



Harvard Law RECORD

America's Oldest
Law School
Newspaper

35 CENTS

Volume 96, No. 3

Cambridge 02138

Friday, March 5, 1993



Professors walk past students participating in silent vigil.

Vigil Supports Mackinnon

By Johanna Davis

About forty students stood silently in Pound Hall outside the faculty Appointments Committee meeting last Friday, supporting faculty diversity and feminist legal scholar Catharine Mackinnon's bid for tenure.

Displaying placards which read, "Reason #73 to diversify the Faculty: If there is another

sit-in Bob Clark will have to shave his head," and "Catharine Mackinnon Yes!" the demonstrators lined the path which professors took between lunch and the faculty meeting.

"Unlike many of the other so-called silent vigils, this one was actually silent, and I think that gave it a lot more power than when we chanted 'No justice, no peace,'" said Malcolm Harrison '93.

Many professors walked by the protesters without comment, but others, like Randall Kennedy, wished them good luck. David Rosenberg quipped, "Why can't I get this kind of attendance in my class?"

Alan Dershowitz, who walked by with thumbs up in support of faculty diversity, turned them down when he saw one of his first year students holding a sign supporting Mackinnon. "At this point in time, it's not a close question for me," he said. Several students broke the silence by shouting angrily at Dershowitz.

Dershowitz vehemently opposes Mackinnon joining

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Committee to Print Handbook on HLS

By Lisa Zornberg

The Legal Education Committee will publish this month a handbook intended to help 1Ls chart a three-year academic course through Harvard Law School appropriate to their professional destinations. The initiative represents a milestone in the Committee's continuing efforts to upgrade the quality of an HLS education.

Composed of six faculty members and three students, the Committee developed these curricular guidelines as one follow-up to the comprehensive report it issued to the faculty last May. The report presented "negative conclusions concerning many nostrums presently on the 'agenda' of legal education in this country," coupled with concrete proposals and recommendations for educational reform at HLS.

The soon-to-be-released handbook represents a collaboration by the entire faculty to describe ways in which course offerings in their respective fields can be synthesized in a purposeful way. Prof. Todd Rakoff '75, who chairs the Legal Education Committee, hopes the handbook will counter "the real tendency of students to figure any set of courses that end up with fifty-two credits is as good as any other."

Rima Hartzenbusch '94, who sits on the Committee, agrees. "Not everyone has 2L and 3L friends who can help them out with course selection," she added.

Demonstrating how the handbook works, Hartzenbusch explained that students interested in poverty law careers, for example, will now have at their fingertips a complete listing of relevant courses offered at the Law School and elsewhere in the University, and the professors who teach them.

Students may not have

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HLS Clerks in England

By Jeff Bucholtz

Thanks to the efforts of an enterprising 2L, HLS students will soon be able to obtain judicial clerkships in England for the summer. Justin Daniels '94, who clerked for two British judges last summer, has recently organized the English Judicial Internship Program (EJIP) so that others may enjoy the same opportunity.

The Program seeks to place students with judges on the Circuit Court for clerkships lasting from one to four

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Clinton May Pluck From HLS Faculty

Edley to OMB, Tribe to Justice?

By Steve Yarian

President Clinton continues to draw on the talent pool of the Law School to complete his Cabinet. According to press reports earlier this week, Prof. Christopher Edley '78 is in line to be assistant director at the Office of Management and Budget, and Prof. Laurence Tribe '66 may be the next Solicitor General.

Although the timing was somewhat unexpected, these two announcements come as very little surprise to observers of Washington. Edley served as a member of the Clinton transition team and told the RECORD last November that it was "an open secret" that he "long hoped to return to Washington to work in government."

Tribe, a rumor-mill regular, is always purportedly in line for something, most notably an appointment to the Supreme Court, for which the position of solicitor general is viewed as a stepping stone.

In Edley's role at the OMB, he would oversee some of the most important parts of the federal budget, including the departments of Justice, Treasury, Housing and Urban Development, as well as independent agencies. He would have a major voice in deciding how money is spent on Clinton's program to rebuild the nation's infrastructure.

As solicitor general, Tribe would represent the federal government before the Supreme Court, a role with which he is not unfamiliar.

According to the *Boston Globe*, Tribe recused himself from a case involving the federal government before the Supreme Court earlier this week. Tribe said he wanted to avoid the appearance of conflict of interests because he would have been arguing for the inter-

ests of a private party while at the same time being considered for solicitor general. He was representing the Cheyenne River Sioux in a dispute with the state

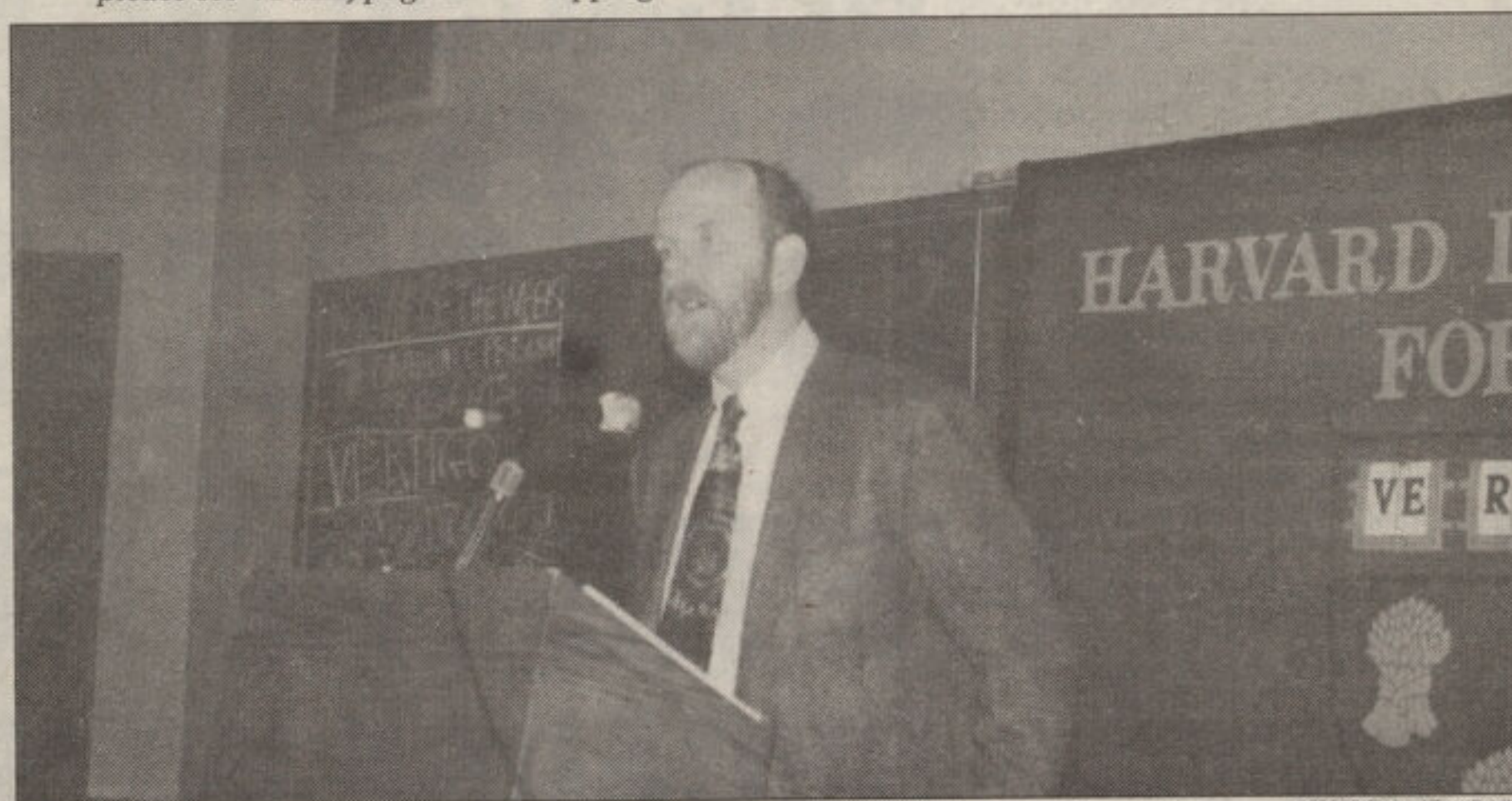
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Prof. Larry Tribe '66



Prof. Chris Edley '78



Robert Granfield speaks on his sociological study of HLS.

HLS Under the Microscope

By Glennis Gill

While some may argue that there are too many books written, or being written, about HLS, people turned up to the Forum last week to listen to Robert Granfield, the author of *Making Elite Lawyers: Visions of the Law at Harvard and Beyond*. But this book is different. Granfield, a sociologist, based it on his three-year dissertation study of law school socialization at HLS.

Granfield began his talk by laying out the motivations and methods involved in his study. Curious about why there had been no sociological studies of law school, while medical school and other graduate courses of study had been subjects of such investigations, Granfield originally intended to conduct a longitudinal study of all

seven Boston area law schools.

In 1986 Granfield decided to begin his study at HLS. After some initial interviews, attending classes, and hanging around the Hark, he "became immediately fascinated with conflicts students were having, both with each other, and their own legal identities, and future practice." He also discovered that HLS students were highly articulate and reflective about their experiences, making his research easier. After this initial phase, Granfield decided to focus on visions students develop in law school and how this affects the way they see themselves.

Granfield's initial methods involved extensive ethnographic techniques. Working mainly with a small group of individuals, he focused on

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Judicial Clerkship Confusion Continues

By David S. Clancy

Second year students at HLS are finding the process of securing a judicial clerkship difficult—chiefly because an uncertain application process has them baffled and frustrated.

The process began much earlier this year than in previous years, according to Margaret Tuitt at the Office of Career Services. In past years, students began their clerkship search in the early spring of the second year. This year, in contrast, 2Ls were advised to send out their applications by mid-fall for 1994-5 judicial term. Many final selections have already been made by judges.

"It has just crept up," said Tuitt, "and now it's just out of control. A lot of selections are being made on first year grades only."

Tuitt also stressed, however, the positive consequences of an elongated application process. Because a significant number of judges will continue to make their selections later in the year, the clerkship opportunity window will remain open wider and for longer than in past years. "If someone is resolved to get a clerkship, and they're flexible, they will definitely get something," asserted Tuitt.

But the consensus among students is that this extended process is problematic. "It was troubling," said Charles Duggan '94, "because [getting clerkships] was the last thing anyone wanted to worry about in the fall."

"It's ridiculous from everyone's point of view," agreed Shawn Fagan '94.

Many judges are unhappy with the process as well. "A lot of time is wasted because the system is spread out and disorganized. And it's becoming earlier every year," said Judge Robert Keeton.

It is not clear why the process has become so undefined. Fagan reported one

rumor that a professor at the University of Michigan Law School urged a class of 2Ls to rush out their clerkship applications in September; word of this spread to other law schools, and resumes soon flooded judges during the fall term.

Tuitt places partial blame on the judges themselves. "Judges have gotten very anxious that they're not going to get the best people," she said. Fagan concurred that "renegade judges" may have played a role in speeding up the process.

Attempts by students, judges, and law school administrators have surfaced to return the clerkship application process to normalcy.

In October, the law reviews of several top national law schools contemplated an agreement that would have staved off

clerkship applications until the spring. The movement failed, however, when the Harvard Law Review voted against the proposal. Duggan explained, "One reason was a concern that [such an agreement among law reviews] would not have any effect and would penalize members of the Harvard Law Review."

Similar attempts by law school deans and judges have similarly met without success, according to Judge Keeton. "Nobody has the authority to make a decree," he said. "Even the judicial conference doesn't have the authority."

One compensating factor in this uncertainty may be the election of Bill Clinton. Over one hundred vacancies exist on the federal bench, and Clinton will fill these vacancies in coming months

with judges whose political views are shared by a majority of Harvard Law students. The opportunities for satisfactory clerkships may therefore be on the rise.

"Lots of HLS students, if they had their druthers, would rather clerk for a Democratic appointee than a Republican appointee," asserted Tuitt.

To date, approximately twenty-five 2Ls have secured clerkships for the 1994-5 judicial term. However, due to the general disorganization of the search process, there is no way for Tuitt to compare student success rate to that of previous years. "There is no centralized way of telling how the process is going," she said.

She added optimistically that many interviews are scheduled for this month.

Faculty Mulls Mackinnon Tenure Offer

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Harvard's faculty. "I think she plays so fast and loose with facts, data, and statistics that she doesn't pass scholarly muster. She just doesn't qualify under the usual rules of scholarship," he claimed.

Her proponents say that Mackinnon's innovations and her feminist message are so radical that her uncomprehending critics fault her scholarship instead. "People who read it and don't understand it label it 'not scholarship' or 'too creative.' It's a matter of finding reasons to dismiss it," said Peggie Smith '93.

Mackinnon advised Smith when she wrote her thesis in African-American Studies at Yale. "She was an amazing adviser, in terms of accepting demands on her time — she had no obligation to me, because I was in a grad program other than law," said Smith.

Mackinnon is possibly the only radical feminist legal scholar whose works have gained popularity with the general public. Her books include *Sexual Harassment of Working Women*, *Feminism Unmodified*, *Pornography and Civil Rights: a New Day for Women's Equality* (co-authored with Andrea

Dworkin), and *Towards a Feminist Theory of the State*.

She has been a tenured Professor at Michigan University since 1990. During the 1980s, she taught at the University of Minnesota, and Osgoode Hall. She also taught at Yale and Harvard as a guest lecturer for several semesters, and delivered the Holmes Lecture in 1987. Her legal specialties include Sex Equality and Constitutional Law.

Rumors have circulated that the Appointments Committee will vote on Mackinnon's case on March 12. A professor who refused to be named estimated that she has support of roughly half the faculty, but not the two-thirds necessary to make an offer. Smith declined to speculate on Mackinnon's chances for tenure at Harvard. "I want to be hopeful though I'm doubtful," she said.

Carol Rose, an African-American professor at Yale Law School, has also allegedly been courted by Harvard to join the faculty. But according to a professor who refused to be named, she turned down the Appointments Committee's offer last week.

Through his secretary, Appointments Committee Chair Paul Weiler LL.M. '65 said he would not make any statement on cases "under consideration."

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LSC Elections to be Overseen by Commission

By Greg Stohr

In the hope of preventing a repeat of the controversies that surrounded last fall's balloting, the Law School Council has established an independent election commission to oversee Council elections.

The Council has adopted a plan to scrap the current weighted vote system in favor of a simpler procedure.

In all likelihood, the commission will not be established until after this spring's Council elections, tentatively scheduled for March 17 and 18 for executive office positions and March 24 and 25 for section and at-large representatives, but it is expected to be in place in time to oversee next fall's balloting.

Council Vice-President Raul Perez '94, chairperson of the Administrative Committee, which proposed the election commission, said the goal of resolving the election issue had to wait until after the huge job of rewriting the Council constitution had been completed.

"We wanted to do it in conjunction with the new constitution because the election rules are just bylaws of the constitution," he said. "Now that we have the constitution in place we can begin to enact the bylaws. I would have loved to see them ready to go for this election, but the constitution comes first."

Under the plan, commissioners will

be appointed to one-year terms, during which time they will administer the elections and have the final say on disputes. Council members will not be eligible for the commission.

Rich Wareing '93, a member of the Administrative Committee, said he was hopeful the Council would be able to appoint commissioners without controversy.

"If we have a Council like we've had this year, it won't be a problem," he remarked. But, he added, "if we have a Council like we had [last fall], it could be a problem. Deciding whether to order number 15 or number 23 at Chef Lee's is contentious in a Council like that."

Allegations of tampering with the election process polarized the Council last September. Several statements of candidacy were discovered in the wrong Hark box and at least two allegedly disappeared completely. The filing deadline eventually was extended as a result of the controversy.

For upcoming spring elections, the Council will modify its procedures in an attempt to ensure that no similar problems arise. Candidates will be required to file statements with Dean of Students Suzanne Richardson, and to sign a statement saying they submitted their statements before the deadline.

"Once the clock hits 4:20 on Friday, March 12 that's it," Perez said. "I am



Raul Perez '94



Students voting in LSC elections last semester. Controversy arose over allegations of tampering with candidate statements.

very confident that will do it and, of course, I will be even more confident when an independent election commission sets up the rules."

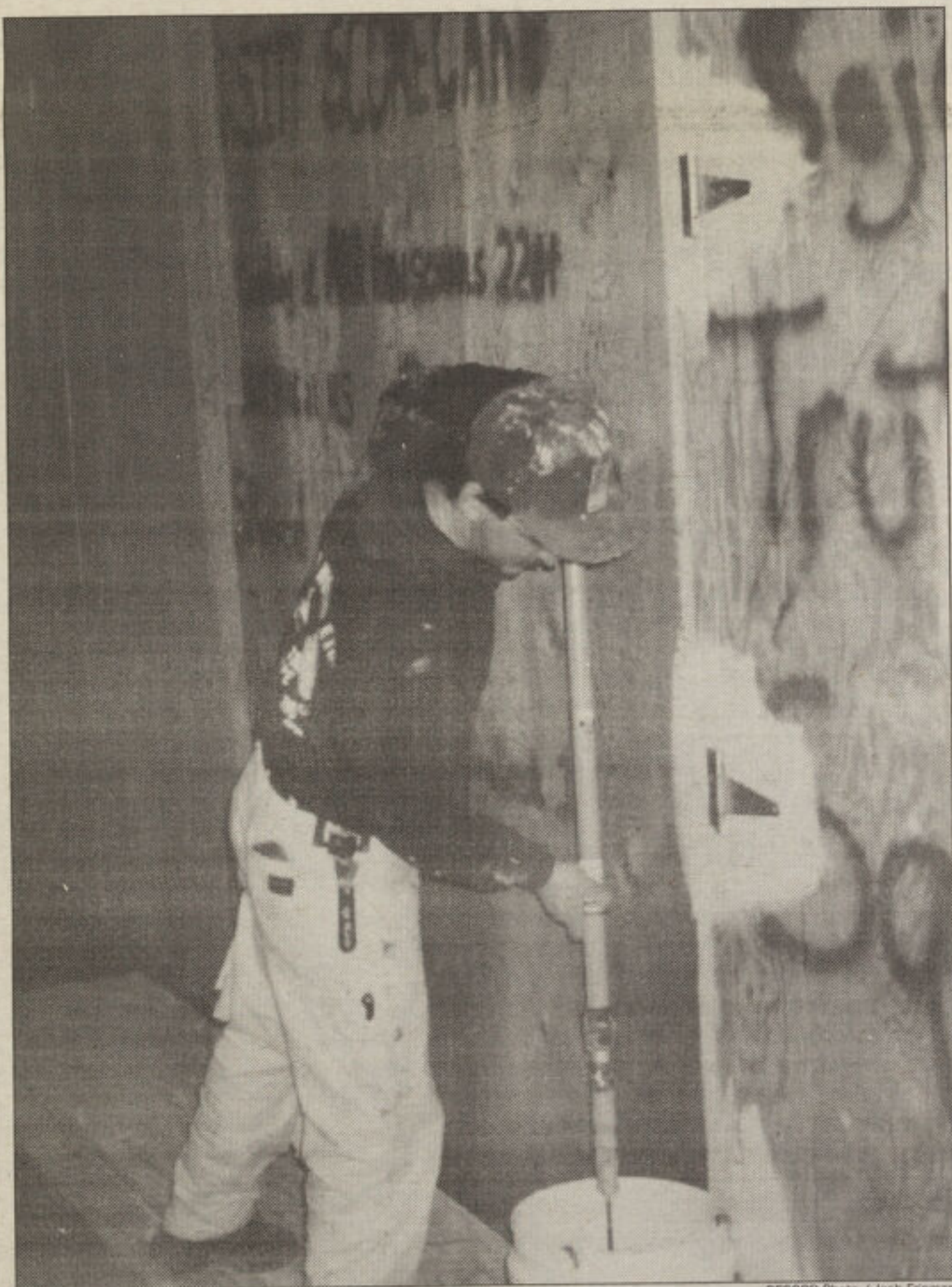
The Administrative Committee's recommendation that the Council abandon the complicated "proportional" system whereby voters must rank candidates in order of preference was also passed on Wednesday. The council will also follow the more common one-position, one-vote system.

Perez said the old system confused students, resulted in the invalidation of many ballots and made vote tabulation difficult.

"Sometimes ballots had to be invalidated because students didn't rank at least six candidates (for at-large balloting) or because people put check marks," he said.

The Council was expected to vote on the ballot proposal Wednesday, after the RECORD had gone to press.

Graffiti War Escalates



Worker paints over graffiti written by "Sojourner Truth Squad" in tunnels.

The Sojourner Truth Squad has struck again. The graffiti appeared on the temporary wall in the tunnels at about 1AM Wednesday. But like the graffiti last week, it was quickly covered with white paint. Frank Lamentea, Director of Building Operations explains that "we try to do it as fast as possible to discourage others." Lamentea denied that the reaction was at all influenced by the Dean's office, saying that "general policy at the school is to keep things as neat as possible." Lamentea added, "I don't want to control anyone's free speech but I don't want them junking up our walls." He has therefore decided to put two bulletin boards on the wall to allow for this expression.

Ready, Ames, Misfire

By Scott Kolbrenner

As 1Ls prepare their final briefs and oral argument presentations for Ames Moot Court Competition, a rite of passage for Harvard 1Ls, this should be a time of excitement and anticipation. Instead, many students find themselves frustrated and bored. Furthermore, problems have arisen in the optional second year competition as well.

Ames is a mandatory 1L moot exercise that some complain demands almost twice as much work as "real," for-credit courses. Tony Barkow '95 lamented, "Most people call it 'Lames,' and I think that just about sums it up." Dean Newton '95, proclaimed "Ames sucks." Newton continued that "it's a very massive undertaking to say that you should fight a case in a non-existent state and use the case law of all 50 states for a pass/fail exercise that's meant to be subservient to our other courses. It takes a tremendous amount of time and drains what we can do for our other courses."

Other 1Ls complain that having Ames in the Spring is redundant. "Everything could've been combined into Introduction to Lawyering last semester," commented Rajeev Date '95. He noted that oral argument, research memos, and briefwriting were handled extensively in the Fall ITL classes. In addition, some charge that Ames is geared toward future litigators. For this reason, some argue, Ames should not be required for 1Ls but should be optional.

Not all students agree with this harsh analysis. Ames supporters insist that the skills gained from Ames tremendously benefit nascent lawyers. "Ames is the only real practical experience we get at this school," said Jamie Wine '95.

Newton too believes that "you get something good out of it by going through the procedure, and I think that's missing in many other courses." However, Newton does suggest that "if they limited the research sources to a few states or

something, we could still get the benefits from Ames without being forced to devote a disproportionate amount of time to it."

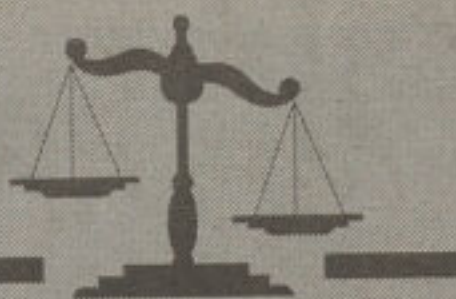
Besides orchestrating the 1L program, the BSA runs the optional competition which begins with "Q-rounds" in the fall of 2L year. The 2L teams, comprised of two appellants and two appellees, conduct research and write appellant and appellee briefs on one of three cases throughout the fall semester, culminating with arguments held the second and third weeks of November. Each pair argues twice, before two different panels of judges. The total score is comprised of the four different scores received after the oral arguments. The four teams with the highest total scores qualify for the semi-final round in the spring. The prevailing team from each case advances to the finals which are held in late fall of their third year.

As happens every year, there have been complaints from Q-round participants. Peter Swanger '94, who ran Q-rounds, explains that "we get these every year." Some charge that the scores are random since each pair is judged by a different set of judges. The judging panels are supposed to be made up of a faculty member, a local attorney and a student. Although faculty are required to judge 1L Ames, it's optional for the competition. This year the BSA needed fifty faculty for the panels but only eighteen volunteered. Swanger was therefore forced to recruit more local alums to fill the slots. Although each judge is given a ten page explanation of scoring, and told that the average should be seventy-five, Swanger readily admits that: "different judges have different baselines." He adds that "I don't know if there's a lot we can do to rectify this." However, Swanger trusts that having the total score comprised of scores from four panels eliminates most of the randomness.

Complaints were also raised by one team because the BSA suddenly switched

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BRIEFS



Mark DeWolfe Howe Grants

Students, faculty, administrative officers, and recent graduates interested in receiving funding for the upcoming summer or next academic year to study United States civil rights or civil liberties or Anglo-American history can apply for a Mark DeWolfe Howe grant.

Named for the late Harvard professor who was committed to political liberty and social justice, the fund, which generates approximately \$6,000 per year, is designed to enable one or more students to travel within the United States to study civil rights or civil liberties issues.

Applications can be obtained from Professor John Mansfield's office, Langdell W334, and should be returned no later than April 16, 1993.

Rudenstine Defends Ice-T Visit

Following Ice-T's appearance at HLS on February 16, Mayor Raymond L. Flynn wrote Harvard President Neil L. Rudenstine to suggest that, although Ice-T had a First Amendment right to free speech, the rapper's presence at the Law School gave him "an air of legitimacy he certainly does not deserve." Flynn continued to say that, "as a person who has advocated the killing of police officers, Ice-T has clearly overstepped all moral and intellectual boundaries."

President Rudenstine responded with a private letter to Flynn and a press release, which he said was very similar to the letter. Rudenstine explained that "Harvard as an institution is sensitive to the views of the local community, and I myself deeply appreciate the steady support we receive from many groups, including the local police." He went on to say that "Harvard University as an institution does not endorse the views of the individual speakers who visit the campus, whether Ice-T or the literally hundreds of others who come to the University."

Last year, Ice-T's song "Cop Killer" came under fire because critics said the song encouraged violence against law enforcement officials. Ice-T responded to such criticism in his speech, saying, "I didn't think it was a controversial record because I thought everybody hated the police."

Harvard Raises Rent

HLS students and staff living in Harvard Real Estate housing will see the rent raised by three percent effective July 1. The rent increase for the 1,700 Harvard-owned apartments was approved by the Faculty Advisory Committee on Affiliated Housing, which is made up of six University faculty members, including HLS Professor Steven Shavell.

Only full-time, regularly-enrolled, tuition-paying candidates and full-time, Harvard-paid employees are eligible to live in affiliated housing. Applications for apartments in the thirteen housing complexes reserved for Harvard affiliates are available at the Harvard Housing Office at 7 Holyoke Street.

Public Interest Job Search Dinner

Hoping to make the late public interest job search market a bit less daunting for 3Ls, the Office of Public Interest Advising (OPIA) hosted a dinner on Monday where three women from the class of '92 shared their traumatic search experiences and the jobs they now love. Jill Hargis '92, special assistant to the new Secretary of Health and Human Services, talked about the confusion she underwent in considering what to do as a 3L, graduating without a job, going to work for the Clinton campaign and then landing her current position. Cheryl Hanna '92, who works in the sex crimes unit of the Baltimore District Attorney and Caroline Ewing '92, who works at the Center for Public Representation, told similar war stories with happy endings. 3Ls were grateful for the advice, which could be summed up as "stay calm — it'll work out for the best." At the end of the evening, students toasted Stacey DeBrock and Barbara Agresti for making the difficult search a lot less painful.

Bow & Arrow Shut Down

The Bow & Arrow Pub has been closed for the month of March as punishment for a 1988 drug-related offense, the bar's manager said yesterday. Harvey Goodman, manager of the Bow & Arrow, said the Cambridge License Commission temporarily closed the club because it exhausted its options to appeal a 1989 suspension order.

In 1988, one of the club's bartenders was found guilty of selling cocaine at the bar. The bar was ordered to close for thirty days in 1989 by the Cambridge License Commission, but stayed open until last month, when it lost the last of several state and local appeals, Goodman said.

Goodman said none of the bar's current employees were involved in the incident. "Absolutely no one who works here now was involved in that situation. The woman involved was immediately fired upon her arrest," he said. The club unsuccessfully petitioned to pay a fee to the Commission in lieu of closing the club, said Sally R. Alcorn, Executive Director of the Harvard Square Business Association. Goodman described the fine which the owners offered to pay as "in excess of \$10,000," and "equivalent to the revenue that they will lose from closing for a month." The manager said the bar's owners made the proposal because their employees would suffer if the bar closed. "The employees depend heavily on income from tips, and when the place is closed, all of that income is lost to them," Goodman explained.

To celebrate its return to business, the Bow & Arrow intends to hold a grand re-opening celebration on March 31. "I'll be using this month to gear up for the big comeback," Goodman said.

—from the Harvard Crimson

Panel Addresses Attorney Overwork

By Tony Petrilla

As all law students know, to speak of the "overworked attorney" is to understate the situation. Though it is common knowledge that practicing lawyers work long, hard hours, many students are unaware of just how hard lawyers really do work or how it is that they find time for the rest of their lives.

Last Thursday, a panel of two lawyers and one economist attempted to answer those questions in a forum entitled, *The Overworked Attorney: Recovering Time for Self and Family*. The panel was co-sponsored by the Office of Student Life Counseling, the Office of Parenting, and the Office of Child Care. Visiting Professor David Chambers '65 moderated the discussion among Harvard economist Juliet Shor and local attorneys Dolph Vanderpol and Alice Burkin.

The discussion featured Shor's broad observations of the legal field, underscored by the anecdotal viewpoints of Vanderpol and Burkin. Shor, the author of *The Overworked American*, took an empirical view of the problem. In contrast, Vanderpol and Burkin offered advice for managing a family life alongside a challenging legal career.

Vanderpol spent his early years working at a large law firm following graduation from law school in 1976. Both he and his wife are currently partners in a fourteen-person law firm. Burkin is a partner in a four-person firm and the founder of a support group for women lawyers with children, appropriately named Mothers-in-Law.

The panel premised its discussion on the belief that most lawyers are overworked. In terms of hours, the panelists intimated that 70 to 80 hour work weeks are routine. They offered miscellaneous reasons to account for this situation. Shor argued that the dominance of the

flat salary accounts for overwork among firm lawyers; since firms never find themselves having to pay overtime, they encourage their lawyers to work as much as possible, and to keep the billable hours flowing. Firms also reward the overachiever, she asserted, who sets the standard for long hours and forces his or her co-workers to compete. In Shor's words, these people "up the ante for everyone else." Young associates, fresh out of law school and accustomed to succeeding in their endeavors, are drawn into this exhausting cycle of 14-hour days.

Private sector lawyers are not the only lawyers who overwork. Vanderpol noted that public interest lawyers are equally likely to find themselves at the office for the bulk of their waking hours. The dedication felt by public interest lawyers is what drives them to work the 80-hour week. Again, they, like most law students and private sector lawyers, tend to be competitive people by nature.

People who are caught up in the "success-syndrome" of working horrendous hours to accumulate money and/or prestige normally have to sacrifice some parts of their lives, the panel agreed. Those overworked parents who can afford to do so seek solutions to their household duties by hiring maids, cooks, nannies and the like. In fact, Mothers-in-Law is currently lobbying to simplify the tax codes that regulate the payment of such workers.

The panel's lasting message was that somewhere, lost in that maze of the addictive success-syndrome, lawyers realize that they are needed by their families and by, strangely enough, themselves. They realize that they are starting to forget who they are. Vanderpol advised the audience that when they reach this point it is time to "sit down, look in a mirror, and say, 'What is it that I want out of this place?'" Without such soul-searching, young lawyers may become old lawyers who have ignored their unhappiness.

Clerkships in England

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weeks. Daniels describes the Circuit Court as "a trial court of general jurisdiction, where you can find everything from divorces to murder cases." Although the positions are unpaid, many judges have offered to provide free accommodations for their clerks.

According to Daniels, English law closely resembles American law, with "a somewhat stronger reliance on precedent and more judicial control over the jury in England." He expects that clerks will sit on the bench with the judge, discuss issues and cases with the judge, and, perhaps, perform more substantive work. Last summer, Daniels relates, "I was lucky enough to get to write jury instructions in two criminal cases." Since judicial clerkships are rare in the lower courts in England, Daniels emphasizes that "the student's initiative is extremely important — the position is fairly undefined, so it's what you make of it."

Daniels has nothing but superlatives to describe his experience last summer. The Program was born, he says, out of his desire to "enable other students to obtain this wonderful experience, and to be ambassadors for Harvard." Besides being valuable in its own right, he explains, "this got by far the most attention in interviews."

Both Daniels and Judge Paul Clark, who is helping to recruit his fellow British jurists for the Program, believe EJIP to be the first program of its kind. If this summer's placements prove successful, Daniels hopes to establish the Program as

a regular component of HLS career services, placing American law students in English clerkships long after he graduates.

In light of the short duration and unpaid nature of the clerkships, Daniels notes that the Program "would be ideal for someone already in Europe, doing a split summer with a firm." Jean Kemsley of the Office of Overseas Placement, who arranges such placements in foreign law firms, is helping to coordinate EJIP.

With the tight job market now confronting them, many 1Ls are especially grateful for the Program. Kim Davis '95 thinks EJIP is "a great idea, and since it's so hard to find firm jobs, this will be a valuable option." Daniels appreciates "how frustrating and difficult it can be for 1Ls to find interesting jobs," and hopes to help their predicament. He points out, however, that the Program is open to law students in all years.

Daniels received nearly 40 inquiries by last week's deadline. If placement goes as well as expected, HLS "ambassadors" could be roaming all over England this summer. England might never be the same.



Justin Daniels '94

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The Spectre of Satire

The Phantom of the Law School Continues a Tradition of Irreverence

By Bill Choslovsky

Special to the RECORD

Outside observers could say many things about the people of Harvard Law: stuffy, pretentious, cerebral, mal-adjusted, weird. Many have. But they can't say the people here don't have a sense of humor. Well, they could but if they ever happened upon the Ropes-Gray Room during March, they would find out how wrong they were. For there, the HLS Drama Society would be presenting the Spring Musical, as they have the last 31 springs, where the best and brightest show that, despite popular conceptions, they can laugh at themselves.

While mired in relative obscurity among the more politically and academically oriented student groups, the Drama Society pulls together the talents of its members to create an entirely original production whose sole purpose is poking fun at what seems an all-too-easy target: life at Harvard Law. With a meager budget, a broken-down stage and lighting equipment dating from the 1960s, the members of the Drama Society put much of their schoolwork aside to create a script, songs and dances for a night of entertainment which, if the past has been any indication, promises to leave no student group or faculty member unscathed.

"Our goal with the Spring Musical is to make everyone here at HLS feel included," explained HLS Drama Society President Susan Brooks '94. "Thus nearly everyone on campus gets made fun of." And for the play's thirty or so cast members, fun means putting their usually guarded reputations on the line.

"I think most members of the HLS community would be surprised at what the students are willing to do once they are on-stage," continued Brooks. "We've always had a lot of really talented singers and actors, but when you ask them to cross-dress or imitate a professor at the same time, you don't expect them to jump for joy. And the faculty and staff are even worse."

What's that? Faculty and staff in the same room as students after 8PM? Answer this question: What do leather and chain clad dancers, campus police, Coop employees, a singing Bob Clark and an improv by Bruce Patton have in common? All have been featured in recent spring productions. Indeed, the ability to draw students and faculty together in this spring farce is something the HLS Drama Society is beginning to take very seriously.

"With all the talk about building community at HLS," noted Todd Hartman '93, Producer of this year's offering, *The Phantom of The Law School*, "I've come to realize that the Spring Musical is one of the few community events that takes place at the Law School. We get over half the student body to attend, making us the largest single social event on campus, if you don't count those Story parties." The universal approach of the Spring Musical has even led the Project on Community to take a direct interest in this year's production.

"The Project on Community has agreed to help us sponsor an opening night reception for faculty and staff which will be open to students as well," continued Hartman. "In the past, the faculty has been reluctant to attend so we're really making a push this year. Perhaps they're a bit afraid to come." Such fear may be warranted, as *The Phantom of the Law School* reflects the

major personalities and events of HLS with intentional vigor.

"We usually parody... wait, can I use that word here? The Spring Show usually spoofs a popular film or play in a way that reflects the Law School," explained Hartman. "With what went on here last spring and fall, it didn't make any sense to avert our attention from the continuing HLS sitcom." While this year's show is ostensibly based on Andrew Lloyd Weber's *Phantom of the Opera*, Co-producer Rob Rader '94 warns that fans of the Broadway musical may be disappointed.

"They have a Phantom and so do we," said Rader. "That's about the extent of the similarities."

Instead, *The Phantom of The Law School* retells the events of the last four years at HLS through the lens of a futuristic narrator whose visions of our present twist around preconceptions of the persons and happenings around us. As a result, the students and faculty being parodied are easily matched up with their stage portrayals.

"During our first rehearsals, cast members were almost afraid to laugh because the script hit so close to home and had so many characters based on real people," said Ed Ducayet '93, who

plays The Phantom. "It's almost eerie how good the imitations are."

"I think one of the reasons why people will come see the show," added Rader, "is just to see if they're in it. There are a lot of surprises. We didn't even change the names in a lot of cases." But as always, the professors and faculty take the lions share of the ribbing.

However, the script's parallels to actual events serve a purpose beyond getting laughs. As head writers, Hartman and Rader were always conscious of the community building potential *The Phantom of The Law School* could provide.

"If we can get everyone to sit in a room and laugh a little about what has gone on here," said Hartman, "maybe some of the acrimony will go away."

"Either that or they'll hate us for mocking their lives," interjected Rader. "That's what I'm hoping for." In any case, *The Phantom of The Law School* remains full of the usual inside gags, clever dialogue and creative song writing that has made it successful in years past. That includes Lecturer Bruce Patton and Prof. Roger Fisher of the Harvard Negotiation Project. In fact, Patton's appearance is his third straight cameo in the Spring Musical,

making him a Drama Society tradition.

"We can't get rid of him," complained Rader. "The big ham takes up all the good laughs every year!" Also appearing will be two campus security officers and members of the Griswold Nine, as themselves.

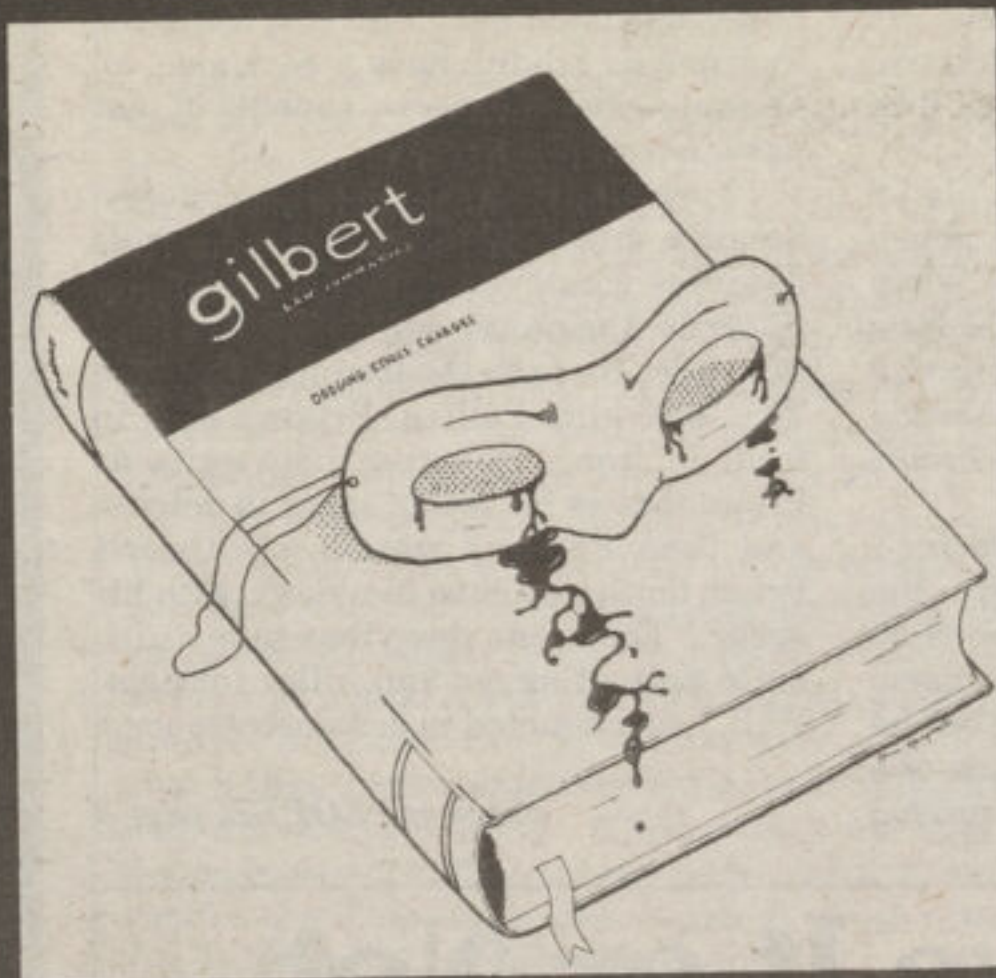
"And don't forget our surprise ending," reminded Rader. "I think our final cameo will turn more heads than that demon who possessed Linda Blair."

"If this show is half as funny as Rob Rader thinks it is," summarized Hartman, "then it will be twice as funny as that Linda Blair joke." Whatever the results, the Spring Musical continues as a brief respite in the otherwise desperately serious lives of the HLS community, a service the HLS Drama Society remains happy to provide.

"Most do it for the fun," theorized Hartman. "I do it for my ego and Rob does it to get dates. But everyone does it hoping to entertain."

The Phantom of The Law School will be performed March 10-13 in Ropes-Gray Room. Tickets are on sale in the Hark, March 3-5 and March 8-12. The cost is \$5 and curtain rises at 8PM.

HLS Drama Society Presents



The Phantom Of The Law School

Life, Love, and the Steppenwolf

By David Lopez '93

Scent of a Woman must be the stupidest title to come along for a great movie in a long time. The movie really struck a chord because it runs along universal themes. What seems to be a movie of two guys talking rather raunchily about women really turns out to be a movie about life, death, solitude and renewal. Who could ask for more? Actually, at two and a half hours, it was just about right; a good story takes time in the telling.

The movie stars Al Pacino as an old soldier with a ruined career due to his big mouth. He is blind and needs someone to

that young people were reading it like a cult novel.

It's about a man who, although he co-mingles with society, believes he is really a solitary wolf of the steppes, who has somehow lost his way and has made it into a city. He wakes up every morning and looks into the mirror and wonders if today he will shave with his razor or use it to slash his throat. In the end, it's a story of solitude, which is in large part a story of the young. Of course, I could never cut my throat; I have a Gillette Sensor™ and those little twin blades would do a nasty job.

"Women, who made them? God . . . he must be a genius," says Al Pacino.

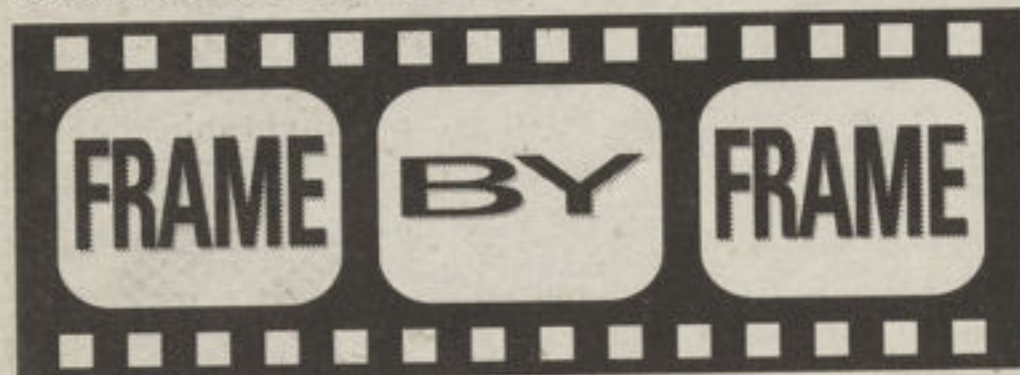
That is what brings me to relate to the Steppenwolf. Not the belief in God; that doesn't bother me. It's either that or believe in a level of coincidence in the universe that boggles the mind. Life to me is like laundry: it doesn't just get

done. There are clothes all over my floor because I haven't washed them, and there is no life on Mars because nobody put it there. My problem, however, is that maybe the big guy is still around, seeing everything. It makes me pause, leaving me more alone than I'd like.

For example, I went to a party last weekend. A voluptuous girl rubbed herself against my body and purred in my ear, "Dave, you're one of the nicest guys in law school." I discounted that immediately. A walking, talking cockroach would be one of the nicest guys in law school; we didn't all get here by being sweeties. Then she really insulted me. She said something along the lines of me being the type of guy that would never take advantage of a drunk woman. I really resented that, and not because it was true. I would probably dislike comatose, non-consensual sex. She was implying that maybe I didn't have a dark side, an animal nature, someone capable of just using a woman for sex.

I was tempted to have no mercy, because anyone that insults my pride deserves whatever they get. I felt like Phryrus, the young son of Achilles who rampages through the burning streets of Troy and kills Polites, Priam's son, in front of him. Phryrus then waits as Priam throws his feeble spear in defense and then Phryrus mercilessly throws Priam down and runs him down with his spear. The scene describes to me ultimate animal anger and killer instinct. Well, I was tempted to demonstrate some

please see LOPEZ, page 9



take care of him. Enter the young high school student hired to watch him for the Thanksgiving weekend. Pacino is living in a little one-room cabin by himself behind his daughter's house. As the family is leaving, a cynical Pacino remarks: "What? Three o'clock and the Flintstones haven't left yet?" The kid is intimidated by the coarse, embittered and scarred man. As soon as the family leaves, though, Pacino begins packing to go to New York. The kid wants to quit right there; he's too busy thinking about his own problems.

"You're weighing down the car, kid. You know why? Because you're carrying the world on your shoulders." The kid is in trouble at school because of a prank he saw pulled on the headmaster. School officials don't know who did it, but they know he saw what happened and they are putting pressure on him to tell. He has been bribed with a recommendation to Harvard if he tells, and expulsion if he doesn't.

All the way down on the plane, Pacino is saying sometimes crude, sometimes poetic things about women. When the kid asks why they are going to New York, Pacino replies: "I'm going to have a great dinner, sleep in a Waldorf-Astoria bed, and then I'm going to blow my brains out."

That's when I recognized Pacino's character. He was playing the Steppenwolf. *Steppenwolf* is a book by Herman Hesse, very sad and very deep. In the introduction, Hesse said that he wrote the book about the problems of a man turning fifty, and he was surprised

Let the Bass Kick

By Jeff Bucholtz '95

While Harvard Law students may not be known for being hip to all the current musical trends, I know there are plenty of people here who throw off the shackles of law school for wild nights of clubbing and scamming. Well, maybe not scamming. But if you don't get out to Boston's clubs once in a while, you're missing a good time. The Bow will still be there next Thursday, so break the Square habit, get your unkempt, politically obsessed, and sexually deprived self to a club, and let the bass kick.

In the past year, the brutal beats of techno have finally arrived in US clubs after years of dominating the European scene. Techno, the do-it-yourself punk of the 90's, forms the soundtrack of the cyber age with its impossibly hard and fast rhythms.

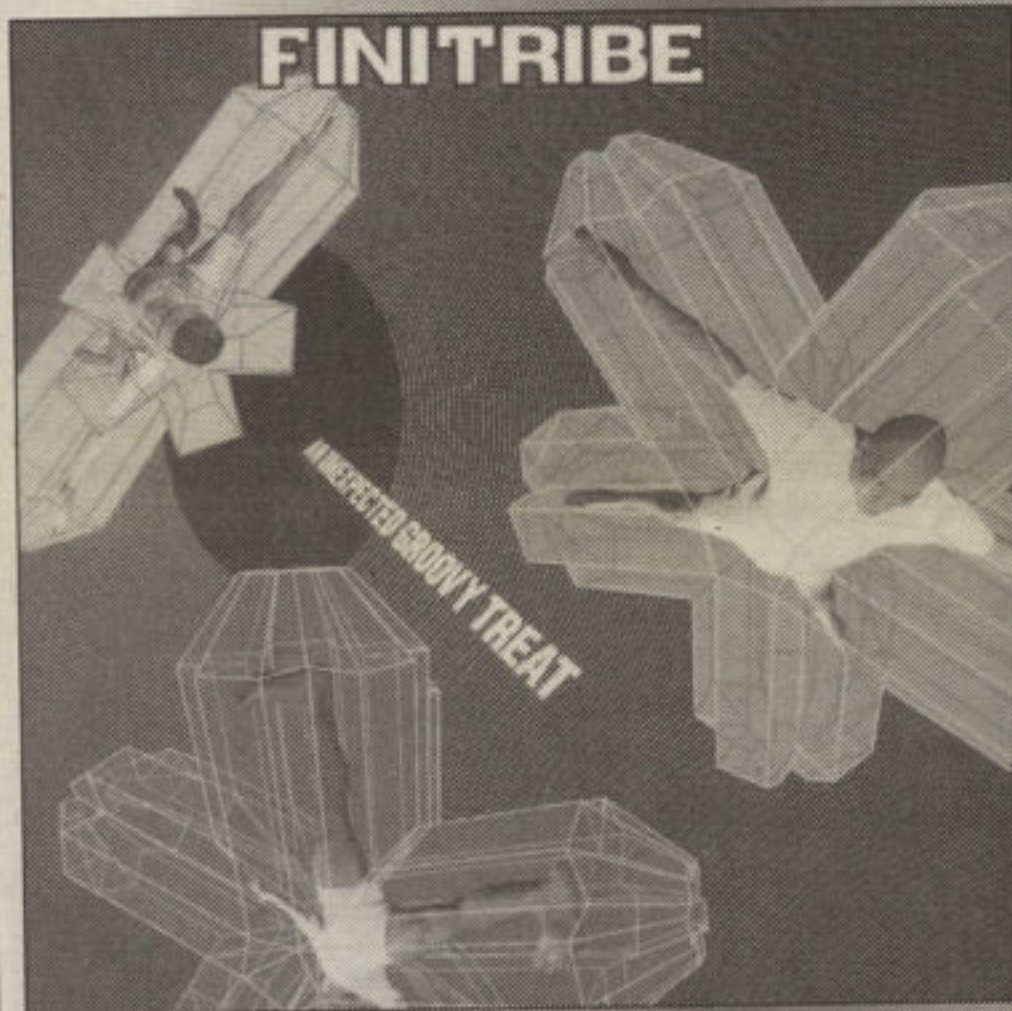
But just as techno started to catch on, it began mutating into strikingly disparate styles. American techno-rave waters it down to a variation on house music. Many British and Belgian techno outfits have added vocals, a previously heretical notion, and spawned pop techno and techno-rap. The Germans, on the other hand, continue to push the sonic envelope, creating ever more jarring, twisted

with fancier computers. A notable exception is **Finitribe's** just-released, *An Unexpected Groovy Treat* (Sony). Years ago, Finitribe featured Chris Connelly of Ministry fame and a harder, semi-industrial sound. Now, the band has loosened up, crafting accessible, catchy techno that avoids the dual pitfalls of clichéd techno-rave and wimpy pop-techno.

Finitribe's songs are actual songs, not just pastiches of samples, and their laid-back vocals and shuffling rhythms combine the Manchester vibe of Happy Mondays with the aural sculpture of techno. Techno is sometimes criticized as simplistic, but "Forevergreen" and "Ace-Love-Deuce" are intricate and elaborate, sparkling with fat hooks, solid beats, and clever samples. Finitribe's sense of humor ("Come and Get it" hilariously samples monks discussing intercourse with the devil) and knack for songwriting make their major-label debut both groovy and a treat. You don't have to dance to dig it.

Another excellent new release comes from **Intermix**, an instrumental project by Bill Leeb and Rhys Fulber of Front Line Assembly. *Phase Two* (Third Mind/Roadrunner) explores more dance-oriented territory than FLA's harsh industrial attack. "Get Religion" and "Funky Hell" percolate with killer bass and synths, and the entire disc would move the crowd at ManRay or Axis.

Intermix's sound arises from multiple layers of music and each track employs several rhythms, so *Phase Two* is not obviously catchy, but after a few listens, you'll find disembodied bass lines and effects loops slicing through your head. Since Leeb keeps the tempo moderate, Intermix lacks the primal force of hardcore techno, but it more than compensates with rich textures.



sounds and, in a sort of diabolical challenge to club fiends and DJs, pumping the beats per minute past 160: dance music so fast you can't possibly dance to it. Accept the challenge, and prove them wrong.

Another fairly recent innovation is ambient techno, or "chill out" (named for the recovery rooms where spent ravers wallow in the post-ecstatic glow). Like most of techno, it has been pioneered by the British. Indisputably, the leading proponents of this mellow, trance-inducing flavor are **The Orb**, whose early work practically invented the genre.

Their latest album, *UFOB* (Big Life/Polygram), is a space voyage, a serene trip (in every sense of the word) through a universe of bass, bleeps, and bliss. The songs last forever (the 40 sinuous, majestic minutes of "Blue Room" make it the longest single to chart in British history—it debuted at #1), but they never drag.

UFOB's swirling vortex of layered sounds and myriad samples rewards close listening, but the disc serves equally well as mood music that is unobtrusive but far from boring. Even if you never leave your room, you should still buy it to study to.

Some good pop-techno groups like Utah Saints have dented the mainstream, but most commercial techno loses the genre's edge and degenerates into Erasure

While the Orb, Finitribe, and Intermix all deliver quality techno of varying hues, if it's slamin' hardcore techno that you're after, **Mayday** (Radikal/Hot!) will put that bass-kickin' smile on your face. Named for a monster rave held in Cologne last May 1, this 2-CD compilation is without a doubt the best of its kind to see US release.

Sven Väth, Westbam, Futurhythm, and many of the other Mayday performers constitute the leading edge of the techno movement in Germany. Their records set new standards for speed, power, and energy, and Mayday showcases some of their best work. Buy it. Now.

Incredibly propulsive rhythms and inventive, unusual synth sounds loop and twist and glide, burrowing into your brain and subverting your sanity. Just try to sit still. Even better, just try to concentrate on Property—not gonna happen.

So seriously, y'all: prove that loser from *GQ* wrong. Some of us do take an occasional break from cutting throats to go out and party, and we can all appreciate cool music.

Believe It or Not

By Michael Tenenbaum '94

Boston's second most popular tourist attraction is this city's saving grace, an establishment that, along with maybe only our own Harvard Law School, makes living here, particularly in February, worthwhile: Filene's Basement.

A recent visit is striking proof of this. Where else could one have found an all-wool, tropical weight Perry Ellis suit, eight pairs of men's cotton trousers, including six originally featured at Barney's New York, and three silk ties (by, for example, Kenneth Cole and Alan Flusser) all for the grand price of \$196? Skeptics stay home.

The secret to the savings at Filene's Basement is the store's uniquely overt, automatic mark-down plan. Fashions and accessories for men and women

pour in from prestigious department stores to be marked with a new price and date of arrival. After 14 days, the price drops 25%; after 21 days, the reduction is 50%; and after 28 selling days, shoppers enjoy savings of 75% off the first price.

Items left unsold after thirty-five days go to local charities, which must make for some rather well-dressed area residents as a result of the store's hundreds of thousands of dollars of philanthropy.

Naturally, some patience and a little bit of luck are indispensable to a fruitful day in the store. Not every visit will yield the results mentioned above. But it is that random search for the quintessential bargain which itself often proves fulfilling — maybe you, too, can leave the store with the shopping bags that boast of your sartorial success.

On the Town

WHERE TO HEAR IT: TECHNO

ManRay, Central Square, Saturdays (wear black, look evil, and get out your pent-up aggression)

Axis, Lansdowne Street, Fridays (somewhat more mainstream crowd and not as hardcore music)

Venus de Milo, Lansdowne Street, Thursdays (large, fun crowd, music leaning closer to house than hardcore techno)

Intramural Basketball: What's All the Hoopla?

By Bill O'Dowd '94

Sports Columnist

...There are 24 ticks left on the clock. The referee hands Hill the ball. Down by 2 points and needing to go the full length of the court, Hill fires a pass high in the air. Laettner stands at the top of the key in front of two defenders. Laettner fights for the ball, dribbles once, shoulder fakes to his right, spins left, launches a 22-foot fade-away, and it's...

It's March Madness, baby! Just as College Basketball Championship Week on ESPN is fast approaching (the best excuse yet to throw away the remote control, settle on the couch, and wait for spring), the intramural basketball season at good old HLS is heating up. You may not see Christian Laettner draining a 22-footer to send Kentucky home and Duke to the Final Four (heck, you probably won't see a 22-footer at Hemenway hitting backboard, let alone rim or net!), but play is exciting and heated nonetheless.

Don't get me wrong. The on-court wizardry of Chris LeHane '94, the outside shooting touch of Earl Phalen '93, and the Bird-like passing ability of Matt Henshon '95 are all sights to behold and resemble hoops played at a very high level. But nobody, and I mean nobody, ever cites the HLS intramural league as a display of "pretty" basketball. No. The legends of Hemenway are of a different sort.

A typical intramural game is apt to have more airballs than swishes (it's no place for the faint-hearted backboard, either!). The ability to deliver a solid, blood-letting hack is a more treasured and refined skill among the players than passing or dribbling. It's a scary thought that many players step onto the floor with no intention of scoring (made more pleasant by the fact that no record is kept of

personal fouls).

And then there is the intensity factor. The intramural basketball season brings out the passion within more Harvard Law students than any other event in recent memory. Anita Hill v. Clarence Thomas? The Tyson appeal? Any week in the annals of Law Review? The Big "D" word? Ha, forget it! Intramural basketball easily wins. Confirmed reports indicate that already this season there have been two incidents of chair-throwing, five sightings of chair-kicking, three fights with the water fountain, numerous scuffles, even more numerous technicals, and one attempt to dismember the statue in front of Hemenway.

It is not as if nasty intentions were intended to be kept secret. Just take a look at team names. The rather mild "A" league has "Two-L-Men-Ators" and "Children of the Corn." The more physical (read hack-filled) "B" league has virtually extinct species of "Grizzlers" and "Varks," the "Death Squad," "Black Flag," and "Mrs. Hammer." Personal favorites include "Tugl Tunkl" (believed to be ancient Mayan for "Win at your own risk"), "Joey Buttafuoco" (enough said), and "Bildad and the shoe-hites" (if anybody has any clue on this one, please write in). However, the all-time winner for team name, which captures the malicious and dangerous style of play typical of Hemenway basketball, must go to Kelly Cummings' all-female team, "Ballbusters."

So why the fierce interest in intramural basketball at HLS? Why are there 29 teams and over 200 players? Commissioner Kirby Lewis explains it by quoting Scott Skiles of the Orlando Magic: "Basketball is like church. Many attend but few understand." Characterize this reporter as yet one more ignorant hoopologist. See you at the Gym.

HLS Intramural Basketball Standings as of Sunday, February 28th

Team Number and Name Wins-Losses

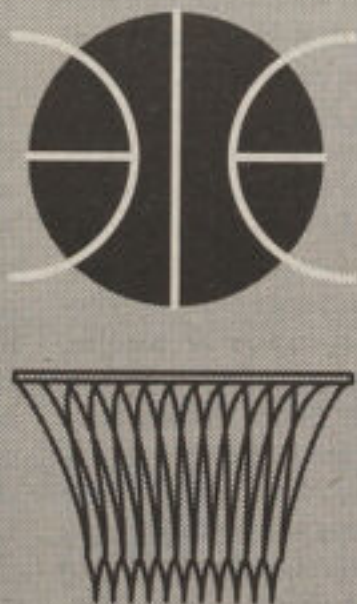
"A" LEAGUE

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

"B" LEAGUE (partial list)

15.	Mo Knows	4-0
16.	Tugl Tunkl	3-0
9.	The Varks	3-1
18.	2 Wright Crew	3-1
19.	Harlan's Globetrotters	3-1
24.	Bildad & the Shoe-Hites	3-1
27.	Stolen Legacy (B.P. II)	3-1
21.	Call Me Ismael	2-1
13.	Joey Buttafuoco	2-2
20.	The Rest of the World	2-2
22.	The J-Men	2-2
26.	Ted's a Liberal	2-2
29.	The Chicano Bulls	1-1
28.	Mrs. Hammer	1-2
23.	Below the rim	1-2
10.	Court Feasors	1-3
11.	Full Tort Press	1-3
17.	Black Flag	1-3
8.	The Grizzlers	0-4
14.	Ballbusters	0-4
25.	Death Squad	0-4

Compiled by Kirby Lewis



DAN 'N ERIK'S FOOD GRADER

An Eating Spree at La Groceria

By Dan Drosman '93 and Erik Marks '93



This week we found ourselves in Central Square, home to Woolworths, Dunkin' Donuts, Burger King, and an Italian restaurant that serves the best dish either of us has ever eaten in Cambridge. La Groceria (853 Main Street — Main splits from Mass. Ave. to the left near the fire station; 547-9258) is the sort of restaurant most Harvard students have never heard of, but everyone who eats there raves about it and returns to eat again. La Groceria was founded as a sub-shop twenty years ago by Franko Mastromauro, an Italian immigrant cabdriver whose life dream was to run a restaurant. Today the old sub-shop is the restaurant-bar where patrons enjoy drinks and occasional complimentary crab cakes while waiting to be seated. Franko's two sons, Charlie and Frank, Jr., run the restaurant but rely on their dad for fresh culinary concoctions. The dining areas are as varied as the diners who occupy them, ranging from the large downstairs dining areas, to smaller more brightly lit upstairs rooms, to a room with a single table for four.

Do not be put off by the unpretentious table settings; the vinyl table cloths, dineresque glassware, and lightweight silverware don't hurt the fabulous food one bit. Ah yes, the food, we must get to that. Start your meal with Garlic Bread Groceria (\$2.95), but don't expect ordinary garlic bread—these toasted rolls are piled high with a mixture of tomatoes, onions, and fennel seed. The fish soup (\$2.95) was wonderful, although the chunks of shrimp and calamari were a bit mealy. Many patrons rave that La Groceria's antipasti platters are heaped with the best assortment of hot and cold appetizers this side of the mother country. The platter impressed us visually, but we must lack the Italian bloodline needed to relish a well-made antipasti.

The entrees come in portions even larger than the Hark's (most include a very good house salad topped with a homemade raspberry vinaigrette). In fact, most light eaters will be satisfied by half a portion, saving the other half for tomorrow's dinner or for overindulged Fido. We enjoyed the Ravioli di Casa (\$13.95) immensely. Homemade fish-shaped spinach and semolina ravioli filled with crab and lobster drift in a decadent salmon cream sauce garnished with huge scallops and capers. The Fettucine Puttanesca (\$9.95—ask your waitress for a translation of the name) is perfect for the Alberto Tombas of the Law School, tossed with a virile blend of garlic, green olives, capers, and anchovies. If you find that the confines of your Gropius dorm room have not been all that bad, you may even bring yourself to try a wonderful veal dish. Some of the meat in our Veal Dolce Vita (\$15.95) was less than tender (perhaps from a PC free-range veal calf), but the intensely aromatic Amaretto sauce and the trove of delicate shitake mushrooms made the dish irresistible nonetheless.

But all that doesn't matter, because you want to go to this restaurant for one dish and one dish only. Call before you go to find out whether the chef will be preparing the Mare e Monte (\$15.95) to assure the greatest sensual ecstasy you will experience during your three years at HLS. The Mare e Monte appeared before us in a huge steaming shell of aluminum foil spilling forth an incomparable bouquet of fresh seafood (huge shrimp, scallops, clams, and mussels) smothered in a sauce of white wine, diced tomatoes, and fresh herbs and generously covered with melted mozzarella cheese. We ate a considerable amount of the seafood before we discovered the dish also included a mountain of glorious pasta. Do not leave Cambridge without trying La Groceria's Mare e Monte.

Like everything else at La Groceria, desserts are large and heavenly. The Tiramisu (\$3.95) is a traditional Italian dessert of Frangelico and Espresso laced lady fingers layered with mascarpone and cream cheese topped with whipped cream and chocolate sauce. It was so good that we consumed the entire portion (nearly as large as a good hornbook and far more satisfying). Even though neither of us is much of a Cannoli fan (\$3.00), we were so pleased with the homemade delicacy placed that we consumed the entire chocolate-dipped confection, washing it down with a frothy cappuccino. If you go on a weekend, you may even enjoy the special Zuppa Inglese (\$3.95 — sponge cake laced with Creme de Cacao and slathered with vanilla, chocolate, and espresso cream), which is lovingly made in the Mastromauro family home by Charlie's wife, Carol.

La Groceria is open for lunch, and they offer a prix fixe dinner (selected entrees, salad, dessert, and coffee for \$9.95) between 4:00 PM - 6:30 PM Sunday through Friday. All dishes are made to order, so special requests are cheerfully accommodated. Reservations are accepted for parties of six or more and for guests at select local hotels (this would make a fab graduation restaurant).

Grade: **A/A-**

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Harvard Law RECORD

Founded in 1946

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Just Do It

I'm going to say something shocking: I like Harvard Law School. Or, more accurately, I like my educational experience here. On a campus where it is much more fashionable to berate an HLS education for how bad it is, I have yet to figure out why many students choose to cast themselves as passive objects of their three-year experience here, instead of using their energies to generate an educational experience they find worthwhile.

It is just a fact that a university as enormous and magnificent as Harvard does not make the quality of student experience its central focus. And I doubt it should. It's all part of the deal we made by accepting the offer to attend: HLS provides us with the most incredible pool of resources to be found at any law school, and the burden gets passed to us to carve out from this overwhelming place an existence and education that is personally meaningful.

The administration's academic liberalism is geared especially to this understanding. Unlike many other law schools, HLS offers a multitude of electives but few requirements. Students who find classroom academia stuffy or too removed from real world practice can opt instead for a wide array of clinicals, which cost the school a huge sum to sustain. And then there are dozens of journals and student organizations — funded in part or whole by HLS — that offer students an entirely different approach to legal education. Students should spend less time griping about how law school is a big waste of time, and more time focusing on what they do find worthwhile here, and then doing it.

I do not dismiss the many valid complaints about the quality of education here. I agree that much can and should be done to improve the classroom experience at HLS: We need smaller classes, more accessible professors, more innovative teaching. But just as the institution needs to improve, so must student attitudes toward classroom education. Students who advocate that we abandon classes because "grades are random anyhow" miss the point: this indicates that they are waiting for professors to give meaning to their educational experience through grades and exams. But, assuming that grades are random (a widely held suspicion), does it follow that students should abandon class? If the professor is good, and the material engaging, why should I deem worthless an otherwise positive experience just because HLS's grading system needs reform?

If we students don't accept at least partial responsibility for shaping our HLS education for ourselves then, damn right, we're headed for disappointment. Certainly, it is far easier to paint broad criticisms than to fine-tune our educational experiences to our personal needs and individual agendas. But we must not relinquish the inquisitive and independent spirit that got us here in the first place. We need to cultivate our intellectual curiosity now more than ever in order to choose from the panoply of options available to us.

After spending so much time and energy and money at this place, I, for one, am unwilling to graduate with nothing more than a very expensive piece of paper. But nor am I willing to leave my personal happiness and education up to a bureaucratic institution. Harvard Law School is an ivory tower. And there are no student elevators. So take the stairs.

— Zornberg

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Printed By The Harvard Crimson

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The Harvard Law RECORD (ISSN 0017-8101) is a publication of the Harvard Law RECORD Corporation, a non-profit, independent, student-owned and run corporation of the Commonwealth of Massachusetts. Harvard Law RECORD, Harvard Law School, Cambridge, MA 02138-9984. Telephone (617) 495-4418. Fax (617) 495-8457.

The RECORD is published weekly on Fridays throughout the academic year and is distributed free of charge to Harvard Law School Students and at a minimal charge to Harvard Law School Alumni. Copy and photo deadlines are 5:00 p.m. on the Monday preceding publication. Advertising deadlines are 12:00 p.m. on the Wednesday preceding publication.

Submissions may be sent to The RECORD at the above noted address, dropped in the RECORD box located in Harkness Commons, or left in the 2L Hark box of Lisa Zornberg. All copy must be typed, double-spaced, and submitted on paper and on a computer disk (Macintosh or IBM). The RECORD reads and appreciates every letter we receive; we reserve the right to edit letters for space as necessary. We will return your disks. Off-campus subscriptions are available. Subscription price: \$30.00 year mailed; \$35.00 year mailed outside U.S. Individual copies: 35 cents at newsstands, 50 cents at the Law School, \$1.00 mailed. Second-class postage paid at Boston, MA and additional mailing offices.

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

—First Amendment, U.S. Constitution



• Letters •

LSC's Book Exchange Outstanding

As a 2L member of the Law School Council (LSC), I would like to draw special attention to the outstanding job that Enu Mainigi '94 and her committee did in organizing and operating the recent Book Exchange program. The success of the Book Exchange is a prime example of the use-

ful role the LSC can play when it puts student needs above student politics.

Based on my satisfaction as a participant in the Book Exchange, as well as the positive comments that I have received from other students, I look forward to the Exchange becoming a key part

of the services performed by the LSC. Congratulations on the completion of a project that truly does serve the law school community — the LSC's only reason for existence.

Henry K. Hall '94
February 23, 1993

Mackinnon Candidacy Reflects Hypocrisy

It never ceases to amaze me how some people can bombast about the evils of bigotry at one moment while breathing forth their own form of prejudice in the next. A prime example of such hypocritical bigotry was the Coalition for Civil Rights rally on Friday in support of granting tenure to University of Michigan law professor Catharine Mackinnon, a long-time advocate of state-enforced censorship and sex discrimination.

Mackinnon's published writings reflect a venomous hatred for men as a class, stereotyping all men as rapists, and display contempt for heterosexuals in general. Wild claims such as "Marital sex is sexual harassment is rape" and "Heterosexuality is the eroticization of dominance and submission" fill her speech and writings. (Ironically, Mackinnon herself recently married a feminist man, demonstrating even she doesn't believe her absurd claims about marriage being rape). Mackinnon asserts that nearly all heterosexual

sex is rape, questioning even "whether consent is a meaningful concept." Indeed, Mackinnon believes that sex constitutes rape when a woman who has consented to sex subsequently regrets her choice, stating that "I call it rape when a woman has sex and feels violated." Writing in the New York Times ("The Palm Beach Hanging," December 15, 1991), Mackinnon claimed that all men are "sexually trained to woman-hating aggression."

Mackinnon has a long and sordid record of attacking free speech. In 1983, she authored a Minneapolis ordinance, soon declared unconstitutional, that outlawed most sexually suggestive art and literature depicting women under the guise of fighting pornography. Under this ordinance, she and her long-time collaborator, Andrea Dworkin, who also believes that all heterosexual sex is rape, advocated banning from the City of Minneapolis French and Italian art films, avant garde art, and even Rolling Stones

album advertisements. Mackinnon has spent years lobbying for the enactment of similarly repressive ordinances in numerous other cities and states, including Massachusetts.

As ugly and divisive as Mackinnon's sentiments are, she has a right to free speech. But her hate-mongering should not earn her tenure at Harvard, nor should it take the place of balanced scholarship as an academic credential. For CCR, which claims to champion civil rights, to endorse her candidacy reflects utter hypocrisy. No civil right is more important than free speech, and few are more precious than the equal protection of the law. Only Orwellian doublespeak can justify granting a bigoted censor like Mackinnon tenure under the guise of promoting civil rights.

Who will CCR support for tenure next? Leonard Jeffries?

Hans Bader '94
March 1, 1993

Graffiti Not a Proper Means of Expression

I'm writing this letter to express my frustration with the graffiti appearing on the construction wall of the downstairs Langdell Hall corridor. I have never expressed myself publicly at HLS in this way before; I have never seen anyone express themselves publicly at HLS in that way before.

The emergence of the graffiti as a mode of public expression marks yet another low point for HLS. There are so many means of expression here at HLS, ranging from the school newspaper to the ubiquitous bulletin boards to Hark-box stuffing. Nobody's freedom to express themselves is truly restricted here. And we are all literate and articulate.

In such a place, graffiti couched in the threatening and ambiguous slogan "No justice, no peace" is a defilement. It is ironic that those who advocate a revision of standards for those who run this place themselves flaunt those standards which are fundamental to its operation as a place of law and a place of education. So I choose to express my doubts publicly.

But I should correct myself because I did try to express myself publicly one

time before: by voting in last fall's Law School Council election. At that time, my attempts to express myself were thwarted by shifting election dates, apparently by the same people who have chosen to adopt vandalism as a form of expression. Although I did eventually cast my vote and the graffiti has appeared on a wooden makeshift construction wall, there is a fundamental disrespect in both these incidents. Why don't the cowards just spray-paint their message in the Langdell Library reading room? Of course, they've already stuffed it in my box ten times in the last two years.

I'm tired of disrespect. The graffiti is an attempt to intimidate. This does not surprise me with another Law School Council election approaching. Last fall's

games are reappearing. I, and many others who are constituents of the Law School Council and tuition-paying students, want our election and our walls left alone!

And one more word. The graffiti-writers' claim of Sojourner Truth as their talisman of legitimacy is offensive. In Indiana in 1858, Sojourner Truth, an elderly and illiterate former slave, shamed a white pro-slavery congregation by baring her sagging breasts, which had suckled many white babies. The bravery and dignity of her expression speaks for itself; she would not be caught slinking in the basement with a Harvard education in her head and a can of spray-paint in her hand.

Adam Alfert '94
March 2, 1993

Fisher Working For Nothing

A quick correction on Alysse MacIntyre's recent "Justify My Love" piece. She writes that "We're paying Roger Fisher a tidy sum to head the Project on Community...." In fact, Professor Fisher is receiving no compen-

sation for his work on this project.

Douglas Stone
Associate Director,
Harvard Negotiation Project
March 2, 1993

A Near Case of Judicial Murder

By Professor Alan M. Dershowitz

ANOTHER innocent man was nearly executed in the United States recently. As is all too typical in such cases, the defendant was black and his alleged victim was white. The setting was a small town in Alabama, where an 18-year old white female clerk in a dry cleaning store was killed. The crime remained unsolved for eight months. Then, a 30-year old man named Ralph Myers was arrested for another killing in a neighboring county.

The police interrogated Myers for a week, prodding him into accusing a 40-year old black man named Walter McMillian of the dry cleaning murder. Why the police focused their attention on McMillian — who had no record of violence — is not clear, but McMillian's lawyer believes it was because McMillian was dating a white woman and his son was married to a white woman.

Initially, Myers denied any knowledge that McMillian was involved in the dry cleaning killing, and indeed he complained to four doctors that he was being pressured by police officers to make up a story about McMillian. Eventually, the police pressure worked, and Myers told the cops what they wanted to hear.

McMillian was arrested, and even before trial was sent to Alabama's death row. The trial took one and a half days, and on the basis of Myer's testimony and

Key, overruled the jury and imposed a death sentence on McMillian. Had he been sentenced "merely" to life imprisonment, his case would almost certainly have been forgotten. But because he faced execution, he was able to secure the help of the Alabama Capital Representation Resource Center.

Notwithstanding the death sentence, the Alabama Court of Criminal Appeals turned down four appeals on his behalf. Then his lawyers turned to the Court of last resort. No, not the United States Supreme Court — which almost certainly would have affirmed his conviction and sentence! His lawyers turned to the media. *Sixty Minutes* brought the injustice of his conviction into the homes of millions of viewers this past fall. And now, after six years on death row, McMillian has been freed.

He was freed after the witnesses who testified against him recanted their testimony and after the prosecution admitted that it had failed to turn over to McMillian's trial lawyer exculpatory material, including statements by Myers that he had been pressured by the police to lie about McMillian.

The current prosecutor, who did not try the case, acknowledged that the conviction was a "horrible mistake," though he denies any deliberate effort to frame McMillian.

Several "what if" questions remain: What if *Sixty Minutes* had not featured this case? What if the prosecutor had not finally acknowledged the mistake? What if McMillian had not received the legal assistance of the fine death row lawyers who ultimately represented him?

And the most troubling "what if" question: What if McMillian had to depend on the federal courts, and

eventually the Supreme Court, for his vindication? The answer to that troubling question is that he almost certainly would have been executed for a crime that he did not commit.

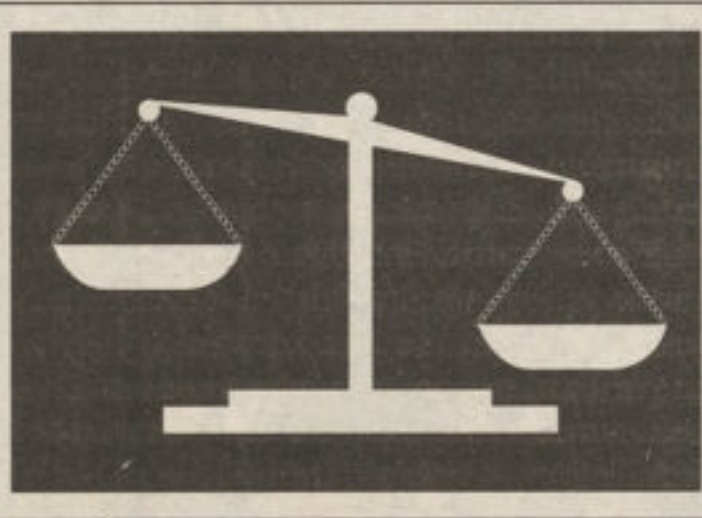
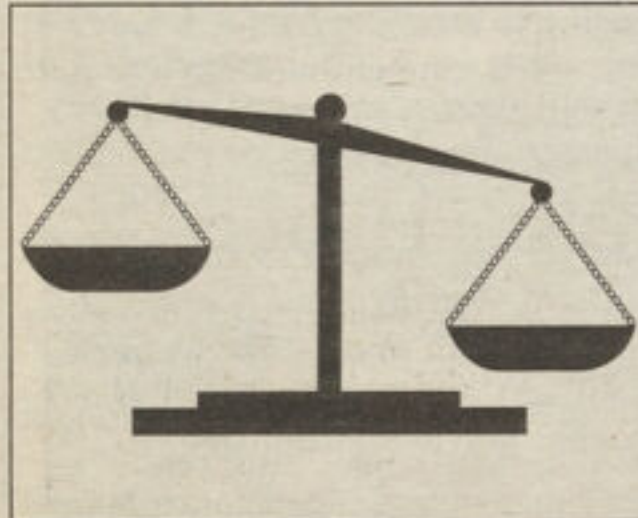
The unmistakable trend in the recent Supreme Court decisions is to make it easier to execute both the guilty and the innocent. In a decision rendered on January 25, 1993, the High Court ruled that "claims of actual innocence based on newly discovered evidence" do not, by themselves, give the federal courts the power to interfere with the execution of a convicted killer. Although the Court left open the theoretical possibility that the Constitution might preclude the execution of a defendant whose innocence could be proved conclusively, it quickly closed that door by indicating

The unmistakable trend in the recent Supreme Court decisions is to make it easier to execute both the guilty and the innocent.

that the "threshold showing for such an assumed right would necessarily be extraordinarily high." Moreover, the condemned person would have to make that conclusive showing of innocence without the help of any legal processes, such as subpoenas, cross-examination or a hearing of any kind. The hollowness of this "right" led Justice Blackmun to dissent along with Justices Stevens and Souter '66. They would require a hearing whenever a condemned defendant could show that "he probably is innocent" — a very high threshold as well. The dissenters cited an "impressive study" which concluded that "23 innocent people have been executed in the United States in this century, including one as recently as 1984." Justice Blackmun ended his dissenting opinion by reminding his judicial colleagues that "the execution of a person who can show that he is innocent comes perilously close to simple murder."

In the tragic case of Walter McMillian, an innocent man came perilously close to being murdered by a judicial system that seems to care more these days about efficiency than about justice.

—Reprinted with permission of the author



that of another criminal who made a deal, McMillian was convicted. The jury sentenced him to life imprisonment.

Then McMillian got the ironic break that was eventually to free him. The trial judge, Robert E. Lee

• Letters (Continued) •

Council Putting Substance Above Politics

I am writing in response to Hank Fincher's letter in the last edition of the RECORD. I found it amusing that such a letter, decrying gridlock on the Law School Council, was printed in the same issue of the newspaper containing an article detailing some of the accomplishments of the Council this past year. If the Council were truly as marred by partisan politics as Mr. Fincher seems to believe, I sincerely doubt that we would have been able to get anything done this year.

I have been a member of the Council for the past three years. Although I will be the first to admit that as a Student Government it still has a long way to go, I will also be the first to say that this year the Council has

taken major steps towards representing student opinion and improving student life. While I need not reiterate here the accomplishments of the Council this past year, I do want to make clear that many members of the Council this year have been willing to put aside partisan politics to get some real work done. Those who have been least effective on the Council are those who put their personal agenda and their resume ahead of the greater good of the students they represent.

Law School Council elections will be held shortly. I sincerely hope that those elected to next year's Council will continue the work we have begun this year. As students, we deserve a stronger voice in the opera-

tion of this law school, and we must not allow ourselves to be silenced.

There is a time and a place for personal politics, and I will admit without guilt that my loyalties lie with making Harvard Law School a more diverse and inclusive place. I do not believe, however, that holding such a viewpoint has prevented me from successfully leading the Council this year. And I further believe that unsubstantiated and inaccurate letters like Mr. Fincher's can only serve to fuel the gridlock and hostility of which Mr. Fincher speaks.

Marie-Louise Ramsdale '93
President,
Law School Council
February 28, 1993

Law School Council Election For President, Vice-President, and Treasurer Deadline For Nomination: March 12, 1993

The Law School Council is the official student government for Harvard Law School. The election for the new President, Vice-President, and Treasurer is scheduled for March 17 and 18. The President chairs the Executive Committee, supervises the activities of the Council, and acts as the official spokesperson for the Council. The Vice-President supervises the student-faculty committees as well as section one representatives. The Treasurer is responsible for selecting and Chairing the Student Funding Board which allocates funding for all student organizations. The positions are open to all 1Ls and 2Ls; however, you may not run for more than one position. You may begin posting and distributing literature after nominations have been closed.

Interested candidates for any of the executive positions must submit a one-page statement of candidacy to the Dean of Students office by 4:30 PM, Friday, March 12th. Sample statements of Candidacy will be posted in the LSC display case outside the Law Coop. Contact Marie-Louise Ramsdale (President), 493-9117, or Raul Perez (Vice President), 661-7633 for more information.

Lopez on Life and Love

continued from LOPEZ, page 6

of this instinct at that point, if you know what I mean.

I always stop short, though, and not only because of God; I've already done enough things wrong to condemn me to whatever hell is reserved for lawyers, but because I just can't stand to get close to a person and just see them leave. "I have always dreamed of sleeping with a woman and waking up in the morning and finding that she's still there," says Al Pacino qua Steppenwolf. My last girlfriend and I went out for two years; we knew everything about each other; it got so we didn't even have to talk to know what we were thinking. Now I don't even know if she's alive. I hesitate to get that close again without some assurance that she's going to stick around.

Of course, there's no such luck. I had a summer job in Australia and my landlady was a beautiful college student with hair that caught the light when it moved and beautiful, dark eyes. She told me all about herself, from the time a baby kangaroo came into her yard and she took care of it, but it got sick and died despite her best efforts; and how she wasn't allowed to chew gum because when she was little she had gotten gum all in her hair and clothes and her mother got mad; she told me about a crush she had on a guy once, how she wrote him a note and everything, to no avail. We'd shop together and share cooking chores until I burned something and then I'd just wash dishes.

I tried to stay distant, but on the flight home I could hear the Steppenwolf, howling across the Pacific Ocean. Won't be seeing her again for years. Even now, I can still relate. I will be walking down

the street and I will see a beautiful woman, and I will feel a shortness of breath, as if suddenly I forgot to breathe. Or I will be sitting in class, bored, and will look across the room and see the curve of a feminine face, and hair will fall into her eyes, and she'll brush it away, and it will fall into her face again. Most of the time it doesn't bother me, but sometimes, oh . . . sometimes I will come home from New York interviewing and matching wits with all kinds of people and I will walk into my tiny room, cold and tired, and I see there is nobody in there, and

there should be. That's when I see the Steppenwolf, growling at me with a low, guttural roar from deep in the throat and I see the teeth, long and sharp and cold.

"I guess you like women," asks the kid. "More than anything," replies Al Pacino. I don't worry about the wolf too much, I know the right girl will come along some

day. I have a certain type of girl in my head as the perfect woman, but then I always keep meeting someone better than I'd imagined. I told a friend of mine, Frank O'Neil, who's read more sad books than I have, about my dreams and the need to be patient. He replied: "Well, that's nice, Dave, but I figure life is too short. I'm just going to marry the first girl that comes along." Wise words, dude, wise words.

I just can't stand to get close to a person and just see them leave.

Next RECORD
March 12

The Real HLS

ELIZABETH SCHNEIDER
Examination in gender discrimination

① EXPLAIN HOW "MAN-HOLE" CAN BE BROKEN INTO COMPONENT PARTS THAT OPPRESS THE

DAVID CHARNY
Examination in corporations

① WHEN YOU GROW UP, DO YOU WANT TO BE A POLICEMAN OR A FIREMAN?

② WHAT IS YOUR FAVORITE COLOR? WHY? (clear, if not a color)

2 hours 15 minutes

PAUL WEILER
Examination in sports and the law

① IF LARRY BIRD PLAYED MICHAEL JORDAN IN A GAME OF HORSE, WHO WOULD WIN? WITH WHAT KIND OF SHOT?

② WILL THE FAB FIVE WIN THE NCAA TOURNAMENT?

SHAQ AS GOOD AS ROBINSON?

hours

ELIZABETH WARREN
Examination in secured transactions

① HOW DO YOU STOP A CHARGING ELEPHANT?

② WHAT DO YOU CALL A BOX OF DUCKS?

③ YOU LIKE ME?

④ WHAT IS THE FLIGHT SPEED OF AN AFRICAN SWALLOW? (unladen with coconuts)

take home exam

ALBERTO UNGER
Examination in transcendental organic meditation, theories of intrasexual, intersexual, transmutational, intermorphologic + transmutationalism.

① SHOULD I DETERMINE YOUR GRADE BY (A) THROWING DARTS? (B) ROLLING DICE? OR (C) TAROT CARDS?

② HOW MUCH WOOD COULD A WOOD CHUCK CHUCK IF A WOODCHUCK COULD CHUCK WOOD?

③ WHO WOULD WIN A FIST FIGHT BETWEEN DUNCAN KENNEDY AND DEAN CLARK (w/o beard)? WHAT IF CLARK HAD HIS BEARD?

④ AM I SANE OR INSANE?

OTHER PROFESSORS ADOPT NESSON'S TEST-MAKING PROCEDURE

GROMM IN HELL

By Chris Spagnoli



3L

By Steve Baughman



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

HOROSCOPES

By Irie Taylor

ARIES March 21 to April 20: Family troubles plague you, making you seriously reconsider that tax firm in Cleveland. An ingrown toenail will require amputation of your entire leg. Beware a professor with a bulge in his pocket: he's not just glad to see you.

TAURUS April 21 to May 21: Meeting someone in an airplane bathroom could prove a sticky situation. Time heals all wounds, except that little cut inside your left nostril. Judge Wapner subpoenas you.

GEMINI May 22 to June 21: Good news on a job or promotion: it looks like you'll get that coveted position as defense attorney for the World Trade Center. A close friend's medical problem makes you consider Rogaine. Think about buying a pet, or marrying one.

CANCER June 22 to July 23: All signs point to straight B's. A bizarre incident with nine chinchillas and a can of Crisco leaves you reeling. Avoid that day-old sushi special.

LEO July 24 to August 23: You are in the spotlight, and my, how you shine. Mainly your chin and forehead need Clearasil. At a mixer this weekend, don't bother playing hard to get.

VIRGO August 24 to September 23: Succumb to March Madness: if you're not playing basketball, then be an athletic supporter. A luxurious milk bath can make you and a deserving heifer happy. Sonny and Cher unexpectedly reunite and play at a relatives' bar mitzvah.

LIBRA September 24 to October 23: Heed a sibling's advice, and don't tell mom and dad that you finally got laid. Curiously, you win \$2 million in the dorm lottery. Don't forget to floss.

SCORPIO October 24 to November 22: Contemplate a change in occupation—there are just too many lawyers. Enjoy a brief fling with a Gemini or Capricorn you met at the VD clinic. Your tax bracket rises to 78%.

SAGITTARIUS November 23 to December 21: Consider a major purchase, like a water pik or a vibrator. Steel yourself for a dehumanizing, Kafkaesque encounter with the Registrar. Prepare to welcome a new member to the family courtesy of Governor Casey.

CAPRICORN December 22 to January 20: An encounter with an old flame causes a minor conflagration. Better keep a hose handy. You search in vain to find all the goodness of garlic without the odor. Beware of radical proponents of diversity bearing Krylon.

AQUARIUS January 21 to February 20: Enjoy a final week of financial prosperity and business success prior before your grand jury indictment. Your Ames partner's dentures are repossessed before oral argument.

PISCES February 21 to March 20: Carpe Diem! Hell, you're gonna die soon anyway, probably even before you get your grade from Nesson. So go ahead, get that jiffy lube you've been promising yourself.

Alumni & Emeriti: Don't Read This

By Alyse MacIntyre

RECORD You-Know-What

I know it's commonly perceived that I have few standards and no ethics in regard to what I'll write about. All I can say to that is, hell, it's true.

But not entirely true. You should hear what I am asked to write about.

"You should write about the men in law school who are good in bed," said one well-known and prominent woman who is very unhappy each week when my column appears *without* a quote of hers.

"Can you introduce me to them first?" I asked.

"You should write about Whisky Dick," said another particularly notorious woman.

"What the hell is that?" I asked.

"You know," she said, "When a guy is too drunk to get it up!"

"No," said another woman who would Freak-with-a-capital-F to see herself mentioned here. "You should write a directory for women about which guys to stay away from, and which guys are all-right. You know, take a poll. It would really help the 1Ls." She's so public spirited! Actually, I think she just wants me to say something trashy about her ex-boyfriend.

Dear Lord, with such influences it's easy to see why my column often comes out the way it does. The conversation deteriorated from there to report cards on particular men, the sordid details of which I will spare you, Gentlereader.

"What I hate is when they demand a blow job," said the woman who loves appearing in my columns.

Naive me. I said, "I've never had a guy actually say he wants a blow job!"

"They never ask you, stupid!" said the woman who loves appearing in my columns.

"They just start pushing down on the top of your head!" said the particularly notorious woman.

"I hate that!!!" we shrieked in unison. Then it was time for another round of tequila shots. The woman who would Freak to appear in my column bought.

Can I help it if I just report the facts as I find them? I don't think so. I think I am doing a public service. Men ought to know what we really talk about. As I see

it, I'm just aiding in eliminating those pesky information transfer problems that exist between the sexes.

But apparently it perturbs the alumni who feel compelled to write in and complain about me. One of these guys even cc'd his letter to my biggest fan, the DBC. Maybe some guys just take it all too personally.

Actually, I couldn't help but notice that not one of these critics graduated after the jet age, whereas my contemporaries (yes, female) slathered me with praise at the time the column appeared. And after these letters were published, I had scads of people (both sexes) ask me which column so upset these alums.

"You know," I always say, "the one with the picture of a vibrator."

"What was the big deal about that?" they always say.

So there you go. It's a generation gap. We're so jaded, we're not even phased by the image of Madonna fucking. We grew up watching women on the TV strip to their underwear to sell beer, after all. My column is certainly nothing in comparison to that. All I can really say is, "Don't kill the messenger!"

Then, as that was cooling down, I made a crack about Roger Fisher getting paid to run the Project on Community (AKA the Project to Defuse Student Protest). And what happens but about two weeks later Doug Stone calls me to talk about it. Geez. I wrote that nasty stuff about Bob and all he did was come to a party I invited him to — AND buy the beer & nachos. Bless his shaven soul.

So Doug called and left a very kind message about wanting to "understand" where I got my "understanding" about Roger getting paid to run the Project on Community because he "understands" that Roger is doing it pro bono. Which I "understood" to be not the same as saying "Roger is not getting paid."

"So he called and told you that you were wrong," said a friend who is a TA for Negotiations.

"Don't be a fool," I said. "Telling me I'm wrong would be, *god-forbid*, 'positional.'"

But, in fact, I was wrong. Not that Doug would ever actually say it. But after talking with him, I checked my source and discovered that I had entirely misunderstood him. Yet the question remains: Who takes a multi-million dollar client *pro bono*? Next they'll be

telling me that Sullivan & Cromwell is a public interest firm.

That The Project to Defuse Student Protest has a ten-thousand dollar budget was indeed confirmed by Doug, so at least I got something right. He told me the ten-thousand dollars is to be spent on many useful things, including "cokes for meetings." Ten-thousand dollars for soda?

Like the fabled Sojourner Truth Squad (Right On, STS!!) I have a healthy disrespect for the Project on Community. After all, recent tension on this campus arose not from the behavior the Project addresses. HLS has been antagonistic, insensitive and all around crappy for as long as anyone can recall. The problem causing all the uproar is that we don't have a diverse faculty.

And The Project on Community will not get us a diverse faculty, at least not in our lifetime. Only pressure on the faculty can get us a diverse faculty. Yet the Project presents itself as the more constructive alternative to other methods, trying to sway us out of exercising real pressure. Like CCR & the STS, I suspect that the Project is an attempt to distract and shame us out of doing what we really need to do. The Project is reminiscent of whites telling African-Americans to be patient because progress takes time.

We're out of time. That the Project wants to work toward the noble but hopeless goal of making us all like each other more is fine. But no one should let the Project take the heat off of the Dean, the Appointments Committee and the faculty. Remember, it took a siege mentality last spring to get something as simple as a faculty resolution promising us that they would *merely* consider more women. It took pushing them with all our might to get them to move an inch.

The DBC may have been right when he said that HLS is not a lunch counter in the Deep South. But it is a hell of a lot like it. The food is about the same quality, the discrimination in faculty hiring is just as reprehensible, and now the Dean has an official organization with a ten-thousand dollar coke budget to tell us that progress takes time.

May I recommend having that coke delivered to the next protest? Make mine diet, boys.



Fenno was doubled over, gasping for air. He'd been out running and he'd gone too far. Wheezing, he mumbled to himself, "Guess I've got to give up smoking." As he started to stagger back home, he added, "Either that, or I've got to give up running."

While walking home, Fenno thought about his new workout regimen. All the weightlifting had broadened his shoulders to the point where he had trouble getting through doors. The sit-ups had made his stomach tighter than Charles Fried's rectum. The running and swimming had strengthened his heart to the point where it was almost cleansed of a lifetime of Nick's Double Cheeseburger Specials.

Still, though, he hadn't had any luck with the babes. It was utterly inexplicable. He was lean, he was big, and most of all he was very big, but still not one woman anywhere would go out with him. Shaking his head, Fenno mumbled, "I dunno, maybe I should wipe this upside down cross off my forehead." Fenno was so caught up thinking about his plight that he didn't see a beautiful blonde jogging towards him, and as a result they collided in a horrible pile-up.

"Oh gee, I'm sorry," said the young woman as she urinated out of fear. "I was jogging and I had my eyes closed, and I guess I ran straight into you. I'm really sorry."

Now, this was the kind of thing that would normally get Fenno off; some clumsy œuf, clogging up the sidewalk and getting in his way. He was about to launch into a tirade, but when he looked at the woman, he realized it would have been premature castigation. She had the bluest eyes he'd ever seen, and was probably better looking than any woman he'd ever drooled over.

"Ah, gee, no, ah, it was my fault, real-

ly," sputtered Fenno.

"Oh God," said the woman, "you've hurt yourself, and it's all because of me." "Here," she said, unscrewing her prosthesis, "let me give you a hand."

The young woman insisted on leading Fenno home, and together they limped down Mass Ave, his arm around her shoulder, hers around his waist. When they got to his apartment, she insisted on getting an ice pick and acting like Sharon Stone. She tied his limbs into a pretzel of love. Staring into her eyes he thought, "She's beautiful, she works out, she's really nice, and she's got a pretty good hook. What more could a man ask for?"

Fenno decided it was time to make his move. Moving closer to her was out of the question since his foot was under the ice pick, so he'd have to rely on his arm. Looking at her, he said, "You know, I think what happened out there on the street was destiny. I think fate intended for us to meet today, don't you?"

The young woman looked him square in the eyes and said, "You know, Fenno, I like you. I like you a lot. You're not like those other guys at Harvard I've dated. You're funny, sort of, and you work out. Plus, you wouldn't be afraid of making a move with a woman, if you could. You're a man's man." Putting her arms around him, she added, "by the way, my name is Moses Malone."

As Fenno struggled to get away from his full court press, one thought went through his mind: "HELP!"

Quote of the Week

"I hear some people even do it for fun these days."

—Prof. Richard Fallon, instructing his Con Law class on sexual intercourse

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"We Shall Not Be Moved!"

By Rich Wareing '93

RECORD Columnist



I like graffiti. You get about four words to express yourself on any subject you like, which is enough to say what's on your mind, but not enough to hedge and qualify with disclaimers and exceptions. It's poor man's Haiku, only you get to use spray paint.

Needless to say, as soon as I found out about the Sojourner Truth Squad graffiti, I ran down to the tunnels. Quite frankly, I was disappointed. There was the standard stuff about the make-up of the faculty and the usual sloganeering, but there was nothing new to give you pause to stop and think. Plus, a lot of the stuff was way too long for graffiti — remember, four words, tops.

There was one thing which did catch my eye, however. Way down at the bottom, there was something about a committee to silence student protest. A couple of things about this struck me as odd.

First, having known a good many of the big radicals around here, I can say with some certainty that the only time they'd ever be quiet is when they don't want to talk. Plain and simple, this campus is quiet because certain people have chosen for it to be that way, not because of any administrative manipulation or machinations.

Second, this seemed to be the year when CCR et al. appeared to be going mainstream.

This fall, after that horrific Law School Council meeting, about which I will not comment, Marie-Louise Ramsdale '93, former member of the Griswold Nine

Having known a good many of the big radicals around here, I can say with some certainty that the only time they'd ever be quiet is when they don't want to talk.

and current Law School Council President, was more than eager to foster cooperation and initiate a whole series of reforms designed to make constructive dialogue possible.

Then, there were all the appointments to student-faculty committees, after which Raul Perez '94 (Fried Four), Julie Su '94 (Griswold Nine), and Camille Holmes '93 (CCR activist) all ended up on some committee having to do with the faculty. Plus, there was the new "Building a Community Committee" which was stocked with three students personally recommended to me by Marie-Louise. Now, I hope I don't have to spell it out for you, but if they got ML's endorsement, they probably aren't members of the Bob Clark Fan Club.

Needless to say, I was pretty surprised at this sudden denunciation of the regular political process by people who had so heavily invested themselves in it. Think about it, if they're part of the process, and the process isn't working, shouldn't they be shouldering some of the blame? The way I see it, you can either go up into the hills, rattle your sword, and lob grenades, or you can come down and negotiate with the government. The one thing you can't do, though, is have it both ways.

Then again, I guess internal inconsistency and self-contradiction are nothing new around here. Take for instance the departure of Kathleen Sullivan. Despite Sullivan's statements to the contrary, my old section-mate Jeff Lubell '93, another CCR activist, knew false consciousness when he saw it, and insisted that "her departure says something about the atmosphere here. . . [A] more accepting and nurturing environment might have convinced her to stay."

A more nurturing and accepting environment, I like that. 3Ls, of course, will remember that two years ago CCR picketed inside Kathleen Sullivan's 1L Crim class on Strike Day because she refused to tow the PC line and cancel. Physician, heal thyself.

More recently, we have the appointment of Liz Warren, probably the leading scholar on Commercial Law in the country, and by everybody's account a great teacher. You'd think that CCR would be thrilled to have such an outstanding woman coming to Harvard.

You might think that, but you'd be wrong. After the obligatory, "we're thrilled," Julie Su, see above for appropriate leftist credential, and Lucy Koh '93, also of Griswold Nine fame, groused in the Crimson that tenure offers "tended to be right of center" and complained about the need for "ideological diversity."

Now let me get this straight: Liz Warren doesn't count as a woman because she doesn't think like a woman is supposed to think, while Jon Hansen and Joe Singer '81, both of "Four White Men" fame and hardly conservative, don't count towards ideological diversity because they're straight white men. Interesting.

Whenever I think about this stuff, I find myself coming back to last year's sit-in. It was about 4:30 and the Harvard Police were herding the non-hard-core protesters out of Griswold. As they were leaving, so as to avoid any possible disciplinary sanctions, they were chanting defiantly, "We shall not be moved! We shall not be moved!"

Making Elite Lawyers

continued from ELITE, page 1

what it was like to be at HLS and on these students' life histories.

The following year Granfield returned to the Law School with a questionnaire he'd developed about student attitudes, career intentions, and perceptions. Granfield explained that these were randomly distributed to 800 students. After statistically analyzing the 400 that were returned, Granfield conducted several more interviews. In all, Granfield talked with more than 100 students, many of whom were active in various HLS organizations.

During the final stages of his research, Granfield returned to Northeastern, a law school quite different from HLS — particularly because of its co-op program and its public-interest and feminist character.

After explaining his methods, Granfield went on to explore one of many themes in the book. Summarizing that "it's hard to be politically conscious and upwardly mobile at the same time," Granfield went on to discuss the "fate of idealism" that he found at HLS. Emphatically stating that he didn't see going to a firm as "copping out," Granfield went on to explain that he sees these choices as rationalizations, or as ideological compromises people make.

Granfield asserted that "it's somewhat erroneous to think students are feigning idealistic goals," even though he found that the majority turned away from their original career paths and chose to enter big firms. Granfield compared the problems idealistic law students face now to what the new left students faced in the '60s — a dilemma of "making history" versus making every day life — and contended that the concept of "selling out" comes from these '60s students becoming neutral professionals.

Granfield explained that "it was this concern with selling out that preoccupied the students I studied." As students gravitated towards the big firms, they felt a discomfort which needed to be resolved. Granfield found that to solve the contradictions, students offered several motives for their eventual job choice. He continued that "in order for these justifications to work, students had to make it appear that under other

circumstances, they would have chosen something different." Granfield saw these students trying to differentiate themselves from those who "willingly" went to the big firms, "to take away the culpability." He pointed out that students helped resolve their inner conflicts by distancing themselves from the "corporate tools preparing themselves to be soldiers of capitalism . . . the Arnie Becker type." Granfield concluded that it therefore wasn't necessary for students to abandon their idealism, because they had redefined the situation in a way that enabled them to establish consistency.

Granfield said students used several strategies to explain away this seeming contradiction, the most common being: 1) loan debt, 2) they had come to believe that "social change could be sponsored from the plush area of a corporate law firm," a redefinition which Granfield asserted was done with the complicity of large firm recruiters, despite the fact that in today's business-law firm atmosphere, these opportunities are far less than students believed; 3) they had chosen a "good" firm, which Granfield found interesting since often students knew very little about what they'd actually be doing; and 4) they had effectively redefined the definition of public interest law, and "some even said that anything paying less than \$50,000 per year was public interest."

Granfield's final topic was the future of idealism in the legal profession and the role law schools might play in bringing idealism and ethics to the forefront. He views the growth of loan forgiveness programs, changing curriculums and increasing *pro bono* programs at law schools as positive signs. He also would like to see legal ethics become a more integral part of law school education, and commended Professor David Wilkins' efforts in this arena.

Robert Granfield is Assistant Professor of Sociology at the University of Denver where he teaches courses in law, drug policy, professions and research methods. He is currently working on a second book, tentatively titled *Failed Promises: Commitment and Betrayal in the American Legal Profession*, which is the study of the ethical orientations of recent law school graduates.

Tribe, Edley Up for DC Jobs

continued from DC, page 1

of South Dakota over hunting and fishing lands.

When asked if he was interested in the position, Tribe told the *Globe*: "Having learned I was under consideration, I could have taken myself out and I haven't done that." But he added that he had "no idea what the prospects are" for his appointment. "The fact that I decided I couldn't argue today's case doesn't mean I have inside knowledge I am likely to be selected."

Edley is an Administrative Law scholar. He served as issues director for the 1988 presidential campaign of Michael S. Dukakis '60 and was assistant director of the White House domestic policy staff during the Carter Administration. His wish to return to Washington seems to have come true.

Tribe is a Constitutional Law scholar.



John Shattuck

Harvard University VP Picked

In addition to the two Law School professors, University Vice President John H. Shattuck, who holds the position of vice president for government, community and public affairs, has been nominated to be assistant secretary of state for democracy, human rights and labor.

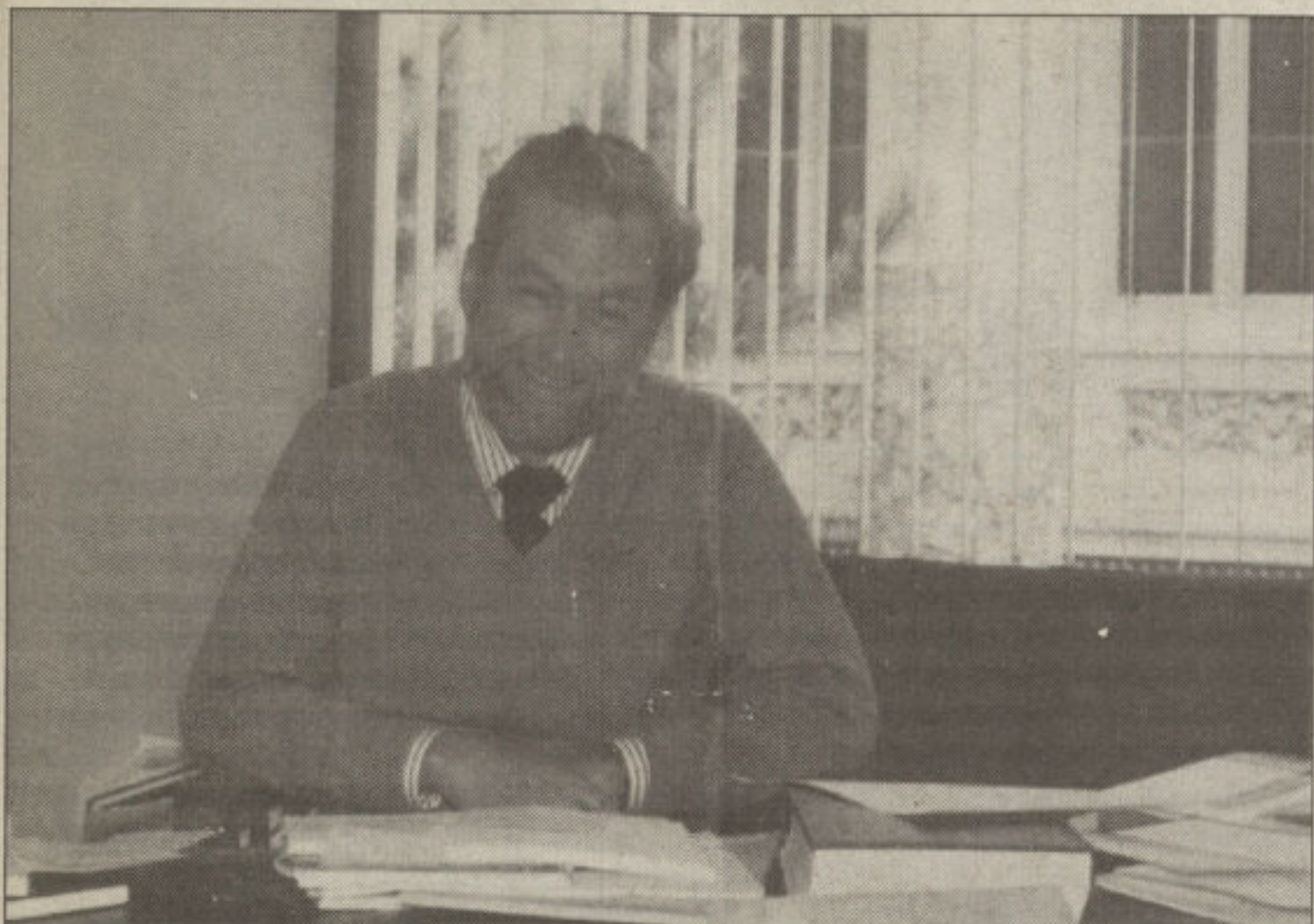
Shattuck has been a volunteer leader for Amnesty

International in the United States and has served on the boards of the National Security Archive, the Civil Liberties Union of Massachusetts, the Petra Foundation, the Fund for Peace, and the Leadership Conference on Civil Rights.

Shattuck is an old F. O. B. (Friend of Bill), having met Clinton in the late 1960s while on a fellowship at Cambridge University in England. Clinton was attending Oxford on a Rhodes Scholarship at the time. Shattuck's wife, Ellen Hume, is senior fellow and adjunct lecturer at the Joan Shorenstein Barone Center on Press, Politics and Public Policy at the Kennedy School.



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Prof. Todd Rakoff displays his pleasure with the new HLS handbook.

Legal Education Handbook

continued from INFO, page 1

realized, for instance, that coursework in Bankruptcy is critical to poverty law, or that Taxation is important for family law.

At least thirty course groupings are included in the handbook, which will be approximately sixty pages in length.

Prof. Howell Jackson '82, the Committee member who directly oversaw the handbook's compilation, expects it to bear other fruits as well. Jackson hopes that by grouping professors, as well as courses, students will be able to access HLS human resources more easily. "Students can seek academic guidance without having to knock on thirty different doors," he said.

"I hope this will help bridge the student/professor gap," concurred Hartzenbusch.

According to Jackson, the handbook should also facilitate more sophisticated student coursework. Because students will now be advised early of the important basic courses for particular fields, by their 3L year students will be better prepared to do more advanced work in the form of seminars, third-year papers, journals, or clinical programs.

Addressing HLS Deficiencies

One by-product of developing a comprehensive curricular guide for students has been the highlighting of HLS deficiencies in certain legal areas. Rakoff acknowledges that gaps in the curriculum exist, and hopes the handbook will bring these deficiencies to the attention of the Appointments Committee.

Rakoff and Jackson expressed the greatest need for more professors specializing in regulation and facets of the administrative state. "But the handbook's effort," maintained Jackson, "is not so much to expand on what we have, but to make available to students what we have already."

Other gaps revealed by the handbook are needs for introductory courses in some legal areas and for better faculty coordination of course content to avoid unproductive repetition.

Members of the Committee empha-

sized that the intent of the handbook is not to develop "majors" at HLS, but rather to serve as a suggestive document. Commented Hartzenbusch: "Some students would rather generalize in a way discernible only to them, and that's fine."

For those students who do prefer to focus their academic energies while at HLS, the handbook promises to be of great service. "This one document will not revolutionize the world," remarked Rakoff, "but it is one contribution."

First Year Reforms in the Works

Still on the agenda for the Legal Education Committee is its proposal for revamping the first year Argument/Ames program. Currently run by the Board of Student Advisors, this important component of the 1L year has been the subject of continual revision and criticism in recent years.

The Committee has recommended that the first year skills program be broadened both in terms of the resources devoted to it (with respect to student and faculty time) and the skills involved. Specifically, in order to better reflect what most lawyers actually do, the program should refocus its current emphasis on litigation to better incorporate negotiating and drafting components.

Proposals for change to the 1L curriculum are still being considered in what Rakoff termed a "slow, ongoing process." The Committee does not foresee any proposal to be adopted in the immediate future.

The Wounds of Vietnam

By David Weinstein '94

RECORD Columnist



THE Vietnam War, once a synonym for intervention and imperial overreach, has now become firmly ensconced within this nation's nostalgia for the 1960s. In the national memory, it has earned a place somewhere between Woodstock and Apollo XI, reduced to a film clip of a GI with a peace symbol etched on his helmet, smiling grimly while Buffalo Springfield plays in the background.

If the costs of the war are ever discussed, it is virtually always in the context of what was done to this country. It sapped our strength. It tore us apart. Its wounds "cleave us still," as George Bush announced at his inaugural. It even produced the "Vietnam syndrome," a malady whose primary symptom was an unhealthy reluctance to send in the troops, recently cured by the bombing of Baghdad.

The ability to fight wars on foreign soil seems conducive to this sense of national amnesia. We are not often reminded of the destruction we wreaked. It becomes easy to forget the seven million tons of ordinance the US dumped on a small, distant country. It allows us to remove from our minds the thousands killed in the Phoenix assassination program, or the horror of My Lai. Most of all, it permits a recasting of the war, one in which we come out the aggrieved party, and the Vietnamese the ones who inflicted the suffering.

Time has diminished any sense of American responsibility. The anti-war movement, and its values, have long since disappeared from the scene. Yet after its slogans stopped, after its participants cut their hair and migrated to K Street and Wall Street, the American assault on Vietnam continued. It is a quiet assault, unnoticed and un-protested, carried out by subtler means. But this does not make it any less shameful.

Since the last American troops departed from the roof of our Saigon embassy, we have poured as much salt as we could gather into the wounds we did so much to create. A strict economic embargo has been maintained against Vietnam. We have pressured our allies not to send food and medicine to the impoverished nation. We have insured that aid from international lending institutions has remained out of the question.

The justifications for the embargo have changed as much as the policy has remained the same. They have ranged from the arguably legitimate (post-war human rights violations by the Vietnamese government) to the ridiculous (punishing Vietnam for its invasion of Cambodia, which ended the genocidal reign of the Khmer Rouge) to the mythological (the endless quest for our MIAs). As all other rationales have disappeared, the MIA legend has grown increasingly prominent as the last available reason for our ongoing vendetta.

Twenty years have now gone by since the Paris Peace Accords. Those twenty years have seen countless airbrushed photographs and discredited sightings of American soldiers; they have seen would-be Rambos scouring the jungles of Indochina and hundreds of snake-oil salesmen peddling false hopes to the families of the missing. Despite their efforts, in January a Senatorial committee admitted, after acknowledging the possibility, that "there is no proof that US POWs survived." Yet we continue to move the goal posts, demanding further evidence of Vietnamese "cooperation," telling ourselves that information on the corpses of our GIs is worth the hunger of Vietnam's children.

I do not mean to discount the value of such knowledge to a grieving family. To all those who consider such values paramount, I would refer an article that appeared in *The New York Times* on November 30 of last year: "The Vietnamese Speak Softly of Their Own 300,000 MIAs." It is a reminder of who exactly it was that did the lion's share of the suffering, and who exactly were the primary victims of the American adventure in Vietnam.

The relatives of the MIAs deserve our compassion. But compassion begins with honesty. The time has long since arrived for us to tell them, and ourselves, that those who disappeared in the jungles of Southeast Asia are not coming back, and that Vietnam has suffered enough.

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Semester Retrospective

By Debra Dickerson '95

RECORD Columnist



I can hardly believe we 1Ls are already halfway through spring semester. Never have seven months flown by so quickly. Given the importance of this period in all our lives, it seems fitting to spend a moment making a few observations.

First of all, it seems to me that of all the arcane, theoretical and abstruse legal doctrine we've been subjected to—from offensive non-mutual collateral estoppel to the requisite mens rea of the drunk driver—the truest, most instructive fact imparted to us was uttered on Orientation Day by one of the faculty at Sanders Theater: "All professors aspire to be stand-up comedians." Those words should be translated into Latin and inscribed on all HLS stationery.

Surely the most brazen comedy-feasor this semester was Prof. Dave "Bad Boy" Rosenberg. The man even brought in props to jazz up his act. I won't soon forget the whale tie he waved around to prove his environmental sensitivity, the calculator he dramatically brandished (but couldn't operate), and, lest we forget, those fake eyeglasses. All that was missing was a spandex-clad assistant to giggle on cue. I rarely understood what he was raving about but I always paid attention so as not to miss any of his shenanigans. And where does he get those clothes? Did someone open a time capsule or is his wife a closet Crit who secretly hates him? ("Sure, Dave, sweetie. That day-glo fuschia and orange striped shirt from college is perfect with those Earth Shoes. They did NOT go out of style in 1971.")

But don't get me wrong, I thought it was a great class. I know I learned a lot

"All professors aspire to be stand-up comedians." Those words should be translated into Latin and inscribed on all HLS stationery.

and I can prove it. As I understand Torts, the proper response to any plaintiff's claims against a business is "Let them eat first party insurance!" See? So what if Ronco's new combination crib toy/ginsu knife causes a few injuries, life's tough and it's gonna get even tougher if you aren't insured.

Prof. Rakoff was no slouch in the comedy department either. I really liked his humor because, as a 33 year-old, I enjoyed hearing references to something other than pop culture. My favorite was his reference to Ethel Merman. Over-achieving but culturally illiterate 22 year-olds all over the room turned to each other panic-stricken, crying "What! *Ethel v. Merman*? Was that assigned?!" I loved it. A subsequent reference to soda jerks produced the same confusion. They probably thought he was diss'ing people who drink 7-11 Big Gulps. Prof. Rakoff also has a very cool tradition of bringing in doughnuts for the section on his daughter's birthday. We were really touched by the gesture. I think Gordon Wright spoke for all of us when he remarked, "I'm sure his daughter would have wanted us to have juice, too."

That leaves Prof. Desan and Civil Procedure. Since she's likely to be the only woman professor I'll ever have here, it was gratifying that she's such a great teacher. The amazing thing about her was her ability to find something worthwhile in our pitiful little answers no matter how plainly inadequate they were. Even when we snickered and made armpit noises at each other's incredibly stupid responses, she was always charitable. For instance she once said with great compassion, "Well, Ms. Dickerson, it's not clear to me that 'comity between the states' has anything to do with Arsenio Hall and cable, but perhaps it bears consideration. Please leave now."

Although they are neither professors nor particularly amusing, I can't close without a few words about my study group. I don't want to say these four guys are nerds, but I will say that if they were from the future, they'd be Dork Vader. If they were from ancient Rome, they'd be Geekus Maximus. Lest you think I'm being unduly harsh I'll name names.

First, there's Aaron "a loser in any locality" Panner. Neither his intellectual brilliance, his skills as a violinist, nor his accomplishments in the foreign service can compensate for his complete lack of social skills. If Andrew Dice Clay took the LSAT, he'd be Aaron Panner. As for Mark Quarterman, rumor has it he was quite the 'toy boy' as a Yale undergraduate. I don't know if that's true, but he does appear to have a headboard-shaped dent in the top of his head. Mike Fisher, I'm convinced, is that kid in the tort case *Steinhauser v. Hertz* who was predisposed to schizophrenia. I figure he just came to law school to find out what he was like before the accident. Poor little Patrick Naughton. It hardly seems fair to highlight the plight of one so disadvantaged by nature, but I think I can manage it. Patrick is that one guy from Long Island that Amy Fisher wouldn't go to bed with. I suppose that lack of skill with women is the reason why his last three girlfriends have been named 'Inflata.'

Well, it's onward and upward for us 1Ls. Spring semester and our first year in the hallowed halls of Harvard Law School are nearly finished. I guess I thought I'd feel like a better, stronger, or even smarter person for having held my own here, but I don't. I suppose it's best to keep it all in perspective and just keep working hard. My 12 year-old niece summed it up very nicely for me when I was home for Christmas and relatives were making a fuss over me. I was making Kool-Aid for the kids without paying much attention and answering questions about Harvard. I was telling the kids not to judge people by outward, superficial things like where they went to school. I told them that underneath, people are just people, and that Harvard wouldn't and shouldn't change me. As I spoke, Carlie silently watched me try, in vain, to taste-test the Kool-Aid without realizing I was using a strainer spoon with big open slots in it. She said, "You know Aunt Deb. You're right. You seem just the same to me." Out of the mouths of babes.

How Far We Haven't Come

By Dave Oles '95

RECORD Columnist



My daughter turned two the other day.

For an experienced dad of two sons, it really shouldn't be that much of a deal. But for those of you not yet fortunate enough to understand the joys and sorrows of parenthood, two represents a dividing line between baby and person. When a child reaches two, she is a fully-functional, although extremely small, person with her own likes and dislikes, and an increasing determination to exert her will over her surroundings. Only wistfully do we view the days of bottles and 2AM shifts, colic and croup, and the thousand other delights which make parenting such an intimidating and tedious task.

In return for our troubles, we now have a growing young lady, who, I must confess, never ceases to confound and amaze me. How different she is from her brothers! Nintendo is out, Little Mermaid is in; Beauty and the Beast is much preferred over those Teenage Mutant Ninja Turtles; and the ubiquitous Cabbage Patch babies populate the bedroom. (Someone please tell me *why* she likes the Frankenstein's monster doll. I'm sure I don't know.) While we do a creditable job (we try!) of not raising her in a stereotypical role, little girls have their own little world of magic and rainbows and pillows with ruffles around the edges.

Sometimes it pains me to think that she will have to deal with ugly realities of our society, like rape and sexual harassment, as she gets older. Despite my best efforts, and all the love I can give, she will have to face these problems on her own, as do all women. Somehow, in the march of evolution from the mud, mankind has not yet evolved so far that women need not fear for their safety and privacy and right of self-determination.

One would think that any advanced society would have worked out these problems long ago — that the rule of Might is Right would be history. Yet even a cursory examination of sexual-assault statistics would convince an impartial observer that the battle is far from won. Even among bastions of intellectual achievement and development such as Harvard Law School, there lurks the specter of a cynical and recalcitrant evil, which threatens to enjoin the well-being of at least half the human beings here.

This is only partially in reference to the antics of a construction worker in Pound Hall last week. That crime has been courageously reported, and hopefully the perpetrator will be justly punished. I would like to commend the ladies involved for not ignoring the problem, and risking further personal exposure to go public so that others would not have to endure the same kind of violation.

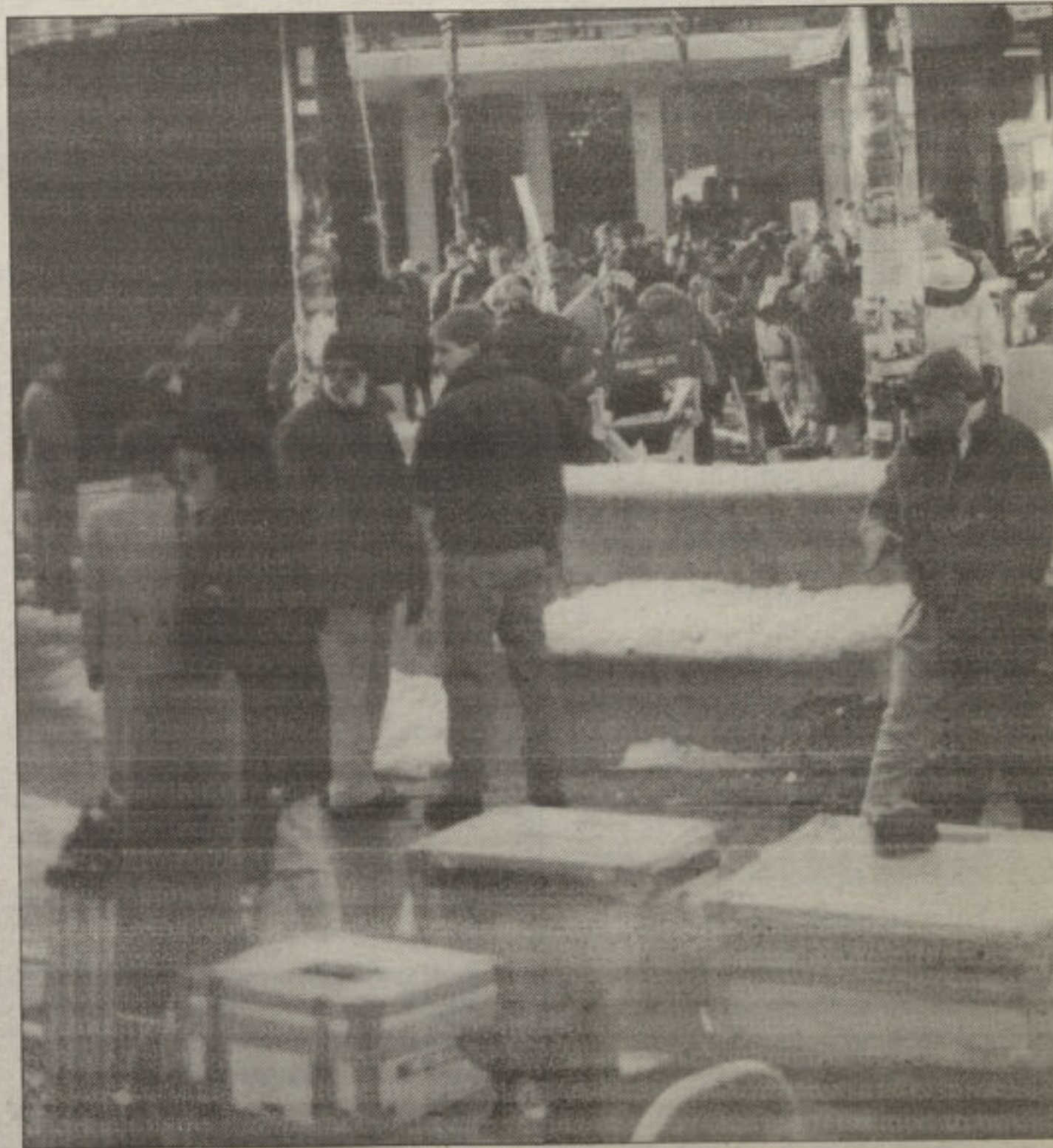
It's the attitude of the men here that is really distressing.

Maybe I'm just more sensitive to this because I have a daughter. God knows I have never been an active supporter of the NOW gang, but Dammit, it is *not* civilized to joke about it, it is *not* acceptable to impugn the integrity of the ladies involved, and it is *not* something they dreamed up in a fit of boredom. Why is it that even here at Harvard Law School, a woman can't be believed? Even a fellow law student! It is patently obscene, and outrageous, that members of this school would treat a fellow student like that. What possible difference does it make how large it was? Only a twisted, warped mind could find something like that funny!

The whole school owes an apology to the ladies involved. I will not dignify the miscreants on this campus by relating the comments the ladies have heard. We are talking about a basic human dignity which all people deserve, and the fact that a human may be female does not somehow lower her standing. It is our collective duty as rational, civilized beings to see that each one of us is accorded treatment with integrity and respect.

Ladies, I admire and respect you for what you did, and on behalf of the civilized men of Harvard I offer my apology.

From Harvard to Hollywood



Camera crews filming in Harvard Square.

RECORD Photo / Josh Freeman

Welcome to Willie's World

By Dean Newton '95
RECORD Columnist



FOR those of you who haven't noticed yet, Bill Clinton is a bit deceptive. Others might go so far as to call him an outright liar and manipulative snake. Whether you see him as a clever politician or an unprincipled, morally bankrupt President, the first few weeks of his Administration have proven that all campaign promises are off.

Few have forgotten those little campaign "promises" he broke. Do you remember the middle class tax cut? Do you remember the tax increases limited to only those nasty rich people who exploited everyone in the 1980s? Those promises are gone. Clinton claims the deficit is drastically larger than he anticipated, and now everyone must "sacrifice." It's a good excuse if only he had not stated publicly during the campaign that he anticipated the deficit would be at least \$400 billion.

Then there was to be a fiercely qualified cabinet that was to "look just like" America. Now the cabinet has more millionaires on it than before. As for qualifications, I'm sure Mickey Kantor knows at least as much about trade as a teenager in high school economics. Carla Hills he isn't. Then there is Ms. Tyson, who every economist this side of Moscow recently declared in the Wall Street Journal to be grossly unqualified. I could go on to Ron Brown and Robert Reich, but I have made my point.

Some believed Clinton had pledged himself to free trade. Now the NAFTA agreement appears to be anything but a top priority. Clinton rushed to place trade restrictions on steel, and now he has targeted the airline and automobile industries. Some Europeans refer to us as "the new protectionists." If you happen to own a big company and want trade barriers, this seems to be the Administration for you.

Of course conservatives and the hard-working middle class were not the only ones cheated. The limousine liberals have their grounds for complaint. You sure don't see Haitians being welcomed in Florida with open arms these days.

Beyond campaign promises, lies have been flowing from 1600 Pennsylvania Avenue since January 20. As RECORD Columnist Dave Oles has already pointed out, Clinton's spending cuts are nothing more than closet taxes. Clinton claims to have set an example by cutting the White House staff by 25%, saving 5% of the White House budget, or \$10 million. What he didn't tell you is that many of the people he cut were on loan from other government agencies. In other words, they will remain government employees. He didn't tell you that the OMB and Office of Trade Representative staffs were exempt from the cuts. So were consultants to Mrs. Clinton on health care. Further, he plans to spend \$10-15 million on new technology toys for the White House to replace those phones he couldn't figure out how to work. He sets a great example.

Do you remember Clinton's support of the voucher system? He is now backing away from that in favor of more federal money for public schools. This is in

Normally it takes four to six years for a president to lie this much. It has taken Clinton four to six weeks.

spite of the fact that from 1981 to 1991, spending in K-12 public schools per pupil doubled from \$2,753 to \$5,452. No one is claiming the schools became better. But instead of worrying about the children, Clinton is pandering to the NEA who gave over \$2.5 million to Democrats in 1990 alone.

It almost seems laughable now to mention Clinton's supposed ethics standards to clean up the Executive branch. Most people remember Zoe Baird, and a few will recall the planned "Ron Brown Gala" to be sponsored by Sony Corporation. But the latest scandal brewing in Little Rock involves none of these characters. Do the names Robert "Say" and Tommy McIntosh ring a bell?

Say McIntosh claimed he helped Clinton with his 1990 gubernatorial campaign in exchange for a pledge to get his son Tommy, a convicted drug dealer, out of prison. Clinton failed to deliver, so Say sued him in 1991. To avoid embarrassment during his presidential bid, Clinton promised to have Tommy pardoned if Say would keep quiet. Say agreed and on January 20, 1993, the day of Clinton's inauguration and 18 years before Tommy was eligible for parole, acting Governor of Arkansas Jerry Jewell signed documents prepared by the Clinton/Tucker Administration pardoning Tommy Thompson. Is this a mere coincidence? Perhaps it is, but it has been enough to infuriate Arkansas citizens and prompt demands for an investigation.

I realize I am being unfair to some extent. Balancing the budget should be a priority. And, after all, we are only a few weeks into the Clinton Presidency—but that's precisely what scares me. It is true that presidents usually renege on a few campaign promises. No one is better at "reading lips" than supporters of George Bush. But Clinton is setting new records, breaking campaign promises as if they never existed. Normally it takes four to six years for a president to lie this much. It has taken Clinton four to six weeks. As we await the next deception it should be a comical, or should I say tragic, four years. Welcome to Willie's World.

Complaints About Ames

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the team they were up against. The original assignments are random and Swanger explains that one woman was very upset about being paired against her roommate with whom she was already having problems because she thought this would exacerbate the situation. Swanger,

believing this woman "seemed sincere and that this really was going to be a problem for her," changed the matchings. The other team later complained that the woman wanted the change because she thought it would help her team's chance of winning. Neither of these teams moved on to the semi-finals.

THE RIGHT PERSPECTIVE

Straight Talk About Homosexuality

By Neil L. Glazer '93
Guest Columnist



THERE has been much debate lately over the issue of homosexuals in the military. Underlying this debate, of course, is the question of how society in general should deal with homosexuality. It would appear, to listen to those from the homosexual community, that they have gone beyond their initial demands for tolerance to the more radical demand that their lifestyle be fully embraced by the American people as a perfectly normal and acceptable way to live. There are many, however, myself included, who refuse to surrender to such demands.

Should we, as a society, abandon a behavioral restriction which runs to the very foundation of our moral code simply because some organized group is vocally advocating we do so?

This position is not motivated out of any hatred of homosexuals, but rather a deeply held belief that their behavior is in contravention to the laws of God, nature, and man. As such, it would be wrong for our society to grant the homosexual community the public affirmation it desires. While I absolutely agree that homosexuals have a right to be free from physical violence, and indeed believe it is wrong to hate homosexuals, I do not equate tolerance with acceptance. If homosexual "rights" means allowing children to be taught that engaging in sex with another of the same gender is acceptable, then I must adamantly reject the idea of granting homosexuals such "rights."

Indeed, the very idea of equating homosexual "rights" with those of African-Americans or women is absurd; for unlike the former, being a black or a woman relates to personhood, and is non-behavioral in origin. I simply cannot accept the argument that homosexuality is an innate and unalterable characteristic, since I have seen too many testimonials from former homosexuals who have been "cured," either by psychological or spiritual healing. And, even supposing that some people are born with the inclination towards engaging in homosexual sex, I can no more accept that as normal than I could the person with inclinations towards sex with children or beasts; indeed, it appears that there is very strong evidence of some genetic basis for alcoholic behavior, yet no one characterizes that as normal behavior.

There is, in the above argument, an implicit distinction which I wish to make explicit: that of homosexual "orientation" versus homosexual "behavior." The former may very well be an inclination experienced by some percentage of the population. I have read of some polls which indicate that a fairly large percentage of males, at some point in their lives, "think" about a homosexual liaison. I do not know if it is true, and to tell you the truth, it does not really matter to my argument. For homosexuality, as a lifestyle, involves an affirmative choice to actually engage in that behavior. There are many things in this life which we know are wrong, and most of us manage to avoid doing them, even if we are confronted with the urge to violate our conscience. Should we, as a society, abandon a behavioral restriction which runs to the very foundation of our moral code simply because some organized group is vocally advocating we do so?

This brings me to the question of just how large this "community" really is. The oft cited 10 percent figure derives from the very questionable data reported in the 1948 book *Sexual Behavior in the Human Male*, by Alfred Kinsey. But homosexual advocates utterly fail to state the full "facts" according to Kinsey: He claimed that "10 percent of the males are more or less exclusively homosexual for at least three years between the ages of 16 and 55." However, he also stated in the same study that only "4 percent of the white males are exclusively homosexual throughout their lives after adolescence." Why is it that homosexuals always choose the 10 percent figure and fail to mention the 4 percent figure? Furthermore, in light of both evidence of Kinsey's shoddy data collection techniques (he frequently conducted his interviews in known homosexual hang-outs), as well as newer, more reliable estimates, it would seem that the true figure for homosexuals and bisexuals combined is less than 2 percent. (National Center for Health Statistics surveyed more than 10,000 persons in 1990 and came up with a figure of 1.5 percent).

I will not go into the statistics regarding promiscuity among homosexual populations, nor the data concerning sexual disease transmission, because although such facts may be relevant to a general public policy debate, they have no real bearing on the argument I am postulating: that homosexuality is aberrant, unnatural, and immoral behavior, and there is no reason for our society to accept it. I am not advocating that we begin to persecute homosexuals, no more than I would advocate persecution of alcoholics. But I do believe that we as a society have the right to make the judgment that such behavior is unacceptable, that we do not want our children being taught otherwise, and that various groups and organizations—including the military—have the absolute right to determine that they do not want to associate with, and do not want among their ranks, individuals who actively engage in such behavior.

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