



Heymann Named Deputy AG

By Jeff Bucholtz and
Steve Yarian

The Harvardization of the Clinton Administration continues. Professor Philip Heymann '60 was nominated to become deputy attorney general last week, potentially becoming the latest HLS faculty member to join the new administration.

Although he was a member of Clinton's transition team, Heymann was surprised and "thrilled" with his selection to be the number two person in the Justice Department.

"It looks like something I will like very much," he said. "It's pretty close to my dream job."

"I'm just so excited. I'm dying to get there and get to work."

Heymann served as assistant attorney general in charge of the criminal division under President Carter, and was an associate special prosecutor during the Watergate investigation. His previous experience with the DOJ should prepare him for the Senate confirmation hearings, tentatively scheduled for late May.

At the announcement ceremony, Heymann cited his "long and happy relationship" with the Justice Department and reminisced about his past government service. "I was here [at DOJ] to see Attorney Generals Kennedy and Katzenbach open the schools and lunch counters and voting places of America . . . [and to see] Archibald Cox reapportion the United States . . . and use the law to open the secrets of Watergate."

Heymann has helped design democratic criminal justice systems in other countries, and he intends to build on that experience in his new position. Working with Attorney General Janet Reno '63, Heymann hopes to make the Justice Department into "a model for the world in the

please see **HEYMANN**, page 15



Entrance to the new Legal Services Center.

Reno Named 1993 Class Day Speaker

Powell to Give University Keynote

By Lisa Zornberg

Teary-eyed law students marching past Langdell for the last time this June can console themselves with the thought that perhaps one day they'll return to commencement activities as invited guests. Such is the case for Attorney General Janet Reno '63, who will return June 9 to Harvard Law School as Class Day speaker.

Reno was the overwhelming choice of the Class Committee, said Anat Hakim '93 and Page Lichtenfeld '93, who worked closely on this year's speaker selection. "We were trying to find someone who would appeal to broadest sector of the class," Lichtenfeld said. "Reno was the perfect choice."

In the past, the Class Committee has sent out numerous invitations to potential speakers. This year, however,

the Committee focused solely on Reno.

"We lobbied her pretty hard to come," said Hakim. At the request of Class Marshall Jodi Grant '93, Dean Clark '72 wrote a personal invitation to the recent Clinton appointee. In addition, Catherine Jurgensmeyer '93, who worked for Reno last winter telephoned to encourage her former boss to accept the speaking engagement.

The Committee's efforts paid off. Reno said yes right away, reported Lichtenfeld.

"We're really excited," Hakim said. "She's a real role model, being the first female attorney general and, moreover, an interesting and down-to-earth person."

"I think it's a fine choice," agreed Robert Orgel '93. "Reno is a respected figure in the legal community. She's both in an

please see **RENO**, page 12

Legal Services Center Moves to New Home

By Glennis Gill

The Legal Services Center in Jamaica Plain re-opened in its new office space last week. The building, located at 122 Boylston Street, has been completely renovated and has a very different look and feel from the converted factory that used to house the LSC.

"One student said 'it's too fancy,' but I say just because the clients are low-income doesn't mean they have to come to a dump," LSC Executive Director Cheryl Burg said.

The new building is "a whole new experience," said LSC Clinical Instructor Vikki Read. "It doesn't leak and the heat works . . . and there's so much light — it's cheery." Indeed, the office, which is completely handicap accessible, is four stories of well-lit, uplifting, professional, and inviting space.

Past an attractive reception area on the first floor are five intake rooms (all with windows), a library, and a conference room. Each of the top three floors houses staff offices around the perimeter, a conference room, and a centrally located work area with forms, office machines (including copiers), and water coolers.

Students now have a lounge,

and the faculty lounge is part of a large room that can be used as a classroom or sectioned off with a sliding divider.

Those at the Center will no longer freeze in the winter and sweat in the summer, thanks to central heat and air-conditioning. And, there are 166 windows — all of which can open.

As Clinical Director and HLS Lecturer Jeanne Charn explained, the space was chosen and designed to be workable, "so that any conceivable expansion could be done here. This is it — I can't imagine ever moving."

Center staff and students are excited about the new location as well. The building is located right next to the T, which makes it exceptionally convenient for students, staff and clients. Also, because the surrounding neighborhood is residential and contains a couple of housing projects, the new Center is quite close to many of its clients. "There are a lot of needy people here," Read said.

Despite its idyllic setting, Charn said the neighborhood is less safe. The building has a complete security system, and Charn explained that "we gave a lot of thought to the tradeoff between security and accessibility." She added that "the archi-

please see **CENTER**, page 12

Elizabeth Warren Turns Down Tenure

Two Tax Attorneys Receive Offers

By Greg Stohr

Three women and one man have been offered tenure or tenure-track positions at HLS this year, but two of the women, including visiting Prof. Elizabeth Warren, have declined.

Two assistant professorship offers — to practicing tax attorneys Diane Ring and Reuven Avi-Yonah '89 — remain pending.

Warren told Dean Clark '72 on Tuesday that she would return to the University of Pennsylvania Law School next year. Warren, whose husband is also a tenured professor at Penn, cited personal reasons for her decision.

"I'm sorry to be leaving," she said in an interview with the RECORD. "I had a terrific time. I loved the students here. I had a good time with the faculty. This can be a terrific place to be."

"The students truly are the strength of the place," Warren

added. "It's a diverse and interesting student body. I'm going to miss the students."

Warren, who taught Bankruptcy and Commercial Law at HLS this year, is a leading scholar on the impact of debtor-creditor law on different social groups. Her acclaimed book, *As We Forgive Our Debts: Bankruptcy and Consumer Credit in America*, was the first demographic study of the impact of bankruptcy law on society.

"It's too bad," said Mike Sullivan '93, who had led the student push for Warren's tenure offer. "She was the best teacher I had at this school."

Clark said he was disappointed by Warren's decision, but expressed hope that she would decide to accept tenure at some point in the future.

"I worked very hard on that," Clark said. "I really wished we could have had a different result."

please see **WARREN**, page 13



Prof. Elizabeth Warren

Fake Dean's Letter Fools Many

By Johanna Davis

Hundreds of students were shocked to find a letter purportedly written by Dean Clark stuffed in their Hark boxes Wednesday morning. The memo outlined progressive changes for the Law School, including a reduction in the size of incoming classes to improve the faculty-student ratio, an increase in funding and resources for the Public Interest Office, and a group tenure offer to minority scholars Anita Hill, Gerald Lopez, Mari Matsuda, and Patricia Williams.

The letter, however, was a hoax. The Sojourner Truth Squad claimed full responsibility for the prank, and indicated their authorship



by typing RCC/sts at the bottom of the letter. A spokesperson for the Squad, who asked to remain anonymous, said that he felt the Squad had succeeded in sending a message to the student body. "Our purpose was to make it clear that what matters is action, not talk. And the main thing that matters is to make this a community more representative of the world outside."

Dean Clark, however, was less enthusiastic about the letter, calling it "improper." "Whether it's a legitimate way to send their message or not, I don't think it's a particularly effective way..." he stated.

Dean Clark discovered the false letter at an early morning breakfast meeting with members of COGBLLI. Inga Bernstein '94 believed the

please see **LETTER**, page 15

Hill Speaks on Sexual Harassment

By April Rockstead

University of Oklahoma Law School Professor Anita Hill's audience of about 300 literally "jammed" Thursday night as an all-star ensemble, including such notables as Boston-area vocalist Larry Watson and rap artist Lisa Lee, nearly shook the somber-faced Ames Courtroom portraits off their mountings.

The ensemble — which also included a keyboardist, two percussionists, and two back-up singers — powerfully evoked messages of strength through intra-racial gender unity that set the tone for Hill's Saturday School talk, "Race, Gender, and Empowerment."

"Race enters into the equation, sometimes in a very odd way," said Hill of the sexual harassment issue.

Referring to letters and comments she has received since her sexual harassment allegations against then-Supreme Court nominee Clarence Thomas captured the nation's attention in the fall of 1991, Hill said she agreed with others'

observations that "in any other combination of races, the nomination would have failed."

Because sexual harassment is an abuse of power, Hill said, women of color face a "double bind" of vulnerability to sexual and racial harassment in the workplace coupled with a perceived apathy within their own races.

"What we are trying to do is understand such apathy and get beyond that so that women of color do feel that it is safe to complain about abusive behavior," she said, adding that the letters she receives show "there is support for women within the black community who want to bring sexual harassment complaints."

But the letters also reveal that work-

place sensitivity is still a problem in many places even after the Thomas hearings, Hill said. Although there have been some increases in complaint filings, she said, women are reporting two-to-one that the same old problems exist.

And even though 1992 was popularly proffered as one of political advancement for women, Hill said she still frequently receives letters from women who simply don't know where to go for assistance.

"They're sitting in the middle of a situation of harassment, and they can't even find anyone to give them information," Hill said.

"We've got to think of creative ways to use our new political power to address these issues."

Exhorting those interested in sexual harassment issues to pursue civil rights and pro bono work in their legal careers, Hill said it is the law profession's responsibility to ensure adequate and effective representation for sexual harassment victims.

"It's not enough that we push to get these laws enacted," Hill said. "It's not enough even that we make people aware of these rights." Changing sexual harassment behavior also requires educating children — boys perhaps even more so than girls — early, Hill said.

But the greatest task is maintaining a commitment to change, even when leaders and the system fail, she said.

"That's not an easy thing to do, but as one of the people who wrote to me said, 'There's no price too great to pay for our dignity.'"



Ames Semi-finals best oralists
Keith Rabois and Inga Bernstein.

Superman v. Solomon

By Jeff Bucholtz

November's final round of the upper-level Ames Moot Court competition will pit the Daily Planet team against the Solomon's Justice team.

The Daily Planet, consisting of second-year students Marc Ashley, Theodore Chuang, Brian Kaplan, Michael Newman, Craig Primis, and Keith Rabois, won the March 23 semi-final argument. The following day, 2Ls Christine Chi, Emily Duke, Mark Gordon, Anne Hoskins, Steven Rabinowitz, and Alan Rutenberg, defeated the Dizzy Gillespie team to secure Solomon's Justice's berth in the finals.

Best Oralist honors were taken by Rabois and Dizzy Gillespie's Inga Bernstein.

Hill proved she could be witty as well as eloquent when fielding an audience member's question that read, "How do you feel about taking a seat on the Supreme Court this summer?"

"Who will I sit next to?" she quipped.

"Can't We All Just Get Along?": A Prescription

By Scott Kolbrenner

HLS's Criminal Justice Institute, headed by its director Charles Ogletree '78, has issued a report in conjunction with the National Association for the Advancement of Colored People, detailing widespread racism and excessive use of force among police departments. The report, one of the final works undertaken by outgoing NAACP Executive Director Benjamin Hooks,

examined the relations between police and minorities nationwide.

"The results were not surprising but were, nonetheless, disappointing," said Ogletree.

"We spent the last year reviewing documents and soliciting other materials on police issues," said Ogletree. Recommendations made by CJI included: cultural sensitivity training for police officers, community policing to

please see NAACP, page 15

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BIGGEST**

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Monster Truck Coalition Sweeps LSC Elections

By Maria Politis

Although the usual student concerns persist, results of the recent Law School Council elections indicate that ubiquitous beer and a monster truck-pull may soon be included on the LSC's agenda.

This year's elections, which boasted more than 50 percent voter turnout, seem to reflect a desire for a changing of the guard. While some familiar faces won high-ranking positions, such as LSC President Enu Mainigi '94, perhaps most telling of what students want was the election of the entire "Monster Truck Coalition."

Consisting of four students, William Grownney, Jr. '95, Shea Moxon '94, Christopher Ekman '95, and Joshua Frieman '95, the Coalition's official platform only involved bringing beer and monster trucks to the Law School cam-

pus.

"We ran on a narrow platform of beer and monster trucks, but our overarching purpose is to improve the social atmosphere of the Law School," said Moxon. "People are bored and are always grumbling. These are symptoms of people who need to have more fun. We want to get everyone to lighten up by giving them more beer and monster trucks."

When asked why he thought students voted for him, Grownney, originator of the Coalition, said, "Because I am the sexiest man on the Law School campus. I am highly erotic. Men fear it. Women want it. I belong on the LSC."

Students generally seem to appreciate the lightened atmosphere. "Though they give a comical appearance, underneath I think they really care about what happens at the Law School," said Spencer Levy '95, who was also voted to the LSC as an at-large candidate. "They just want

people to have fun, and that's an admirable goal."

Mainigi expects the LSC newcomers to add a desirable fresh perspective to the Council's workings.

"All the 1Ls are people who have proven themselves to be energetic and outgoing, and will work hard on any issue, without a political agenda," said Mainigi. "They are willing to serve students and get what students want."

Mandatory beer at LSC-sponsored functions is integral to the Monster Truck Coalition's goal of having more fun. "I want to make it explicitly clear that if people want funding, they'll have to have alcohol at every function," said Grownney, describing the Coalition's aims. "When they go before the Student Funding

Board, they'll have to show how much money is to be spent on beer. No set percentage will be required as long as organizations provide a sufficient amount, enough for everyone to get a nice little buzz."

But not all of the Coalition members' goals center around beer and monster trucks. As chair of the LSC Rules and Procedure Committee, Frieman said he hopes to make the LSC more effective in addressing common student concerns. He said he hopes to help perpetuate student services like the book exchange. "From past student government experience, I know that while good things can happen, they don't always continue," said Frieman. "I want to try to make sure they do continue."

Law School Hosts World Copyright Symposium

By Lisa Zornberg

As law students took off to see the world over spring break, the world came to Harvard Law School. From March 31 to April 2, experts from all continents gathered at HLS for the WIPO Worldwide Symposium on the impact of digital technology on copyright law.

The World Intellectual Property Organization (WIPO) is a specialized unit of the United Nations, headquartered in Geneva.

As technological advances sprint ever forward, copyright law — both nationally and internationally — is struggling to keep pace. Digital technology, the focus of the symposium, poses a particularly serious threat to copyrighted works like books, film, and music.

"We are now using copyrighted material, in fragments and pieces, to produce new works, making it hard to trace the original," said HLS's own copyright specialist Prof. Arthur Miller '58, as reported in the *Boston Herald*.

"Now it's possible to copy almost anything at no cost, almost invisibly," he said.

"You can move infringing material around the globe in two seconds."

Because copyrighted data can be converted into and stored on electronic databases as a series of zeroes and ones, the data can be easily accessed and manipulated by computer users.

Bits of data can also be rearranged to produce brand new sounds and works that do not at all resemble the original works. Moreover, the use of digital technology is expected to increase as international computer networks spread around the globe, making the issue of how copyright law should respond a timely one.

Although symposium participants agreed that it is difficult to know exactly how much infringement occurs, publishers and studios suffer real, monetary harm from such copying. The International Federation of the Phonographic Industry estimates piracy costs the record industry \$1.5 billion worldwide in 1991, the *Herald* reported.

With the fruits of the recent symposium harvested, WIPO may submit a protocol to the Berne Convention, an international copyright pact.

LAW SCHOOL COUNCIL ELECTION RESULTS

President			Class of '95		
Enu Mainigi	458	60.3%	Sec. 1	Spencer Levy, Jessica Herrera	
Raul Perez	301	39.7%	Sec. 2	Robert James, Bill Grownney	
Vice President			Sec. 3	Bo Schwiebert, Josh Frieman	
Chantal Thomas	444	59.6%	Sec. 4	Eugene Wade, Erik Lindseth	
Bo Schwiebert	301	40.4%	Class of '94		
Treasurer			Sec. 1	Krista Foster	
Lisa Stephenson	307	36.1%	Sec. 2	Henry Hall, Shea Moxon	
John Bates	302	35.5%	Sec. 3	Tracy Williams	
Andrea Robinson	178	20.9%	Sec. 4	Hank Fincher	
Steve Kern	64	7.5%	At Large Representatives		
Secretary			Alex Acosta, Christopher Ekman,		
Christopher Ekman			Catherine Caporusso, John Bates,		
			Mike Waldorf, Fernando Tovar		

Equipment Stolen from Audio-Visual Department

By David S. Clancy

Three thousand dollars' worth of equipment was stolen from the Law School audio-visual department during the first weekend of spring recess, according to the Harvard University Police Department and the Audio Visual Department.

Two cameras were stolen — a \$900 Panasonic camera with a \$100 battery pack and a \$2000 Panasonic Camcorder. An ongoing investigation by the Harvard University Police, conducted by Detective

Richard Estes, has been able to discover neither a culprit nor clues.

"No clues, no information, and nobody seen," said Ellen Miller, head of the AV department. "We have absolutely no evidence to support any line of inquiry."

Because Pound 205 — the AV headquarters — was locked and there was no evidence of forced entry, both Miller and the police assume that the thief had possession of a key, according to Lt. Charles Schwab of the HUP.

Only eight people are known to possess keys to Pound 205 — the five-member AV staff, two assistants, and one cleaning person. But Miller stressed that the thief's apparent possession of a key does not narrow the search. All eight of those who rightfully have copies of the key are "absolutely" above suspicion, she said, and are not subjects of the ongoing investigation.

The lock of Pound 205 has been changed, she added.

The thief apparently emptied the bag of an AV staff member and stuffed the cameras inside it to hide them during the getaway. The scattered contents of the bag tipped Miller off to the theft on Monday morning, and the unsolved incident was immediately reported.

Miller noted that this is "not an isolated instance." There have been similar thefts in past years, and this year two VCRs were stolen from HLS classrooms.

Never before, however, has the Pound 205 AV headquarters itself been broken into. "This is the first time anything has walked right out of the office," said Miller.

New Professor Desan a Big Hit

By Greg Stohr

Conventional wisdom may have it that the most effective instructor at HLS is one of the established, experienced, tenured professors. Perhaps Laurence Tribe '66. Possibly Duncan Kennedy. Maybe Alvin Warren, Kathleen Sullivan '81, or Phillip Areeda '54.

All of those professors are highly praised by their students. But if one believes the Course Evaluation Guide published by the Board of Student Advisers, a new kid on the block has emerged as one of the Law School's most effective and popular instructors.

That new kid is Prof. Christine Desan, who, in her first year of teaching has impressed fellow faculty members and students alike with both her knowledge and her teaching skill. Desan's fall Civil Procedure class gave her approval ratings that were surpassed by only a small handful of HLS professors. Desan received the highest marks possible from more than two-thirds of the students responding to the BSA survey. "She's a cut above the rest," one student wrote. Another said she was her best teacher since grade school.

"The thing that really distinguishes her is that she finds something from what everybody says and tries to carry it into the discussion," said Jason Albert '95, who was so pleased with Desan's Civil Procedure class that he enrolled in her Legislation class this spring. "It is a really positive atmosphere."

"I'm absolutely delighted at how well she's done at teaching," Dean Clark '72 said. "I know she deserves the praise. She is extremely conscientious at preparing for class and thinking about how to teach."

As modest outside the classroom as she is popular inside it, Desan seemed almost embarrassed by the nearly universal

acclaim with which she has been greeted at HLS. With hesitation uncharacteristic of the woman who answers questions so smoothly in class, Desan downplayed the importance of the BSA evaluation.

"It's a jinx, so I won't talk," she said. "Really, it [her Civil Procedure class] was a great section. They wanted to learn procedure, and I wanted to teach it."

Desan, a 1987 graduate of Yale Law School, worked for more than two years as an assistant to the US solicitor general. She practiced on her own for a year and a half after the birth of her son David, doing mostly appellate work, before accepting an offer at HLS.

Desan (who pronounces her name "De-ZAN") said she knew when she graduated from law school that she was interested in teaching, but chose to explore the practice of law first — in part to make her a better law professor.

"I tend to be somewhat theoretical," she said. "Practicing gave me a whole appreciation of the practical side of law. It gave me a whole new set of questions to think about."

Desan's experience shows in the classroom, say her students. "I think it's neat that she has practiced," said Jeremy Woodburn '95, a student in both of Desan's courses. "She actually has seen the law, unlike some other professors here."

While at HLS, Desan intends to focus on the legislative branch as well as court procedure. It was at her urging that the Law School created the Legislation elective for first-year students. Desan said that her work in the solicitor general's office taught her the importance of non-court-created law.

"I was taken by surprise by the amount of work I was going to do that had to do with statutes," she said. "Law schools are very court-centered. The first-year curriculum is so heavily weighted with common law courses, it's a little deceptive. Most of the law out there is statutory law."



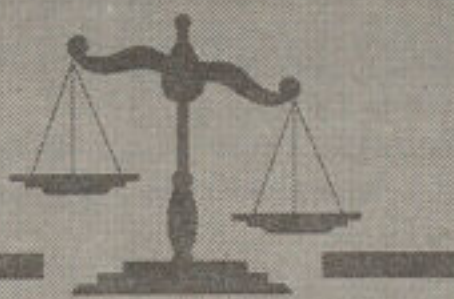
CORRECTIONS

In the March 5 issue, Yale Law School professor Carol Rose was incorrectly described as being an African-American.

One of the photos for the article on the Federalist Society symposium in the March 19 issue was incorrectly captioned "Judge Stephen Reinhardt." The subject of the photo was Dean Russell Osgood of Cornell Law School.

The RECORD regrets these errors.

BRIEFS



Conference To Consider Jews and Sex

The Jewish Law Students Association Spring Conference, entitled, "Aspects of Love: Jewish Law and Sexuality," is scheduled for Sunday, April 25 from 9:30 AM to 4:30 PM. Speakers will include Blu Greenberg, Arthur Waskow, Elliot Dorff, and Tikva Frymer-Jensky. Panel discussions promise to be provocative and controversial, and will feature topics such as sexuality in Jewish texts and tradition, the role of marriage rituals, and homosexuality. To register, leave a \$6 check, addressed to JLSA, in Claudia Solomon's 2L hark box.

National Lawyers Guild Honors Anker

HLS Lecturer Deborah Anker LL.M. '84 and Lucy Williams, Associate Professor of Law at Northeastern University, have been selected as honorees at the annual dinner of the Massachusetts Chapter of the National Lawyers Guild. The Guild chose both women for "their brilliant and dedicated service on behalf of the poor and refugees."

A graduate of Northeastern University law school, Anker started a community law office in Dorchester in 1975 with a group of Lawyers Guild members who had graduated from Northeastern and Boston University law schools. The group focused on neighborhood-based poverty and civil rights work. From 1978 to 1984, she directed the immigration legal program at the International Institute of Boston and began pioneering efforts that continue to assist Haitian refugees. Anker has been involved in most of the US Supreme Court cases in the last decade involving the rights of refugees. She wrote the seminal article on the history of the Refugee Act of 1980, as well as the major treatise on US asylum law. While teaching immigration law at HLS, Anker has crusaded for Haitian refugees who have been arrested and detained at sea and at the US naval base in Cuba.

Williams graduated from the University of Chicago law school. Before becoming a law professor, she worked as an attorney at the Massachusetts Law Reform Institute, where she brought many lawsuits seeking to enjoin cutbacks in basic benefits for the poor and expand procedural and substantive rights for underprivileged. She currently teaches welfare law, poverty law, civil procedure, and federal courts at Northeastern.

The dinner will be held on Friday evening, April 23, at the Computer Museum in Boston. Anyone interested in attending the testimonial dinner should call the Guild office at 617-227-7335.

Lurie and Brown Win Awards

Steven Lurie '93 was chosen to participate in the 23rd Annual International Management Symposium at the University of St. Gallen, Switzerland on May 24-26. The conference, sponsored by McKinsey & Company Inc., brings together law students and leaders in business, politics, and science from around the world.

The National Lawyers Guild awarded Jennifer Brown '93 the Denise Carty-Bennea Law Student award in recognition of her work on behalf of the "Framingham Eight" — eight battered women serving lengthy prison sentences for killing their abusive partners. Since 1991, Brown has worked with the Criminal Justice Institute to commute Lisa Grimshaw's sentence. "I can't imagine anyone more deserving of this award," raved Abbe Smith, the Deputy Director of the Criminal Justice Institute.

BLSA Conference features Al Sharpton

The Black Law Students Association kicked off their annual conference on Thursday, April 15 with an evening cocktail reception featuring speaker Star Jones, a legal correspondent for NBC News. On Friday, April 16, Assistant Prof. Charles Ogletree '78 will conduct a seminar on the Rodney King trial featuring a panel of African-American and Korean-American activists and community leaders. Controversial Reverend Al Sharpton will present the conference's opening address from 5:30 to 6:30 PM in Ames Courtroom, Austin Hall.

Other highlights include Judge A. Leon Higgenbotham, Jr.'s tribute to Thurgood Marshall scheduled for 10:30 to 11:45 AM on Saturday in Pound 102 followed at noon by a luncheon address in the Ropes Gray room by Congressman Bobby Rush, a former Black Panther party member. Dr. Benjamin L. Hooks, former executive director of the NAACP, will host the Alumni Awards Banquet from 8:00-11:00 PM at the Marriott Cambridge Center Hotel.

As part of the 1993 BLSA Spring Conference, a JOB FAIR will be held today, Friday, April 16, from 3:15-5:00 PM in the Ropes/Gray Room (Pound Hall). All students are encouraged to attend, particularly first-year students interested in discussing 1994 summer opportunities with the participating firms.

Work for Haitian Refugees Continues

On Monday, April 19 at 2:00 PM, a rally will be held in front of the Immigration and Naturalization Services (INS) at Government Center to protest the year-long detention of Haitian refugees at the US naval base on Guantanamo Bay, Cuba. There will be demonstrations in cities across the country as part of the National Day of Action to Shut Down Guantanamo. The Boston rally is being organized by Haitian community groups.

Many HLS Students involved in the Harvard Coalition to Free the Haitians, thirty of whom went on hunger strike last month, plan to attend. "We are trying to urge President Clinton to abandon Bush's bankrupt policy toward Guantanamo and return to the principled positions Clinton took during his campaign," said HLS student Julia Harrington '95. Over 600 students across the country have gone on hunger strikes, and students from at least 22 campuses have pledged to hold week-long fasts before the end of April.

Amnesty International Speakers Decry Death in East Timor

By Robert Weissman

On November 12, 1991, Indonesian troops opened fire on an unarmed crowd in Dili, the capital of the Southeast Asian island-nation of East Timor, killing more than 100 people. One of the survivors of the massacre, Constancio Pinto, addressed an audience of approximately 100 people in Pound Hall on April 8, in a program sponsored by the Harvard Law School chapter of Amnesty International. Pinto was joined by four other student activists who have fled East Timor.

Pinto told the crowd that mass murder has been commonplace in East Timor since it was invaded by Indonesia in 1975. Amnesty International and other sources estimate that 200,000 people, approximately one-third of East Timor's population, have died in the wake of the Indonesian invasion.

Pinto described a number of gruesome scenes. He recalled walking by a river in the island's interior (to which he and thousands of others had fled) in 1978. Indonesian troops had spread out across the whole island, and the killing and starvation was at its peak. Near the river, he said, "I saw men and women sleeping. Thinking they were tired, I continued on. But one week later [when I came back] those same people were still sleeping." He soon discovered that "the people were not tired — they were dead" from starvation.

With one-third of the population killed, virtually every Timorese person has experienced personal tragedy, Pinto said. He described being arrested and tortured, living underground, and escaping from East Timor in October 1992. Maria Teresa Fernandes, an exiled student activist, related how her uncle and aunt and their small children, sick and hungry, surrendered to the Indonesian military, hoping for food and medical care. They were lined up near a river and shot by Indonesian soldiers. "Every Timorese family has lost a member or members," she said.

Responsibility for the Timorese tragedy, Pinto and the other speakers stressed, lies not just with Indonesia. Western nations, especially the United States, have played accomplice roles in the long-running slaughter, they assert.

The 1975 invasion took place the day after President Gerald Ford and Secretary of State Henry Kissinger ended a visit to Jakarta, Indonesia, and it is widely assumed that Indonesia interpreted their silence on the much-anticipated invasion as tacit approval. Additionally, 90 percent of Indonesia's arms supply at the time of the invasion came from the United States, and the United States has remained Indonesia's main source of weapons since the invasion.

The East Timorese activists expressed hope that the Clinton administration will help them achieve their goal of a national referendum on the future status of East Timor. In March 1993, the US delegation to the UN Human Rights Commission reversed the Clinton administration's initial position, and co-sponsored a resolution, which it had originally opposed, censuring Indonesia.

Pressure from the US government could make all the difference in shaping East Timor's future, the speakers said. They encouraged US citizens to lobby their government to pressure Indonesia to allow an East Timorese national referendum on self-determination.

"Every Timorese family has lost a member or members," Fernandes said.

HLS Amnesty International sponsored the East Timor program as it winds down a busy year of activities. The organization has sponsored a number of speakers during the year, participated in the hunger strike calling for the release of HIV-infected Haitian refugees from Guantanamo Bay, and worked on an amicus brief in the Supreme Court case of *Haitian Centers Counsel v. McNary*. The brief challenged both the denial of access of counsel to HIV-infected Haitians and the Bush administration's policy of summarily returning fleeing Haitians to Haiti without making an initial determination of whether they met US political refugee standards.

Amnesty's main and most prominent activity, according to organization coordinator Rebecca Sharpless '94, is "to bug people every week" to sign petitions calling for the release of political prisoners. At its weekly Harkness Commons petitioning drive, the group has collected signatures on behalf of prisoners of conscience ranging from dissidents in China to labor leaders in Central America to Islamic leaders in Egypt.

Professors Go to Court

By Tony Petrilla

March was prolific month for Harvard Law professors before the bench of the US Supreme Court. Professors Laurence Tribe '66, Phillip Areeda '54, Charles Fried, and David Shapiro '57 argued or helped in the preparation of oral arguments for a variety of cases.

Tribe represented an oil and gas development company in its quest to prevent the high court from dismissing its punitive damage award of \$10 million — one of the largest in history.

Tribe's task was certainly cut out for him. His client's case comes at a time when the Court appears to be ready to restrict the use of punitive damages. The ratio of punitive damages to actual damages in the case is 526 to 1. But to the surprise of many observers, Tribe managed to make the case far from open and shut.

As he noted at the end of his argument, "I don't think this case is all it's cracked up to be."

The conduct at issue was the filing of a frivolous suit by TXO Production Corporation against Tribe's client, Alliance Resources, Inc. According to Tribe, the possible gain to TXO from the suit was in the range of \$5 to \$8 million. He urged the Court to judge the damage from the perspective of TXO's intentions and use a ratio of punitive damages to "expected gain." That standard, he argued, would make the ratio closer to 2 to 1 — a more manageable figure for the Court.

Fried and Shapiro actually appeared on opposite sides of a case on the use of expert testimony in litigation. Though Shapiro did not conduct the oral argument, he was a guiding force in the writing of the briefs.

Fried and Shapiro argued over the issue of how developed a scientific field must be before expert testimony can be admitted into litigation. Representing Marion Merrell Dow Corporation, Fried urged the Court to adopt a high standard

please see *COURT*, page 15

Interested in Environmental Law? Go to Stanford

By Amy Royden '94, Justin Smith '94,
John Walke '93, Mike Wall '93

Every week or so in the spring, an admitted student calls the Environmental Law Society to ask whether she should come to Harvard. Although ELS has no official policy on this question, the authors always give callers the same personal advice: If you're interested in studying environmental law, you'd be better off at Boalt or Stanford.

Harvard claims to be very committed to environmental law — at least at fundraising time. In a speech launching the Campaign for Harvard Law School, Dean Clark lauded the achievements of environmental law, and cited as one of the reasons for the campaign the pedagogical challenges of teaching environmental law to a new generation of students. But Harvard's environmental offerings are an embarrassment by national standards, and they're getting worse, not better. Last year, Harvard ranked eleventh out of fifteen top law schools in number of environmental offerings, well behind many schools with far fewer students. Harvard doesn't seem to have been making much of an effort at improvement, either. In 1980, Harvard taught seven environmentally-related courses; in 1993-94, Harvard will have just three. In 1980, Harvard had four professors and one visitor teaching environmental classes; in 1993-94, Harvard will have one assistant professor (Hay) and two emeritus professors (Chayes and Haar). And next year's basic environmental law course will be taught in a three-week winter term, when students can choose only one class from among many not offered during the regular terms.

What is Harvard's excuse for its lackluster performance? The 1992 report of the faculty's Legal Education Committee (the "Rakoff Report") concluded that a general legal education should be enough for environmental lawyers: "When committee members talked to people who practice environmental law . . . those attorneys rarely thought that even the general course in environmental law was a necessary preparation for what they do." Of course, Harvard students can learn environmental law the hard way — on the job — if they must.

Three of the authors are past or current presidents of the Harvard Environmental Law Society; the fourth heads ELS's committee on curricular issues.

But this is true of every specialized area of law, from tax to criminal law, and Harvard seems to have no inhibitions about teaching courses in these fields. The question should not be what is *necessary* to a lawyer, but rather what is *valuable*. Harvard's focus on "necessity" is either blatantly disingenuous, or symptomatic of its failure to think through a coherent educational mission.

Assuming, charitably, that the latter is the case, the core of the problem seems to be the failure of Harvard's faculty to come to grips with the realities of law in the modern world. The basic curriculum is overwhelmingly focused on the common law. Specialized courses are heavily concentrated in the more "traditional" fields: In 1993-94 Harvard will be teaching four introductory sections and nine advanced courses in Tax. Rather than adapt its curriculum, Harvard is content to drift. When truly shocking gaps develop, the school temporarily patches the problem by bringing in visiting professors or pushing existing faculty members into teaching new courses. The basic environmental law class, for instance, was taught by visiting professors for six years in a row before the arrival of Assistant Professor Hay. The faculty occasionally mentions the possibility of adding one environmental course, but, as the paucity of offerings for 1993-94 suggests, they seem to have no commitment to translating their soothing promises into action. At some point, the alumni listening to Dean Clark's fundraising pitches will catch on.

By virtually any measure of Harvard's mission, environmental law must be one of the school's highest priorities. Let us consider Harvard's possible goals:

Preparing students for the legal world. A few facts: In 1990, a full two percent of the nation's GNP was devoted to environmental protection and cleanup efforts. It's virtually a cliché to remark on how fast environmental law is growing as a practice area. The American Bar Association's natural resources section has roughly 15,000 members; by contrast, its criminal law section has only 8,700. The alumni who told the Curriculum Committee that students could get by without courses in environmental law probably went to law school when there were hardly any courses in environmental law available. Now it's only at Harvard that there are hardly any courses in environmental law available. Harvard students considering entering the field must make their decision blind, without any training or background; if they decide to do so, they must compete for jobs against students from other schools who have actually been trained in environmental law. Harvard would (and should) never put criminal law on a similar footing.

Environmental law is not in such rapid flux as to render specialized courses meaningless. According to Albert Beveridge, a name partner at Beveridge & Diamond, Washington, DC's largest environmental law firm, "[t]he value in offering advanced courses is not so much to learn the law as to discuss the policies that motivate the law." Just as the tax code changes while the basic principles of tax persist, students can apply the policies that inform environmental law in any situation.

Teaching students about fields in which they are interested. In a 1992 survey, 43 percent of Harvard students ranked their interest in environmental law, on a five-point scale (with five the most interested), as a four or five. In response to a questionnaire from the school's public interest office, students ranked the environment fourth on a list of twenty-three areas of interest. This year, 150 students signed up for 75 slots in the school's introductory environmental law class — even though it was to be taught by an untested professor at 8:30 in the morning.

Teaching students to be legal generalists. Much of modern law is driven by statutes and regulations. As the Curriculum Committee report conceded, however, Harvard is lacking in courses which prepare students to work with these materials. Advanced environmental offerings would be an excellent way of correcting this deficiency. Even students who did not eventually practice environmental law would learn a great deal from these courses. Just as many students whose practices will never involve torts benefit from the ability to work with common-law materials, every modern lawyer must be trained in statutory and regulatory interpretation.

Serving the nation and the world. As even Dean Clark admits, environmental law is vitally important to our people and the globe. As lawyers, many Harvard students will be active in public life; we should know at least a little about environmental law, and one would hope that some of us would know more than a little. Moreover, as a leading academic institution, Harvard ought to be contributing to original, cutting-edge research in environmental law, and providing a platform for informed perspectives on national environmental policy.

There is one final reason that Harvard should make an effort — a *credible* effort — to improve its environmental curriculum. Professor John Dwyer at Boalt Hall reports with some satisfaction that, every year, "many excellent students come to Boalt who were admitted at Harvard." At least somebody's happy with Harvard's environmental performance.

Welcome to New York, John Harvard. Have You Considered Joining The Harvard Club Of New York City?



On Friday, April 23, 1993, members of the Admissions Committee of the Harvard Club of New York City will be in Cambridge at (1) Harvard Faculty Club at 20 Quincy Street, 2nd Floor; (2) Dillon Field House, 2nd Floor, Soldiers Field between 10:00 AM and 5:00 PM to make it easy and convenient for Faculty, University Officers and Graduates to become a member of the Club.

Graduates of the Class of 1993 will be proposed, seconded and interviewed in one step for membership in the Club. Requirements for supporting letters, etc., are waived for this event for 1993 graduates. Information about the Club will be available and Committee members will try to answer any questions you may have concerning membership.

The Harvard Club of New York City can be a most comfortable and convenient amenity that will make New York more enjoyable. It offers a central location in the Grand Central area, with spacious dining rooms, bedrooms, bar, lounge library, and extensive sports facilities.

DATE: FRIDAY, APRIL 23, 1993

PLACES: Harvard Faculty Club, 20 Quincy Street
Dillon Field House, 2nd Floor Lounge, Soldier's Field

Harvard Club of New York

27 West 44th Street, New York, New York 10036 (212) 840-6600

Love, American Style

The Bridges of Madison County.
By Robert James Waller.
New York: Warner, 171 pp., \$14.95

By Mike Fischer '95

WRITING an introduction begging us to peel away our "scabbed-over sensibilities," our fear of commitment, and our cynicism about relationships, Robert James Waller promises to serve up a good old-fashioned love story, one where passion is never mawkish and love is more than a convenience.

Maybe I've been reading too much Alysse MacIntyre lately, but in reading this debut novel, I could only displace my own cynicism long enough to be outraged and amazed at how blatantly Waller manipulates his readers and gets away with it. *The Bridges of Madison County*, after all, owned the top spot on all the best seller lists until John Grisham's *The Client* swept it aside last week. It may flunk every imaginable test as art, but its stunning success has a lot to say about the sorry state of the culture that bought the hoax.

Set in rural, south-central Iowa, *Bridges* features Robert Kincaid, a fifty-two-year-old photographer for *National Geographic*, and Francesca Johnson, an Italian war-bride serving time as a lonely Iowa farm wife. Kincaid rolls into town to shoot the area's famous covered bridges; Francesca's family, conveniently enough, is away at the state fair for the week — just enough time for a cheap, tawdry affair and some pre(cocious) descriptions of orgasm which would even make the *RECORD*'s Homechick blush (e.g. "she rode on that wind like some temple virgin toward the sweet, compliant fires marking the soft curve of oblivion").

After being appropriately dressed up with a lot of candlelight, a few superfluous quotes from Yeats and Robert Penn Warren, and metaphysical ruminations on two souls destined for each other, *Bridges* has all the ingredients of a smash hit. Makes me wonder why I stay up nights reading literary masterpieces like *Bankamerica Corp. v United States*.

Waller's predictable plot is interspersed with heavy doses of retreaded 1960s ersatz philosophy. Robert the character (or is it Robert the author?) fashions himself the "last cowboy," a man who "lives far back along the stem of Darwin's logic." A real stud-muffin, he rails against conformity with all the spontaneity of the Marlboro man (Robert, though, demonstrates his flair for the extraordinary by smoking Camels). For Francesca, Robert is the magic ticket out of the "trivia of small-town life she had silently rebelled against through the years."

But in the end, she decides not to take it. Robert returns to wherever he came from and Francesca, who "would have done anything for him except destroy her family," remains in Iowa. Absence, after all, makes the heart grow fonder. And when two people try to convince themselves that a four-day hop in the sack is the moment toward which destiny has hurled them from the beginning of time, absence and distance become indispensable necessities.

Reality, after all, can be a rather pedestrian business — filled, for Francesca, with farm-chores and grain reports, and, for Robert, with endless photo shoots and cheap hotel rooms. Imagining yourself as the last cowboy or that cowboy's winsome lass can't help but look appealing. It sure beats actually trying to imagine the cowboy and his lass settling down together. No wonder Francesca spends the rest of her days paying steadfast homage to a brief interlude which she remembers as the only reality in which she cares to live.

It is this pervasive nostalgia which can make *Bridges* so compelling — and makes its success so disturbing. Major trends in American literature haven't changed much since Henry James castigated its practitioners for ignoring histo-

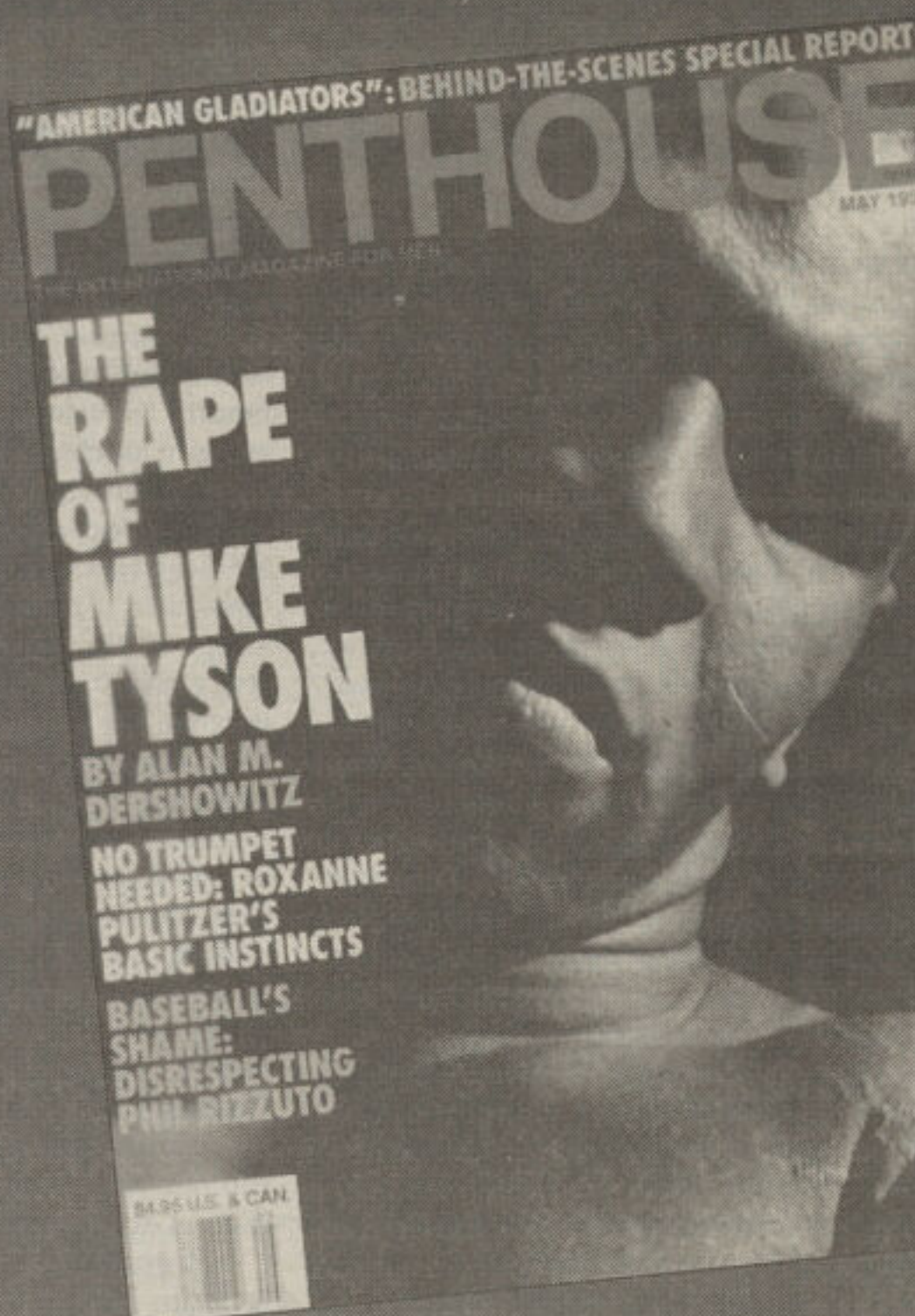
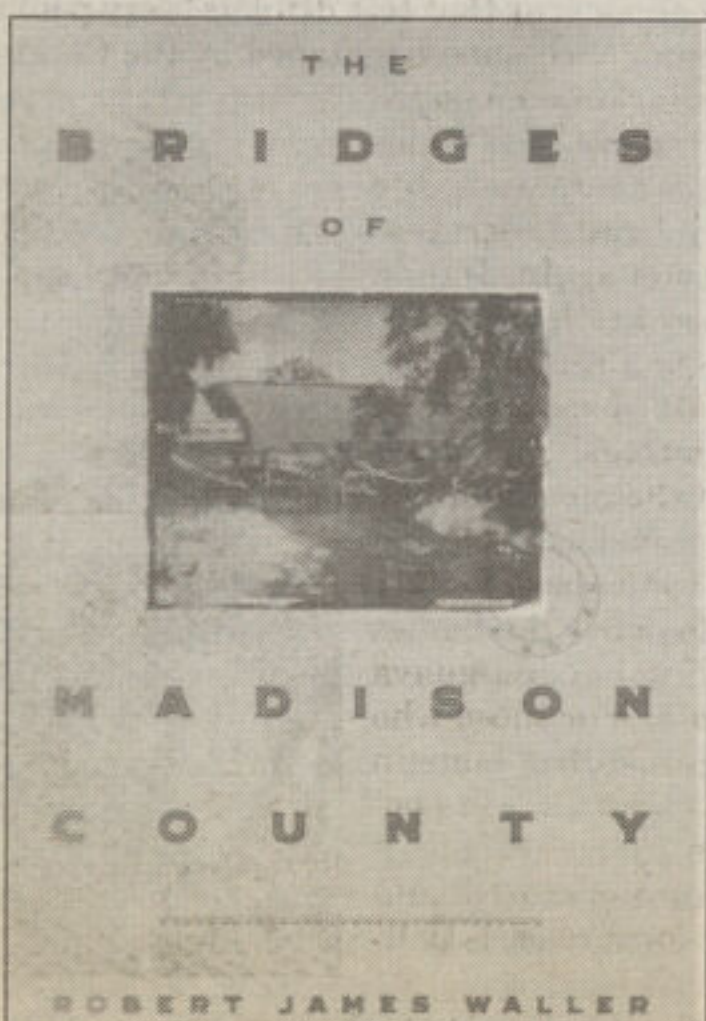
The present really isn't much to write home about, and history isn't proffering many alternatives.

ry and impoverishing the present by trying to relive childhood and recreate the past. Whether they're hunting whales, treasure, or women, the male characters who populate American literature's melodramas of beset manhood consistently refuse to grow up. Meanwhile, the hapless females who stand in as their cardboard props wait forlornly to be rescued and swept away.

One can understand the impulse; it propels cultural artifacts from soap operas to Harlequin romances. The present really isn't much to write home about, and history isn't proffering many alternatives. The siren song of a writer who insists that "the ways are simple; we have made them seem complicated" can exercise enormous appeal for an audience without any answers — let alone simple ones — to increasingly complicated problems.

When the future is looking grim, the past is the simplest answer of all. But it is also a trap and a cheat. Waller's trip down memory lane allows him to avoid addressing the hard questions which the best art wrestles with: How might characters develop, grow, live, and love when they squarely confront the messy problems of the present rather than the re-made, contained world of the past?

Personally, I'd much rather see Waller's last cowboy wrestle with the complications of a date with Alysse than pontificate one more time about how real love and real men are becoming obsolete. Less predictable? Sure! But watching real men learn to eat quiche beats snoozing through their umpteenth ride into the sunset. To change Santayana's famous adage a bit, those who insist on living in the past can do no more than repeat it.



Pending the much-awaited Mike Tyson decision by the Indiana Appellate Court, Professor Alan Dershowitz continues to fight for his client out of the courtroom and on the pages of *Penthouse*. Dershowitz made the front cover of the magazine by authoring a feature article entitled, "The Rape of Mike Tyson." Dershowitz also rubbed shoulders with other celebrities when he presented the "Right to Rock" award to Aerosmith at the Pepsi Boston Music Awards this past Wednesday at the Wang Center.

Spring Fever Returns

By Bill O'Dowd '94

Between the expansion teams and Nolan Ryan's retirement, this is going to be a year of firsts and lasts in Major League Baseball. Statements such as "This is Nolan's last night in Yankee Stadium," or "Bret Barberie becomes the first Marlin to get four hits in one game," will be omnipresent. And it's going to get old. Can't you just hear Harry Caray trying to fill airtime in mid-August with the Cubs forty games out of first place in the NL East: "Gee, Steve, this is the first time the Cubs have played on a Tuesday night in Denver." Or, "Well, this is the first time the Cubs have hit ten home runs in one game." Or, more likely, "Why can't I get a Bud here at Coors Field!"

I've seen this first/last phenomenon used in other aspects of life and it just isn't pretty. My roommate is engaged with the marriage planned for next summer. I've now heard it all. He is always giddily proclaiming that this will be his last summer alone or one of the last movies he will watch alone. My personal favorite happened last week. "Just think Bill, this time next year will be the last time I file a single tax return."

Anyway, sorry for the digression. It's just that I can see it coming. In late September or early October some soused announcer will hit us with the double whammy: "This, ladies and gentlemen, is the last game of the Rockies' first season." Ugh!

Some random thoughts on this year's baseball season and recent sports news:

— The most fun team to watch this season may be the Texas Rangers. Now, I admit I'm biased. My college roommate is on their major league roster but is currently on the DL. Still, the team may set a record for most home runs in a year. As we all know, this is Nolan's last year.

Jose Canseco may be a lot of things but boring is not one of them. Dean Palmer may challenge teammates Juan Gonzalez and Canseco for the league lead in home runs and strikeouts and plays an amusing third base. Once in Oklahoma City to watch my ex-roommate pitch a minor league game, Palmer hit two home runs, one out of the stadium, and committed three errors.

— Contrary to his torrid spring training and what the Boston media would have you believe, Mo Vaughn is not, nor does he have the potential to be, a left-handed hitting Cecil Fielder.

— This could finally be the year my beloved Yankees re-assume their rightful place atop the AL East (although anywhere above the Red Sox is OK with me — just like last year).

— Is Atlanta's pitching for real or is it just a bad dream for the rest of the National League?

— Despite the recent occurrences of teams coming from last place the previous year to winning the

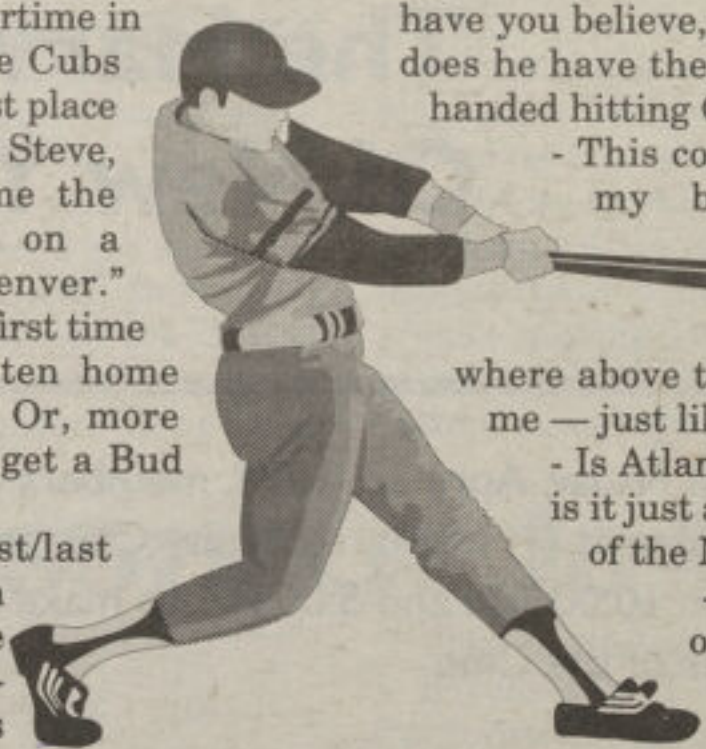
pennant (i.e. Atlanta and Minnesota two years ago), the Bosox don't stand a chance as long as their starting pitching goes only two deep. Just in case anybody was silly enough to entertain the thought after one week of the season.

— How can even the staunchest Tar Heel supporter help but feel a bit sorry for Chris Webber?

— After Thursday's round in Augusta didn't anybody else hope that Jack Nicklaus would be around as a factor on Sunday in this year's Masters?

— Can anybody explain the rash of foreign champions of golf's Grand Slam tournaments? Especially with three of the four being played on American soil?

— Hey, does anybody else want to see a golf tournament for those 7-foot or taller? Yeah, the US Open for the Vertically Challenged. I love it. We may never be in the fairway but we can always see the green! 'Til next week.



Death, Mariachis and Chocolate

By David Lopez

Yukio Mishima had a fascination with death. He acted it out, he fantasized about it, he acted it out in movies, and he wrote about it in vivid, bloody detail. His scenes would always involve variations on his favorite theme, the ideal death, like in *Runaway Horses*, where a brave warrior running from the law approaches a cliff at dawn, kneels, and plunges his dagger into his side, cutting across his belly. As the sun breaks the plane of the earth, spreading its light across the waves, the warrior spills his blood upon the earth.

three hookers, our Mariachi is dodging bullets all over town.

Then, as if the pressure of not having a job was not enough, I get hassled when I'm on panel in International Finance. It was like that Sesame Street song: "One of these things just doesn't belong here, one of these things just isn't the same. . . . Four people on panel, and I was the only dumb one. "Mr. Lopez, I'm sure you remember this from class five; what are the capital requirements for a perpetual bond offering?" —No, I skipped that class. "Mr. Lopez, this wasn't in the reading, but what would cause the FRN market to collapse like that?"

—Um, uh, they ran out of money? "Huh, that's ridiculous, c'mon, does anyone know?" Then some other guy on panel raises his hand. "Well, the LIBOR rate hikes made bond rate appreciation harder for warrant

equity offerings to . . ." "Mr. Lopez, what is two minus two?" —Four?

I had to head to the movies to get rid of the big L that was stuck on my forehead. I saw *Like Water for Chocolate*; a great movie and as surreal as it gets. Since the Spanish Civil War in the thirties, Spanish and Latin American Literature has been influenced by the surreal as exemplified by Marquez or maybe Picasso's *Guernica*. This was a book made into a movie, and it was pretty good. There were several themes running through the movie. One was tradi-

The pressure is working strange things on my mind. I've been having strange dreams.

The pressure is working strange things on my mind. I've been having strange dreams. I was supposed to have dinner with Ed Ducayet (a big Mishima fan), and I must have fallen asleep, because I dreamt that I forgot all about the dinner and did something else. Then I found out when I got back that Ed had killed himself because I'd let him down. While I'm sitting there blaming myself, the phone rings and I wake from my dream. It was Ed, wondering if I was ready for dinner. Whew.

I think that's why I liked these two Spanish language films so much. *El Mariachi* is about a Mariachi, you know, a guy that plays in a Mariachi band. He has some weird dreams as well. He walks into town and gets a hotel room with what little money he has, lies down on the bed and has a dream that a little kid is leaving his home and begins playing with a ball. The kid throws the ball at him and he looks down and sees a human head. He wakes up in time to avoid some gangsters that are out to kill him.

Bewildered, the Mariachi finds out that it's all a case of mistaken identity. It turns out there is a drug war going on in town, and the rival gangster just happens to wear black, with black boots and carries a guitar case full of guns. The Mariachi only carries a guitar in his case, but everyone is told to get the guy in black with a guitar case. So, while the gangster is off with not one, not two, but

tion. The limits are set by tradition in this society, and the main character must care for her mother and never marry because of an old tradition. Another theme was the legends that ran through the film, they gave an element of anything being possible because anything is believable and believed. Then there were the symbols: matches, fire, tears, and a quilt.

The best part was the main character; she

spent most of her time in the kitchen while her mean sister would eat her food and treat her badly. The fun part was that when she cooked, her mood would affect the taste and effect on the person. Those she loved would taste the best food ever, those she didn't would get gas, put on weight and have bad breath, so guess what happened to her sister. I hate to admit I liked it, because it's one of those movies that accidentally gets a perfect score on the liberal checklist. A minority woman wrote it, and the central character is a woman. But, thankfully, it's not the patronizing preachy prattle we're all used to, it was good entertainment with a lot of thought put into the story. It's not on the same level as a good Arnold film, but as far as Harvard Square artsy stuff, it's a great movie.



DAN 'N ERIK'S FOOD GRADER

Hot & Spicy Meat: Makes you Drool



By Dan Drosman '93 and Erik Marks '93

Dan 'n Erik traveled south this week for some awesome equatorial fare in a cool venue. East Coast Grill (1271 Cambridge Street, Inman Square; 491-6568) is a quirky, compact eatery specializing in spicy, open-fire cooking with an imaginative flair. Swathed in bright Caribbean colors, East Coast Grill sports wood-fired rotisseries, fun rock-and-roll music and cute, sophisto-yup blonde chicks.

Despite the restaurant's short existence — just over seven years — much of the food and even some of the decor enjoy lively histories. The bar lamps, created by Howard Kaminsky entirely out of pewter and stainless steel kitchen gadgets, descend from the ceiling like lopsided spaceships. Toys-R-Us kids will appreciate the splashy plastic toys that come immersed in every drink. This emphasis on fun decoration makes East Coast Grill a perfect place for law school dates, because you will not be left in abject silence after discussing classes and careers.

The drinks, intriguing enough to make even a recovering alcoholic reconsider his AA pledge, have much more going for them than just plastic toys. The Cocktail Tranquilo (\$5.00) consists of a blend of overproof rums aged in the Brazilian style with pineapple and vanilla beans. The menu warns that this drink is "very potent" and limits diners to two drinks per person. Girly-men frightened by the Cocktail Tranquilo should consider the Dixie Blackened Voodoo Lager (\$3.75) or the Wild Boar Special Amber (\$3.75) hailing from Dubuque, Iowa. Neither of these beers was quite as good as the Trinidadian brew that Brad "Socrates" Greenwald sampled in St. Lucia, but then again, Dan 'n Erik didn't lose these suds over the leeward rail.

We began our meal with the Crispy Chicken From Purgatory appetizer (\$5.95), a slightly less spicy version of the restaurant's infamous "From Hell" entrees. This great dish will make a masochist out of even the most genteel. The chicken, covered with a scotch bonnet mash containing cumin and coriander, is so tasty that one comes back for bite after blinding bite. A caveat: Don't try to douse the flames by dunking the meat in the accompanying banana-guava ketchup, since it too is highly combustible. For those who prefer cooler, more mundane fare, the Chilled Lomein Noodles (\$6.75) are garnished with bean sprouts, sweet peppers and Szechuan sauce. The Corn-Crusted Grilled Shrimp Skewer (\$6.75), grilled with an apricot, chili and garlic glaze and sprinkled with ground cornbread, is delicious dipped in the tropical fruit relish.

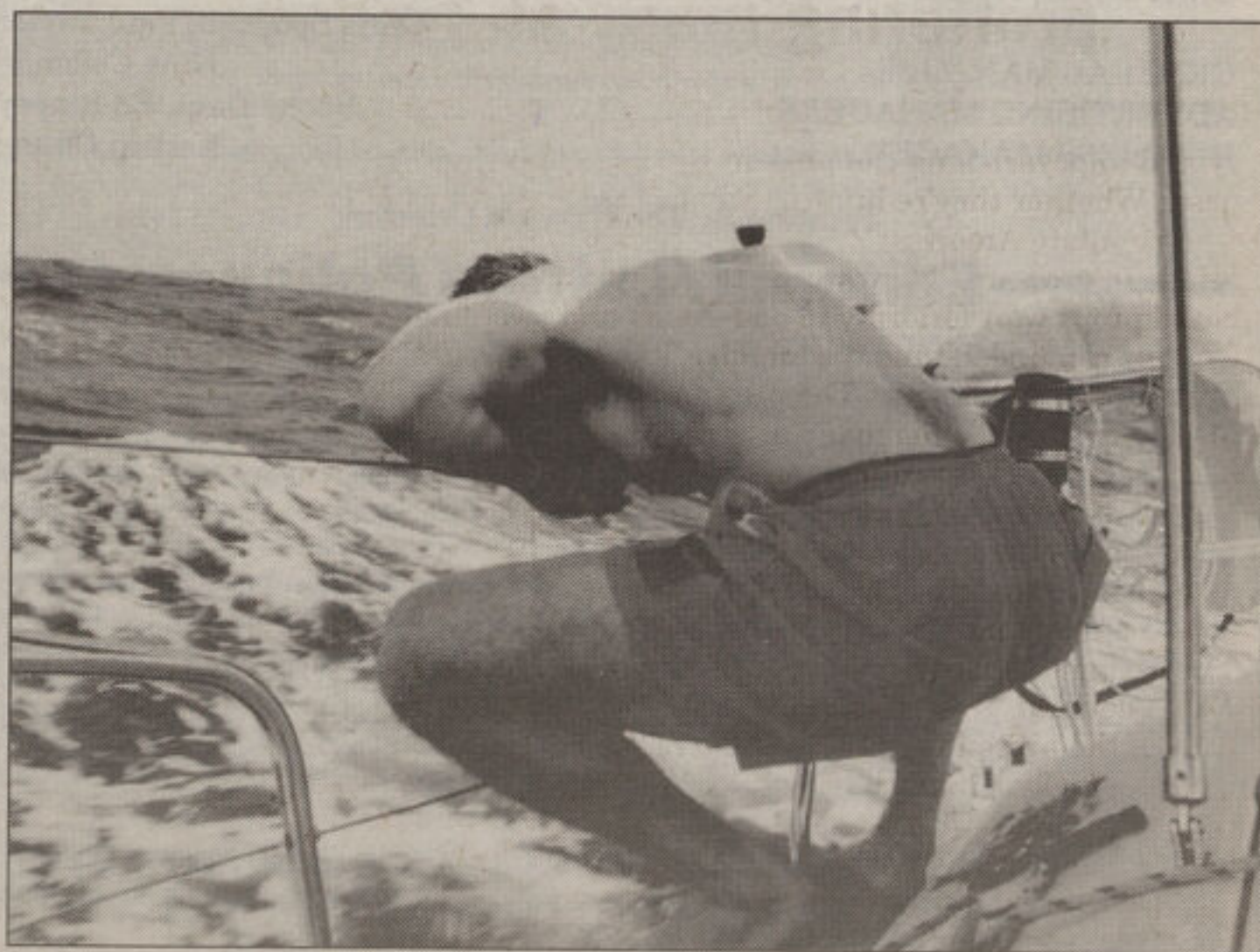
You should not leave East Coast without eating its barbecue; we sampled all three types in the Trio BBQ (\$13.95). The Trio features a harmonious blend of pork spareribs, beef brisket and shredded pork; all three were fabulous, but we particularly enjoyed eating Porky. The pig — prepared at the BBQ joint next door, Jake and Earl's Dixie BBQ — is hickory smoked for ten hours, stripped from the carcass with a rake-like instrument and soaked in white vinegar and Cayenne pepper. The Trio is served with coleslaw, Grandma Wetzel's baked beans, wonderfully sweet cornbread, and a wedge of watermelon. The BBQ portions are huge, and this is the kind of place that makes you wish that you had an unlimited appetite or could do as the Romans did.

The Grilled Tuna Steak (\$16.95) begins with a generous chunk of sushi-grade tuna. A balsamic vinegar marinade is quick-seared into the salt and pepper coated fish, leaving the center of the steak uncooked. Although the tuna was served with a fabulous Moroccan style fruit relish containing dried pears and apples spiced with fenugreek and coriander, we thought the flavor of the fish itself was overpowered by its spicy preparation.

We tried the Rice Pudding and warm Fruit Cobbler for dessert, but really enjoyed the eggy and firm Caramel Custard smothered by a guava sauce the color of Rob "Peaches" Melendres' deck shoes. The Mississippi Mud Cake is perfect for chocolate fiends, but pudgy Law School women should beware.

East Coast Grill is open for dinner until 10:00 on weeknights, 10:30 on weekends. They accept reservations on Sunday through Thursday for parties of five or more, but if you're forced to wait, a cold long-neck Bud at the bar will not hurt your transition into Southern dining. *Gourmet Magazine* ranked East Coast Grill among the top six restaurants in Boston.

Grade: A



Brad "Socrates" Greenwald '93 tosses his suds over the leeward rail.

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Evidence of a Good Sport

Although the RECORD often appears critical of professors and the administration, it's not because we have an ax to grind or a political agenda to forward. We just call it like we see it. And when we see someone of such amazing ebullience and good spirit, someone who demonstrates a concern for students and is able to preserve a sense of humor on this troubled campus, even if it means laughing at one's self, we feel that person deserves recognition.

This year, the RECORD staff felt one professor was so deserving of this commendation that we have decided to start an annual tradition: the RECORD Good Sport Award. Amid flying pens and hooting reporters, the RECORD staff unanimously decided to give this award to Professor Charlie Nesson.

On a campus where students complain about a lack of interaction with faculty, Nesson has broken the mold. After members of his evidence class complained to the administration about his final exam, he formally apologized for the format and recorded his reflections about the class and life in general on an audio tape accessible to anyone at HLS. Clearly, a response beyond the call of duty, but one which demonstrated his genuine concern for students and a strange talent for recording bizarre noises.

When an article covering this episode appeared in our pages, Nesson rose to the occasion with typical good humor. He presented his side of the story in a Letter to the Editor (RECORD, March 12), dropped his disk off to us in person (sorry, we'll return it soon), and enthusiastically requested a tour of our Ames "boiler room."

Then, after being mercilessly parodied in last week's April Fools issue, Nesson arrived on our doorstep at 7:00 AM with a smile and a follow-up to one of the articles (see page 10, this issue), funnier than anything we could have dreamed up. And hey, we forgive you for it.

We thought his ability to laugh at himself showed remarkable character. At HLS, most important issues are considered too sacrosanct for parody. This especially applies to one's own actions. What can you expect at a place where law review members retain personal attorneys? Charlie Nesson has contributed more to the humor at HLS than Alysse MacIntyre's famed vibrator.

Such interaction and interest in student affairs goes a long way to improving the atmosphere on campus. The administration and other professors should take a cue from their colleague when deciding how to react to good-natured jibes, or whether to respond at all to genuine requests for dialogue. Misinformation and confusion result from a lack of communication. Professor Nesson will always confuse us, and is one human being we will never understand, but we love him. The man has vision.

And so, Professor Nesson, congratulations on being the first recipient of the RECORD Good Sport Award. We considered holding an official presentation, complete with a ceremonial dinner and cognac afterwards, but we thought that it would be neither our style nor yours. We can leave that to the Law Review. But please feel free to stop by for a beer, preferably after 7:00 AM.

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

—First Amendment, US Constitution

I WOULD LIKE TO WELCOME MS. MACKINNON, MS. FALUDI, MR. FARRAKHAN AND ICE-T TO OUR FACULTY. SO THAT THEY DON'T FEEL THE LEAST BIT UNCOMFORTABLE, ALL FACULTY MEMBERS WHO DISAGREE WITH THEIR POLITICS WILL BE TERMINATED WITH EXTREME PREJUDICE. FROM NOW ON, WE WILL ONLY BE ACCEPTING APPLICATIONS FROM THE ISKAPD INDIAN TRIBE IN NORTHERN NEW BRUNSWICK....



I would just like to point out that I did not submit this cartoon to the RECORD as the author of the letter above. The ISKAPD are in Ontario.

Letters

LIPP Supporters Miss the Point

The authors of the letters to the editor in the February 26 RECORD miss the point of Howard J. Seitz '66 ("Law School Should Kill LIPP," RECORD, February 12, 1993), for the following reasons.

Proponents of LIPP rely on two arguments. First, they argue that the public is in acute need of "public interest" lawyers. Second, without debt forgiveness, HLS students could not practice "public interest" law. Both arguments are grounded in insupportable assumptions.

Students Hiam and Fain write that "public interest" careers should be subsidized, apparently because they are "essential to the well-being of the country." But it is simply impossible to show, and indeed the notion is offensive, that law practice in most other areas is any less essential. Because LIPP proponents are unable to distinguish among areas of practice based on their social utility, they may not argue that public interest careers should enjoy discriminatory incentives based on a social utility distinction.

Those seeking LIPP handouts also argue that without LIPP, students would be foreclosed from practicing "public interest" law. For example, Ms. Harrington argues that "without a program like LIPP, [she] couldn't afford a career in human rights." Likewise, Mr. Panter argues for loan discharge, because otherwise "each student has... had their own 'life style' choice made for them by the bursar." While I understand how this misperception can exist among students, from the point of view of practicing lawyers, it is clearly an exaggeration.

Choice may be preserved without LIPP. Lawyers can and frequently do take high paying jobs to pay off educational loans, then leave those jobs for "public interest" activities. Alternatively, students interested in public interest careers may choose not to attend expensive private universities and avoid high debts altogether. Students may also pursue careers similar to my own commercial law practice, which contains considerable pro bono and public interest

work. Options are limited only by the imagination; thus, the view that the high cost of education forecloses public interest work is shortsighted.

In sum, because LIPP proponents cannot demonstrate that "public interest" practice is any more essential than other practice areas, and because HLS students can choose public interest careers with or without LIPP, support for LIPP is reduced to only one argument: "Public interest" lawyers should be given subsidies because they believe that the pay in their chosen field is too low. As Mr. Seitz points out, however, HLS should not be responsible for subsidizing life-style choices. Moreover, it is beyond belief that students with the creativity, resourcefulness, intelligence, and perseverance required to matriculate into HLS cannot be responsible for their debts.

Arguments for LIPP are illogical, myopic, and undignified. HLS should end the program.

Kurt Bjorklund '90
March 22, 1993

Estrich Defends Dershowitz

In her commentary last week (RECORD, March 19) defending Professor Catharine MacKinnon, Elizabeth Moreno raises doubts about Professor Alan Dershowitz's scholarship that in my mind are entirely unfair and unjustified. I've been teaching criminal law for twelve years, and am very familiar with Professor Dershowitz's writing. He is, deservedly, a

nationally recognized scholar in this field with articles, casebooks, and books to his credit. His writing on the connections between the criminal law and psychiatry, and on the prediction of dangerousness, stands as among the major contributions in this area. Ms. Moreno may well disagree with his positions — I do, too, some of the time — but there is no denying his importance as a

scholar in criminal law. His own tenure decision, back in 1968, supported by two leading articles, was an easy case then, and would still be today.

Susan Estrich '77
Robert Kingsley Professor of Law and Political Science
University of Southern California
March 22, 1993

MacKinnon, Dershowitz Both Deserve Support

I'd vote to put Catharine MacKinnon on any law faculty in the country (including the one I'm on, an addition I would have thought superfluous were it not for Ms. Moreno's admittedly enticing suggestion that "top ten" schools be empowered to make appointments to each other's faculties). In light of Ms.

Moreno's further claim (nay, "assurance") that no one has ever praised the legal scholarship of Alan Dershowitz, it may bear adding that I'd appoint Professor Dershowitz even more readily. MacKinnon supporters above all should understand that one can be a brilliant, provocative, and influential commen-

tator on the law — all of which Alan has been for years — without fitting into a conventional box designed by others.

John Hart Ely
Robert E. Paradise Professor
Stanford Law School
March 23, 1993

Graduation: A Privileged Event

I am writing to express my outrage at Harvard University over the scheduling of graduation activities and ceremonies on a Wednesday and Thursday. It appears that Harvard assumes that everyone's family members can afford to take off work in the middle of the week to travel to Cambridge for graduation.

It would have been just as easy to schedule graduation for a Saturday or Sunday. In that way, family members and friends would have been spared business travel, hotel, and car rental rates, which tend to be much more expensive than weekend rates.

Furthermore, many airlines require Saturday-night stays. For this reason, Harvard's inconsiderate planning has priced graduation out of many people's budgets.

For those families who do not live in the New England area, the travel time by car or train will effectively require family members to miss work for an entire week. In many cases, this is not possible. For example, my mother is a grammar school teacher. To require her to be absent from her own classes during the last week of the school year is not feasible.

Certainly, many Harvard students have fami-

lies who are in economic situations that enable them to leave town in the middle of the week to attend graduation. Regardless, it is a crime to limit graduation to those of us who do. Such thoughtless planning reinforces Harvard's stereotype as a university reserved for the economically privileged elite.

For a school that presumably prides itself on the diversity of its student body, to restrict graduation ceremonies to the financially privileged is simply inexcusable.

Rebecca Eisenberg '93
April 11, 1993

Where Did All the Money Go?

By David Lempert, Ph.D., J.D., M.B.A.

EARLY last summer, Reginald Lewis made the largest personal donation ever to Harvard Law School: three million dollars. In making the gift, Lewis, a black alumnus, requested that it be used to accelerate the Law School's efforts toward building diversity and for the support of new international programs.

Unfortunately for Harvard law students and for the minority communities near Harvard and in the Third World, Lewis did not live long enough to oversee how his money was being spent.

For grants like Lewis', and the \$150 million that the Law School is now raising, nothing holds the faculty — the trustees of that money — from diverting it away from the groups that money is intended to benefit, or even from using the money for themselves.

My connection with the Lewis grant is small, but the story I have to tell about that connection is one which I imagine is repeated countless times at the Law School. For me the consequences are minor, but for students, alumni, independent minded faculty members, and members of the community who wish to see the Law School uphold the standards of due process and rules of law, they can be severe.

I am a lawyer and a post-doctoral scholar at Harvard with scholarly ties to the Law School, but no institutional or financial connection to the school itself. Like other attorneys and educators, my interest, as a member of those communities, is in upholding the standards of the profession and in doing the best to improve the educational process. At Harvard, I find myself attending events regularly at the Law School, using the library collections, and occasionally contributing my time. Several readers may remember the exhibit I set up in Langdell library, several months ago, on life in Leningrad/St. Petersburg's law school.

When the Lewis grant was announced, it seemed to present a tremendous opportunity for the Law School to commit itself to the richness of diversity in American society and in world cultures. It offered a chance to develop model projects and institutionalize them in the curriculum as well as to help increase the Law School's token role in helping minority communities near the Law School and abroad. If it is used wisely, three million dollars is a great deal of money. It can have an unusual impact, even in a large institution like Harvard Law School.

With Christopher Edley Jr., a professor of color working to advise President Clinton during the transition period, serving on the Lewis Committee, one could have high hopes. Clinton was calling for developing small businesses in the inner city and for other innovations that opened the door to creative possibilities for a grant like this one. But that is not what happened.

One of the unfortunate realities of grants which are not ear-marked for specific projects, even when given for purposes like "diversity," is that they have the tendency to disappear all too quickly. Under a scholarly veneer, professors too often tend to award themselves the money in the form of grants for conferences (to fly their friends across country), research (for their books), and grants for favored students (whom they hand pick). When money is spent on long term projects or on building funds, it lasts longer but has no real impact on what goes on inside those buildings. I hoped that would not be the case with the Lewis money.

Just imagine what Harvard Law School could do for diversity with three million dollars.

• If \$3 million were used to fund a clinical program — a Reginald Lewis Small Business Fund — to teach transaction and financial skills, how to run a small credit institution by running one and how to write business plans and promote the growth of small minority businesses by actually doing it — the impact is potentially enormous. Three million dollars could fund roughly 300

businesses, create as many jobs in the community, involve 500 students each year in a unique learning experience, and fund two clinical professorships, *all in perpetuity*. In other words, if instead of "spending" the money or putting it into building construction, putting it into loans to new and growing small businesses would never use up the capital. And, it would shift the focus of the curriculum from the legal needs of Wall Street to the needs of River and Pearl Street, or Blue Hill Avenue.

• If part of the Lewis Fund — perhaps the interest

callers that he was "too busy" with work for the President-elect to fulfill his responsibilities on the Lewis committee.

The proposals were then bucked to David Smith. Smith said that none of the money was available for new projects because Harvard was a "conservative" institution and "because of the way the money was parceled out." But Smith was one of the people who parceled it out: \$2.5 million to a fund in the Dean's office and \$500,000 to be divided up and spent over six years among professors and students.

I have not had a single word with Mr. Edley since submitting the proposal in October, but I was surprised by the words he had for me. Since I am not a member of the Law School community, I did not realize that challenging something at the Law School would not lead to reasoned discussion, but would, instead, make my character and reputation open to attack. In January, Edley called me a "crank" in *The Harvard Crimson* — a characterization that borders on libel — and "uninformed." The charge about my being uninformed is not libelous. It is hard to be "informed" when people refuse all communications with you.

From what I have been able to gather from the public record, the allocation of the Lewis grant is just another example of members of a club keeping perquisites to themselves and acting to discredit outsiders who shed light on the process.

Indeed, in perhaps the greatest irony of all, in announcing his intention to head for a government post, Mr. Edley has expressed his frustration with the faculty's lack of commitment to diversity.

Reginald Lewis was a rarity. He was a corporate whiz. He was a generous donor, and Harvard probably won't receive this much money again for "diversity" for a long time. But, unfortunately, Lewis didn't learn the lesson that alumni should learn. To protect diversity and improve on the quality of education, one has to put direct controls on gifts and specify all of the procedures for allocating them.

Lewis will be remembered at Harvard, like other alumni, because his name will be on a building. But after his money is spent, what goes on inside that building probably won't have much to do with the reasons why Lewis gave Harvard Law School so much money.

He gave it to promote diversity.

From what I have been able to gather from the public record, the allocation of the Lewis grant is just another example of members of a club keeping perquisites to themselves and acting to discredit outsiders who shed light on the process.

generated by the Small Business Fund that could fund two clinical professorships — were used to fund a clinical professorship in international legal development, it could also have a great impact. Like the money in the Lewis Fund, the world's minority cultures and eco-systems will also be gone in a few years unless they are protected. Creating clinical projects, in which law students would work as teams to go abroad and write legislation to protect the rainforests or the Siberian forests and the minority peoples in them, could make a difference in the world while improving law education. Many Harvard projects already operate overseas — in Ecuador, Eastern Europe, and elsewhere — but with little participation of the Law School.

It is, of course, nice to work under Harvard professors to help Malawi or the Dominican Republic's central government strengthen its tax powers (where \$6,000 of the Lewis money will go this summer) and to afford to have academic conferences, but it isn't clear that Lewis, as a minority entrepreneur, really would have wanted his grant to be spent on existing projects with no long term effect on the school.

Summer seminars which explore legal issues in developing countries and assist in legal reforms from the perspective of protecting the rights of minorities and their resources, rather than the right to exploit those resources, would be a feather in Harvard's cap in the international community.

I offered these ideas to the Lewis committee. I brought them to Mr. Edley, and he asked me to elaborate on them in a proposal.

I was glad to have a chance to submit these ideas, but I was less than overjoyed with the process that followed. After submitting these proposals, I suddenly became a non-person at the Law School. The proposals were "lost." Professor Edley's secretary was instructed to tell

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By Steven J. Frank, Esq.

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Author Steven J. Frank is an honors graduate of Harvard Law School who has practiced in both large and small firms. A partner in the Boston law firm Cesari and McKenna, Frank has written articles on law and technology for major magazines, and frequently lectures on the subject.

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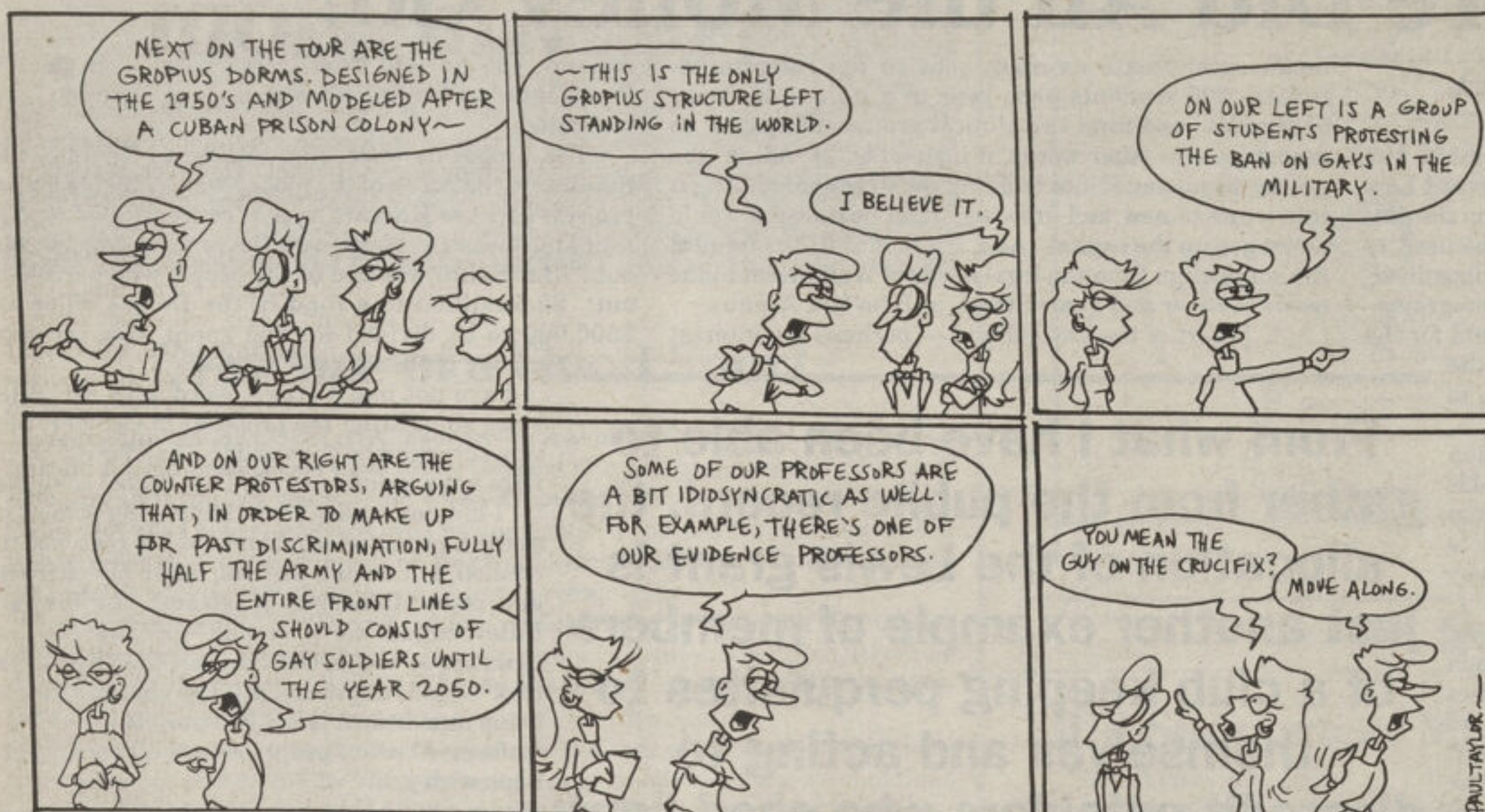


RECYCLE!

The author is a California attorney (Stanford JD/MBA '85) and Doctor of Anthropology, working as a post-doc at the Ukrainian Research Institute. He runs a non-profit organization for educational innovations; Unseen America Projects, Inc.

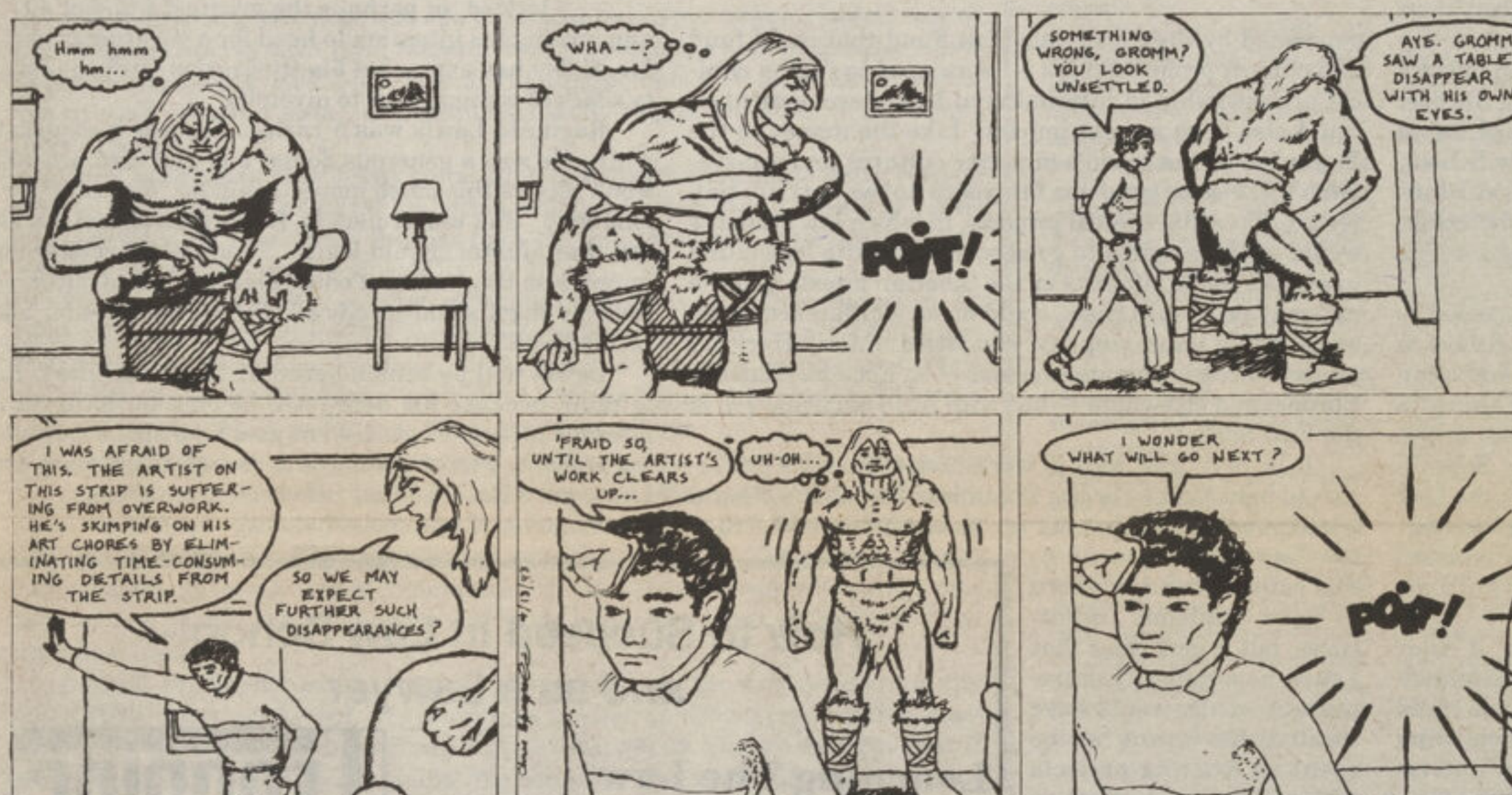
Liabilities

By Paul Taylor



GROMM: Barbarian at Law

By Chris Spagnoli



Despite our best efforts to "terminate" him in our parody issue, Prof. Nesson has risen again, this time with a sequel to *Apocalypse Now* is *Heart of Harkness*.

A Dialogue from Beyond the Grave

By Professor Charles Nesson '63

C. Nesson: Cambridge. Shit. I'm still in Cambridge! I was hoping death would be more interesting. But then again, I guess the question is "compared to what?" Why was he wearing a mask and calling himself David?

Oh shit. What is this? I'm being transported through the Fourth Dimension. Whew. I always wanted to do this, but it always happened so fast before that I would hardly experience it. But now that I'm dead, things seem to have slowed down to a speed where I can see and hear and touch it. Bingo. Solomon's court. Right here in Austin Hall.

You. Prisoner there. You stand accused of coming FROM OUTER SPACE. This, you must know, is a serious crime in the state of Ames, where I am God and King.

I mean, who's he kidding? This is it? You mean I spent my whole life wondering what else there was, and this is it? Some dipshit Solomon putting on an act in front of me and having fun? I'll plead guilty and fuck him up.

Guilty. Yes I'm from outer space.

No. No. No. That's wrong. It only works if you put up a defense, so I can look like I'm deciding something. Now what's your problem. You got an authority problem?

Hmm. Good question. I don't want to be a character in his play, and if he makes me, I'll screw up his play. That's what I was thinking, but maybe that was wrong.

"Hey Solomon. Can I ask you a question?"

Yeah. Go ahead. I gave the crew a break.

"If I play a character in your play, will you be a character in mine?"

Yeah. Fine. Whatever it takes. I'm just here to get the job done. But how about you doing what it takes to make our plays good ones?

Yeah.

Okay. ACTION.



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HOROSCOPES

By Rosie Cosentino

ARIES March 21 - April 20: A week to remember hopes, wishes and opportunities are all around you — take advantage. An open enemy becomes a friend. Expect the unexpected. Recognition for work well done. Love is waiting for you.

TAURUS April 21 - May 21: Career hopes are high and it is a time to be noticed. Setting goals now will help you in the future. Love is behind the scenes, keep it to yourself and enjoy. Finances seem to be a concern, one more month and a big change and much more stability in money matters.

GEMINI May 22 - June 21: Be careful of your driving, that lead foot can bring a speeding ticket. A change in values for the better. Getting emotional about public issues doesn't solve the problem — it only causes ulcers. Love will come to your rescue. Take the proposal.

CANCER June 22 - July 23: A great week for finishing things up. Your energy is active and will be put to good use. A move to a new home, money in the mail and an offer to write for a local paper. Things are in your favor. Use your imagination and create future goals.

LEO July 24 - August 23: A friend from the past will pay a visit. Go sight seeing. Something new is in your future. Look now and make the choice in May. Your mind is open to new ideas. Study as much as you can this week. Your intuition is very high and you will find new ways of putting the old learning to use.

VIRGO August 24 - September 23: Money slips through your hands like water. Try to control your emotions. Good news about work. Trouble with a friend. Be careful what you say. A surprise from a loved one. Be ready to take a trip.

LIBRA September 24 - October 23: Your world revolves around love and it should be good. A week for celebration and good luck. Do not put obstacles in your path, just enjoy the present. Tension on the job. Money comes as a gift — spend it wisely. A surprise after a hard time. Expect the unexpected, you will get your wish.

SCORPIO October 23 - November 22: A week to fight for what you want. This is a lucky week if you review things from the past and act on them. The weekend will hold a romantic surprise, however business opportunities are also there and you might want to make a few calls to set the pace for later.

SAGITTARIUS November 23 - December 21: A week for communications. Go on an interview. Make a few phone calls and let the opportunities work for you. This is a time to be accepted. Love will be a great help. A friend will come to visit. Listen to some old music.

CAPRICORN December 22 - January 20: A little tension and running anxiety, it will all work out your way. This is a week for you to celebrate and to receive honors. A new project or venture will be presented by a friend. Check it out. Love is stubborn. Say you're sorry and get on with a good time.

AQUARIUS January 21 - February 20: A week to feel like royalty. Success in love and business. Making a change now will be good for you. A friend has some bad news, be comforting, but you do the driving. Money is a little tight but you will make it work.

PISCES February 21 - March 20: Have some fun this week, you need to relax. Find yourself, use some self-help tapes and get back to the nice person you are so you can get the rewards of life. You are trying too hard and letting your emotions get in the way. Laugh and let yourself be happy. It gets you all you are wishing for.

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(314) 621-6529

Mutual of Cambridge's Wild Kingdom

By Alysse MacIntyre

RECORD Party Animal

EVER since the *GQ* article came out I have had to listen to more people whine about how wildly inaccurate it is or how it's not a true representation of the Law School. Usually I interpret this latter comment to mean, "I wasn't in it." Everyone here likes to think that they represent the majority of everyone else.

Oh, sure there were inaccuracies. Oh sure, he should have mentioned *this* or better explained *that*. But so what? Very few people read *GQ*. In fact, I am under the impression that no one saw the article except for the male, fashion conscious public, all the prisoners I have received love letters from, and us. So who cares?

Still, I like to think of how the story would have turned out if it had been written by someone else. What would it have been like if Tom Wolfe wrote it? Or P.J. O'Rourke?

What would it have been like if it was a TV documentary? Or one of those wildlife shows where the anthropologist moves in with the monkeys in order to learn more about them?

What would Marlon Perkins of *Mutual of Omaha's Wild Kingdom* have said about us? As someone who spent her childhood returning from the mall on Saturdays by 7PM in order to catch Marlon sitting in the jeep while poor Jim wrestled alligators and confronted stampeding rhinos, I put forth an educated guess.

Today we venture into the heart of darkest Harvard, to the fragile Law School community where we will examine a little known species, *homo sapien juradica harvardus*, or the common White Tailed Law Student.

The habitat here is harsh and unforgiving, forcing the law students to struggle for daily survival.



Each morning they arrive here from their Somerville burrows in quest of the knowledge that will set them free or at least land them an overpaid job. In attempting to study the habits of the law student, Jim and I will be tagging two examples of the species so that we will be able to monitor their movements more easily.

First, I will tag a typical leftist law student. I will begin by seducing the law student and, while he is unconscious, I remove his earring and replace it with a tracking device. The tagging procedure is harmless and the law student experiences no pain. By tagging the lefty law student, we are better able to follow his movements around the law school as he goes from Duncan Kennedy's office hours to Gerry Frug's class.

Next Jim and I will head over to the Lincoln's Inn in order to tag a typical conservative law student. Jim and I will build a blind in front of the Inn from which we can better observe the Inn members. After constructing the blind, I'll wait in the jeep while Jim ventures inside with our specially made Wellesley Girl decoy which emits the mating cry particularly attractive to Inn members, "I'm so drunk!" While one of the Inn members is attempting to seduce the decoy, Jim will jump out from behind and wrestle him to the ground, successfully tagging his ear.

One of the groups of which the least is known is a group of law students calling themselves the Non-Left Coalition. The group seems to be made of students whose insignificance to campus life caused them to become embittered because that *raison*

d'etre of Harvard Law School — the press — did not pay attention to them. Hence they banded together and developed their own press packet. However, it still has little substantive to say and we were unable to locate its reputed sole member.

Through tracking our two specimens, we discover that the White Tailed Law Student has a mating ritual all its own. Both females and males will select several

potential mates, informing their friends of their possible choices. These friends then act as information relays, echoing the mating cries and awaiting responses from this elaborate informational network. When the female receives an encouraging response, she will then fabricate an excuse to call the male with a question about a journal or class assignment. If all goes well, the couple will go out. Sometime thereafter the female will complete the mating ritual by complaining about what a jerk he is in the Hark.

If the man receives the positive response first, he will arrange to get drunk with her at a party and then go home with her. He will then wait a month to call her, thus triggering the culmination of the mating ritual in which she will complain about him in the Hark.

During a chance meeting at a neutral watering hole, The Bow & Arrow, our two tagged law students and their entourages strike an uneasy peace. While the two groups acknowledge each other, only a few stray members of each group chance a more meaningful interaction. They save their energies, knowing that if all goes well they one day could be fighting serious battles over the Senate floor.

Today we venture into the heart of darkest Harvard, to the fragile Law School community where we will examine a little known species, *homo sapien juradica harvardus*, or the common White Tailed Law Student.

Fenno

Fenno trotted down to Harvard Housing and asked for a printout of single bedroom apartments within 3 blocks of the Law School. The computer spewed out a long white and green strip of paper. But one glance at the prices, and his eyes popped out of his head. Then, one of his eyeballs rolled under a filing cabinet and superated. "Oh, did I mention I wanted it for under \$200?" he gasped.

Fenno sat on the cushions in the Hark despondently. "I gotta get some roommates." He noticed some of his old friends from Section 4 hanging around the recycling bin. "Hey, guys, wanna live with me?" Then he realized it was actually Menudo, warming up for their weekly jam session with Scales of Justice.

Sadly, Fenno decided he'd have to hunt for 3L housing on his own. He began scouring the halls of Harkness for ads, and became thoroughly engrossed. Then he noticed some funny shit on the wall, literally. He'd gone too far, and wandered into Ames.

Finally, Fenno went to the address written at the bottom of the best ad he had seen. "Live in Luxury: One Bedroom Studio Apartment on Shady Lane with Jacuzzi. Female, non-smoker, no pets, between ages of 12-15, into feminine bonding." Fenno brought a roll of duct tape and a blindfold, just to be safe.

Fenno approached the large duplex just as the postman was leaving the mail. Immediately, the burly mail carrier dropped to his knees and began sniffing Fenno's crotch. Then he urinated on Fenno's new penny loafers, and began biting his ankle. Suddenly, Fenno realized that it was his girlfriend from his 1L year. She didn't look too bad, but the smell had become worse since he'd seen her last.

Fenno rang the doorbell, and adjusted his blonde wig and falsies. A bright,

fresh face appeared from behind the dark green laquered door. "Please, come in." Fenno followed the swish of her long dark hair and blue skirt through the foyer. "It's really a nice place, but the tenants just don't keep it up that well."

He managed to tear his eyes away, and looked at the dismal surroundings. The shag rugs seemed to have piles. A dead fish floated in the fish tank. "This is the jacuzzi," she said, pointing at the mossy tank.

Fenno knelt down and rubbed softly the green plant life that blanketed the boiling whirlpool. It reminded him of the piece of felt that kept him company through those adolescent years in his parents' bedroom closet. As the scent of raw meat wafted into his open nostrils, he almost felt like he was thirteen again.

He awoke as if from a daydream, staring at his hostess' recently-conditioned locks. His eyes panned over her Drew Barrymoresque body, moving from the "I Love JB" tatoo on her right thigh, to the handgun grasped lightly between her teeth. "Are you a mechanic too?" she whispered softly in his ear. It was like he was seeing The Crush for the fifth time.

Fenno screamed with terror. He looked around desperately for a door, and found one. "That's the bathroom!" she hollered.

A rumbling and swishing emerged from the toilet. Professor Charles Nesson's disembodied head popped out of the bowl. "I'm sincerely sorry that the tour has been less than you expected." Then he swirled back down into the watery beyond.

Quote of the Week

"I was going to make a point, but I'm wrong. So I won't."

—Mike Rosenthal '93

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Falling Down

By Rich Wareing '93

RECORD Columnist



JASON Robinson was a baby-faced fourteen-year-old freshman with blonde hair and an All-American smile from a nice little town called Dartmouth, Massachusetts. When my dad was a kid growing up there in the 30s, Dartmouth must have had about 8,000 people, tops, about half of whom could probably have traced their roots back to the people who founded the town in 1666, or something like that.

During the '60s and '70s, however, new houses started to dot once lonely country roads. Raised ranches and colonials, with well-manicured lawns sprung up in geometrically perfect subdivisions where once there had been only quiet woods and open pastures. Thousands of Jewish and Portuguese families moved in from New Bedford, looking to build their own little piece of the American Dream. It was going to be paradise.

Last week, paradise came to a crashing end. Three kids walked into Jason's class at Dartmouth High wielding knives and bats. They started an argument with him, and stabbed him to death on the spot because they were mad at one of his friends. As Jason lay there bleeding to death, the three kids stood there laughing about what they had just done.

Things like this simply do not happen in Dartmouth. They are simply not supposed to happen in Dartmouth. Dartmouth is supposed to be a nice, safe place, where crime and violence are the kinds of things you see only on the six o'clock news, and where the local police have time to track down every drunk and disorderly complaint and chastise kids for drinking beer and making too much noise on a warm summer night.

Dartmouth High is supposed to be different — math club, band, and student council, not after school rumbles in the parking lot. Whenever I think about Dartmouth High, I always think of my high school football coach annually taunting us before the Dartmouth game — "Do you guys want to get beat by a bunch of girls and sissies?"

Indeed, there's something sadly ironic about this. For thirty years people like Jason's parents have moved to places like Dartmouth to keep kids like Jason from seeing stuff like that. What's even more ironic is that the kids who killed Jason were not some drug-crazed thugs from the inner-city who wear LA Raiders jackets, White Sox hats, and Reebok blacktops. Two of them were kids just like him; khaki pants, short hair, L.L. Bean windbreakers, and docksiders — nice boys with bright futures, good families, and nice homes in a wonderful little town. The third was from New Bedford, not too far from where I live. His life's ambition was to be an electrician. They were kids we might well have called "decent," or "respectable," or "well-scrubbed," or "clean-cut" before last week.

It used to be that stuff like this would horrify us. Now, though, if Jason Robinson makes the front page of the paper he's lucky, because crazy stuff seems to happen with alarming regularity. David Koresh and a bunch of lunatics kill some federal agents and nobody in Washington knows quite what to do. After all, it's a sensitive situation.

Some clown in Idaho kills a federal marshal, holds up in a mountain hideout with his family, and the government has to send snipers and helicopters to root them out. While this is going on, his neighbors stand around talking about how the government has gone too far, and how they should just leave him alone.

Down in Miami, tourists get wacked for wandering into the wrong neighborhoods. Meanwhile, simple car theft is no longer good enough. To really show your stuff you've got to cop the car while the owners are still in it.

Out in Worcester, a bunch of people have taken over a Catholic church because the bishop wanted to shut it down. When he threatened to have them arrested for trespassing, they responded by doubling the guard.

Wherever you turn, people are moving themselves into private, walled communities complete with their own police departments, checkpoints, and guard-dogs. Out of fear, people shut themselves out from everything and everyone they don't know. Everywhere, it seems, all the things that used to bind us together are gone — respect, discipline, trust. The only authority that seems to matter now is what comes out of the barrel of a gun, or from the blade of a knife.

I've got a friend who keeps track of stuff like this. He thinks we're headed for some kind of great smash-up — a Judgment Day, if you will. I used to think he was slightly off. Nowadays, though, I'm not so sure.

Legal Services Center

continued from CENTER, page 1

fects really worked with us at making an attractive and inviting building that's also secure."

Although the new building is clearly superior, adjusting will take some time. "Because the old place was all on one level, this feels more dispersed," said Tina Wolfson '94. "You tend not to see as many people." Read explained, "It's a totally different office culture to be on four floors. We were sort of on top of each other in the old building, but it was very comfortable to me. . . I worked there for thirteen years."

But Read added, "We've seen a boost in morale because of the move." Burg agreed, saying, "It's like a fresh start. I think new, nice surroundings make a difference."

As Wolfson said, "I think the most positive thing is that clients feel they're getting better representation. Appearances count. This gives the clients more confidence."

Charn pointed out that besides being "respectful of their problems," the new building "says they can count on us being here long term."

Boston Firm Funded New Building

The Center had been looking for quite some time to move out of its cramped quarters at Washington St. and actually found the building, which Burg says "was pretty much gutted," three years ago. Burg explained that "we originally met with the dean about renting new space and he suggested raising the money to buy a building, which he then did," with a \$2 million donation from the Boston law firm of Hale & Dorr. "We are incredibly grateful to both Hale & Dorr and the Law School," Burg said.

Burg explained that "it's unclear" whether the Center will now have Hale & Dorr in its name or on the building. For now, the Center's stationary has three lines above the address: Legal Services Center; Centro de Servicios Legales; Hale & Dorr Legal Services.

What is clear is that, as Read pointed out, "this building is a collaboration between a firm and a Legal Services Center. We've benefited because we got this building, and more collaboration could happen." Charn said the Center is thinking of starting a transactional practice with Hale & Dorr pro bono attorneys. This practice would provide small businesses with advice on economic development, capital resources, and regulatory requirements — areas of specialization at

Hale & Dorr.

Although the physical surroundings have changed, the essence of the Center remains the same. "It's a very unique place," explained Read. "It's staffed mostly by women, mostly with people from this community, and by a lot of people who could've been or were clients at legal services. It's people who are committed to their work."

Charn agreed that "the Center's staffing is unique. We're over two-thirds

people of color. All the power positions are held by women. . . We have affirmative action for gay, lesbian, and disabled people and have staff who are HIV+. . . And, there's a lot of difference in class background."

The staffing philosophy of the Center is also unique. "We use lots of paralegals," Charn said. "And we've chosen to staff with practitioners who

teach. We do a lot of volume, both to provide the services and because we think it's a good way to learn." Charn explained that this philosophy is "very controversial" and "has been attacked. The issue is that our clinical staff are not faculty. . . The idea here is not to make classroom teachers interested in practice — it's to bring practice into the educational institution."

According to Charn, the Center may expand in several areas. They may experiment with delivering legal services on a more holistic basis, and may move to a scaled-fee system, which would allow them to help more of the community. "Getting the new facility gives us a shot in the arm — like a second chance to start up and take stock."

The Center did a mass mailing to all former clients and put notices in all local papers about the move. The Center will host a Community Open House and an HLS Open House sometime in May.

Exterior work, including landscaping, painting, and a courtyard has not yet been completed.

LSC provides legal assistance to thousands of people from Jamaica Plain, Mattapan, Roslindale, Roxbury, Fenway, and Dorchester each year. The center has a staff twenty advocates, who are also clinical instructors to HLS and Northeastern students who work year-round at the Center in the Landlord/Tenant, Family, or appellate groups or the Multi-Service Unit, which deals with public benefits and AIDS law. Students are responsible for their own cases, and handle all facets, from the initial intake to court appearances.

Reno, Powell to Speak at Commencement

continued from RENO, page 1

important position and coming to speak at an interesting time."

Although students eagerly await her arrival, the topic of Reno's address is yet unknown. Reno has been given no guidelines on what to speak about, according to Lichtenfeld.

"I'm sure she'll come up with something of interest to everyone here," Lichtenfeld assured. "I hope she talks about what it's like to be a woman ascending to that level of power."

General Colin Powell Will Be Primary Speaker

The keynote speaker at Commencement June 10 will be General Colin L. Powell, chair of the Joint Chiefs of Staff, the Harvard News Office announced last week. Powell is the youngest four-star general, as well as the first black, ever to hold the position.

Powell gained international recognition during the Persian Gulf War, but his more recent role opposing the lifting of

the military ban on gays and lesbians has sparked criticism of his selection as keynote speaker.

"When I found out, I was livid; I just couldn't believe it," said Steven Homer

President Rudenstine defended the choice. "There are clearly deep differences of opinion on this important issue," he told the Crimson. "The invitation to General Powell was extended in recogni-

"To the extent that [Powell] speaking will be seen as an endorsement of his position, gays and lesbians are going to get hurt," Homer said.

'94, chair of Committee on Gay, Bisexual and Lesbian Legal Issues (COGBLI).

"It will be humiliating for gays and lesbians graduating that day to be told they're second class, and told that in front of their families. And to the extent that his speaking will be seen as an endorsement of his position, gays and lesbians are going to get hurt," Homer said.

tion of his outstanding record of service during the course of his career, as well as his ability to speak to important issues of broad — indeed, world-wide — significance."

Rudenstine emphasized his personal opposition to the ban and reported he has recently sent letters to Secretary of Defense Les Aspin and Senator Sam

Nunn, chairman of the Senate Armed Services Committee, stating his view.

Almost three years ago Harvard's Faculty Council voted to sever all University ties with the Reserve Officers Training Corps (ROTC) due to its ban on gay and lesbian enrollment. Harvard students currently participate in the ROTC program through the MIT campus.

The Class Day and Commencement Day addresses are part of a long line-up of events scheduled for graduates and their families during commencement week. Other activities at the Law School will include an alumni luncheon at the Hark Quadrangle, an informal tea to be held in the Ropes Gray room, and a champagne breakfast on June 10, prior to commencement ceremonies.

Have fun at Course Registration!

COMMENTARY

Leave a Token for the Cab

By Kathleen A. Tarr '94

RIGHT before spring break, I went to the Jukebox with a large group of Harvard Law School's finest. All in all, it was a groovin' evening... until it came time to leave. Most of the friends with whom I went to the club left before I did. They didn't leave me alone, they simply left and forgot one important thing.

Everyone knows that if one is in Boston after midnight, a return to Cambridge's hallowed borders requires the willingness to catch a taxi. What some seem to forget is that "willingness" and "ability" don't always travel together — and "black-nitude" doesn't seem to travel at all. Therefore, for all of you white people who claim to care about your black friends, I request you leave at least one white person behind when you all party in the city. On a cold Saturday morning, because of friends' social neglect, I and a black friend stood in the street at 2:00 AM desperately in need of a travel token — and not the kind that fits in your wallet.

We eventually did get home, but it took considerable persistence and humiliation. Imagine the irony of *hailing* that which speeds by because you're the wrong

For all of you white people who claim to care about your black friends, I request you leave at least one white person behind when you all party in the city.

color. But that's how this country works in every area, everyday. I'm told it shouldn't upset me so much. Just bear down and deal with it... the high blood pressure and ulcers... the tears.

Yet cab-catching is an area where well meaning white folk can ease some societal strain. You see, it's like this: a white arm flailing in front of even the darkest of backgrounds brings tires to pause long enough for blacks to plant themselves into a seat. True, that natural-athletic-ability does put solo blacks quite close to actually catching the slower cabs, but I would imagine that if we had actually wanted to run back to our homes, we'd probably prefer to not simultaneously gag carbon monoxide and have our arms yanked out of socket. Luckily, my Saturday morning brush with natural effort only resulted in a premature manicure.

But I digress. I am venting with a sarcasm that may escape the written word, and we all know how dangerous that is at HLS. All I'm asking is that my white friends remember we are in MASSachusetts. Until Harvard financial aid accounts for certain race-specific necessities, i.e. automobiles, I, for one, would appreciate your assistance. If you care enough to take the keys when I'm drunk (if I had a car) — HELL! to invite me to the festivities in the first place — make sure my black ass gets home, would ya?

It's not as though I'm totally shocked by the experience (not totally). I've been frozen in other major US cities, flapping my arms like a damn goose, pulling my scarf up to my winterized forehead hoping the pale would distort the remaining melanin long enough to get a ride.

The hardest part is that moments like these make you remember. I froze in Boston remembering all of the other cabbies who have glanced at me without turning their heads and then sped off pretending they didn't see me in the night. I remembered the cops who pulled me and friends over and then detained us for an hour because our car was too new for our blackness. I remembered being boxed two inches from my face in front of Nick's Beef and Beer House while hearing "black bitch" hissed from behind the swinging fists. I remembered that I dream of a world where all people will live free. I remembered that it's just a dream.

Elizabeth Warren Turns Down HLS Tenure Offer

continued from WARREN, page 1

The offer will remain open for a few years. Hopefully, we have not seen the last of this. I prefer to think of it as in-process."

Warren did not preclude the possibility that she might return to HLS. "That's pretty hard to speculate on," she said. "Who knows what the future will hold?"

Avi-Yonah currently practices at the New York law firm Milbank, Tweed, Hadle & McCloy. He also holds a Ph.D. in medieval history. Avi-Yonah's primary area of interest is international tax law.

Clark said he was "pretty certain" Avi-Yonah would accept the offer, although he might not begin teaching until January.

Ring, currently an attorney at the Washington, DC firm Caplin & Drysdale, also specializes in international tax law. She is expected to visit the Law School next week before making her final decision. Clark said he was "hopeful" she would accept.

"I'm very excited about the prospect that she will join the faculty," Clark said.

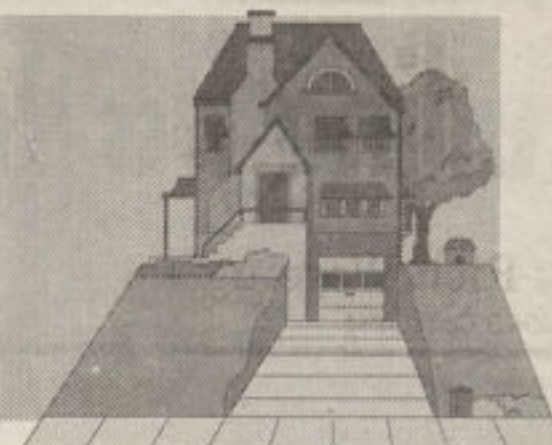
Clark said he had been attempting to strengthen the tax program ever since he became dean in 1989. He said the "very high standards" of the current HLS professors have made the search difficult but he still hopes to add one senior tax professor in the next few years.

"We don't have quite enough people to offer all the courses we'd like, especially when someone is on leave," Clark said.

The fourth offer was extended to Prof. Carol Rose of Yale Law School, who declined the offer in February. Clark said he considered the offer to Rose, who specializes in property and environmental law, a "long shot."

Two more assistant professor candidates, one man and one woman, are currently under consideration, Clark said. One is a specialist in local government, the other in criminal law. Clark also said a minority man will be considered for a position early next year.

Housing Listings



APARTMENTS FOR RENT

Beautiful, sunny, huge kitchen, back porch, h/w floors, washer/dryer, 1 blk. from Star Mkt. in Porter Sq. 3BR. Rent: \$1215/mo., 15 month lease, with huge discount for 1st 3 months of lease. 318 Beacon Street #2, Somerville. Call Susan Horowitz, 354-0873.

SUBLETS

1BR, beautiful eat-in kitchen, wood floors, d/w, bright, sunny, spacious, fully furnished. Minutes to Harvard Square T, blocks to HLS. Rent: \$700/mo., 6/1 - 8/15 (negotiable). 1 person or couple desired. 16 Chauncy Street #15. Call Pamela Coukos, 547-5038.

3BR available in 4BR apartment. large living room and eat-in kitchen, wood floors, washer/dryer, fireplace, scenic loft, two porches. Walking distance to Harvard and Central Square, next door to grocery store. Rent: \$400 each/month, 6/1 - 8/31. 19 Buckingham Street #3, Somerville. Call Terry McGuire or Joe Witalec, 623-7194.

2BR, 1BA, mostly furnished. CHEAP!! Rent: \$700/mo. + utilities (total), 6/1 - 8/31 (flexible). 2 people desired. 49 Harrison Street #1, Somerville. Call Greg Stohr or Scott Auby, 776-0093.

1400 ft. Manhattan loft. Convenient to pub. transp., near 4rd and Broadway in NoHo. AC, washing machine, great tub/shower, very clean. Available: June, July, Aug & poss. 2 weeks before and after. Good for couple. Rent: \$1775/mo including electric. Call Richard Dallett, (212) 473-1226, or, locally, Estie Dallett (3L) (617) 492-1535.

Sublet in New York City. Great location; 81st & Broadway, staffed building. Large 5 rooms: 2BR, LR, DR, ren. kit. & bath. Fully furnished, linens, A/C, D/W, VCR, etc. Rent: \$2000/mo, June-August. Call (212) 721-0612.

Studio w/separate eat-in kitchen and full bath; fully furnished (including TV & VCR); 2 blocks from T, buses, grocery. Rent: \$595/month (negotiable). Includes Heat and hot water. 5/24 - 8/31 (with option to renew) 1 or 2 people desired. 5 Lamson Place (at Essex St. near Central Square). Call Andy Ward, 492-8803.

APARTMENTS SOUGHT

Location Desired: Walking distance from HLS and Holiday at the Porter Exchange.

Features Desired: 2BR, parking for one car (no permit)

Lease desired: 9 months (school year)

Number of people: 2

Call Melissa Bernstein, 493-9882

Location Desired: Within 15 minute walk from Law School.

Features Desired: 2BR.

Number of people: 2

Call Tony Barkow (493-9581) or Raj Date (493-9318).

LECTURE

April 12, 1993, 5-7 pm

"Toward a democratic transformation: The role of the Columbian 1991 Constitution." Dr. Humberto de la Calle, former Minister of the Interior, Designated to the Presidency and Liberal Party Pre-candidate to the Presidency of Columbia.

Place:

Gutman Conference Center, Harvard Graduate School of Education, Appian Way.

The talk will be in Spanish. Refreshments will be served.

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THE RIGHT PERSPECTIVE

Morality is Reality

By Neil Glazer '93

RECORD Columnist



"WE'RE talking about morality versus reality," says Dr. Rosetta Stith, principal of Baltimore's Laurence Paquin High School, a public school for pregnant girls and teenage mothers. The reference is to her support for adding Norplant as "another item on the menu" of contraceptives made available to children in the Baltimore public schools. What she is saying, of course, is that we should abandon our conceptions of morality, accept the "reality" that teenagers are going to continue to engage in premarital sex, and therefore, do what we can to make it easier for them to do so without the (normally inevitable) consequence of pregnancy. Far from an isolated viewpoint, this sort of morally repugnant thinking is behind many of the social problems confronting our society today.

This morality-reality dichotomy has become, unfortunately, a very real description of our social condition. There used to be a time, not so long ago, when the idea of making it easier for children to engage in sex would have been met with ostracism and outrage. I doubt any respectable newspaper would have allowed such garbage to infect its pages. Indeed, anyone advocating such ideas would likely have been run out of the community. Sadly, this is no longer the case. Today, many would describe my perspective as "anachronistic," "moralistic," or "outdated." However, those who would agree with critics of "moralistic" thinking must be prepared to bear much of the blame for many of the social crises we read about every day.

Regarding teen pregnancies, I want to pose a question: Why do you feel that it is absurd to teach children abstinence as a form of birth control and STD prevention? Not only is abstinence (i.e. chastity) a foolproof method, but it was the "method" of choice for our parents' generation, as well as all the generations preceding them. Of course, there was a reason why most people in the generations preceding ours managed to abstain from premarital sex: they *knew* it to be immoral. They were taught that there is right and wrong; good and evil; heaven and hell. And, precisely because they were raised to believe in the objective truths of the Judeo-Christian (i.e. Biblical) tradition, they had actual knowledge concerning appropriate behavior and were morally, spiritually, and emotionally equipped to make the proper choices.

What we are suffering from today is a nationwide moral breakdown. The "compass" which guided countless generations, and provided the baseline from which all social order must derive, has been largely abandoned. The "absurdity" of expecting teens to abstain from sexual behavior arises out of a lack of any objective standard of morality; indeed, among some groups the entire concept of morality is lacking. One of the students at Dr. Stith's school spoke of Norplant as enabling her to finish high school and maybe even some college, commenting "I don't know what I would do if I had another baby. . . . I want Norplant to help me finish school." Apparently, the thought of remaining chaste never even occurred to her. This is not a girl brought up to respect objective standards of morality. And I dare say that she is likely a very good representative of her generation.

The idea that a teenage girl needs contraceptives to finish high school should be shocking to anyone with any respect whatsoever for "traditional" values. By providing children with such "alternatives," we are sending a message that it is perfectly acceptable for them to engage in sex, so long as they take measures to avoid getting pregnant. In other words: We do not care what you do, so long as you do not burden us with additional babies to care for. What happened to the idea that sexual behavior among teens (let alone others who have not yet taken their matrimonial vows) is wrong, irrespective of the consequences of pregnancy and disease?

There are, of course, many God-fearing Americans who do teach their children that such things are wrong. There are many who do believe that there are objective truths regarding morality. As a closing statement, I would like to leave these people with a closing message: Do not allow yourselves to be silenced any longer. Granted, it is an uphill fight. The media portray us as "right-wing kooks" or as members of some dire conspiracy by the "Christian right." But one reason why they are able to do so is because it is, right now, a very small number of us who are speaking out on these issues. Yet we know there are legions of people out there who subscribe to the same beliefs as us. Do not believe the media. Do not believe Hollywood. Do not believe MTV. Believe instead in what you are taught in your church or synagogue. Believe what you read in the Bible. And, most of all, believe that if we are to survive as a nation, we must restore the compass of an objective morality to all facets of society. It will take strength, courage, and perseverance, but those are precisely the characteristics which enabled us to win the war against Communism. Now it is time to turn our attention inward and rid our own shores of relativistic amorality.

• Letters (Continued) •

Haitian Refugees Deserve a Fair Hearing

In "Their Nationalism and Ours" (March 19), David Weinstein aptly depicts the plight of immigrants seeking political asylum in the United States. Despite the legendary hostility of immigration judges to asylum claims based upon fear of political persecution, more than one third of the claims adjudicated are found to have merit. Thousands of asylum applicants make their way into the United States every year, finding employment despite language barriers and restrictive employment laws.

Yet a columnist Weinstein cites seeks to tighten America's already restrictive immigration laws, denouncing the admission of people who are "dangerous, suspicious, or just plain strange." If I could talk with this columnist who is so worried about the immigration of "undesirables," I would offer a counter-example, the story of an angry radical immigrant who ardently advocated the overthrow of the government in his native land. He arrived in the Port of Baltimore, speaking a strange language and bringing with him little but his toolbox and the clothes on his back. That man was my grandfather, John Bader, who came to America eighty years ago to avoid persecution by the Austro-Hungarian monarchy

and immediately found employment in the shipyards of Newport News, Virginia. Coming of age in the poverty of the Great Depression, each of Grandfather Bader's three children nevertheless went to college on scholarship and earned a post-graduate degree.

Unlike many Americans, who sought to close the door to new immigrants as soon as their own families had immigrated to America, my grandfather remembered his good fortune and sought to extend the blessings of liberty to new arrivals. During the Great Depression, the US largely closed its borders to new immigrants, fearing competition for scarce jobs. Jews fleeing Hitler's Germany had to have a "sponsor" to support them before they were permitted to come to the United States. When my father's godparents, the Helverings, began "sponsoring" these refugees, my grandfather assisted them with contributions from his modest shipyard earnings. Each of the sheltered refugees soon became a productive American citizen.

If the Haitians currently barred from entry into the US by the Coast Guard were permitted to immigrate, they, too, would soon find gainful employment and contribute

culturally to the mosaic that is America. The *Wall Street Journal*, whose attention never strays far from the bottom line, has repeatedly called for an end to the Bush-Clinton ban on Haitian refugees.

The refusal by Clinton and Bush to properly consider even the most compelling asylum claims by Haitians, in contrast to their more lenient policies towards immigration and asylum applicants from other nations, suggests that the Haitians' race and nationality may play a role in their treatment. Fifty years have passed since the enactment of the McCarran-Walter Act, which promised that the "right of a person to become a naturalized citizen of the United States shall not be denied or abridged because of race." A hundred years have elapsed since Justice Brewer's eloquent dissent against the enforcement of a statute deporting resident aliens solely because of their Chinese ancestry. Yet the color-blindness of our immigration policy remains very much in doubt.

Clinton should end his long streak of broken campaign promises by giving political asylum applicants fair hearing and ending the ban on Haitian refugees.

Hans Bader '94
March 23, 1993

Commencement Cattle Call a Let Down

We are writing to express our extreme dissatisfaction with the current plans for our 1993 graduation ceremony. It is our understanding that on June 10th, graduation day, there will first be a University-wide commencement ceremony in Harvard Yard.

At this exercise, President Rudenstine will recognize our class as a group. Each student will be allotted only two tickets for family or friends to attend this event. Immediately following this ceremony, we will return to Holmes Field where we will eat lunch and where the graduates will "informally line up" under "the diploma tent" to pick up their diplomas and have a photo taken with the Dean. Next, the graduates will return to the Yard for the University Commencement speaker. Attendance at this event is limited to four guests per graduate.

As it currently stands, this schedule of events allows only two members of our families to share our graduation with us, and even this is only to see us stand up and sit down with five hundred of our classmates. No one in

our families will see us receive any individual recognition in a formal ceremony for our three years of hard work here at Harvard.

We understand that the University-wide commencement must be limited to two guests per graduate. However, most of us have more than two important people in our lives with whom we would like to share our graduation in a meaningful way. We feel that the Law School should therefore provide a separate formal ceremony open to all of our guests in which we are individually recognized for our achievements. The current plan for the Law School portion of Graduation Day seems more like a cattle call than a special and highly personal experience which we and our families will remember for a long time to come. It just would not be that hard for the Law School to set up its own commencement ceremony.

While this may seem like self-interested bitching and moaning, there is more at stake here than stroking our own egos. This becomes especially clear when one considers the costs that a gradu-

ate and his or her family will incur in traveling to graduation. Of course, Harvard had to schedule the ceremonies in the middle of the week. This scheduling forces our family members to pay increased air fares (more than twice the normal fares due to the lack of a Saturday night stay) and to pay the more expensive mid-week hotel rates (approximately 30-40% more than the weekend rates). Additionally, our family members will be forced to take time off from work in order to attend this mid-week event. Thus, at the very least, in light of the high costs of attending graduation, our families deserve the opportunity to attend a more substantial graduation ceremony.

Don't get us wrong. We like this place. We're proud of the fact that we will soon receive our degrees from this school. We just want a chance to share our accomplishments in a meaningful way with those closest to us.

Matthew F. Leitman '93
Wendy R. Davis '93
April 13, 1993

HOUSEHUNTING?

Please return this form with a check or money order for \$15 made out to The Record to Lisa Zornberg's 2L Hark Box. Or mail it to The Harvard Law RECORD, Harvard Law School, Cambridge, MA 02138-9984. And happy house-hunting!

The RECORD is now printing ads for Apartments for Rent, Sublets, and Apartments Sought all for the low, low fee of only \$15 per advertisement for three weeks.

Please check one: ☐ Apartment for Rent ☐ Sublet ☐ Apartment Sought

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Features Desired: _____

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Maximum Rent: _____

Number of People: _____

Your Name: _____

Phone Number: _____

Fake Dean's Letter

continued from **LETTER**, page 1

hoax, and congratulated Clark for the four appointees he had announced. Clark replied graciously, thinking that Bernstein was referring to the four tenure offers he had actually made. "Then he began talking about four other people, and I just thought, 'Hmmm. Something's wrong'...There was a slow dawning that it was someone else who had written the letter."

Ted Mills '94, who also attended the meeting, said that when Bernstein showed Dean Clark the false letter, it produced an awkward moment. "When he read the letter, he was pretty calm. Then he just said, 'Dave, [Vice Dean David Smith], we need to take care of this.' We felt embarrassed, as if we'd just witnessed a private moment of humiliation."

Dean Clark wrote a letter in response explaining that he had not written the bogus letter. His response advised students to consult his genuine letter of April

5 to get correct information. Members of the Administration wearing suits hurriedly stuffed the responses in students' boxes later on Wednesday afternoon.

However, Clark admitted he did not know the Squad had authored the letter until a student informed him at the Campus Cabaret on Wednesday Afternoon. When asked what he thought of the similarity between his writing style the style of fake letter, Clark denied the likeness, saying, "They need to do further study."

Many students believed the hoax for several hours, and the Dean's office reportedly received dozens of phone calls from students congratulating him on the changes. Dean Clark said he had not personally spoken to any confused students, but he claimed that the few faculty members who contacted him about the hoax said that it just "made the authors look silly." "To them it was an obvious tweaking," he said.

Heymann to Depart

continued from **HEYMANN**, page 1

ability of a government to provide fairness and security to its citizens at the same time, and provide it legally, effectively, and without partisanship."

"The United States criminal justice system needs work," he said.

Reno and Heymann have worked together before. Once, according to Heymann, he had a role in resolving a conflict between Reno — then the chief prosecutor for Dade County, Florida — and the DEA

arising out of a "very imaginative and effective" undercover drug operation she was running. Later, she provided bilingual prosecutors to assist Heymann's project to improve the criminal justice system of Guatemala. Heymann expects Reno will be "a pleasure to work with" once again. "She's going to be a great attorney general," he added.

Since his appointment to the HLS faculty in 1969, Heymann has taught classes in criminal law, comparative criminal justice systems, problems in US law enforcement, political violence, and terrorism. He is one of the more popular professors on the faculty.

"Heymann was one of the few truly nice people teaching here, and probably the only completely non-controversial

one," David Frakt '94 said. "He proves that you can be humane and compassionate and still be a tough prosecutor. The students will miss him."

In turn, Heymann said he will miss the students as well. "Dealing with dedicated, interested, and intelligent students is one of the greatest pleasures anybody can have in life," he said. He added as the "main thing" he wanted to say to students, "there is nothing more gratifying than using your skills to do something you believe in."

Heymann's appointment presents the already unstable HLS faculty with, at the very least, a "short term teaching problem," according to Dean Clark.

Visiting Professor David Chambers '65, from the University of Michigan, has had his visit extended to fill the void left by



Prof. Phil Heymann

Heymann's departure. Chambers will take over some of Heymann's teaching responsibilities over the next two years.

Clark was optimistic about Heymann's appointment. "It's better for the school that these people (Heymann, Prof. Christopher Edley '78, and presumably Barbara Agresti) get this kind of experience and serve their country," he said. He said he hoped those departing return after their DC experiences "recharged, like Charles Fried was after he returned from being solicitor general."

Supreme Court Arguments

continued from **COURT**, page 4

against scientific knowledge in its developing stages. Rather than allowing the jury to sift through various expert testimony, Fried would have trial judges simply bar such information.

Lead counsel for appellants, Michael Gottesman, argued that Congress intended for the federal rules to incorporate more liberal admission policies of scientific evidence, stating that "Congress relied on the adversarial process to demonstrate that a marginal expert's conclusions are marginal."

He summed up his argument by saying, "We live in a world of uncertainty and for many purposes we can't wait" for absolute proof.

Prof. Areeda argued a case asking the Court to permit a "predatory pricing" suit by Liggett, a cigarette company, against a competitor with only a small percentage of the relevant market, 12 percent. Liggett, the smallest of the six firms that make up most of the US cigarette industry, objected to the nationwide volume discounts offered by Brown & Williamson Tobacco Corp. on its generic cigarettes.

NAACP Report Released

continued from **NAACP**, page 2

familiarize the officers better with the community, and neutral review boards established to hear complaints and investigate police abuse.

Ogletree is hopeful the report will effect positive change by setting the basis for the future relationship between community and law enforcement. "The NAACP hopes the report will encourage police departments to take preemptive actions, before incidents like the Rodney

King episode arise," he said.

Since the motivation for the report stemmed in some part from the Rodney King trial, Ogletree, based upon his extensive research, offered a prediction. Citing a lay jury's inability to fully comprehend civil rights violations, the excellent representation of the officers, and a jury's reluctance to convict an officer of this type of crime against a defendant with a criminal record, Ogletree said, "I expect that most, if not all, of the officers will be acquitted."

Fear of a Black Planet: Battering Rams and Bubble Gum

By Debra Dickerson '95

RECORD Columnist



YESTERDAY I went to Dickerman elementary in Dorchester with four other BLSA women to present a "Terry" stop Street Law Clinic. We use these clinics to let inner-city kids know exactly which of their constitutional rights are being violated when the cops make them drop trou in public and then go upside their heads when asked for badge numbers.

The preceding sarcasm is the point of this essay. It is exceedingly frustrating to, in effect, persuade those awestruck little faces ("Wow, they go to Harvard!") that their rights and a quarter won't buy them a 7-11 slurpee and cannot be depended upon. The bloom is decidedly off the Harvard rose once we've engaged in empowering legal discourse such as, "No, cops have no right to search you without at least a reasonable suspicion, but they will, so don't resist." The older kids clearly expect us to arm them with some sort of legal invincibility to police abuse. Bummer. I guess the good news is that they probably believe us when we tell them that they too can go to Harvard. After sophisticated legal advice like "Drop to the ground, protect your head and genitals, and for God's sake DON'T FIGHT BACK!!!" Harvard probably seems a lot more do-able.

I'm joking 'cause that's what I do, but these clinics really have affected me. I've learned as much as the kids have. For instance, I now know that many Dorchester cops obscure their badge numbers with electrical tape and search inside the kids' shoes. (Since it's impermissible to search for evidence on a "Terry" stop, the cops must have a legitimate fear of Agent 99/Maxwell Smart-type shoe machine guns.) But aside from these practical tidbits, contact with that segment of the minority community most often at issue in politico-scholarly debate has enabled me to apply a real world focus to a long-standing minority dilemma.

In short, should we teach these precious ones revolution and a stand-up spirit or resignation and accommodation? Of course, I've framed the question unfairly because I'm still feeling frustrated. BLSA isn't teaching resignation and accommodation — we're teaching survival and caginess. "These are your rights," we tell them. "Remember them, silently, while giving 'yes/no' answers. Don't lie. Cooperate within reason. Never consent to anything and say so explicitly, but politely. Remember everything that's said and done. Most of all, don't give them an excuse. Tell an adult afterwards and insist on filing a report." I guess it just feels like resignation and accommodation when we lead a nine-year-old to conclude that, yes, he should just stand by as a cop beats up his best friend. Remember what he looks like, get the squad car's number, we say, trying to act as if we really believe that response is adequate. Better that only one of them is beaten, right?

We use two skits. The first involves a young male accosted by a cop as he walks home after dark. The second involves four women in a car stopped by a cop. First, we educate them as to their rights and then tell them what they should *actually* do to stay alive, unhurt, and un-incarcerated, rights be damned. The first group I worked with (the composition of BLSA members always differs) was a group of teens at Catholic Rindge and Latin High. Many of these teens were pragmatic and accepting, but many were dumbfounded and rebellious towards the cautious line we took. I'd like to believe that their knowledge of and belief in their rights is sufficient to survive the status-crime of living in Dorchester. There is, most likely, a rude awakening in store for them. Very frustrating experience.

The second was an interesting counterpoint to the first — a clinic at a detention center for males ten to nineteen-or-so. We couldn't paint a picture dismal enough for them. For the most part, they were politely dismissive of our rights talk and clearly thought us naive. The older, more hardened ones guffawed derisively when we kept asking why we'd been stopped in our car skit. "You'da been too dead," one calmly remarked. He told us he'd been made to stand (not lean, sit, or squat) for an hour in the cold while cops sat in their warm squad car for asking why he'd been stopped. That was the most innocuous tale we heard that day. (Yes, of course, we realize that we'll sometimes be lied to.)

The Dickerman kids were eight to ten and beautifully open and responsive. The principal introduced us effusively as "girls" from Harvard, the best law school in the world. Upon graduation, he told them, we'd all be making at least \$55K per year. (To the woman on my left I sniffed, "How gauche." To the one on my right I groused "That's way low.") But, then, how else to compete with drug dealers?

Their mixture of eager-to-please ebullience and subject matter knowledge left us wide-eyed. They knew all about search and arrest warrants and readily distinguished between the two. They spoke of them as permission slips, presumably like the ones used at school. Eric, a nine-year-old with a neat fade, played the kid stopped for being abroad after dark. Dressed head to toe in bright orange, he looked like a handsome little traffic cone. Given that he had no script, his responses to the "cop" were surprisingly on point; it turned out that he'd been in that exact situation (and several others). Then, a precious little sister in the front row almost made us cry.

As my brother would say, she had one of those made up "ghetto names," something like Shontiqua. Her mother braided her hair the same way mine used to — one up top, two in back. She'd spent the entire session perched on the edge of her chair and balanced on her toes begging to be called on. We put her in the car skit and she told us she wanted to be a ballerina. Then she broke our hearts. She was the first to tell us about the "battery" rams cops used to force their way into homes and asked what she should do the next time the cops insistently demanded entry when she was home alone with her younger siblings. Keep dancing little sister. The part of me that knows all the words to Public Enemy's "Fight the Power" wanted to tell her to light a gasoline-soaked rag and toss it onto the porch. But the part of me that knows (hopes?) a Harvard JD is the way to fight the power resisted the urge.

Afterward, we "girls" went to a nearby Jamaican joint for patties and Ting. (We were immediately pegged as students; have we subconsciously adopted that "I own the world" Harvard swagger?). We vented our frustration at advising these kids to absorb yet another blow from America's backhand. But, then, we relived the afternoon's most triumphant moment. We'd asked if it was a good idea to move suddenly or put your hands where they couldn't be seen. Since we were shaking our heads gravely, they all dutifully chimed "No!" "Why?" we asked. "What might the cop think you're reaching for?" Shontiqua, the same little one who'd schooled us on warrants and battering rams answered round-eyed and helpful, "Bubble gum?"

Maybe there's hope for the children of the inner-cities yet.



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