figure. Ed enjoyed it because he got to wear black, and at least somebody died, even if it wasn't him, and I enjoyed it because all the undergrads were straining to anticipate the funny parts and then give a little "huh ha," like, wasn't that amusing — without being so gauche as saying "I know French and that means I'm cultured."

Carmen knew she was bad, though, and everyone else knew it, too, so they knew what they were in for. A far worse person was Jack Nicholson in *A Few Good Men*. A movie with a horrible plot set in the Cold War Era when the Russians were about to come over the wall. All kinds of allusions to intricate conspiracies that never get resolved. Nicholson plays a colonel that has his own ways of disciplining his men, the only problem is that one of his men dies because of it. Nicholson is evil, though, because all along he thinks he's right.

Still, he wasn't all that bad of a guy. There were no truly bad people in these movies. No Lady Macbeths, no Madame Defarges, nobody quite as bad as Goethe's Mephisto. All we've got here are guys like Adam Cohen who was sitting in the lounge last week making fun of one of his teachers. Irreverent, but nothing really bad. And then I saw it, the face of pure evil itself.

I went to this ILS dinner dance type thing, and I was just going to eat and run because I had an earlier commitment, but I went up there and paid my five bucks. Then I went inside and waited for forty or so minutes and the line didn't move at all. I had to go, so I went back outside to get my money back. No dice. There she was, Satan incarnate. Sitting there prim and proper with a may-I-help-you smile, and I told her the situation, how I hadn't gotten any food. "I believe you, I really do," she says. "No, no, I really, really believe you." Then she points to a no refunds sign. I explain my situation again, hoping she'll understand. She smiles and explains that rules, after all, are rules.

Now that was the face of pure evil. Someone who does something flagrantly outright bad, and sincerely believes that they are doing something right. Someone that does it out of conviction. There would be no guilt involved, no remorse, and worse, the person would go out and do it again and again because it's profitable, it's fun and hey, it's the right thing to do. While lesser beings would become consumed with guilt from committing atrocities, maybe turning to alcohol or suicide, this person would sleep soundly, looking forward to another good day, because after all, rules are rules.

Of course, in the end, rules won't save her because to take someone's money and not give them anything in return is stealing. Rules are rules. Alan Lambert '93 is a master at dealing with people like these. He bought a class ring and the company messed up the order. Alan threatened to go to the Dean because he felt that the monopoly that the company had at the Law School was unfair and he was going to get him to introduce some competition. He went on and on about how the Dean had written his own book on corporations and was an economics czar. The company replied: "We want to feel that our relationship with you has not been irreparably lost." Alan told them: "That will cost you fifty dollars." He had a check mailed to him Federal Express.



not. A concept like pure evil could do with a little comparison. To start with, *Bad Lieutenant* comes close because it was, well, so utterly bad. But it also had an evil character, so it's appropriate to discuss here. It's about a cop that is on drugs and goes around trying to get more off of the people he is arresting. There's a world series on, and Keitel keeps shooting his radio because he's betting double or nothing on every game and loses. He gets shot at the end of the movie while trying to do drugs. I thought, maybe this guy is evil, but Keitel's character was just a bit misguided and on drugs, certainly not evil.

In *Damage*, you have a great movie of a very proper British minister of finance or transportation or something respectable and stuffy who ends up having an affair with his son's girlfriend. Only problem is that the girlfriend later agrees to be the son's wife. And the affair continues. We're pushing bad here. "I always thought you could control life; you can't," says Jeremy Irons. Still, I love Jeremy Irons, he wasn't nearly as bad here as he was in *Dead Ringers*, where he played twin gynecologists, you can just imagine what happens in that one, can't you?

There were some bad people in *The Crying Game*, but I thought the bad guy was Forrest Whittaker, not the IRA assassins. For those of you who haven't seen it, let me ruin it for you now. It's too late to go watch it anyway, everyone has already said something about it and you'll be on your toes. Forrest Whittaker, whom I'll always remember as the football player on *Fast Times at Ridgemont High*, plays a British soldier who is caught by the IRA. Before his death, he complains that he was led off by a woman... she wasn't his type. Who was his type? He produces a photo of a good-looking woman propped across a Harley. The IRA gunman says: "She'd be anybody's type, I'd reckon." Forrest says: "I don't think she'd be your type, though." The IRA gunman doesn't catch that little bit of foreshadowing and fulfills a promise by telling the woman in the picture that her boyfriend loved her. The IRA gunman falls for Forrest's girlfriend, but the joke's on him because the girlfriend is, yes, you guessed it — a man. "I thought you knew" says Forrest's um, er, significant other.

But no, I couldn't say that anyone in that movie was anything particularly evil. There was absolutely nothing bad in *Groundhog Day*, with Bill Murray. It's about a guy who keeps reliving the same day, with all the gags you'd expect. He starts watching Jeopardy and knows all the answers, he learns to play the piano, he spends all his money only to have it again the next day. Bill Murray is as cynical as a law student, except, of course, that he's funny. You can feel his frustration as he goes to a young psychiatrist who tells him he didn't learn about his condition in school. "Could you come back tomorrow?" he says as Bill Murray is beating his head against a pillow. "Is



DAN 'N ERIK'S FOOD GRADER

Chef Lee's Szcrumptious Szechuan



By Dan Drosman and Erik Marks

John Lee journeyed to the US from China in 1978. Now he's serving up some of the finest Mandarin-Szechuan food in the Cambridge-Somerville area. A mere ten-minute walk from Harvard, Chef Lee's occupies the old Jimmy Mac's Southern Comfort dining room (296-298 Beacon St.) next door to the downsized Jimmy Mac's. Chef Lee's dining room, adorned with Chinese scrolls and oversized oriental fans, manages to be comfortable and refined all at once. Healthy, beautifully presented and moderately priced entrees in a relaxed atmosphere make Chef Lee's the best Chinese restaurant within walking distance of the Law School.

Although not much from the outside, Chef Lee's soothing ambiance quickly calms tense law student nerves. Everyone starts with the mellow Chinese tea. We continued with the shrimp hot and sour soup (\$2.50) and the wonton vegetable soup (\$2.00). The hot and sour pricked our appetite with a sizzling blend of ginger and garlic. Despite a slightly bland broth, the wonton soup contained fresh cabbage and delectable wontons.

We sampled several appetizers. We especially enjoyed the house spicy dumplings (\$4.25). Chef Lee meticulously arranged the dumplings on a bed of crunchy beansprouts. The beautiful service was complemented by a dark savory dipping-sauce. Running a close second, the crab Rangoon (\$3.50) are deep-fried wontons filled with an ambrosial cream cheese and crab stuffing. The spring rolls (\$3.50) were superb, crispy, light and stuffed with firm, just-picked veggies. The Peking Ravioli (\$4.50) comes steamed, pan-fried or vegetarian-style, but is unremarkable.

After gorging ourselves on the generous portions of crab Rangoon and spicy dumplings, we gathered steam for our plunge into Szechuan nirvana. Chef Lee brought us heaping plates of Kung Pao shrimp (\$8.25), Yu Hsiang chicken (\$7.50), Mongolian beef (\$7.95) and tiger shrimp (\$10.95).

The giant tiger shrimp, served over a bed of scallions, white onions and broccoli, are roasted in their shell and sliced down the back for easy shucking. The shrimp (more like large prawns) basked in an interesting butter-pepper glaze. The Yu Hsiang chicken was also excellent. Delicate slices of chicken were tossed with broccoli, carrots and the freshest shitake mushrooms this side of the Pacific. Real men should not miss the Mongolian beef. Seasoned cuts of tender beef are arranged over a bed of crunchy noodles and sautéed scallions. The textural contrast is sufficient to excite even a Law Review palate. The Kung Pao shrimp was not memorable.

To achieve his sublime taste, Chef Lee uses only the freshest meats and vegetables (no E. Coli here) and no MSG. Best of all, Chef Lee does not drown his dishes in heavy and overpowering sauces like most area Chinese restaurants. Instead, the sauces are light, brightly flavored and moderately applied.

All in all, this is one of the best Chinese restaurants around. It's hard to find, but definitely worth looking for. If the weather is keeping you indoors, not to worry, Chef Lee's delivers. Give it a try.

GRADE: **A**



HLS Intramural Basketball Standings

as of Sunday, February 21st

Team Number and Name Wins-Losses

"A" LEAGUE

1. One-L	5-1
2. Two-L-Men-Ators	5-1
3. Black Panthers	4-2
4. Gimme the Rock, Baby!	4-2
5. Hair Club for Men	2-4
6. Children of the Corn	2-4
7. Wacky Ducks	2-4
8. The Cha-Chis	0-6

"B" LEAGUE (partial list)

1. The Varks	3-0
2. Mo Knows	3-0
3. Tugl Tunki	3-0
15. The Grizzers	0-3



Compiled by Kirby Lewis

Harvard Law RECORD

Founded in 1946

Lisa R. Zornberg
Editor-In-Chief

Faking the Grade

Welcome to the Harvard Law Correspondence School, where class attendance may threaten your ability to perform well on the exam, and where the professors worship at the altar of randomness. Let me gloat for a moment: Ha, ha, ha!!! Though I was enrolled in Professor Westfall's Family Law course, I never once had the occasion to actually see him because I NEVER went to class. Yet, through divine inspiration and providence, I somehow managed to finagle a B+ by muddling my way through the exam.

Am I alone in this group of correspondence students at the law school? Of course not. Consequently, stories abound concerning students who treat classes as anathema but who wind up with better grades than the sedulous students who hang on the professor's every word. No doubt, many students in my family law class probably are turning red with rage as they read this. Yet, whose fault is it?

Certainly, one cannot place the blame on those students who choose to sleep at home rather than in Pound or Langdell. At the same time, one only can express sympathy and understanding for those persons who spend a lot less money per class hour than I do. While I do not impugn the intellectual strength of my colleagues who attend classes, I do challenge the importance and value of the instruction provided in those classes by the professors.

I can only imagine how immense Professor Westfall's embarrassment would be were I to journey to his office and cheerily tell him, "Hi, you gave me a B+ in family law, but I never attended a single class." As eagerly as Harvard Law School responds to public praise and adulation, so, too, it should be quick to address the infirmities in its structure. This is NOT about diversity, but this IS about quality teaching.

Even as a 'correspondence' student, I find it abominable that the information conveyed by professors often proves to be either worthless or poorly communicated. Moreover, exams often bear little relevance to anything which occurs in class. In general, any student who commits himself to doing the reading a few weeks prior to the exam enjoys as good a chance at doing well on the exam as someone who fills two notebooks worth of copious notes.

In fact, it seems more than ironic that one of our own, Professor Arthur Miller, implicitly fosters and accepts as reality the notion that classroom teaching has become an anachronism. After all, his ubiquitous civil procedure tapes adequately replace nearly every civil procedure class here, including his. Moreover, Steven Emanuel, father of correspondence law school, created Emanuel's Law Outlines after graduating from here in 1976. That should tell you something.

What it tells me is not only that I am saving more trees by avoiding class, but also that I do not NEED to attend class. After all, a bright, well prepared student seems as likely to receive the dreaded C as I am. Thus, I suggest the following: until the Law School improves the effectiveness of the teaching and grading system, and convincingly demonstrates that classes do matter, everyone but the most dedicated students should enroll in the Harvard Law Correspondence School. Though the application fee is a little high, you will have more free time and still will graduate with one of the most inflated G.P.A.s of any law school. Randomness DOES have its advantages, I guess.

—Daut

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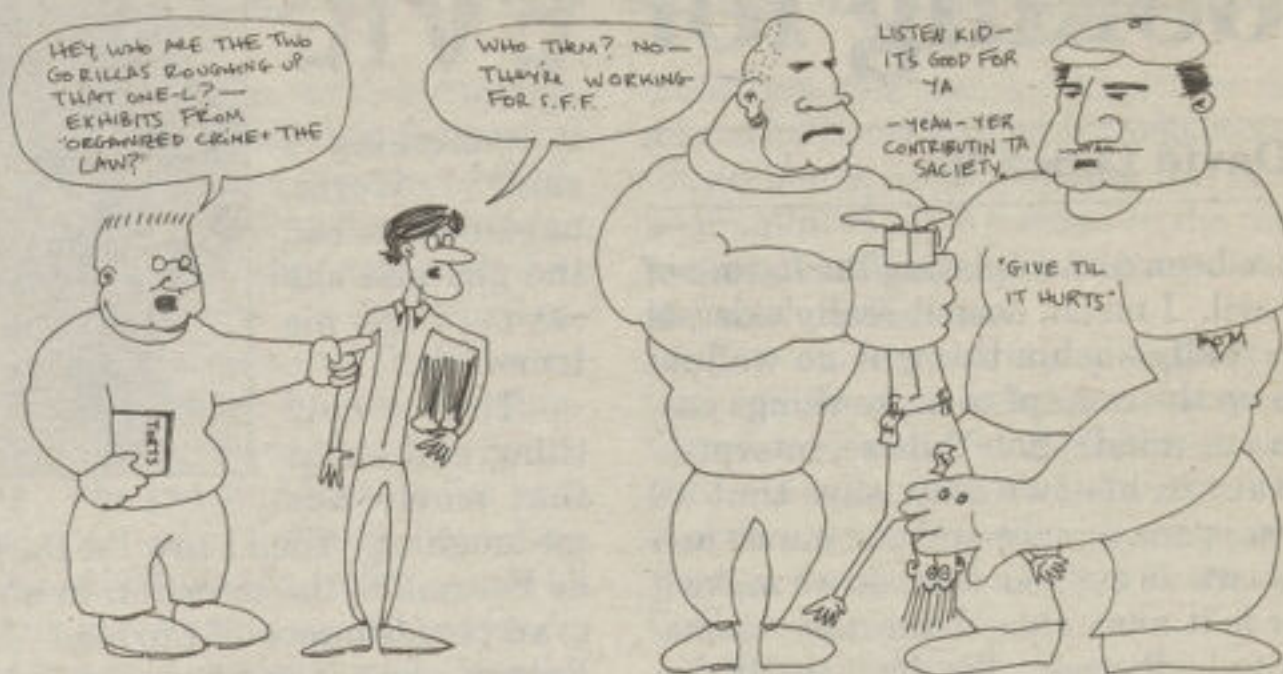
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"Congress shall make no law...abridging the freedom of speech, or of the press;..."

—First Amendment, U.S. Constitution



• Letters •

Harvard Should Realign Grad Programs

As one of my professors, Richard Fallon, put it last semester, Harvard Law School seems to have the unique ability to make all of its students, regardless of their ethnic backgrounds and political beliefs, feel especially oppressed. In fact, no one at all familiar with the Law School can plausibly deny the existence of a sense of social dissatisfaction which pervades the school. Moreover, other graduate students at Harvard University with whom I have spoken have shown no immunity to similar feelings in their respective schools. As a partial solution to this situation, I suggest that the University abandon its arcane, historically-determined physical separation among the graduate schools and integrate to the fullest extent compatible with the schools' disparate academic goals.

My suggested integration contains three fundamental elements. To begin with, the University should combine the dormitory facilities which serve the various schools and create a mixture of students in every building, irrespective of the buildings' locations on campus. Furthermore, the

sundry graduate schools should no longer maintain distinct cafeterias. Rather, the University should operate general, graduate cafeterias open seven days per week at which students of all graduate schools could meet and dine together. Finally, the University should remove the schools' traditional discretion concerning their particular schedules and instead standardize all graduate calendars. Combined with streamlined cross-registration procedures, this move would facilitate greater academic contact among students and allow graduate students to draw from a far greater faculty wealth with much greater ease.

I firmly believe these proposed changes would substantially improve graduate students' lives at Harvard. For example, the increased number and kind of contacts among students would improve academically and socially the overall educational experience. Additionally, these changes might increase students' feelings of individuality since they would encounter many other students who have chosen career

paths which differ from their own. Finally, and most importantly, these reforms would ameliorate graduate students' senses of social atomization. These changes would create a larger community, Harvard University (as opposed to the Law School, Business School, Kennedy School, et cetera), in which to live. And while the relative number of ethnic, religious, racial, and political minorities would not multiply in the larger University community, the absolute number of similarly-situated minorities whom these students could meet would indeed grow.

I realize fully that I probably do nothing more than proverbially blow into the wind by forwarding my ideas. It seems that at this University history determines the outcome of questions at least as much as rational thought and empirical reasoning. Nevertheless, history provides no adequate excuse for the social problems facing this University which reasonable and relatively inexpensive reforms might relieve.

James M. Wilson '94
February 18, 1993

Sick of Law School Council Bickering

Having been embroiled in Harvard Law's version of gridlock for two years now, otherwise known as the Law School Council, I have heard complaints from many people here about the inherent inefficiency of student government. While I agree that the LSC has accomplished only a few visible improvements around HLS this year, I don't buy the argument that this is because, as students, we cannot change many more things for the better. It's because both "sides"

in the misguided LSC debate have spent their energies fighting one another rather than working for the many needed changes around campus.

To change the LSC's appetite from its usual fare is deceptively simple: vote for someone who has risen above the fray. The problem is that many students don't vote unless they have an interest in the fuss. To make it easier for more students to vote, I want to put LSC ballots in

everyone's Hark box on election day to encourage voting. Hopefully this small gesture will attract enough people who were both embarrassed and baffled by the GQ portrait of "everyday life" at HLS to vote. This would change the LSC's purpose from being a forum for petty, personal politics to getting more done for the students of this law school.

Hank Fincher '94
February 22, 1993

Kingston "Blaming the Messenger"

John Kingston's '94 letter to the RECORD of February 12, 1993, written in response to my article on Operation Rescue, was, to use his language, "an interesting exercise" in journalism — one that revealed much about Mr. Kingston himself. In claiming that I was unable to separate "editorial" from "fact," he proves that he knows little about the organization, Operation Rescue, which he purports to defend. He also falls into the familiar trap of "blaming the messenger." While characterizing the discussion of the activities of Operation Rescue as a "complicated issue," he certainly cannot mean to suggest that he is actually soul-searching about the morality of tactics such as firebombing clinics, stealing fetuses from hospitals, and terrorizing the children of doctors, all of which Operation Rescue has been documented to have done.

In fact, between 1977 and 1990, abortion clinics reported 129 acts of violence. Thirty-four clinics were bombed; fifty-two clinics were set ablaze; and fifty-three clinics were subject to attempted bombings or arson. During that time period, there were at least 266 reported clinic invasions, 269 reported incidents of vandalism, 64 reported assaults and batteries, 77 reported death threats, two reported kidnappings, and 22 burglaries. In April, 1991, the numbers of bombings and arson attacks had already exceeded the figure for the full year of 1990; from January to March, 1991, two more clinics were firebombed and another two were damaged or destroyed by arson. Those are only the reported cases.

If Kingston finds these facts abhorrent, that may be his opinion, but hopefully it is not a controversial one that requires the soul-searching

that Kingston describes. While people may certainly differ amongst themselves about the morality of abortion (as they also may differ about the morality of masturbation, premarital sex, and "the role of women in society" (as Neil Glazer testifies)), I was under the assumption that most people do not debate the morality of arson, kidnapping, burglary, and firebombing.

John Kingston might have been appalled about what I wrote in my article detailing the activities of Operation Rescue, and the attempts to halt them. Nonetheless, the proper party on which to vent his blame should be the organization that engages in such mob violence and terror tactics rather than the journalist who describes them.

Rebecca Eisenberg '94
February 23, 1992

Giving Seitz Some LIPP

By Lael Hiam '94 and Maddie Fain '94

HARVARD Law School should be proud of its Low Income Protection Plan (LIPP) and the other efforts it has made to promote public interest work both on and off campus. Yet instead of receiving well-deserved praise, Harvard faces attacks like those presented in the Commentary, "Law School Should Kill LIPP," by Howard G. Seitz '66 (RECORD, February 12, 1993).

Completely misreading Lisa Zornberg's article about the LIPP program, Seitz makes the assumption that the only graduates from HLS who would take a job paying less than \$41,000 are students (1) with a poor academic record or (2) electing a particular lifestyle. We believe Seitz's pejorative characterizations of LIPP recipients are erroneous and we find them offensive.

Some of the brightest and best students from this and other law schools choose to pursue legal careers that may not pay well but are both challenging and rewarding. As anyone who has ever applied for a public interest job can tell you, the competition is tough. Academic performance plays the same role in the application process for public interest jobs as it does elsewhere.

The authors are the Co-Chairs of the Alliance for Public Interest Alternatives (APIA)

As for the assumption that those who pursue public interest have made a "lifestyle choice," those graduates would probably laugh at the idea. Who, after spending years of hard work to receive a graduate degree, wants

Contrary to what Seitz may believe, HLS is not and should not be value-neutral about the fields in which its graduates choose to exercise their legal talents.

to live on \$25,000 a year? So much for a down payment on a house and/or supporting a husband/wife/companion and children. No, these graduates have chosen to make a sacrifice, namely financial comfort.

There is nothing wrong with HLS graduates choosing to pursue a career in corporate law or to represent

other clients who can pay large legal fees. But what about the rest of the population who also need attorneys and sound legal assistance? Because Harvard turns out well-educated, intelligent, and able lawyers, it can provide a great service to society by enabling willing students to work for legal services, represent indigent defendants, assist low income communities, and accomplish other important work.

It is true that some of the LIPP recipients work in private firms. But one must stop and think about what type of firms would pay such relatively low salaries: either those which are committed to an inordinate amount of pro bono work or those in rural or lower income areas. Without LIPP, many of the graduates facing upwards of \$80,000 in student loans would be unable to return to their home states and practice in a firm — particularly if their home state is predominantly rural or agricultural.

Contrary to what Seitz may believe, HLS is not and should not be value-neutral about the fields in which its graduates choose to exercise their legal talents. Tuition loans make it financially impossible for many students to even entertain the idea of public interest practice or of working in low income communities. Without a program such as LIPP, Harvard Law School will find that many of its graduates, regardless of their "personal interest," will be barred from practicing in fields that many of us consider to be essential for the well-being of this country. In sum, LIPP recipients deserve respect, not ridicule.

SEVERAL STUDENTS RESPONDED TO HOWARD G. SEITZ'S COMMENTARY ON THE LOW INCOME PROTECTION PLAN (LIPP) IN OUR LAST ISSUE. THESE LETTERS ARE A SAMPLE.

LIPP Program a Life Preserver

I write in response to Howard Seitz's provocative commentary advocating abolition of the LIPP program.

I believe Mr. Seitz has made an error of logic. Assuming the existence of choice is not the same as subsidizing that choice. The fact is, without LIPP, the choice of going into public service could hardly be said to exist at all. Taking myself as a not atypical example: my total debt burden, with interest, will be over \$186,000. This is to be paid back in a dozen years. You do the math. If I make \$23,000 a year, I will have something less than \$8,000 to live on. I live comfortably enough on that amount right now. But what if I needed a car? Or, more plausible in my case, what if I choose to take in internship somewhere in the developing world, exchanging my labor for room and board and a chance to live out my dream? This is a lifestyle choice, to be sure, one I would like the freedom to make without having to declare personal bankruptcy.

I would not say that law school costs too much.

Sensitive to the wisdom of the market, I believe law school costs just the right amount: just the amount that the average graduate is reasonably able to repay. Why are there fellowships provided for those who take advanced degrees in linguistics and physics, and not for those who take advanced degrees in medicine, business, and law? Not because there is such a demand for linguists and physicists that society is led to subsidize these fields, but because the market recognizes that salaries in these fields do not make the repayment of vast debts practical. We may not need as many linguists as lawyers, but we need a few: the choice is worth preserving.

There are a few worthwhile things one might do with a law degree that are not high-salaried either. In pursuing these fields, recent law school graduates are unfairly penalized by the high salaries of our fellow-graduates. Not that we begrudge them their indisputably hard-earned gain. But the market, wise as it is

with respect to the interests of the majority, is necessarily an imprecise instrument. To preserve freedom of choice, a program is needed that will level the ground and provide for those who will have less than average incomes. The LIPP is such a program. If HLS alumni have the income and incentive to finance LIPP, as they are doing so generously, I think the program is fulfilling its role.

I personally came to HLS precisely because of LIPP. I believed that an education at HLS would be more valuable to me than any other in pursuing a career in international human rights law. But I recognized that without a program like LIPP, I couldn't afford a career in human rights—not if I wanted to go to law school. Catch-22.

I still expect to make sacrifices appropriate to my "lifestyle choice." But I owe to LIPP and the alumni who support it thanks for giving me that choice at all.

Julia Harrington '95
February 23, 1993

Low Income Protection Plan is Essential

The suggestion that the LIPP (Low Income Protection Plan) be eliminated was recently put forth by Howard G. Seitz '66 in a RECORD commentary. It is imperative that alumni understand the misconceptions on which Mr. Seitz has based his argument, especially as students prepare to enlist much-needed alumni support for summer public interest funding.

His opposition to the LIPP centers around the notion that the Law School shouldn't subsidize graduates who make the personal "life style choice" of taking low-paying jobs. What Seitz fails to see, likely because he never considered careers beneath a certain salary level, is that the LIPP corrects a grievous wrong at the Law School which began for every student when he/she decided to attend HLS. Having committed to pay what will approach \$100,000 for three years at HLS, each student has, perhaps unknowingly, had their own "life style" choice made for them by the bursar.

The signature space which read "I agree to attend Harvard Law School . . ." should've been supplemented (in smaller print of course) with the phrase "and implicitly agree to confine myself to the pursuit of a top-dollar associate position." While I personally was fortunate to receive a grant towards my tuition, my projected indebtedness after consolidation surpasses the worth of my parents' home. This has the

practical effect of eliminating public interest career choices, which LIPP simply attempts to keep within the realm of possibility. So rather than subsidize any "life style choice," the LIPP only seeks to keep choices on the playing field that have been buried by economic reality.

Mr. Seitz strongly urges that HLS be "available to all who qualify," but dismembers this suggestion to include only those that pursue salaries able to conquer a small fortune in loan payments. Which is it Mr. Seitz? Truly ALL who qualify? or more accurately, ALL embryonic Mitch McDeere's whose soul criteria for employment is the dollar figure?

The LIPP provides an indispensable opportunity for some of the brightest young persons in our society to fill positions that benefit even you Mr. Seitz. You are benefited every time someone makes one of the "personal" life style choices you aim to undercut. Every time a young prosecutor or public defender enters the courtroom, every time a state worker addresses constituent needs, and every time a lobbying effort results in favorable consumer or environmental regulation.

Adhering to Mr. Seitz's request to abolish LIPP would restrict HLS students from entering such professions of service. Seitz would compound this blunder by eliminating all grants save private scholarships, which

he insists would increase motivation "since they'll be spending their own money." If today's student body is any reflection of the class of 1966, Mr. Seitz must already know that motivation is hardly a scarce commodity at the Law School. I know of students that have complained to professors that the pace be accelerated, probably because notions of free time and relaxation have become foreign and even threatening to them. I can assure you that students like myself haven't resorted to a carefree existence following receipt of law school grants, since the required borrowing amount of \$18-19,000 can hardly be considered a "free ride."

If the LIPP is to be adjusted in any way, it should be expanded to provide assistance to persons making over \$41,000 per year, and an increase in assistance to those below that amount. Someone currently excluded from LIPP funding with a salary of just above the \$41,000 level will likely bring home less than \$20,000 after taxes and minimum loan payments are subtracted. Is this the proper monetary incentive for young lawyers to enter public service? Mr. Seitz apparently believes so, as did Dean Clark before he came (or was forced) to his senses soon after taking the helm at HLS.

Michael Panter '95
February 13, 1993

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A Feminist in the Dark

By Alysse MacIntyre

RECORD Columnist

FINDING that film in the video store that will please the most socially unconscious viewer yet not offend feminist sensibilities can be a toughie. And God knows that Dave Lopez will never be able to help you out in this regard. Relax, Alysse is here to help you out with some rental suggestions.

COMEDY

Desperately Seeking Susan. The men are hunky; Madonna runs around Manhattan in a bra. While the guys are clueless, the women solve the crime and save the day. A refreshing change to the standard "helpless woman saved by the good guy from the bad guy" plot. Makes me miss the '80's.

Adam's Rib. This Hepburn and Tracy classic is better than the rest because Kate does not repudiate her independence at the end like she does in so many of their movies. The two play lawyers arguing opposite sides of a criminal trial involving a woman who has attempted to shoot her unfaithful husband and his mistress. It features Hepburn & Tracy repartee at its best, with lots to say about the law and gender relations. I first saw this movie with a boyfriend a few years ago. We spent the whole movie ribbing one another and saying "See! See!!" each time Kate and Spencer got good zings off on each other. It's as fresh today as ever. Either that, or my relationships are 40 years out of date.

Auntie Mame. This movie became an instant favorite of mine after a dear friend made me see it because, as she said, "You're just like Auntie Mame!" A 1959 Rosalind Russel classic about an independent woman irritated by WASP babbitts and bourgeois mores. Simply Top Drawer. I love it even more since coming to Harvard.

DRAMA

Baghdad Cafe. This surreal film is about the unlikely friendship between an African-American woman and German woman set in the Nevada desert. Reminiscent of Wim Wenders' style. The soundtrack features a really great, very haunting song. Pass up

Blue Velvet and go for *Baghdad Cafe* the next time you and your hip artsy friends are trying to agree on a movie.

Valmont. This is the same story as *Dangerous Liaisons*, sans the misogyny of that movie. For starters, no rape victims are transformed into nymphomaniacs mad with lust for their rapists. It's not as good as *Dangerous Liaisons*, but it's worth seeing for the comparison.

Thelma and Louise. Forget all the "toxic feminism" hoopla in the press about this film. It's a shoot 'em up story of a couple of outlaws. Only for once they're women. Yes, there's a feminist message to be taken from this film: Men freak when women treat them the way they treat women. Come on, this movie doesn't even compare to Arnold Schwarzenegger obtaining a divorce by blowing his wife's head off. So chill out and enjoy this movie.

Die Hard 2. OK, so you think that I must be joking, and I mostly am. What I really noticed about this film is that there are exactly 3 women in it: two stewardesses and the wife. But they're stuck up in the plane and don't do much for the story. Besides them, however, everyone else is a man. All the cops, all the soldiers, all the air traffic controllers, all the janitors — everyone else is a man. And look what happens when there are no women around: Terrorists wreck havoc and hundreds of people die in this testosterone fest. Plus most of the men are total morons who keep falling into the terrorists' scheme. If women made a movie that made this many men look this stupid, and then killed hundreds of them, it would be hailed as "toxic feminism." But because *Die Hard 2* was made by men, I guess we can accept it as the objective truth.

SCIENCE FICTION

Night of the Comet. One of my all time favorites that I make every new boyfriend sit through. This is a sci-fi film about a comet that wipes out life on Earth. Among the only survivors are two gun-toting, black-belted Valley Girl sisters who, in between defending

themselves from flesh eating mutants, relieve their depression about the end of the world by going shopping. A feminist cult classic. Two way thumbs up for this totally excellent film.

Star Trek IV. Being a feminist and a trekkie can be challenging. I try to excuse the egregious sexism of the original series because of when it was made. *The Next Generation*, however, has no excuse. But at least in *Star Trek IV* Gene Roddenberry finally threw women a bone. At the end of this film, instead of collapsing into Kirk's arms, the standard blonde love interest says, "Catch you 'round the galaxy sometime" and trots off to study science. When I saw this movie in the theater, women cheered. (Really, under the reasonable woman standard, who would fall into Kirk's arms? With that over-permed toupee and his lousy acting? Please.)

Alien. This movie is really just about every woman's experience in life: desperately trying to get men to see reason while they dismiss you. Only this time they get their come-uppance for it.

CHILDREN'S

Alice in Wonderland. Children's movies are our National Treasury of rigid stereotypic gender roles. *Alice* is the earliest exception to all that. Instead of waiting around for her prince to come marry her, Alice does a lot of drugs and goes on adventures. This movie was perhaps the greatest influence in my developmental years. OK, the drug aspect of the story concerns a lot of people, but generations have ignored it and so can you.

Dumbo. This one makes the list only if you think of it as the touching story of a baby elephant and his single, working mom. Hence, *Dumbo* is probably banned from the Quayle household. It, too, features a great drug-influenced sequence, "Pink Elephants on Parade," that will make you want to pass up the popcorn in favor of the mescaline.

Beauty and The Beast. At last, a true feminist children's movie! About a book loving woman who won't take any crap from men, be they beasts or arrogant schmucks. I could watch it one hundred times.

Fenno

Fenno's muscles were practically bulging through his L.L. Bean sweater. For the last two weeks he had taken every vitamin supplement, diet aid, and protein shake known to man. Still, the results had not been as planned. His muscles now bulged, but not one woman had agreed to go out with him. "I don't understand it," Fenno quipped, "what is it with these babes, uh, broads, uh, girls, uh, chicks, uh whatever? Look at me, I'm a stud. S-T-U-D, stud. Don't they get it? It's like they all want to date guys from Thirty-Something!"

Fenno would like to have posed a little more in front of the mirror, but it was getting late, and he had to head over to the MPRE review. It wasn't like he needed the review or anything, he'd taken the course about a dozen times and had actually passed the exam somewhere back around 1987. He was going for the babes. "That's right," Fenno thought as he strutted down Mass Ave, "There's a whole new crop of hot chicks from all over Boston who have yet to feel the power of the Fenno magic."

After fighting his way through the crowd at registration, Fenno went upstairs to the courtroom. Stepping over several B.U. students who had crowded into the aisles, Fenno thought to himself, "That's right, it's gonna be just like shooting fish in a barrel, except the fish want to put up a fight."

Quickly scanning the room, Fenno locked onto a pretty blonde sitting alone. "There she is, yes sirree," Fenno thought, licking his proverbial chops, "the next Mrs. Fenno. Pretty face, nice smile, petite, nice bod, yup, she's the one for me!" Walking over in his best macho strut, Fenno made his move, "Excuse me, miss, is this seat taken?" Smiling, the young woman replied, "I'm sorry, my

fiancée is sitting here." Walking away, Fenno grunted over his shoulder, "your loss, babe."

Despite the brave front, Fenno had just been killed in the war of MPRE flirting. No matter, though, he was a tough guy. "Never liked blondes anyway," Fenno said, scanning the room for another prospect. "Wait a minute, wait a minute," Fenno proclaimed with some surprise, as he locked onto a brunette sitting down in front. "I know her. I've flirted with her, she's a waitress at Jack's Bar and Grille!"

Sitting down next to the woman, he smiled and asked, "Excuse me, miss, haven't we met?"

The woman looked at him and replied, "Yeah, sure. You're that law student who sits around drinking at Jack's Bar and Grille, right? Only you look so much bigger than I remember. You been workin' out?"

Proud of all the extra bench presses he'd done, Fenno shot back with his best line, "That's right, and you're the beautiful waitress, right? What brings you here?"

Somewhat embarrassed, the woman said, "Well, I go to law school nights and weekends, and you know, you were the one who inspired me to do it."

"Really?" said Fenno, shocked that someone actually thought of him as a role model.

"Yeah," the woman replied, "I figured if a lush like you could handle law school, I could too."

"Well how about that," said Fenno pretty proud of himself, "and the feminists say I don't care about women in the legal profession!"

Quote of the Week

"If you put a needle in a haystack you'll find it if you sit on it."

—Steve Yarian, RECORD staff

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The Killing Fields

By Rich Wareing '93

RECORD Columnist



TOM Rose was a Boston cop from the white part of Dorchester. Angela Skeete was a Black woman from the Black part of Dorchester who owned a record shop. Two very different people from very different worlds, and definitely not the kind of people you would ever expect to have much in common, or even be mentioned in the same sentence. Unfortunately for both of them, there is one thing they did have in common — Terrell Muhammed.

Rose, you see, had the bad luck of getting in the way of Muhammed's escape plans. Muhammed, who had been brought into the Area A-1 station house for trying to heist a stereo from a downtown shop, suckered Rose into letting him make an extra phone call. Just after Rose took him out of the lock-up, Muhammed made a dash for the door. When Rose tried to stop him, the two grappled and Muhammed got a hold of Rose's gun and put two bullets into him. Muhammed would have escaped too, had it not been for Joe O'Mally, another Area A-1 patrolman, who happened to be coming into the station house as Muhammed was making his exit.

Now anybody might be a little reluctant to go to jail, but Terrell Muhammed's apprehension was based on personal experience. You see, after an accomplished undergraduate career in the juvenile justice system, Muhammed (then known as Angus McCollough) and a friend decided it was time to move up to the big leagues. So they decided to hit a record shop down in Dorchester. After cleaning out the register, they put a bullet between the eyes of the shopkeeper, Angela Skeete.

Naturally, the Commonwealth did not rest until these wrongdoers were

For the last four or five years, the media, the politicians, and the bureaucrats have wrung their hands when stuff like this happens, but have chosen to do or advocate nothing.

brought to justice, and for his part in armed robbery and murder-one, Muhammed received the stiff sentence of six to ten years on a manslaughter plea. Of course, this is Massachusetts, where we certainly would never want to stigmatize or inconvenience our criminals with long, harsh, prison terms. So after four years, Muhammed walked out of prison on parole. Gee, I hope the warden remembered to give Muhammed his complimentary "Make it in Massachusetts" T-shirt and map of the Freedom Trail on the way out.

Muhammed, a changed man, promptly dropped off the face of the world, and ended up in Eastie with a new name and a reputation as a neighborhood troublemaker. Eventually, the police tracked him down and hauled him back to prison for breaking parole — all at taxpayer expense. Muhammed then was sent to Plymouth for nine back-breaking months, after which he qualified for, you guessed it, discharge.

You see, when you add those nine months to fifteen months of pre-trial detention, and combine that with the four years he had already served, that adds up to six years — Muhammed's minimum sentence. Six years on a lousy plea for armed robbery and murder. This brings us to last week, when Muhammed and another friend decided to get themselves a stereo from Sherman's downtown. No big deal, they went down, picked out one they liked and proceeded to try and walk out with it. When the security guard stopped them, Muhammed's buddy bolted, and left Muhammed holding the bag. The police came down and brought Muhammed over to Area A-1 for booking, setting up the fateful confrontation with Rose.

Two decent people, one who dared to run a business which provided badly needed jobs, tax base, and service down in the crossfire of Codman Square, and another who tried to keep order in an increasingly insane city are dead because the effete liberal leadership of this state will not stand up to violent criminals like Terrell Muhammed. For the last four or five years, the media, the politicians, and the bureaucrats have wrung their hands when stuff like this happens, but have chosen to do or advocate nothing that actually will work to put an end to the endless round of gang wars and street crimes that rip the cities of this state.

Tom Rose had been planning to see his son Tom Jr. graduate from high school and his daughter Kelly get married this June. Of course that's not going to happen now, because his family and friends laid Tom Rose to rest last week down in Dorchester, where he grew up. They waked him at O'Connor and Sons, held Mass at St. Ann's, and then buried him next to his dad down in Cedar Grove. He is the latest victim, but probably not the last, of Boston's killing fields.

**I am not
imagining it!**

Overheard in Class

(with apologies to Stan Mack's Real Life Funnies)

By Andy Levin

Student A:

"There's this incredible partner at my firm. He was co-captain of the USC track team -- a shot putter!"

Student B:

"Yeah?"

Student A:

"Yeah. He's making a million dollars a year."

Student B:

"Wow!"

Student A:

"Yeah, and he's got a beautiful wife, really gorgeous. And beautiful kids. And he's screwing two of his secretaries at the office. Seriously, he just takes an extra set of clothes in to work when he needs to 'spend the night in the office.' And he starts work incredibly early, like 4:00 AM."

Student B:

"Sounds like a real stud."

Student C, interjecting breathlessly, helplessly, sarcastically:

"Yeah, a real moral paragon! That's the good life, eh? What could be better than that?"

Students A & B, dead serious:

"A million five."

Winter Fun



RECORD Photo / Josh Friedman

Rumble and Andy frolic in the snow outside of the Hark while their friend Steve Berman delights in their amusement.

Grade Nightmares

continued from GRADES, page 1

"We flog them — one stroke for every day they're late." He then admitted that HLS has no official procedural mechanisms to deal with professor tardiness in grading exams. At most, professors receive a call from the Registrar's office or Dean's office.

Some students find this laxity disrespectful to students and plainly unacceptable. "My father is Dean of a law school," asserts David Frakt '94, "at which, like many other law schools, the administration has the power to withhold pay of professors until they turn in their grades." As one might guess, tardiness is not usually a problem.

1L Grade Mailing a Disaster

1L's have equally valid reasons for dissatisfaction. Because the Registrar mailed out first year grades on Friday, February 19, some 1L's received

grades on Saturday, while others had to wait until Monday or Tuesday. Not only did this heighten anxiety and ruin many weekends, it also defied the asserted justification for mailing out first year grades in the first place. According to Meltzer, "Mailing is the right way to do it . . . [because] I think it de-emphasizes grades and makes it a more private matter."

Assistant Registrar Mark Slosos blames "the vagaries of the US mail system" for unfortunate time delays, but students are less willing to exonerate HLS from guilt. Many 3L's recall that two years ago, when students complained about grades being mailed out on a Friday, the Dean of Students Office

assured that grades would no longer be mailed on Friday. However, current Dean of Students Suzanne Richardson has no record of this assurance.

For Jeff Bucholtz '95, the hostility he encountered in the Registrar's office worsened matters considerably. When grades failed to arrive in Monday's mail, Bucholtz went to pick them up in person. Bombard refused to release them, and reports Bombard as telling him, "You are wasting my time."

Bucholtz proceeded to the Dean of

Students Office, where Richardson tried in vain to discover why the Registrar's Office would not release grades after they had been mailed. Following an afternoon of calls, Richardson at last discovered an official school-wide policy that requires students to wait three working days after mailout before they

can request grades in person.

Bucholtz says he was then told by the Registrar's office that Friday does not count as a "working day." Finally, he received his grades on Tuesday afternoon, but called his entire experience with HLS grade administration "Kafkaesque."

Adding a new dimension to grade anxiety, student concerns last week focused on physically receiving their grade report, let alone worrying about the grades they received in their classes. "There have been complaints every year regardless of the system we've used," defended Meltzer. "If there were a system that students unanimously approved of, we'd do it that way."

Bucholtz says he was then told by the Registrar's office that Friday does not count as a "working day."



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Childlessness Equals Accountability???

By Rebecca Eisenberg '93

Guest Columnist



UNDoubtedly, to many of us, the "Zoe Baird fiasco" is just another page in history. Zoe was struck, Kimba was struck, and then Bill happily found a nice girl who had played by the rules. Two columns appeared in the RECORD on February 12 on the subject — both written by men — and now Baird appears a closed case at HLS.

Unfortunately for many of us, particularly women, the Zoe Baird incident will linger in our memories. For the first time in US history, hiring the right nanny became a prerequisite for serving our country. In the past this was never an issue, probably because the vast majority of the candidates had wives to care for the children (who, notably, were and are not paid for their services, but no one threw a stink about that one). Now look what happens when the wives decide that they too would like a slice of the American Pie.

Scrutinizing nanny-selection, contrary to the assertions made last week by David Weinstein '94, has arisen as a standard applied uniquely to women. Historically, women have been assigned the role of caretaker for the children, whether we asked for it or not. In a modern society where two-parent incomes are a necessary element of economic survival, the duty of child care remains privatized — overwhelmingly in the hands of women. The United States stands as

Women with children are not provided with any resources to care for their children, then are blamed when the children are not cared for the way that men want them to be.

the only industrialized nation in the world to abdicate responsibility for child care so recklessly.

And, when the impoverished system (since women and children constitute the vast majority of people in poverty) fails to provide adequate resources for the proper care of children, who gets blamed? None other than the women. Instead of pointing an accusational finger at Zoe Baird for her "crimes against the family," the US public should have pointed a finger at itself and at its government in order to evaluate what would compel a family with a half-million-dollar annual income to hire a not-fully-documented immigrant to care for their children. Perhaps for Zoe Baird, for her family, and for the Peruvian couple she hired, the choice she made was in fact the most ethical under the circumstances.

What the press did not cover is how difficult it is for many immigrants to become legal US citizens — sometimes the process takes up to a decade. Sometimes the process proves unsuccessful. The press also did not cover how expensive child care may be. Infant care outside of the home generally costs over \$800 a month. And even at those rates, the child care workers are grossly underpaid.

Furthermore, Zoe Baird's dilemma affects not only women who work outside of the home, but also women who work *inside* the home — that is, homes belonging to the women who work on the outside. What is tragically misrepresented is the harm that this incident is inflicting on the thousands of immigrant caretakers, who have now lost their jobs. Immigrant women face enough hurdles in a society which is hostile to their ethnicities, to their language barriers, and to their very presence in the United States. They face enough barriers trying to become US citizens, enduring severe discrimination every step of the way. Now they are confronted with yet another roadblock in their path towards survival.

The number of women who have been denied governmental positions due to this "crime" must only be added to the number of immigrant women who have also been fired from their already underpaid jobs. Until child-rearing is given a societal value, until "women's work" is paid, women are left with few options — be underpaid (or not paid at all) inside the home, or be left scrambling when underpaid outside of the home.

Women should not be forced to shoulder all of the responsibility for child care in a society that is hostile to women who want (and need) to participate in the public arena and that punishes women who fail to be superhuman and create for themselves resources that simply do not exist. Women with children are not provided with any resources to care for their children, then are blamed when the children are not cared for the way that men want them to be. When they try to earn a living to support their families, women are paid only half of what men earn in the workforce, and consequently cannot afford decent child care, but if they stay home to raise their children, they may not be able to afford to live. It chains women in oppressive marriages and thereby creates a dangerous catch-22 for US women. This no-win child care situation gives the words "women's liberation" real meaning.

Most egregious is the fact that Zoe Baird's husband, a professor, worked very close to home, and very well could have provided care for his child.

Bill Clinton believes that he has found a winner in Janet Reno — a woman who is safe because she has never had children.

Nonetheless, the American public and Bill Clinton need to realize that there is a cost to equating a woman's childlessness with her appointability. For, if forced to choose between work and family, we women just might choose work. Then American men would have no babies to take care of either.

Slick Willie's Slick Plan

By Dave Oles '95
RECORD Columnist



THE trouble with Democrats is that you can never trust them.

Excuse me for letting my conservative petticoats show, but the nausea emanating these days from Washington is enough to (pardon the pun on the Democratic mascot) choke a mule.

Slick Willie and company have just released the first real look at his "cuts" in government spending, and it only shows his utter contempt for the people who put him into office. If you were expecting real reductions in government expenditures, a la government services or programs, you had best take a look at the list of so-

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called cuts that the administration has proffered for public admiration. To those out there who are not easily deceived, it may prove enlightening.

To begin with there were supposed to be 150 specific spending cuts. By my own unsophisticated reckoning, there are no fewer than 23 increases in government fees or "private contributions," for a total of over \$9.5 billion dollars. By anyone's calculus, when there is a service provided by the government, and the program remains the same, but fees are shifted to individuals rather than the general public, it is NOT a CUT. When Reagan tried to "decentralize" government, he was criticized for merely shifting costs onto the states and municipalities. Yet Bill & Hillary can engage in bald-faced lies and they are praised for being "fair."

Here are some highlights from Bill & Co.'s "cuts."

- \$46 million in increased entry fees charged to citizens to use government parks.

- \$820 million by increasing the Federal Inland Waterway Fuel tax
- \$1 billion in raised fees for Food and Drug Administration Certification
- \$620 million from increased fees on VA home loans
- \$151 million in increased registration fees for airplanes

The list goes on and on. And keep in mind that ol' Bill has not even gotten to the tax increase part of his budget yet, and Hillary is revving up a monster tax to pay for her health care plan.

The incredible thing is that no one seems to be noticing this, and taking him to task on it. The rose-colored glasses are on, and by the time they come off, it is going to be too late to correct the damage, and too late for the nation to avoid the consequences. Everyone seems to be to entranced over Bill and Al conversing with the kids on Saturday morning TV. Well, he belongs there, with the other cartoons, and his "economic program" too.

Speaking of laughs, have you heard about the White House jogging track? Seems like ol' Bill has been holding up traffic with his publicity stunt jogs through Washington. Someone came up with the brainstorm that what the White House needs is a jogging track. That way, he won't hold up those rush hour commuters from getting to work, and by golly helping to stimulate the economy. The only hitch seems to be that nobody thought about the fact that it had to be PAID for. When the construction was first discovered by the press, the spin doctors rushed to assure the public that it was being built with private funds (donated, but NOT to be confused with influence money). Now it seems that no one can quite find that darn donation, and construction has been temporarily suspended, at least until somebody comes up with the cash.

No doubt, this is just an honest mistake, and not to be placed in the brazen lie category above. Take it with a grain of salt, lords and ladies. This Democrat is not done with taxes yet, and he's hardly a month into his administration. Myself, I'm not disappointed, because I never expected much. As a matter of fact, this is EXACTLY what I did expect. Our "New Kind of Democrat" looks awfully like the old kind.

Rationalization in B-B-Blue

By Debra Dickerson '95
Guest Columnist



HELLO. My name is Debra Dickerson and I got B's. There, I said it. I got B's. Three of em. My transcript looks like Porky Pig used it to practice spelling 'b-b-bathroom'. Oh God, the shame. How can I tell my mother that no more awards will adorn a mantel-piece already sagging with the weight of my, till now, awesome intellect. How to tell her that her Golden Child finally joined the ranks of the (SOB!!) average! Here then, at Harvard, the level of my own incompetence.

How can I pretend to be blasé about my accomplishments now that I'm forced to admit studying myself into a stupor just to get bothersome, bilious B's? How can I patronize my vocational school-graduate cousins now and get away with it? No more "Hey, Chuck, I hear you're up to the full 18-wheels now. Congrats, dude".

How did I come to this? I, who got A's in high school without studying. I, who graduated with honors from every program I've ever participated in, even typing class for God's sake! I've won awards I didn't even apply for. I can't go on. I'm a little verklempt. Talk among yourselves. Topic: Former Prodigies Who Came To No Good, Cross-Dressed and Held Up Convenience Stores With B-B-Butcher Knives.

Thanks, I'm better now.

What to do, how to cope? I know, maybe I should call one of those brown-nosing, boot-polishing, no-ideas-of-their-own-having, 'A'-getting robots for advice. I guess I cudda got A's too if I'd just vomited the Professors' own words back at em. But that's oppression, man. I'm not buying into this reactionary hoax. We gotta deconstruct this hierarchy, man. Off the pigs, I'm here as a revolutionary. You can't buy me. B's just prove I'm a free thinker. Crits rule! This is the price you pay for having the courage of your convictions. The whole system is rigged. I'm happy with these B's! I love these B's! They're beautiful, man, they're free!

Oh God, help me.

Om. Om. Om. Ok, I'm calm. I'm floating on a b-b-beautiful river.

I gotta get a grip. I'm overreacting, right? I need some perspective. I know. I saw this on Geraldo. I'll list 5 reasons to feel good about myself.

1) I'm healthy. Except for that mysterious, shooting pain in my right foot. And, of course, the hypertension. But that prescription fixes it right up, no problem.

2) I'm young. Well, 33 isn't so old. Except that everyone else is 22 and comes to me for motherly advice.

3) I'm attractive. (See #2.)

4) My love life's bound to pick up. (See #2 and #3.) So what if my last boyfriend took out a restraining order on me? So what if I made the guy before him realize he was gay? Means nothing.

5) I was successful before Harvard. For instance, as an Air Force officer, I once made a two-star general laugh so hard his decaf came squirting out his nose. I bet Ollie North can't say that.

But he probably wouldn't want to. Damn.

All right, so the Sears Prize is out. Figure them odds anyway. With my

Mediocrity is much better. Really. Now that I've accepted my true place in society, I'll be much happier.

grades and my debt, I'll probably end up working at Sears. Would that be so bad? Hmmm.

"Good morning, dear customer, and welcome to Sears. Yes, I'll shut up. Nail guns? Aisle 13. Sir, when you find one, could you come back and shoot me with it, please? Thanks. Is it good for drywall? I don't know, sir, I'm not very intelligent. I used to be, but, well, those days are over. This is all I'm good for now. Excuse me? Aisle 13 has nail files? They're not the same thing? So sorry, try Aisle 8. I think I'm getting the hang of this. Yank thu and have a dice nay."

I didn't want to do Law Review anyway. I never could make heads or tails of that damned Blue Book. Anyway, I don't need to go all the way to Gannet House to be jerked around; the Financial Aid office is much closer. I didn't want a judicial clerkship either. Crotchety old judges looking down my blouse, sleeping through trials, and sending all my relatives to jail. I never wanted to be part of that system of oppression. What a relief.

Mediocrity is much better. Really. Now that I've accepted my true place in society, I'll be much happier. I'll have lots more free time. I'll never miss the Simpsons again to waste my time studying. And no more videotaping—first run Oprah from now on!

I'm feeling much better, more open. I know, I'll concentrate on my creative side. All this analytical clap-trap has really been stifling my need to express myself naturally, freely. I'll listen to my inner child and abandon this soulless pursuit of mainstream accomplishment. I've got it! I'll learn to make those popsicle-stick villages. I can sell them by the roadside, I know I can! I bet I could get as much as \$3.50 for a really elaborate one. I'll have my law school debt paid off in no time! And I'll get to eat all the popsicles I want. Who needs \$85K a year? Who needs a professorship? I'll be an artist. I'll wear berets and spend my new found free time happily gluing and chewing and communing with the little forest creatures that come to share in nature's bounty. I'll sing tra-la.

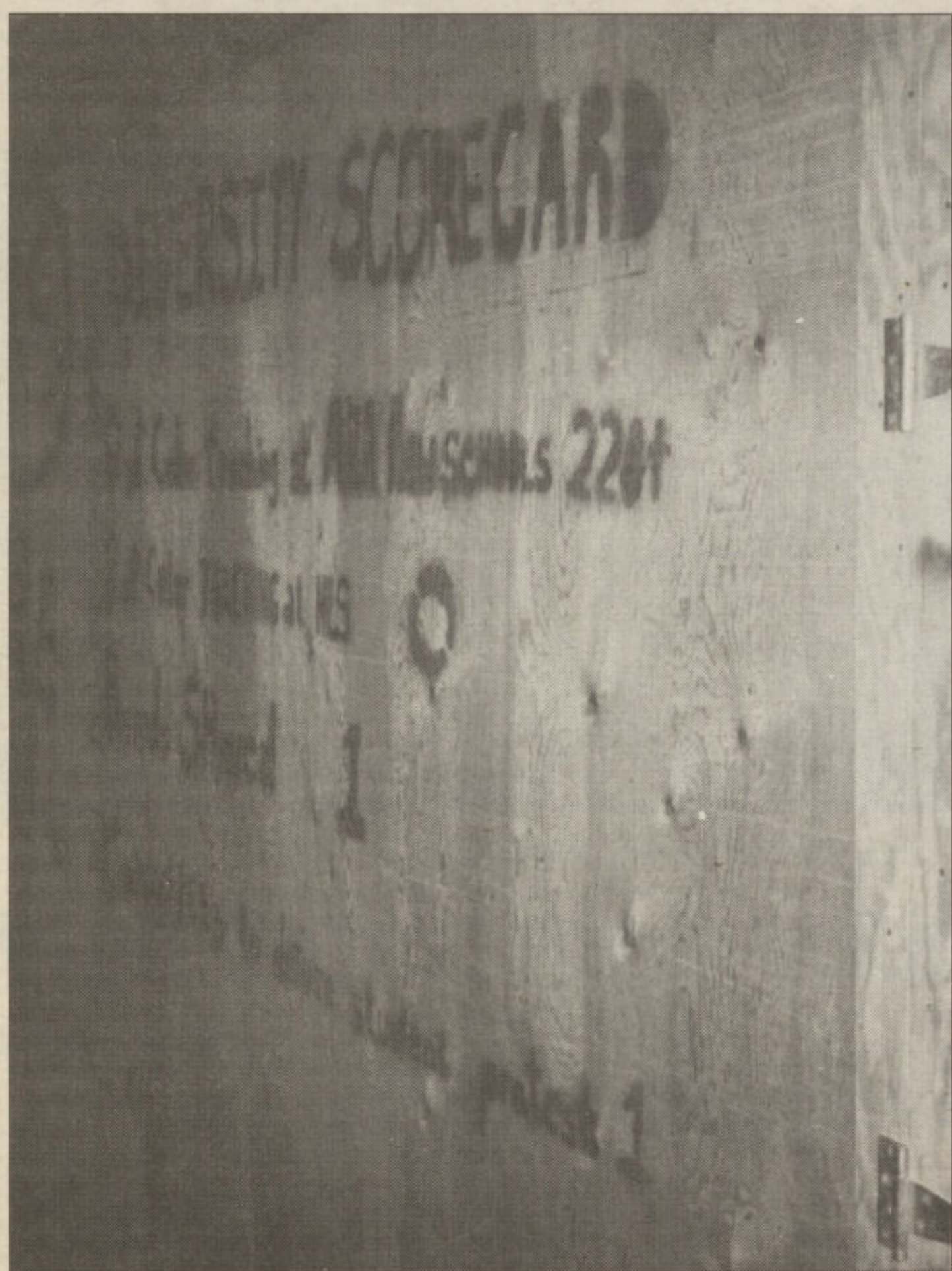
But wait a minute. What if I slip into C's? Maybe I need to study more, not less. What's more than "non-stop"? What if it becomes progressively more difficult? What if grades really aren't random? This could be the beginning of a continued decline. What will my summer firm think? Maybe I'll lose my scholarship. What a joke. A certified b-b-bozo with a scholarship. I'll probably get a post-it in my Hark box notifying me that some snot-nosed 'A'-getter has it now. I'll probably have to pay back this year's installment. Lordy, what will I do? Where will I go? Who am I, now that someone else is the smartest kid in class?



Something to feel good about.

United Way
of Massachusetts Bay

Vandals or Prophets?



RECORD Photo / Josh Freeman

Graffiti spray-painted in the tunnels below Langdell Hall by a mysterious student group calling itself the "Sojourner Truth Squad."

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Gays in the Military: A Republican Position

By Dean Newton '95 and Drew Tulumello '95

RECORD Columnists

AMID the clamor over the prospect of gays in the military, some Republican colleagues have lost touch with the fundamental principles of the Party. Instead of supporting the ban, a careful application of Republican values compels its removal.

Homosexuality can be explained in one of two ways. It is either a biologically determined sexual orientation, like heterosexuality, or a chosen sexual preference. If it is biologically determined, then homosexuality is nothing more than nature (whether or not you consider it freakish) taking its course. As gay activists like to ask of heterosexuals: When did you decide to become attracted to members of the opposite sex?

Unlike liberal Democrats, Republicans fight to encourage and provide equal opportunity; a level playing field upon which all have an equal start. That's why we oppose affirmative action policies predicated on race rather than economic need. Consistent with this belief is the notion that biological factors, such as race and gender, are not acceptable bases for discrimination. After all, it was a Republican president who insured equal rights for the disabled.

Allowing homosexuals in the military is consistent with these tenets. Of course, disabled Americans can be excluded from military service, but only because of their inability to perform the tasks required. Existing evidence supports the belief that homosexuality is not inconsistent with efficient military service. One of the greatest fighting forces in the world — the Israeli Army — allows gays in its military. Few would dare claim that the Israelis lack fighting capability. Further, gays serve now "in the closet" and there is no evidence to support the claim that they are any "less" soldiers than the straight officers. In a study commissioned by the Pentagon in 1987 comparing the service records of 166 homosexuals with those of heterosexuals, homosexuals rated better than heterosexuals in all categories, except in the incidence of drug and alcohol abuse. A second report a year later concluded that homosexuals are no more or less a security risk than heterosexuals.

The second possible cause of homosexuality is that it is a chosen sexual preference made by people ignoring their "true" sexual impulses. This argument finds support in fringe alienation theories of social psychology which portray homosexuality as a choice made by lonely or alienated young people who carve out personhood by identifying with a marginalized social group. Though these theories overlook the possibility that biologically motivated preferences actually cause the alienation, we will assume their validity for the sake of argument.

If homosexuality is a choice, it is effectively a preference for members of the same sex and no more than a belief or desire. When did Republicans begin believ-

Instead of supporting the ban [on gays in the military], a careful application of Republican values compels its removal.

ing that people should be punished for their thoughts? It is the party of freedom of expression. Only a party committed to free speech would have allowed Pat Buchanan to address its convention. Freedom of thought and expression were among the motivating factors that led to the founding of America, and have always been Republican values. We fight for an individual's right to believe as he wishes, even if it's wrong.

The problem with most Republican discourse thus far is that it fails to reconcile these fundamental beliefs, equality of opportunity and freedom of expression. What most Republicans, and members of the military, really object to is homosexual conduct; engaging in homosexual acts. The fundamentalist members of the Republican Party raise the objection in terms of the immorality of homosexual conduct.

But allowing gays in the military in no way precludes the application of strict codes of conduct, even prohibiting homosexual activity. Certainly, unwanted sexual advances in a professional setting deserve disciplinary action. Personal relationships that interfere with a soldier's ability to make sound decisions about the safety of his fellow soldiers, or that impair his ability to follow orders should, and will, be grounds for dismissal.

The bottom line is that there is a substantial difference between existing as a homosexual and engaging in homosexual acts. Certain homosexual conduct may impair military cohesion and it may be immoral, but that is a debate for another day. The current military ban prohibits those who exist as homosexuals from serving, whereas, if anything, it should be targeting only those who engage in homosexual acts.

This is not to say that all manifestations of homosexuality must necessarily be prohibited. Perhaps private relationships that do not interfere with professional duties should be tolerated, as they are for heterosexual couples. Perhaps the military should establish guidelines that apply equally to heterosexual and homosexual couples, without sacrificing military performance.¹ Certainly such guidelines would save the Pentagon the \$500 million it spent to identify and discharge homosexuals in the 1980s.

Finally, we acknowledge that we have never known what it's like to have our lives on the line in combat. Bill Clinton, a draft evader, has never had his life on the line either. Thus, although hesitant to proclaim what is "right" for the military, we feel compelled to speak out when persons professing to represent the Party stray so far from its central principles.

¹The authors also disagree on this issue.

Bill Nave



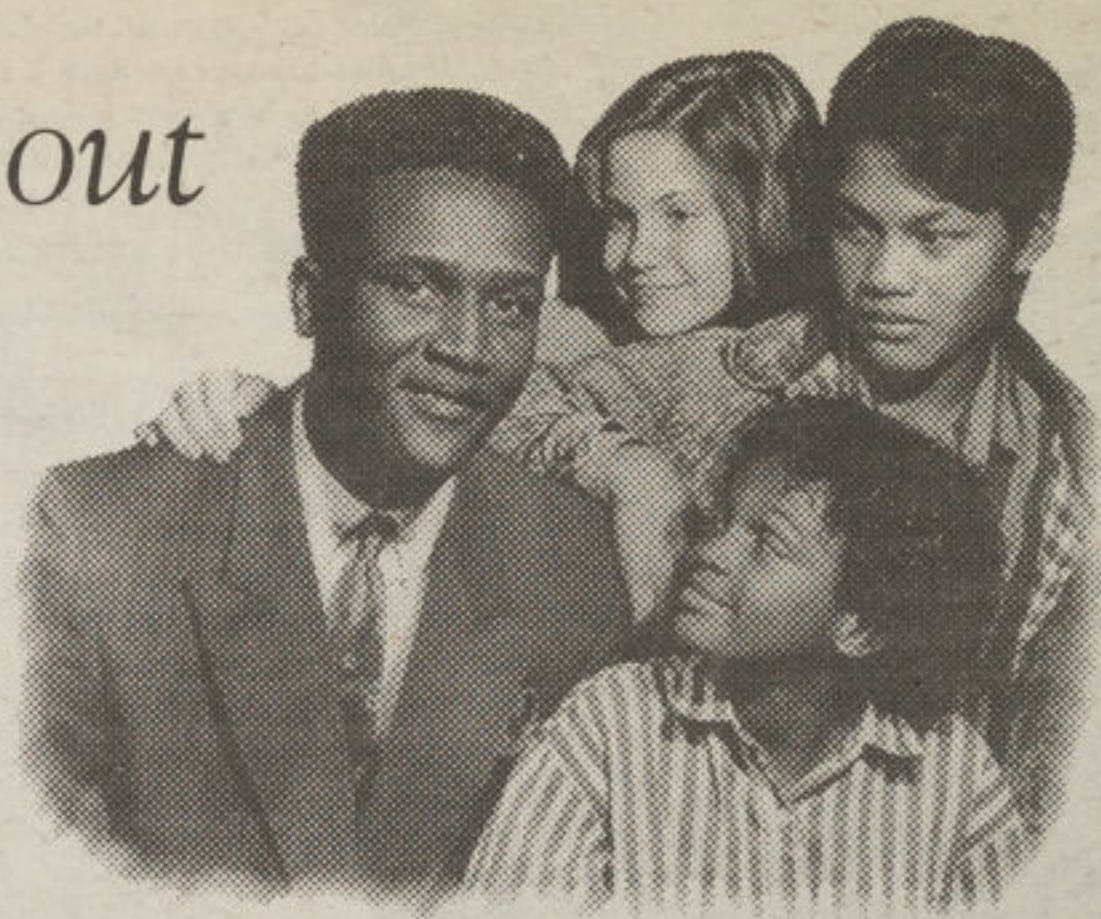
saved these

kids from drowning, but he's
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