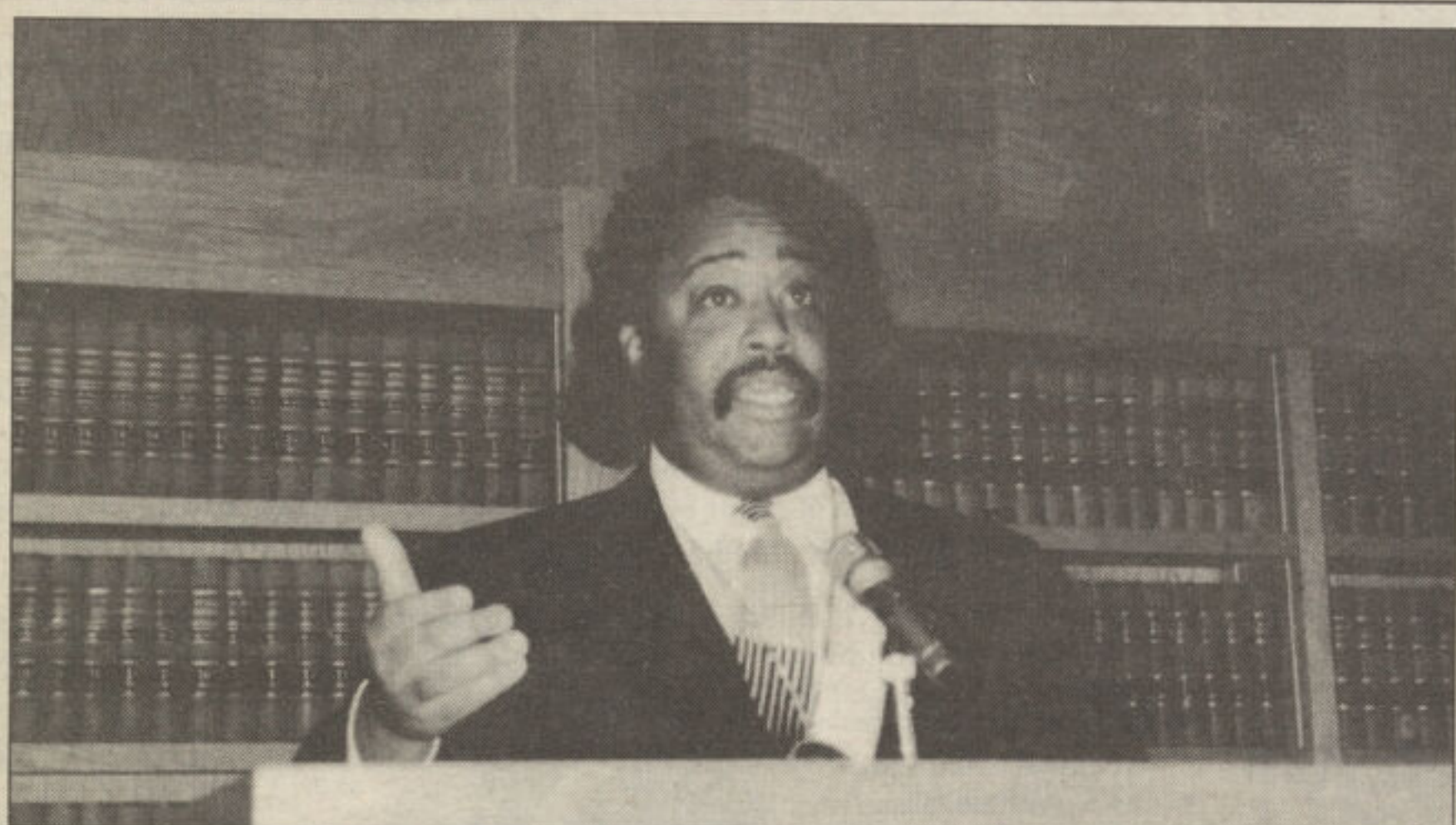




Rev. Al Sharpton speaking at the BLSA Spring Conference last weekend.

BLSA Conference a Success

Speakers Focus on Community

By Steve Yarian

Consistent with conference theme, "Many Paths, One Goal," the speakers at BLSA's Spring Conference presented different historical perspectives and approaches in the quest for social, economic, and political justice. The speakers also invoked Rodney King as a symbol of how far the quest has yet to go.

Organizers of the conference said they were proud of the slate of nationally-renowned and dynamic speakers they assembled. The opening address featured the Reverend Al Sharpton; Judge A. Leon Higginbotham, Jr. presented a tribute to Justice Thurgood Marshall; former Black Panther Deputy Director and present Illinois Congressman Bobby

Rush delivered the Clyde Ferguson luncheon address; and NAACP Executive Director Dr. Benjamin L. Hooks keynoted the event.

The eminently quotable Sharpton urged a largely black audience of about 250 people in the Ames Courtroom to remember their obligations to their communities.

"History will not be impressed with degrees or scholarship, but with what you share with others," he told the crowd. "It will not matter 100 years from now if you only serve yourself."

Sharpton warned of "an epidemic" which afflicts many blacks of the "me" generation, the disease he called "Negro amnesia." He said many people today too readily forget the con-

please see *SPEAKERS*, page 13

Weekend Filled
With Activities

By Bob Arnold

Special to the RECORD

The tenth annual Spring Career/Alumni Conference, as the Black Law Students Association's Spring Conference is officially entitled, was by all accounts a tremendous success. The event featured nationally renowned speakers (see related story), engaging panel discussions led by HLS professors and BLSA alums, a live concert with R&B artist Angela Bofill, an employer forum, prospective student activities, a reception, an awards banquet keynoted

News Analysis

please see *BLSA*, page 12

La Alianza Drops Out of Coalition

Cites CCR Communication Problems

By Jeff Bucholtz

The membership of La Alianza decided to withdraw from the Coalition for Civil Rights in a close vote on April 7.

Felicia Franco '95, co-chair of La Alianza, said the split was caused by "a lack of effective communication" between CCR and La Alianza. "This has been a recurring problem," she said. "We were often not approached for input, but simply handed a fait accompli."

As an example, Franco noted that CCR did not contact La Alianza about CCR's call for Dean Clark's resignation last spring until the night before. She also claimed the organizers of CCR's sit-in at Dean Clark's office never consulted La Alianza for its position.

La Alianza further objected to "the informal decision-making process employed by the Coalition," with decisions being made "outside the structure of the elected representatives,"

according to Co-Chair Fernando Tovar '94. "Our membership just didn't want to continue to work under those circumstances and in that structure," he added.

"Many of our members perceived that CCR decisions are made by a small group of individuals who are not accountable to anyone," agreed Communications Director Jessica Herrera '95.



Felicia Franco '95

In a letter to CCR's Steering Committee announcing the move, Franco and Tovar outlined La Alianza's disagreements with CCR. The letter emphasized that the split should not "imply that La

Alianza does not continue to support [CCR's] basic objectives." Franco expects La Alianza will continue to work with CCR on an ad hoc basis on some projects. "We didn't want to hurt CCR, but we have to do what our own membership wants," she said.

"Many of our members will remain active in CCR as individ-

please see *ALIANZA*, page 4

Law Review: No Affirmative Action for Women

By Maria Politis

In a series of votes last week, members of the *Law Review* nixed proposals which would have added women, gays and lesbians, and socio-economically disadvantaged individuals to the list of groups that benefit from the *Law Review*'s affirmative action policy.

Although *Review* President Van Nguyen '94 refused to disclose the numerical results of the votes, he said, "All the motions resulted in a general strong

agreement. [The proposals] were rejected in very strong agreement."

As a result of the ballots, the *Review*'s affirmative action policy in admitting first-year students to the journal will remain unchanged from recent years. As it stands, African-Americans, Asian-Americans, Latinos, Native Americans, and physically-disabled individuals can elect to be considered under affirmative action status. Currently, 7 of the 81 editors are African-American, 12 are Asian-American, 2 are Latino, 1 is Native American, and none are disabled. Twenty-six editors are women.

No one seems to be sure exactly what effect the affirmative action policy has on 1Ls going through the application process. Samir Jain '94, chair of the *Review*'s Affirmative Action Committee, could describe the current process only in vague terms, and emphasized that much is left to the Selection Committee's discretion. Even the official policy for ensuring that minorities are adequately represented on the *Review* is unwritten.

Every year, about 40 editors are selected as part of a two-stage process, said Jain. Once the applications are ranked,

please see *REVIEW*, page 14

DSAC Open Bar Closed

By Johanna Davis

The Sheraton Commander Hotel closed the open bar at the annual DSAC formal Saturday night just hours after the all-night party had begun due to the rowdiness and obvious intoxication of several law students.

Before dinner was served, a group of first-year law students were throwing bread at guests sitting at a neighboring table. Then, according to eyewitnesses, a particularly drunken individual at the table verbally harassed a female second-year student, screaming lewd remarks.

The woman did not originally hear the insult, but Craig Grossman '94 and Greg Taxin '94 went over to the table to object to the individual's language. "I tried in my most polite manner to say that I thought that was a little inappropriate and that he ought to try to control himself," reported Taxin. "He became more and more belligerent, but then he stumbled over himself and fell onto the table. A bouncer came over and settled him back into his seat."

At this point, the hotel closed the open bar, originally with the idea of reopening it after dinner.

But another confrontation developed shortly thereafter when Taxin repeated the slur to the woman and she walked over to the offending student's table to confront him. Again, Taxin and Grossman had to go to the student's table to calm him down. Following this second incident, the student staggered to the bathroom, but returned to vomit under the dinner table. Friends took him away from the George Washington Ballroom shortly thereafter, at about 9:30 PM.

After the student left, the hotel closed the open bar for the rest of the party. At 10:00 PM, DSAC chair Chris Spagnoli announced over a loudspeaker that the bar would be closed for the rest of the evening, prompting many law students to complain loudly to hotel staff about the decision. Several hostile students also apparently surrounded the Sheraton's catering manager Dana Zayas, demanding that the bar be reopened. "When people started yelling at them, it made it seem even worse," said

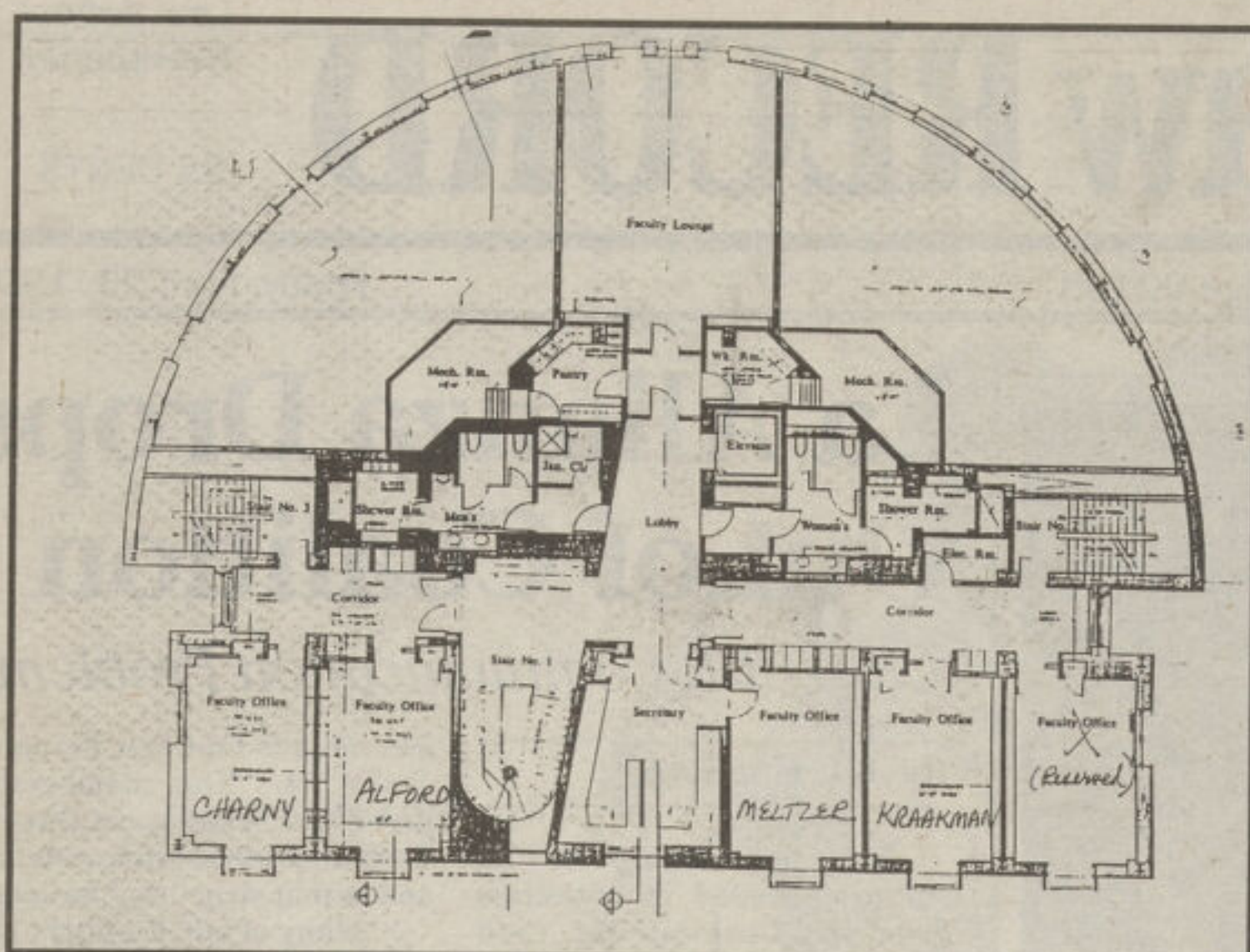
Heather White, DSAC vice-president.

Zion Shohet '95, who was sitting at the student's table, agreed. "Things were just out of control, even after he left," he said. "They closed it down because things were out of hand."

please see *DSAC*, page 2



Students enjoy the recent wave of warm weather.



Room assignments on one floor of the Holmes Field Building.

Faculty Select Offices in Holmes Field Building

By Glennis Gill

Although the Holmes Field Building is still shrouded in paper, faculty offices have already been chosen.

In the fall, recommendations on how offices should be chosen, promulgated by a committee that included Professors Phillip Areeda '54, Abram Chayes '49 and Lucian Bebchuk LL.M. '80, S.J.D. '84, were accepted by the faculty. Traditionally, office selection is determined solely on the basis of seniority, but because some professors will be forced to move in anticipation of Langdell renovations, those professors in the north wing of Langdell "were given 'extra credit' and bumped higher on the list," according to Administrative Dean Sandra Coleman. She said seniority was still the primary criteria.

Coleman worked out the order and then met individually with professors to choose their offices; they could choose from any of the available offices in any of the buildings, i.e. new building, Griswold or Langdell West. Coleman said she was "pleased" with the process. "For the most part, everyone got their first choices," she said.

Twenty-nine professors will be moving into the new building, but 43 will be moving offices. Coleman emphasized that, given the total faculty is approximately 65, "It is a big deal, in a small sense."

Office selection is now over and the move into the new building is scheduled for January, 1994. Those professors who are not moving will receive renovations to their offices as well, such as a new coat of paint.

Many senior people chose not to move, Coleman said, meaning that younger professors like Louis Kaplow '81 were able to get into the new building.

There are 35 offices total in the new building, but the administration has reserved some for future faculty

appointees, to mix new people with more senior faculty. One office has been reserved for Dean Clark's use when he is no longer dean. Right now, Clark has no faculty office. Until he leaves his position of dean, the Holmes office will be occupied by a visiting professor.

The new office space created by the Holmes Field Building will enable HLS to renovate Langdell. According to Professor Andrew Kaufman '54, chair of the Langdell Renovations Committee, "the plans for the renovations of Langdell are quite far advanced" and will convert the space now dedicated to faculty offices into library use. However, "the project has been on hold for a year, waiting for progress in the fund-drive." Kaufman said that when the renovations will commence is uncertain; they will begin when a certain fund level has been reached, to be determined by the dean.

Although the final result of the Langdell renovations is known, HLS is yet to decide whether they will be done piecemeal or all at once. Kaufman explained that "the sense of the committee was that we should do everything possible to see if we can do it in the one-swap format." If that were to occur, the plan calls for a temporary library in Pound Hall and possibly a satellite reading room in the Hark. It would take approximately one year. Less disruptive but much more time consuming would be the plan to renovate the library in thirds, which would take three years.

The planning for Langdell renovations began in 1984, and according to Kaufman, "that's how this whole building program started." He explained that after looking at Langdell, the committee went on to general space planning for the Law School, which led to the new building, and also to North Hall. Kaufman said Langdell is one of the two big projects yet to be completed. The other is the planned renovations for the Hark, also waiting for funds.

NAFTA Panel Looks at Impact on Latinos

By Lisa Zornberg

Racism, poverty and disease were among the host of complicated issues raised last Saturday, as four panelists tackled the question of what effects the North American Free Trade Agreement (NAFTA) will have on Latinos.

NAFTA is scheduled to come before Congress by the end of this year, and if passed will eliminate tariffs, agricultural subsidies, and other trade obstacles between the US and Mexico.

The panel discussion, held in Austin Hall before an audience of about 50, lead off La Alianza's fourth annual Law School Latino Conference. Entitled, "The Devil is in the Detail: NAFTA and Its Impact on the Latino Community," the panel brought together Latino speakers whose attitudes toward NAFTA ranged from cautious to enthusiastic.

Abelardo Valdez LL.M. '74, former US ambassador and chief protocol in the Carter administration, opened the talk by recalling his own days at HLS. "I'm glad to see you're still here and growing," he told the mostly-Latino audience.

The staunchest NAFTA supporter on the panel, Valdez said his goal was to convince students "that what's good for the US and the US economy is also good for Hispanics." He argued that hemispheric free trade among US, Mexico and Latin America would mean more US exports and translate directly into increased jobs and opportunities for US workers.

NAFTA is good for Latinos, Valdez further maintained, "because, for the first time [in national politics], they are being asked, 'What do you think about this?'"

Other panelists supported NAFTA, but warned that it must be accompanied by safeguards for Latinos. They cautioned that while the agreement may bring a net gain in US jobs, low-skill labor industries, in which Latinos are highly represented, will suffer. The result, predicted Raul Hinojosa, a professor at the Graduate School of Architecture and Urban Planning at the University of California at Los Angeles, is that NAFTA's negative effects may disproportionately impact Latinos.

Hinojosa recommended that institutions building accompany NAFTA's adoption in order to avoid these ill effects. Specifically, he proposed the establishment of a North American development bank that could provide remedies to those communities hurt by NAFTA, and finance new enterprises promoted by the agreement.

For panelist Mary Joe Marion, a trade

policy analyst with the National Council of La Raza, the answer is "NAFTA Plus," a package for which she is currently lobbying in Washington. The package would help to focus national attention on how Latino communities fare under the agreement, especially the impoverished border communities which have predominantly Latino populations.

"When we talk about NAFTA," Marion said, "we must be sure to take care of our own people."

Steve Carbo, a legislative staff attorney for the Mexican-American Legal Defense and Education Fund (MALDEF), said his organization will only endorse NAFTA if four conditions are met by Congress: implementation of job creation and retraining programs designed to assist lower-skilled displaced workers; reformulation of migration policies so that

Mexican nationals traveling through the US are treated like Canadians; investigation of NAFTA's impact on environmental and health conditions in border communities; and investment in border-community infrastructure and minority business development.

NAFTA: Metaphor for Racism?

Although the discussion mostly focused on NAFTA's predicted impact, the panel also addressed the agreement's geopolitical significance in current US politics.

According to Hinojosa, NAFTA is "just a footnote" compared to more monumental agreements like GATT, so that political "fixation" on the agreement cannot be explained in economic terms alone.

"This is where racism comes in," he said, asserting that NAFTA has become a dangerous metaphor used to explain US job loss and the declining middle class. "Mexico has become the third world in the US consciousness. It is the monster that ate the middle class."

Marion agreed that "when the image of Mexico is put down, all Hispanics are put down."

Saturday's panel discussion followed with a large luncheon at Chef Chow's, during which students and panelists discussed NAFTA's predicted effects on the environment. "It was a conference topic on its own," commented Cristina Toro-Hernandez '95, La Alianza's new membership chair. She called the discussion "eye-opening."

The conference ended Saturday evening as participants dined and danced to Salsa music in the Ropes-Gray room. Overall, Felicia Franco '94 and Fernando Tovar '94, La Alianza's new co-chairs, called the conference a success. Martha Rubio '94 and Carlos Vasquez '94 assisted in planning the day's events.

"When we talk about NAFTA," Marion said, "we must be sure to take care of our own people."

Bar Closed at DSAC Party

continued from DSAC, page 1

But Kim Yahr '95, a Hastings DSAC representative also sitting at the individual's table, thought hotel management overreacted. "The hotel should have just removed him, because they knew he was the main problem," she said.

Taxin felt the hotel's mistake was not removing the problematic student earlier. "The hotel management knew very well after the first confrontation that he was drunk — he couldn't stand up at that point," he said. "If they'd been a little more pro-active, or a little more observant, they could have stopped the problem much earlier, and they could have kept the party going."

The party of 250 quickly dwindled after the bar closed. "A lot of people did stay to dance until 12:30, and I think the people who stayed had fun," said Heather White, DSAC vice-president.

DSAC's former Treasurer Jonathan Biedron formally apologized to Zayas and is currently negotiating with the Sheraton Commander to be reimbursed for the alcohol not consumed at the party. Zayas refused to comment, saying she was not "authorized to do so."

Prospects for future DSAC formals at the Sheraton Commander are likewise questionable. "We don't know if the hotel would welcome us back or not," White said. "They haven't explicitly said no, but they haven't asked us back either."

If your graduation is bringing you to the

Big Apple

where are you going to live??

For the past 15 years, countless graduates of your school have saved valuable time and money with:

Citylife Realty, Inc.

We have studios, 1, 2 & 3 bedroom apartments in hundreds of elevator buildings, brownstones and luxury doorman buildings.

All at unbeatable rents!!

All on the Upper East Side.

For further information, call us collect at 212-517-5555
Ellen Healy (Clarke Univ. '86), director of corporate relocation.

Going Once... Going Twice... SOLD!

Law School Council Sponsors Charity Auction

By Tony Petrilla

A trip to Italy, various signed publications by the faculty, and other off-the-wall articles, donated by faculty members and other individuals, will highlight the annual charity auction sponsored by Law School Council today at 4:15PM in Austin North.

The beneficiary of this year's auction is the "I Have a Dream" Foundation of Boston, which runs assorted youth programs in the city. The money will help to provide a one-year scholarship at the University of Massachusetts for an inner city youth who participates in the foundation's programs.

According to LSC Program Chairman R.L. Beeman '94, the auction's success will depend on the turn-out. "Just having a nice-sized pool of auctionees will be enough," he said. "Once we clear that hurdle, everything else will take care of itself."

Last year's auction raised \$1800. This year, Beeman and other members of LSC hope to raise \$2000.

Unlike in past years, today's auction coincides with Alumni Weekend.

Organizers hope a strong alumni response will help LSC reach its fundraising goal, and they have placed a letter in the packets that participating alumni will receive today.

The list of items pledged by various professors normally includes many strange donations. Yet Beeman expressed complete surprise at Prof. Joseph Weiler's offer to provide a week-long trip to Italy. He and Beeman are still working out the details of the trip, which will be fully explained at the auction.

Some of the other items available include: nine holes of golf with Prof. Kaufman; beer for four at "a local watering hole" from Prof. Mann; a signed copy of Prof. Vorenberg's book, co-written with Jack Greenberg of Columbia University, titled *Dean*

Cuisine: or a Liberated Man's Guide to Fine Cooking; a complete and signed set of the "Benedictin Briefs," from the case argued by Prof. Charles Fried against Prof. David Shapiro '57 and Charles Nesson '63 before the Supreme Court; photographs taken by Prof. Steiner on his various travels around the world; and, of course, three of Prof. Ogletree's sweet potato pies.



R.L. Beeman '94



Students with their dogs have become a familiar sight at HLS.

New Law School Dog Policy: Too Ruff?

By Scott Kolbrenner

Owners and lovers of dogs are rabidly opposed to a recently released HLS Joint Council proposal to restrict dogs' access to campus. A less visible contingent, however, supports the measures as a realistic curb on the sometimes wandering canines. The rationale for the policy and the arguments against it were offered on Monday at a meeting in the Hark.

John Bates '95 of the Law School Council organized the discussion to gauge student emotions regarding the proposed policy, which would ban all dogs from inside law school buildings and mandate that dogs be kept on leashes when walking on school grounds. Bates told the gathering of about 15 students that he had received numerous calls in support of harsher rules against dogs since he alerted the Law School about the proposed change in policy.

Marty Russo '93, who owns a Neopolitan Mastiff named Zoey, countered that the overwhelming number of people at the meeting opposed the policy. Arguing that the calls Bates received were not representative of everyone's feelings about the matter, Russo remarked, "People wouldn't call to compliment a dog's behavior."

Supporters of the new policy offered accounts of dogs drinking from public water fountains, eating from the tables, excreting in public, wandering into classrooms and scaring members of the community. In addition, some speakers mentioned allergies and phobias of dogs as reasons to put a restriction on the dogs' access to campus.

When Bates was pressed on his attitude toward dogs, he said, "Listen, I like dogs myself. We want to give all the students an opportunity to voice their opinion on this issue. I will express to the Council all of the concerns that were voiced to me today and in the past."

Arguments against the policy took many forms. Dog lovers and owners cited the sense of community and the companionship that all students feel when the dogs are around. These emotional arguments were compounded by the more tangible concerns about protection, which

many at the meeting cited as a strong reason for allowing them to have their dogs with them. Mike Kraut '93, owner of a golden retriever named Griffin, said that on one of the few nights Griffin did not accompany him on his walk home, Kraut was mugged and suffered a broken bone in his neck.

Members of the Joint Council and the Law School Council reiterated their hopes that both sides' interests would ultimately be taken into account. Marilyn Byrne, co-chair of the Joint Council, ended the meeting by thanking all for their input and added, "We're open to all suggestions."

BSA Attracts Large 1L Applicant Pool

By Greg Stohr

Almost a quarter of the 1L class has applied for the fewer than 25 positions on next year's Board of Student Advisors.

One hundred and thirty students, nearly all of them 1Ls, completed the assignment for the BSA competition by Monday's deadline, and should learn in late July or early August whether they have been selected to join the organization. According to BSA President Jim McNasby '94, 24 students, approximately 21 of whom are currently 1Ls, will join BSA next year.

To apply, students were required to read and criticize a sample student brief, which included a number of errors. Evaluation of applicants will be based on a combination of grades (30 percent), the brief-editing assignment (20 percent), an oral interview (20 percent), and evaluations from the students' Introduction to Lawyering and Ames workshop leaders (15 percent each). First year students who are invited to join BSA are asked to make a two-year commitment to the organization.

In addition to coordinating the 1L legal writing and research program, BSA

members oversee the Williston contracts writing competition, serve as 1L orientation group leaders, and compile a guide to student evaluation of courses at HLS. Members earn \$3750 per school year for their services.

McNasby said BSA offers students an opportunity to help improve the 1L educational experience at HLS.

"It is really a way to get involved within the community here," he said. "As trite as that sounds, it's a way for people to find themselves with a home base. It's a great experience."

Many 1Ls say they intend to apply for both *Law Review* and BSA, although Law School rules prohibit students from joining both organizations.

"I thought it would be a great chance to get the claylike first years into my hands before they fell into the professors' clutches and save a few souls that way," said applicant Robert McBurney '95. "I honestly think it would be more fulfilling than *Law Review*. The *Law Review* is supposed to take me to high places, but it would be so boring and all-consuming. BSA would be much more entertaining."

Regardless, McBurney said, he plans to enter the *Review* writing competition.

"It is really a way to get involved within the community here," McNasby said.

South Dakota Governor Dies in Crash

South Dakota Governor George Mickelson, father of Mark Mickelson '93, died April 19 with seven other people when their plane crashed in eastern Iowa.

The plane was en route to South Dakota from Cincinnati. After reporting engine trouble, the twin-engine turboprop was heading for an emergency landing at the Dubuque airport when it struck a barn and silo about 15 miles Southwest of Dubuque at about 4 PM.

"What a tragedy. We lost the heart out of South Dakota," said the Democratic leader of the South Dakota Senate, Roger McKellips. Mickelson, 52, a Republican, was serving his second term as governor. He was first elected governor in 1986 and was re-elected in 1990. Mickelson also served six years in the South Dakota House, where he was speaker in 1979-80.

The RECORD sends its deepest condolences to the Mickelson family.

Living with Religious Differences

By Kris Carter

Even amidst an exceedingly pluralistic religious landscape, we can and must learn to live with our deepest religious differences, asserted Charles Haynes, a religious liberty scholar who spoke on April 13 at the Phillips Brooks House.

Noting that more than half the current military conflicts in the world can be traced to intolerance of religious differences, Haynes said we must "re-invent how we treat each other" in order to bring any real meaning to freedom of conscience in the US.

The bulk of Haynes' comments focused on the appropriate place of religion in the public schools, particularly in light of the "hot" issues of textbook content, values education, creation science, and religious holidays. His central thesis was that the proper response to pluralism is not to remove all traces of religion, but to teach "about" religion and its role in history and society. He argued the total absence of religion in public school curriculum undermines the central role religion has played in history and society and results in religiously illiterate students.

The event was sponsored by the HLS Rutherford Institute in conjunction with the Pluralism Project in the GSAS Department of Religion; the Program on Religion and Secondary Education in the Divinity School; and Teaching, Curriculum, and Learning Environments at the Graduate School of Education.

BRIEFS



HLS Journal Hosts Bosnia Conference

The Harvard Human Rights Journal and the Francois-Bagnoud Center for Health and Human Rights will host "A Day for Bosnia" at 1:00 PM tomorrow in room 105, Emerson Hall. The conference will center around two panels, one focusing on the current public health and human rights situation in Bosnia and the second concentrating on the international response. Speakers will include former State Department official George Kemey and Prof. Robert Jay Lifton, who will deliver the keynote address.

Naked Law Student Displays His Views

A University of Pennsylvania law student felt that not enough attention was being given to the Supreme Court's decision upholding the right of local governments to ban nude dancing.

So he decided to put on a little nudity demonstration of his own.

Gons Gutierrez Nachman, a first year student at Penn, stood completely naked (except for a beaded necklace) outside a law school building for 10 minutes as he gave a speech about the 1990-91 *Barnes v. Glen Theatre* decision.

Nachman had originally proposed attending his constitutional law class naked, but, after another student objected, his professor told him he would not allow the student to sit in the class unclothed. Nachman instead attended class clad only in a strategically placed bandanna. "I want to expose the students to a different point of view and engage in an act of free speech," he said.

20% Polled Unsure Holocaust Happened

Twenty-two percent of adults and 20 percent of high school students surveyed in a new poll said they thought it was possible that the Holocaust never happened.

The poll, conducted by the Roper Organization and released on April 19, also found that an additional 12 percent said they did not know if it was possible or impossible to believe the Holocaust never happened, according to the survey's sponsor, the American Jewish Committee.

Six million Jews died at the hands of Nazi Germany in the Holocaust.

Elie Wiesel, the Nobel laureate who chronicled his experiences at the Auschwitz and Buchenwald concentration camps said in the New York Times, "We have been working for years and years. I am shocked that 22 percent — oh, my God."

The survey also found that 72 percent of adults and 64 percent of high school students said it was essential or very important for all Americans to know about and understand what was done to the Jews and others by the Nazis.

HLS Grad Dies in Waco Suicide

A Harvard Law School graduate was among the more than 80 people who lost their lives in the apparent mass suicide by followers of David Koresh, according to *The New York Times*. Douglas Wayne Martin '77, a 42-year-old lawyer, died in the massive fire that consumed Koresh's compound, according to *The Times*. The fire culminated the 51-day siege by the government as it attempted to oust the cult from the compound in a town outside of Waco, Texas.

The *Times* characterized Martin as "something of an anomaly among the cult members." Martin's friend, Lawrence Johnson of the Waco City Council said, "He's a real good guy, very caring for his clients. He's a good person to know." Johnson went on to describe Martin as a "computer whiz."

Martin's wife, Sheila, and one of his seven children, were released from the compound before the cult's final act.

Students Receive Ogletree Scholarships

Eight Boston-area black high school students will receive scholarships in 1993 through the Charles Ogletree Scholarship Program. The scholarships will be awarded by the BELL Foundation, an organization seeking to expand economic and education opportunities available to children in the African-American community.

The recipients of the Ogletree Scholarships are: Nicole Hinds of Boston Latin Academy and Ronald Dottin and Obinna Onyeagoro of Cambridge Rindge and Latin High School. Five other students received honorable mention awards.

HLS Daughters Program in the Works

Students, faculty and staff of either gender are encouraged to participate in the first annual "Take Our Daughters To Work Day," next Wednesday, April 28. For those without daughters, a friend's daughter, a goddaughter, or even a friend's god-daughter will do.

The Law School event is part of a national mentoring campaign launched by the Ms. Foundation this year, and it will consist of a day of classes, cookies and conversation for girls aged 9 to 15 who attend, according to Elizabeth Moreno '93.

Moreno said she approached the administration about participating in the project after listening to Visiting Prof. Elizabeth Warren speak at the recent WLA dinner about the prevalence of gender bias against girls in academic settings.

"This is meant in a small way to address that," Moreno said, adding, "It's meant to address girls' self-esteem problems as well."

Girls who participate will kick off the day with a chat with Dean Clark '72, followed by a tour of the Law School. The itinerary also includes attending classes, playing sports or watching a movie, and a punch and cookies reception at 3:30 PM for the finale. Female students are invited to attend the reception.

Students interested in bringing girls to the program should R.S.V.P. to Elizabeth Moreno '93, (617) 576-3712; faculty and staff who would like to participate should contact the Dean's Office.

In addition, students interested in volunteering to help with the day's activities should contact Moreno A.S.A.P.

Wyeth Resident Arrested

A Wyeth resident, who is not a law student, was arrested on April 10 for stalking another Wyeth resident, according to Dean of Students Suzanne Richardson and HUPD Chief Johnson. Johnson said that HUPD assisted Cambridge Police in executing the search warrant. A pre-trial conference was held on April 22.

New Group Brings Poetic Justice to HLS

By Lisa Zornberg

What do rhyme scheme and meter have in common with expectation dam-

ages and promissory estoppel? Not much, and that's exactly what inspired Wendy Feng '94 and Becca Topol '94, during their Contracts class last fall, to found the HLS Poetry Society. Now in its first year of official existence, the fledgling organization, advised by Prof. Richard Parker '70, attracts about 15 law students to its biweekly sessions held in places as bizarre as the Science Center stairwell.

"When I got to Law School, I realized that you get eaten up by the system unless you try to maintain your own identity as a person outside of being a lawyer," explained Topol, who continues the fiction-writing career she began in college.

"There are a lot of people who come to the Law School after a liberal arts education," added Feng. "Reading cases all the time, law school can be pretty dry. The Poetry Society gives people a chance to bring out their creative energies."

Whether one is a serious bard or just bored with the grind, the society offers a

relaxed atmosphere in which students read works by themselves and others or come to listen. Topol estimates that two-thirds of the participants write regularly.

Feng and Topol settled on the society's present informal structure after more ambitious designs met with obstacles. Initially, they had wanted to start up a literary magazine, but the HLS policy banning additional campus journals prevented them from doing so. Other experimental concepts that never came to fruition included setting up an "open mike" and posterizing the campus with poetry.

Members seem content with how the Poetry Society has taken shape. "It's one of the things I most enjoy about law school," said Damon Silvers '95, who likes to write and read poetry. "It gives expression to the fact that we are all people with complex responses to our own lives and the lives of others, which is not captured by what we do as law

students." Now that the society has begun to sprout roots, Topol and Feng hope to expand student participation and explore creative possibilities for its future. The group has no funding as of yet, but Feng noted, "It's unclear what we'd spend it on."



Wendy Feng '94



Becca Topol '94

La Alianza Leaves CCR

continued from ALIANZA, page 1

uals," predicted Herrera. "But La Alianza is a very diverse group that isn't exclusively political. Some of our members might not agree with CCR or with its tactics."

A Controversial Vote

La Alianza's membership ratified the proposal to withdraw from CCR by one vote on the second round of voting. Some members felt the voting procedure was undemocratic because members were not notified beforehand that the agenda would include a discussion about seceding from CCR.

In a letter distributed to La Alianza's membership, Carlos Vasquez '94 decried the decision as "illegitimate." Vasquez, who describes himself as the "unofficial publicity person of CCR," accused Franco and Tovar of "hypocrisy." He claimed the two had no right to object to CCR's failure to consult La Alianza because they did not consult their own membership to ensure all of La Alianza would be present for the crucial vote.

But according to Franco, La Alianza's newsletter stated that one of the purposes of the April 7 meeting would be to discuss "what, if any, political presence" the organization should maintain. Since La Alianza's only political outlet has been CCR, Franco said she felt La Alianza's members knew CCR would be on the agenda.

Franco defended the decision not to publicize explicitly the vote to withdraw as necessary to prevent "destructive rumors that would have made the situation harder for everybody."

Herrera disputed Vasquez' criticism

of the fairness of the vote, observing that "since the turnout for the meeting was the highest we've had all year, I'm confident that our members knew what was being discussed."

Vasquez also objected that La Alianza pulled out of CCR after the vote without first presenting its complaints to CCR and giving CCR an opportunity to rectify the problems. However, Tovar said, "The problems were not new, and we had made our objections known long ago. Our members thought it was past the point where we could work it out privately with CCR."

Reaction to the Split

Camille Holmes '93, outgoing coordinator of CCR, expressed her "disappointment" with the split. Holmes acknowledged that there have been "miscommunications and misunderstandings about what CCR is and should do. Hopefully this will generate a lot of productive discussion that will enable CCR to refine and rearticulate its goals and procedures," she said.

Holmes said La Alianza's withdrawal, while unfortunate, will not "seriously compromise the efforts of the diversity movement." She emphasized that "CCR has always been open to individuals without regard to group affiliation, so some members of La Alianza

will remain active, and CCR will continue to focus much attention on the issue of diversity, which certainly hasn't gone away."

Franco says she intends to "keep communication channels open," and believes that "there is still a need for an organization like CCR," but does not foresee La Alianza rejoining CCR in the near future.

"CCR will do everything we can to meet their needs," said Holmes, "but coming back is up to them."

Franco says she believes that "there is still a need for an organization like CCR," but does not foresee La Alianza rejoining CCR in the near future.

THE VERDICT

Reactions to the Rodney King Trial

Prof. Charles Ogletree '78



"The jury did an excellent job in sifting through the evidence and coming up with what is a clearly defensible verdict. Although all the defendants were in some sense guilty of violating Rodney King's civil rights, the jury placed the blame in the hands of those who were most responsible.

"The real concern I have is that the community's sense of justice will not be fulfilled until the conclusion of the Reginald Denny case. Although we've made it through the first phase of this telling time, we still have to prepare for the community's likely reaction to the prosecution of the defendants responsible for the attack on Reginald Denny."

Paul Johnson

Harvard University Police Chief



"I thought it was about as close to being absolutely fair as it could be. The jury must have given it great consideration."

Prof. Richard Parker '70



"I think the interesting question is whether the Justice Department prosecuted the two who were acquitted in order to get more leverage. They really didn't present much evidence [to convict the two who were acquitted] at all. That raises the question whether it is proper to indict four to get more leverage to convict two." Parker added that despite that troubling suspicion, "the greater good dictated that at least two be convicted."

Prof. Alan Dershowitz



Although he is concerned that the jury might have been influenced by a fear of renewed rioting and that the second trial might have infringed on the defendants' rights against double jeopardy, Dersh said: "Putting those two concerns aside, it sounds like a just verdict. I think they should have been found guilty the first time around. . . I have a son in Los Angeles, so I'm thrilled that there was a conviction. . . I think the convictions will be affirmed on appeal."

Louis Eble '94

12-year police veteran



"I think that the fact that there was a second trial and that it was held in post-riot-torn LA demonstrates that, for at least some of society, our constitutional guarantees can come at too high a price. It is exactly that type of short-term thinking that leads some officers to rationalize the administration of 'street justice' in the first place.

"I have no problem with the verdict but I have a problem with how we got to the verdict. If our constitutional guarantees have a price tag then that's something we have admit to ourselves, as distasteful as that might be."

Rhonda Adams '93



"I'm not satisfied. I thought all four of the officers were guilty. It sends a dangerous message that it's OK to hit a black man x number of times, but don't go above that. I think a lot of black people in the United States have allowed themselves to feel joy over this verdict because we've come to expect so little."

**WE'RE NOT THE BEST
BECAUSE WE'RE THE
BIGGEST**

**WE'RE THE BIGGEST
BECAUSE WE'RE THE
BEST**

BAR/BRI

BAR REVIEW

(800) 866-7277

Over the Edge in California

Death Benefit.
By David Heilbroner.
New York: Harmony, 353 pp.
\$20.00/hardcover

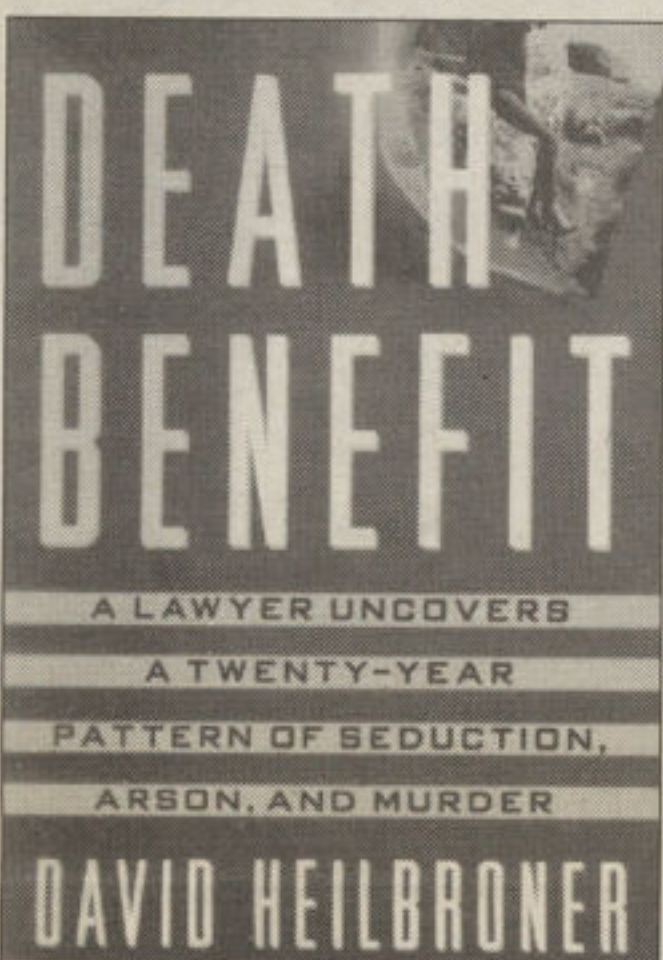
By Mike Fischer '95

Six years ago this month, Deana Wild, a twenty-year-old woman from Kentucky, fell to her death from a lookout in California's gorgeous Big Sur country. The police did not suspect foul play; careless tourists with a flair for adventure fall to their death from Big Sur cliffs all the time. Five years later, however, one of Deana's companions that day was on trial for murder, suspected of having deliberately pushed her over the edge.

Welcome to the macabre world of David Heilbroner's *Death Benefit*, the true story of what happened in the five-year interval — and a whole lot more as well. Taking us from the cliffs above the Pacific to the smug comforts of suburban Louisville and from the grinding poverty of upstate New York to the seamy underworld of drug-infested San Diego, Heilbroner covers more ground and sketches more characters in his several hundred pages than all of John Grisham's legal thrillers combined. In the process, *Death Benefit* not only proves the adage that truth is stranger than fiction — but demonstrates that it is considerably more messy as well.

Heilbroner attempts to build narrative order from real world chaos by casting his story as an epic morality play between its two main characters. On the side of truth, light and justice, he weighs in with squeaky-clean Kentucky corporate lawyer Steve Keeney. An ex-SDS leader who earned his stripes fighting cops during the 1968 Democratic Convention, Keeney has traded in his youthful idealism and denim battle fatigues for a comfortable middle age. "Swinging deals that he might have slandered in his college [newspaper] column," Keeney's life is defined by tax codes, blue-sky laws, and the boardroom politics of his powerful Kentucky law firm, Barnett & Alagia.

For Keeney, living on the edge means spending an extra half hour tending his tulip garden while smoking a Cuban cigar. Transformed by a series of improbabilities into super sleuth, his relentless quest to pry loose the truth of what really happened to Deana Wild occasionally reads like a tedious diary of personal reflections on the meaning of sin. After Keeney wonders for the umpteenth time how such unmitigated evil could exist in the world, one can't help concluding either that he is the most naive human being who ever lived or that Heilbroner is



determined to transform Deana's initial fall over the edge into a crude symbol for the original Fall from innocence in Eden.

Either way, evil is much more interesting, and Heilbroner's detailed portrait of Deana's accused killer, Virginia McGinnis, is far and away the best thing in his book. Beginning her resistible rise into a life of crime with a petty theft here and a phony insurance claim there, Virginia finds her way into the middle of a half-dozen major arsons, several especially juicy murders, a dizzying array of crafty insurance bilking, and, for good measure, a couple of suicides.

Or does she? Though Virginia has a knack for invariably being in the wrong place at the wrong time, much of the evidence against her is circumstantial. Unlike *L.A. Law*, with its illusion of finality and closure, *Death Benefit* is not about a grail-like search for the indisputable fact or the magical smoking gun that will resolve all disputes and settle all controversies. Instead, Heilbroner's book, much like the law itself, serves up dueling narratives — competing interpretations — of the same generally undisputed facts. Virginia's story remains plausible, long after the mounting circumstantial evidence and accompanying lies ought to have destroyed her credibility, because she herself is so frighteningly normal. Confirming the essential banality of evil, Virginia gets away with so much for so long precisely because she seems so damn like everyone else.

Virginia also has the willing assistance of a singularly inept criminal justice system apparently hell-bent on fumbling every piece of evidence that comes its way and every golden opportunity to throw her in the slammer. As a former assistant district attorney in Manhattan who quit his job and the law in disgust at the inanities he saw in both, Heilbroner displays zest and passion as he describes and attacks the endless stream of civil trials and procedural shenanigans surrounding Deana's murder.

Heilbroner also, unfortunately, displays comparable zeal for developing a number of narrative strands that have no place in *Death Benefit*. In a vain effort to make Keeney's life half as interesting as Virginia's high-pitched melodrama, Heilbroner periodically interrupts his narrative with boring interludes describing Keeney's courtship and marriage, personal history, and tastes.

He also wastes a good fifth of the book sketching a facile and fatuous contrast between Keeney's life as a bloodless corporate lawyer and his subsequent decision to leave his firm — which just so happens to be self-destructing before his very eyes — for a solo practice replete with "human clients" who actually say things like "My heart is broken." Heilbroner uses these episodes to bootstrap his way into an anything but subtle — let alone accurate — analogy between the pathologies of corporate law and of Virginia McGinnis. Placed in a tale where Virginia's pathologies are more than imposing enough, such interjections make for unwelcome surplusage at best.

But while *Death Benefit* could have used an editor, it's nonetheless worth a read; Virginia's haunting specter holds it together despite Heilbroner's tangential impulses. Striding across a stage riddled with more bodies than an Arnold flick, Virginia still manages to retain an aura of the comfy and the ordinary reminiscent of *Arsenic and Old Lace*. But while the wild improbability suggested by *Arsenic's* contrast between its grandmotherly protagonists and their dastardly deeds made for good comedy, *Death Benefit* is no laughing matter. No wonder Keeney spends so much time wondering whether the "voice of evil" "really lies so close to home." In a world increasingly off its rocker, anyone can go over the edge at any time.



Hoops, Pucks, and the State of Montana

By Bill O'Dowd '94

OK, sports fans, it's alright to watch NBA and NHL games now. It's time for the playoffs. Arenas will be packed, the players will be hustling, and there's a real sense that the games mean something. Of course, there's no rush. These playoffs will be going on for a couple of months now.

After so boldly picking the Indiana Hoosiers to win the NCAA's I have learned my lesson (humble pie doesn't taste nearly as good as grandma's apple variety!). Thus, friendly reader, I will merely offer "suggestions" should you find yourself being asked to wager on these events, or needing mind-numbing trivia to impress your dorm buddies.

In the NBA, only the top three teams in each conference stand a realistic chance of reaching the finals (sorry Celtics fans!). Why? Winning a playoff series without homecourt advantage is no small feat. To have to do it two or three times just to reach the finals is a miracle on par with resurrecting Dionne Warwick's singing career (of course, with her psychic friends ...). In the East, whichever team, New York or Chicago, that gains homecourt advantage receives some psychological momentum (last year's series saw the home team win every game) and dodges the red-hot Cleveland Cavaliers in the semi-finals, winners of 19 of their last 20. Out in the West, the raw talent of Seattle and the torrid record of the Houston Rockets since the All-Star break make both teams quality choices to reach the finals. But with a healthy Charles Barkley, it's hard to argue against the Phoenix Suns, owners of the NBA's best record and guaranteed home-court advantage throughout the playoffs.

With respect to the NHL, the best "suggestion" I could give would be to not listen to me. I mean, what does a kid from Miami who grew up thinking "puck" was a four-letter word (it still is, isn't it?) know about hockey? Still, does it take a genius, or even a vague familiarity with the standings, to figure out the odds-on favorite here? If you bet against the Pittsburgh Penguins, who by the way won

last night 7-0, either you've been hanging out in Langdell for too long or you chronically bet on the 99-1 horses at the racetrack. The question may not be who can beat Pittsburgh in a series but which team can take even one game from the Penguins. Besides, how can you root against Mario Lemieux after he's battled back from Hodgkin's disease?

Now for the third major development in sports this past week. The State of Montana. Joe Montana, that is. He is now a Kansas City Chief, which makes the Chiefs an immediate contender to overthrow the Buffalo Bills in the AFC. I applaud Joe for taking less money in order to sign with a playoff-caliber team. He had been offered more to go to the Phoenix Cardinals who, despite adding Joe Montana, still wouldn't compete with the Cowboys, Redskins, or Eagles in their own division.

Could the 49er management have handled this situation any worse? Earlier this week, owner Eddie DeBartolo and coach George Seifert reversed their year-long positions and agreed to make Steve Young second-string if Joe would stay. Come on! Either you stick to your guns or you don't. Steve Young was NFL MVP for crying out loud. Steve Bono just turned down the free agent market and re-signed with the 49ers after being told he was the team's second-string "quarterback of the future." The 49ers acted as if they were taken by surprise that Montana had been able to work out a deal with another team. Joe had not hidden his intentions for the past two years! Let me ask you, friendly reader, this simple question. If you were Steve Young when your current contract expires, and the 49ers want to pay you even one cent less than what you're asking on the theory that they stuck behind you all the way with the "Montana thing," how much loyalty to the team would you feel? About as much as the pig does to the butcher, I reckon. The 49ers just proved that they view Steve Young as another piece of meat.

Photographs by Roman Vishniac

By Michael Tenenbaum

One of this century's quintessential Renaissance men, Roman Vishniac (1897 — 1990) left a priceless historic, scientific, and cultural legacy to the world in the form of his photographs and scholarship. The International Center of Photography (ICP) in New York City, with the insight of its director, Cornell Capa, recently concluded an exhibition of these contributions entitled "Roman Vishniac: Man, Nature, and Science, 1930 — 1985."

Consolation to those who missed it may be found in the fact that the photographs emerged from the Center's permanent collection and doubtless deserve a national tour.

Vishniac wandered through eastern Europe in the late 1930s and somewhat prophetically captured a generation of ghetto Jews moments before their impending extermination under Hitler's Nazi regime. His photographs now reveal the stories their subjects did not live to tell. Detail takes on new dimensions in an image of a young girl forced

to remain indoors for a period of years, her father having painted on her walls the only flowers she would see. Another depicts an elder asleep outside a storefront window, apparently homeless — until one notes in the caption that the man was the store's proprietor and was banned from running his business there.

It was Vishniac's pioneering work in photomicrography that won him acclaim by the 1950s, and the exhibit represents some of this, including magnification of, among other things, human hair and protozoan reproduction. This led to exhibition of his earlier documentary of Jewish life, prior attempts at which had been ignored even by the White House in 1941. The archive today stands as pictorial testimony to a lost world. See *The Vanished World*, the recent *To Give Them Light*, or the ICP monograph *Roman Vishniac* for fuller pictures of this man's remarkable work.

Out of Town

A Crit at the Movies

By David Lopez

All my life I've been waiting for the day when I'd grow up. I thought that one day I'd become totally responsible and serious and I'd give advice like Ward Cleaver or something. But I just don't seem to have changed a bit in years. In high school, my Mom came home one day, totally disappointed in me. It seems that somebody had been forging her name on

that matter. It happened in sports and in social contexts — any situation where I was different or the outsider.

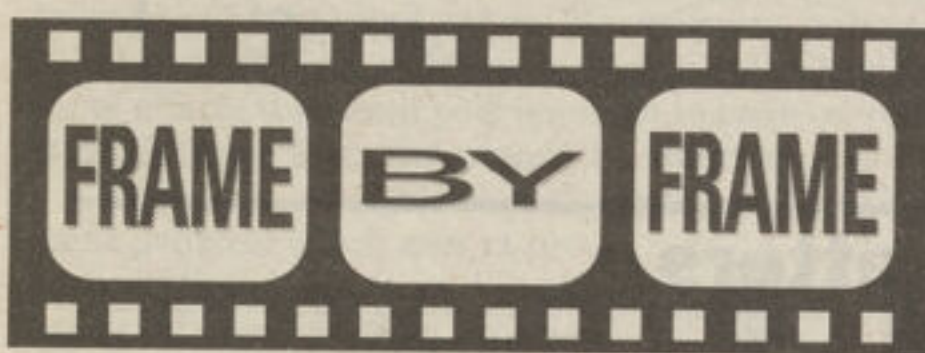
Even when I was older, I'd walk into a room of black guys and they would all stop talking, and only start again when I started to leave the room. I didn't gain acceptance until someone found out that

I had a car, and would let anyone use it as long as I was in the car with them. Then I was approached by a guy known only as Smith, which was pronounced Smiff, who would take me dancing. Over time, we became great friends. Smiff would drive and I would sit in

back and talk to some absolutely gorgeous women. "Where are you from?" I'd ask. "Child, we're from the Ghetto," they'd respond proudly.

In *The Sandlot*, the best player on the team, the Alpha, stopped everyone from teasing the new kid, walked out and taught the new kid how to throw. "It's like throwing a newspaper. Just bring your arm forward and let go, just let go... don't think about it too much, just have fun." Which brings us to Crit Group Theory number two. You need a guide if you are going to go somewhere fast in any group.

Liberals here don't know anything about this rule. If they did, they'd sit in the dean's office and not leave until the dean, the Alpha, taught them everything he knew about corporations. They'd pick him up at his home with notepads in order to get down what he had to say about law. Of course, none of the protesters want to be professors themselves, they want other people to be professors. Most of us don't or we wouldn't be using Mr. Gilberts as our law school guide.



all kinds of doctor's notes, and it looked like my handwriting. I had somehow missed class more than two hundred times in my senior year.

Now I go to about one class a week and wave at my professors while on my way to get a tan. I guess it was only fitting that I went to go see a kid's movie about baseball called *The Sandlot*. It's about a bunch of kids who have fun one summer playing ball all day on an abandoned sandlot, a perfect kid's movie, except it was really a critique of human behavior, especially group behavior. Kind of a Critical Legal Studies Group Theory. It's something that liberals really don't understand. Critics believe that law is not about rules, or even more comically, merit. It's about power, raw power, and not a bunch of rules. Humans are a lot like wolves. When they're kids, they play around and act like they're hunting and fighting. As they get older, they start playing rougher and they get better with practice until they're actually hunting and fighting. The wolves end up with a hierarchy, complete with a leader, the

I guess it was only fitting that I went to go see a kid's movie about baseball called *The Sandlot*.

Alpha, and others wind up with defined roles in the group.

The Sandlot describes this in the human context. There was a kid who had just moved to the neighborhood and wanted to play ball but didn't know how. Everyone looked on him with suspicion while they waited to see what he was about. When they found out he couldn't throw, they laughed. That's rule number one in Crit Group Theory. If you are new, the group will wait and see if you can play their game. The group makes the rules for acceptance and they are not responsible for making sure that you learn the rules. The Law School does this. You get cases, you get the Socratic method, you get a fact situation at the end of the semester, but you don't get much else.

I'd been through this kind of thing a hundred times because I was always moving around as a kid. I was always new, and always having to make new friends. Plus, I was from South America and didn't know anything about baseball, basketball, or football — or English for

The best thing to do, of course, is not to join any group. I'm like Groucho Marx in that respect. I won't join any group that will have the likes of me as a member. It's better if you just make your own friends and try not to exclude anybody. Also, you get to set your own standard and change it as much as you want. There are plenty of other individuals out there who won't pressure you into conforming and they accept you as you are. The best example of this is Mike Duff. He uses Siddhartha and Kafka to describe his experiences as a blue-collar man, and I've seen him with hair, no hair, a beard, and a goatee — all within a two week period. "Keep 'em guessing," says Mike. He's a power unto himself.

However, if you're in a group, you get to do whatever you want as well because it's like the mafia or law school tenure. Help set standards, hang out, insult people, whatever. You generally can't be kicked out. In *The Sandlot*, the group was challenged to a baseball game by a bunch of rich kids. The catcher insulted the upcoming batters. "If my dog had a face like yours, I'd shave its butt and teach it to walk backwards." They rattled the opposition and won the game.

A friend of mine told me that a guy I've never met was complaining about my movie review. I'll call him Hark Boy. He was saying: "That guy Lopez can't write movie reviews. He's so bad he can't even piece two sentences together. I should write the movie reviews from now on." Hark Boy doesn't understand Crit Theory. I didn't get this job because of merit, you gotta be kidding. Now I can't be dislodged because I know everybody and we hang out together. Besides, Hark Boy, I can too put two sentences together. Check this out: Your mother. Is in my room.

Koby Antupit
PHOTOGRAPHERS

Creative Portraits
Instant Color Passports
Résumé & Publicity
Job Photographs

Harvard Square
8 John F. Kennedy St.,
Cambridge
547-7552

DAN 'N ERIK'S FOOD GRADER

Eat Your Future Today

By Dan Drosman '93 and Erik Marks '93



So, you made it to Harvard Law School, and now you are just biding time until your earning potential matures to the point where a trophy spouse meets you at the front door with a chilled martini while the fabulous meal that s/he spent the day preparing simmers away in the kitchen. Wait no longer for that meal. **Daddy-O's Bohemian Cafe** (134 Hampshire Street; 354-8371) prepares fabulous home-style, gourmet meals at value-conscious 1990s prices.

Tucked away in a primarily residential neighborhood, Daddy-O's straightforward facade hides a marvelously schizophrenic interior. Silhouettes of old jazz greats decorate the colorful walls, while the sounds of saxophones wrap themselves around your dining experience. Patrons run the gamut, from cashmere-coated beautiful people to plaid-shirted Seattle Grungers, while most of the servers could have walked right off of Telegraph Ave. in Berkeley.

We started with some Spicy Eggplant Stuff (\$3.75), which was garlicky enough to assure sufficient breathing space on the Spaghetti Club dance floor later in the evening. The Mussel Fritters (\$4.50) — crunchy, airy, and delicious — are enlivened by an astoundingly complex sauce (for true harmony of flavors, enjoy your fritters with a glass of Gewurztraminer). If you wistfully recall the tater-tots from elementary school, you will love the Potato Latkes (\$4.00), which are tater-tots gone upscale. Blanket the latkes with a healthy measure of sour cream and apple sauce for a springtime taste of Hanukkah.

The entrees are large and hearty. The Grilled Half-Chicken (\$12.00), which brought back fond memories of Mom's home-cooked chicken, is served on a bed of mashed new red potatoes and covered with a curiously sweet gravy. Our waiter told us the Grilled Rainbow Trout (\$11.00) was de-boned, but we were forced to bone it anyway. The grilled/charred trout is accompanied by roasted red potatoes and cauliflower as well as a piquant homemade red-pepper mayonnaise.

A piece of Daddy-O's pie is better than any pie you'll eat the Law School. The fillings are sweet, the crusts are flaky, and, best of all, each slice rests beside a huge dollop of homemade whipped cream. The "Bananas Foster" Bread Pudding (\$4.25) is so good that pudgy law school women should toss in the towel and order it anyway. The iron-skillet bread pudding is tasty, but the accompanying caramel rum ice cream (prepared exclusively for Daddy-O's by Toscanini's) ranks among the top ten sensory wonders of the New World. The ice cream is available alone for \$2.75. The coffee comes in heavy mugs and is top notch.

The value at Daddy-O's doesn't stop with the food. Wine is reasonably priced (house wines are only \$2.00), and some of the better reds and whites are made available by the glass every evening. Be sure to order an old-fashioned seltzer dispenser (\$2.00) for your table as well.

Live jazz creates a relaxing atmosphere for Sunday brunch, and Daddy-O's will soon open its wisteria-draped patio for outdoor dining. We suggest you sample Daddy-O's hearty fare before graduation, as the dining room is more intimate than expansive, and reservations are not accepted.

Grade: **A-**



HLS Intramural Basketball

FIRST-ROUND PLAYOFF PAIRINGS

"A" LEAGUE (all matchups best of three)

One-L vs. Cha-Chis

Gimme the Rock vs. Wacky Ducks

Two-L-Men vs. Hair Club for Men

Black Panthers vs. Children of the Corn

"B" LEAGUE

First Round

Court Feasors vs. Black Flag

2 Wright Crew vs. Mrs. Hammer

Death Squad vs. Ballbusters

Grizzers vs. J-Men

Below the Rim vs. Joey Buttafuoco

Second Round

Mo Knows vs. Court Feasors/Black Flag

Tungl Tunkl vs. Rest of the World

Stolen Legacy vs. 2 Wright Crew/Mrs. Hammer

Chicano Bulls vs. Death Squad/Ballbusters

Call Me Ismael vs. Full Tort Press

Harlan's Globetrotters vs. Grizzers/J-Men

Bildad & the Shoe-Hites vs. Below the Rim/Joey Buttafuoco



Harvard Law RECORD

Founded in 1946

Lisa R. Zornberg
Editor-In-Chief

Kevin D. Werbach
Publisher

Lay Out, Don't Sit In

Ahhhhh, the verdant, vibrant spring arrives at last. While most baseball fans measure the beginning of spring by the start of Major League action, Harvard Law Students typically ring in the vernal season with protests and sit-ins. Yet, this year the sounds of protest have been wondrously quelled. Is this the calm before the storm, or will we actually get to enjoy spring this year?

For third-year students, a quiet Spring would provide a deservedly peaceful wind-up to what generally has been a discomfiting, noisome experience during the first two years. In fact, the cessation of disruptive, internecine bickering will give all students enough time to pursue more pleasant endeavors. None of this is possible, however, if students choose to deluge the campus with tiresome invective. Rather than contributing to the growth of the collective student body, such rabble-rousing paralyzes the school: the synergy of the student body is destroyed.

Some people would contend that the apparent decrease in the "diversity" of expressed thought reflects an increase in the number of "conservative" students admitted to the class of '95. Some assert that it stems from the disintegration of the CCR Politburo. Others look outside at the fantastic weather and say, "Who cares? Let's toss around the frisbee." Those who would prefer to contribute to a constant state of warfare, such as that described in the February issue of *GQ*, call that apathy. I call it perspective.

All too often at this school, students forget that embracing a cause for one's own cathartic purposes does not require that they destroy the atmosphere for everyone else. To instruct fellow students on the merits of one's position differs substantially from beating them over the head with the message while simultaneously propounding a disingenuous belief in "openness" and "tolerance." The latter tactic amounts to little more than assaultive proselytizing and yields nothing but animosity, resistance and abhorrence. Students here prefer, and deserve, to have meritorious messages delivered in a civilized manner that instills and fosters a spirit of cooperation.

If the greater congeniality on campus this year springs from this realization, then everyone will be better off. Shortly, all of us will find ourselves immersed in the working world for the rest of our lives. So, until that eventuality occurs, cherish the last few opportunities to enjoy the beauty of spring. And besides, you get a much better tan on Holmes Field than you do in Griswold.

— Daut

Staff

NEWS EDITOR.....Greg Stohr
SENIOR EDITORS Bob Arnold, David Lopez, Fenno, Glennis Gill,
Todd Hartman, Alysse MacIntyre, Rich Wareing
EXECUTIVE EDITORS.....Jeff Bucholtz, David Clancy,
Tony Petrilla, April Rockstead
PHOTO EDITOR.....Josh Frieman
COPY EDITOR.....Jeff Patton
EDITORS Scott Kolbrenner, Dean Newton, Maria Politis,
Michael Tenenbaum, David Weinstein
CONTRIBUTORS Debra Dickerson, Dan Drosman, Andrew Greenblatt,
Michael Fischer, Erik Marks, Betsy McGrath, Irie Taylor,
Drew Tulumello, Robert Weissman, Steve Yarian
CARTOONISTS Steve Baughman, Shawn Fagan,
Chris Spagnoli, Paul Taylor
GENERAL MANAGER.....Nina Coleman
ADVERTISING MANAGERS.....Bobby Daut, Ed Rippey
BUSINESS MANAGER.....Johanna Davis

Printing By The Harvard Crimson

Editorial/Letters Policy

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

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

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

© 1993 by the Harvard Law RECORD Corporation and by the contributors.

THE RECORD is committed to equality and diversity. We strive to provide a forum for the free exchange of ideas. As a result, the opinions reflected in articles, editorials, and cartoons are those of the authors and do not necessarily reflect the opinions of the RECORD.

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

—First Amendment, U.S. Constitution

UPSET OVER THE LAW SCHOOL'S PLANS TO INSTITUTE A "NO-DOGS" POLICY, A GROUP OF DOGS SIEGE DEAN CLARK'S OFFICE. CALLED THE "KAY-9," THEY SEEM WELL PREPARED FOR A LONG SIEGE BY THE HARVARD POLICE.



• Letters •

Glazer Not Conservative Enough

Neil Glazer's "Morality is Reality" (RECORD, April 16) is another unfortunate example of the left-wing prejudices that are so common today.

Mr. Glazer argues that traditional morals can make a return if they are taught and that they will be taught again, if only God-fearing Americans band together and bravely fight for their beliefs, the beliefs of the Bible.

Mr. Glazer's optimism betrays a mistaken confidence in the goodness of other men, a confidence that could not have arisen from anything he read in the Bible (the "God-fearing" part), but may well have arisen from something he was taught as a progressive democrat (the "American" part). The cruel punishments enumerated in Leviticus are not superfluous reading material, nor is Moses' command that brother kill brother (Ex. 32:27; cf. Mt. 10:21, 10:34). Without strict punishments or the straightjacket of a strong religious faith, things tend to get worse — much worse — in the Biblical account of things.

But there is no necessity of turning to faith to see this point. If, instead of supposing that "morality is reality," Mr. Glazer had begun with the much simpler "reality is reality," he might have appreciat-

ed the degree to which morality is irrational because in opposition to a natural tendency, albeit an ugly one, of the great mass of human beings: the attractiveness of depravity. How would

immorality or corruption ever happen at all, if morality were reality? To a large extent, morality is artificial, owing its existence to punishment, both the punishment that parents inflict on children and the punishment that law and custom inflict on adults.

The best recent example of this point is the "Spur Posse" incident, where a gang of 14- and 15-year old boys in a suburban high school competed with one another to sleep with 12- to 14-year old girls. Their boasting and extreme self-satisfaction, and, most important of all, the *immense popularity* they enjoyed in their school after the publicity of their crimes seem to me good evidence that decency requires active punishment and oppression to survive because it is not natural for most people. Incidents like the "Spur Posse," which is by no means an isolated case, are the natural outgrowth of a relaxation and liberalization of laws and social customs, of letting people "be themselves"—a trend which has not yet reached its

bottom. I agree with Mr. Glazer that a stricter, more moralistic society would generally make it possible for most people to be much happier, but this "happiness" is a mixed thing, since so much of it comes from repression of rotten tendencies, more than from a passion for anything good.

Besides Mr. Glazer's confidence that success in re-establishing good morals is possible under present conditions, when even with more favorable conditions and very cruel laws success has never been complete, there remains this additional criticism: Why would one want to spend so much time in a hopeless struggle to curb the rotten tendencies of the majority of human beings? Why be so concerned with morality, when it is only a shabby thing, a kind of dirty compromise for the bad material out of which most people are made? Why spend one's short life being a jailer or sewage-sweeper? Why be more devoted to the mediocre contentment of society, than to the lasting brilliance and profound happiness of the few truly beautiful souls that are "the salt of the earth?"

Manuel Antonio Lopez '94
April 16, 1993

Neil's "Reality" Is Not Reality

As usual, Neil Glazer's commentary (RECORD, April 16) demonstrates all the subtlety and insight of a meatloaf. He predicts that his critics will accuse him of being "moralistic" or "outdated." He flatters himself; Glazer's views are merely comical. Or, at least, they would be if they were not so blatantly infused with the sort of intolerance and hate-mongering which propelled the likes of Pat Buchanan to recent stardom. Glazer's latest effort, a column on the "moral repugnance" of Norplant and the horrors for which it apparently stands, manages to include all the watchwords of reactionary dogma: "objective truths of the biblical tradition," "God-fearing Americans," "win the war against Communism." Is he serious? Was his application essay for Harvard this rich in cliché and bombast? Doesn't somebody screen for this sort of thing?

As any listener of Rush Limbaugh's show can tell you, it's rarely worth the time to argue with ideologues who fashion themselves warriors of Truth and Virtue. Still, a few points should be made regarding the content of Glazer's argument. Anthropologists have long been wary of assertions made by cultural elites (say, for example, white Harvard Law School students) that there is an "objective" moral standard which, when neglected by some subset of that society (say, poor black

girls in Baltimore), results in "moral breakdown" and social disorder. It falls to those in power, the argument goes, to impose this moral standard on those who have gone astray. Using his rich historical knowledge, culled no doubt from "Leave it to Beaver," Glazer refers to the good old days when children "were raised to believe in the objective truths of" biblical morality: "right and wrong, good and evil, heaven and hell." With stunning disingenuousness, he informs us that our parents' generation invariably "managed to abstain from premarital sex" because "they knew it to be immoral." Right. And the stork brought the babies.

So long as he can force reality into the narrow confines of his black and white world-view, Glazer will have no trouble in reducing the complex problems of modern society to nonsensical "moral" causes. Believe it or not, Neil, not everyone accepts your "objective morality" as the only acceptable one. Take, for

example, the billions of Muslims in the world whose "truths regarding morality" are quite different from yours. But then, they're all going to hell, aren't they?

At the end of his diatribe, Glazer complains about being portrayed as a "right-wing kook." He ascribes this to a media conspiracy, led by Hollywood and MTV. It is, of course, possible that the current lapse in reactionary views, which Glazer bemoans, is not the result of the "relativistic amorality" plaguing "our shores." Rather, this lapse results from an increasing awareness among Americans that the solutions lie not in more Bible readings and fewer music videos, but in acknowledging the truth of the problems and dealing with them realistically. Maybe in Iran "morality is reality," but this is America, Neil, and as you would say, love it or leave it.

Jonathan Goldstein '95
April 17, 1993

The RECORD welcomes your letters. Letters should be submitted in hard copy and on disk, and should be no more than 500 words in length.



A Foreign Perspective on Sexual Harassment

By Nathalie Bensasson and
Catherine Pédamon

When we arrived here from France, we were not expecting any great cultural shock from the United States, a country we considered to be in the same "Western tradition" as France. Yet, day after day, the differences between French and American societies appeared to be much greater than expected. Finally, we got the feeling that our stay here had brought us out of our element more than a trip to Mars would have. For example, if Mars had sexual harassment policies, we doubt that the planet would suffer from the sort of perverse effects that such policies seem to have on relationships between men and women in American society.

Obviously, we agree that the goals of sexual harassment policies, which aim at protecting the dignity and well-being of individuals against abuses of power, are desirable. The French congress adopted a law against sexual harassment last year, so we understand the concept. Or at least we thought so. In France, sexual harassment law is limited to the workplace (no, not to the Gropius Complex or to kindergarten friendships) and to undeniable sexual harassment cases (winks or compliments not included).

We acknowledge that sexual harassment policies may have positive effects, but these benefits are likely to be limited. It may be, thanks to these policies, that a few brave secretaries will more readily challenge the unwelcome conduct of their bosses. It may be that a few bosses will be deterred by these policies and by these few brave secretaries, and will consequently stop abusing their power. It also may be that, in a few centuries (which seems to be a reasonable length of time for a law to effectively change mentalities) sexual harassment will have been eliminated from earth. It may even be that the male instincts will be destroyed altogether. But at what cost? American society, we are afraid, will have turned into a sociological NIGHTMARE for what were

The authors are both visiting researchers.



formerly known as "women" and "men" (the latter becoming "non-women" — unless, of course, both sexes will be referred to by the same word — say, "widget").

Why a nightmare? Because sexual harassment policies, by changing mentalities and behaviors, may eliminate one of the spices of life, the "Art of Seduction" (we note that there is no translation available for the French concept of "La Séduction"). We are struck here by the neutrality of most men's way of approaching women. Chilly most of the time. Sometimes colder. Icy even. They seem to forget that the charm of male-female relationships is based on a fundamental ambiguity: the mutual awareness that something could happen, but often never will, and that both parties play with it in a subtle game. Flattering words and tender gestures need not come from your boyfriend, husband, or father to be legal. They are the opportunity for daily and pleasant surprises. What an invaluable pleasure to be romanced by a radiant smile, even just for a second!

Unfortunately, here we have witnessed the sad effects of men's fear of being accused of sexual harassment. Coming from France, we are used to "gallantry" (we were surprised to find this word in our Harrap's dictionary; we assumed it is only for the use of French literature majors). We are used to men rushing to hold the door for us with a smile, to men who compliment our femininity, and to men who kindly carry our heavy luggage. We don't mind. In fact, we like it. Similarly, our Italian and Spanish cousins are used to Mediterranean warmth. And our English friends can refer to gentlemen without feeling the need to invent a "gentlewoman."

Thus we are astonished when an American male classmate who is about to serve us some water seems suddenly to have his arm paralyzed — like Abraham stopping short of killing his son Isaac after having heard the voice of God's angel. He sees our surprise, and mumbles, through his embarrassment: "Ah, um, ah, um, ah, I am sorry but you know with American women. . . ." This one must have heard a feminist angel (By the way, what gender are angels?): "Remember the eleventh commandment: You shall not serve water to a woman."

Sexual harassment policies, and the atmosphere they create, go even further than harming essential characteristics of relationships between men and women. They are likely to bring about scary results by focusing only on the sexual aspects of human beings. The can succeed at repressing the libido celebrated by Freud, whose influence is still strong in France. Yet kind words

and tender touching allow "minor sexual satisfactions" and "diffused eroticism" reduces the probability of violent acts. Thus, sexual harassment policies, which have the indirect effect of creating an environment which does not allow these satisfactions, harm the well-being of people.

Sexual harassment policies build a double world which could be described in Orwellian terms. Year 2084. Men and women are walking down the clean streets of Neutralopolis, staring at nowhere to avoid eye contact, tightening their lips to be sure not to smile at each other, and keeping their hands in their pockets. Big Brother is watching them. Being a former CSHP (Chief for Sexual Harassment Policies), he is now in charge of enforcing the 22nd GFPASLT (Global Fight Plan Against Smiles, Looks, and Touching). There, life is divided into two distinct worlds. In world 1, all spontaneous instincts of romance have been destroyed — all Freud's teachings denied and his books burnt. Daily relationships between opposite sexes have become completely neutral, cold, without any sexual references, and women are treated as UFOs (Unidentified Female Objects). World 2 is called SEX, a world which only offers the possibility of satisfying animal drives.

Unless inhabitants of Neutralopolis are married or have regular girlfriends, the only way to go from world 1 to world 2 is a violent one. It is called R.A.P.E. (Reaction Against Plan Enforcement).

Americans shouldn't wait until the year 2084 to realize they have created a situation worse than the one they initially wanted to eradicate. On TV talk shows, a group of male students from Lakewood, CA, who call themselves the "Spur Posse," are invited as stars to tell of their game which consisted of scoring points for each girl they had sex with, some being accused of having abused them. At the other end of the spectrum, extreme importance is given to PC-ness and the fight of the inseparable "his/her" duo. Where are we? On Mars? Will the next generation consider that offering a flower to a woman is a crime and rape an unfortunate fact of life? Can't we hope for a world where positive values rather than intrusive policies will regulate relationships among human beings of different (but not "opposite") sexes?



• Letters (Continued) •

An "Open" Letter to Neil Glazer

I have read both of your recent commentaries in the RECORD. While I don't agree with either one, I respect your right to use this medium to share your personal thoughts. I once heard a quote that has deeply affected me. The words are simple but the meaning they hold apply equally for both you and me: "If you see a problem that needs fixing and don't help to solve it, then you are part of the problem, not the solution."

You stated in your column on gays and homosexuality that "we" should merely tolerate homosexuality and not be forced to accept it. When I read those words many events flashed through my mind. I think of the millions of Jews and Catholics that were gassed in the concentration camps for doing nothing more than retaining the status of who they were. I remember reading that for years people in both the United States and Europe knew what was going on and how no one did anything to stop the killing. Neil, we could have done something much sooner than we did and so we must accept the fact that the United States retained some of the blame. I, like many of the other Jewish law students, lost virtually my entire family just because someone had no tolerance, let alone acceptance, for differences.

Reading your commentary I also thought of the thousands of teenage suicides each year committed by gay, lesbian, and bisexual adolescents who hear your message loud and clear. Too loud in fact. They hear the message that there is something wrong with them, but they don't hear about those people who live good, solid, upstanding lives as openly gay adults confident in themselves and their sexuality. Tolerance means that we are all on the same level playing field, and acceptance is an integral part of tolerance. Only

when the field is level are we all free to live our lives the way that we wish. Once that has occurred then you will realize that the only difference between you and me is that we come to the bargaining table from opposite sides not different parallels. Neil, if you really believe in tolerance then one would expect you to lead the fight for gay, lesbian, and bisexual rights. Otherwise, step out of the way and let those who are truly seeking a level playing field continue their work.

Few people at the Law School know that while walking home this fall two young adults attacked me and broke a bone in my neck. At the time that they were beating me they both called me faggot and queer. They called me this because I live in the South End of Boston, an area known to be more tolerant and accepting of gays. The police caught the two attackers and several months later in court they plead guilty to simple assault and walked away with 18 months of probation. I have a broken neck. Throughout the court proceedings, the two individuals and their friends sat behind me, calling me "faggot" and telling me that I should be "dead queer." Neil, these people also hear your message loud and clear. Too loud in fact.

You repeat your theme of intolerance and lack of acceptance in your second commentary on the plight of teenage mothers, abortion, and the moral decay of society. Neil, stop ranting the same slogan over and over again and realize that these things have been going on for centuries. If you had conducted research prior to writing your article you would have realized that morals have not changed. Roger Thompson, professor of colonial history in Norwich, England wrote that in early modern New

please see LETTER, page 14

Neil Should Check His Bible

I laughed out loud when I noticed the tremendous editing error in the April 16 edition of the RECORD. You accidentally printed an article that was clearly intended for your April Fool's edition. I am, of course, referring to Neil Glazer's column, "Morality is Reality."

On the slight chance that Mr. Glazer is actually serious, I would like to respond. In his column, Mr. Glazer says that there is an objective morality, a Judeo-Christian tradition that tells members of society how they should behave. Complaining about the prevalence of "relativistic amorality," Mr. Glazer suggests that we all turn to the Bible to teach us "that there is right and wrong." He encourages "legions" of "God-fearing Americans" to join against and fight moral relativism with the same "strength, courage and perseverance . . . which enabled us to win the war against Communism."

Contrary to Mr. Glazer's beliefs, the Bible is not a book of black letter rules. Being a religious and a moral person is not a matter of opening up the Bible and following a checklist of do's and don'ts. Being a religious and a moral person is far more complicated than that. That is why it surprises me to see that Mr. Glazer feels that he has such a clear view on what is right and wrong.

According to Mr. Glazer, it's very easy to tell right from wrong. In his view, right and wrong is what the Bible tells us, and the Bible is crystal clear: Society is judged by the kind of sex it has. A society is good when it has biblically approved sex. On the other hand, a society is evil when it condones premarital sex.

There, that was easy. Now we know that our society is going down the tubes morally. Thank you, Mr. Glazer for that clear

explanation.

But wait! I thought there was more to it. Doesn't the Bible say something about respect for other human beings? I thought the Bible was something more than an instruction manual on how and when people should have sex.

To Glazer, morality is about sex. Our resident biblical scholar has chosen at random a couple of verses from the Bible and set them as a litmus test for who is good and who is evil. What a simplistic and sad interpretation of a five thousand year old religious tradition.

In giving us an example of a person in our society who does not know right from wrong, Glazer tells us the story of a young woman who is thankful that she has access to birth control, because she says that it will help her finish high school and perhaps go to college. How reprehensible! How perverse! She obviously doesn't know right from wrong! Didn't she read her Bible? Glazer says: "[a]pparently the thought of remaining chaste never even occurred to her. This is not a girl brought up to respect objective standards of morality." Thank you, Mr. Glazer for showing us how morally bankrupt our society has become. I can see the moral fabric of society unraveling all around me (I think that the moral fabric of our society is a wool/cotton blend).

Glazer feels that our society is suffering from a "moral breakdown." After all, now we are having too much sex. In the good old days of missionary position, lights-out, hetero, after-marriage sex, America was a better place. Never mind that black people couldn't vote. America was a better place back then. Never mind that women were second-class citizens. Never mind that a man could lynch another man without legal

repercussions. He could lynch him, but at least he couldn't have sex with him. Ahh, the good old days. If Glazer took a more intelligent look at the Bible, he would see that today's society is in many ways *more* (biblically) moral than it was in the good old days.

Let's take a look at Neil Glazer's view of the good old days. He longs for "a time, not long ago" when a person advocating contraception for young people "would have been met with ostracism and outrage" and that "anyone advocating such ideas would likely have been run out of the community." Glazer then states that "[s]adly this is no longer the case." I think the only "sad" thing is that there is a student at Harvard Law School who thinks that it would be a good thing to run some people out of the community because of the way they think.

Mr. Glazer should not be so quick to advocate running people out of town when they have unpopular opinions. If this were the general practice, Glazer would need some new running shoes. In this same vein, I find it humorous that Glazer would long for a time when newspapers would not print unpopular opinions. He says: "I doubt any respectable newspaper would have allowed such garbage to infect its pages." It's a good thing, for the sake of Neil Glazer's column, that they do.

If Western Civilization really is crumbling, it is not because of sex. Rather, it is because of increased violence, crime, hatred, and an increasing number of pseudo-religious busybodies who have nothing better to do than to sit around each week and write a column in the RECORD describing how morally superior they are to everyone else.

Adam G. Cohn '95
April 16, 1993

Liabilities

By Paul Taylor



GROMM: Barbarian at Law

By Chris Spagnoli



Harvard Law RECORD

Special Graduation Issue



The RECORD will be distributing a special issue at this year's graduation to commemorate the Class of 1993.

We will be accepting classified advertisements and notices from students for the special rate of \$15 for 25 words, and 25¢ per word for additional words.

NAME _____	PHONE _____
_____	_____
_____	_____
_____	_____
_____	_____

Please return this form, along with a check, to the RECORD or to Lisa Zornberg's 2L Hark box. For more information, call 495-4418.

POSTMASTER: Send address changes to Harvard Law School Association, Harvard Law School, Cambridge, MA 02138.

ALUMNI/AE ADDRESS CHANGES: Alumni/ae who receive the RECORD as a result of membership in the Harvard Law School Association should mail change-of-address information to the Harvard Law School Association, Harvard Law School, Cambridge, MA 02138. Each alumnus/a receiving a RECORD subscription through the Harvard Law School Association should be on notice that \$5.00 of H.L.S.A. annual dues are used to purchase the RECORD subscription that he or she receives. Dues paid at any time during the H.L.S.A. fiscal year that began on July 1, 1992 and ends on June 30, 1993 purchase a subscription that begins in January 1993 and expires in December 1993.

Return Address:
Harvard Law School Assn.
Harvard Law School
Cambridge, MA 02138

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

HOROSCOPES

By Rosie Cosentino

ARIES March 21 - April 20: Prepare for a move. All seems to be going your way. Good grades, an offer for your car, and an opportunity to take a special class from a very political person. Money is a little short, so be frugal.

TAURUS April 21 - May 21: Time for love, laughter, happiness, and achievement. A visit to some place special and a surprise at the end. An old friend will be important in your future plans. Being in a hurry can cause a loss.

GEMINI May 22 - June 21: The things you are learning now are going to change your future. A new location to the south and east and a change of name. Money goes through your hands like water; bargain shop. Love gives a little trouble because of outside influences. It will be better, just give it time.

CANCER June 22 - July 23: Victory over a rival. This is a time to celebrate your self-esteem. Let the world know of your achievements. A friend of the family is very political; be careful what you say. Money from an unexpected source.

LEO July 24 - August 23: A time to come out in the open. Your personality will shine and you can get what you want. Write a letter and go on those interviews. Rewards are waiting for you. A short trip to the east. A surprise from an enemy lets you know your talents are not unnoticed.

VIRGO August 24 - September 23: A week to retreat. Pay attention to your needs, wants, and desires. Trouble with a friend will clear the air. Trying too hard makes you feel responsible; you are not. Do something different and adventurous; go to the zoo. Stay with people you know and trust; no strangers this month.

LIBRA September 24 - October 23: A change of position for the better. New friends and a letter of opportunity. Money is good and seems to be on the rise. Choices you make now will be changed later. Don't hesitate.

SCORPIO October 24 - November 22: A new look pays off. This is your time to overcome the obstacles of yesterday and let success take over. A move to the northwest, not far, will expand your opportunities. A week or weekend of learning will prove that being in the right place at the right time is important. Romance later.

SAGITTARIUS November 23 - December 21: Love and friendship offer support and give lots of rest and recreation. Car trouble might make you late. Fix it and then look for something new. Frustration over a class or project will cloud a few days, but you will find the learning experience useful later. You are probably right, but don't count on others knowing it.

CAPRICORN December 22 - January 20: Money seems to come when you most need it. A time to keep your advice to yourself. Communications very misunderstood. A reward through a group or organization. A brother is in trouble; help him if you can. Take some time for love and to get away.

AQUARIUS January 21 - February 20: Money will go out on old bills. Sudden recognition for you. A reward and much celebration. A trip over water is in the making. Take it. Education out of the country is also good for you. A part-time job and a fellow worker with great ideas and friends will help carry them out.

PISCES February 21 - March 20: Time to make a change for the better financially. A social event with fun and laughter; go! A trip to the art museum will give you a clue to your future. An older female friend will have good luck, it rubs off on you; take advantage. Loved ones are a little sensitive now.

For personal consultations contact:

Rosie Cosentino
P.O. Box 306
Hazelwood, MO 63042
(314) 621-6529

Reflections of a Diversity Activist

By Alysse MacIntyre

RECORD World-Weary Writer

I had a frightening and unexpected realization recently: This place matters to me.

Say that I am suffering from whatever the law school equivalent of "senior-itis" is (probably). Ask if I have PMS (I do). Accuse me of being under the influence of narcotics (I am — I just got my wisdom teeth out). Ask me why I don't do something more important like write my third year paper (answer: Why don't you write yours?).

I've been sitting in the dark, eating brownies and sniffing thru re-runs of *ThirtySomething*. Every time I watch Gary die again I think of all my friends who have died. It's the unfortunate consequence of having too many gay friends.

But one of them died of that good old fashion disease, cancer. She was my best friend. We both used to tune into *ThirtySomething* to watch Nancy's travails with cancer.

I used to worry about how I acted. "I'm afraid of acting like Ellyn," I once said to her. Who do you call first but your best friend when your best friend has cancer?

"Just as long as I don't act like Nancy," she joked. And that's how it ended up. Nancy lived; she died. At the time, that made me furious. Her ashes hadn't yet drifted out of the San Francisco Bay and Nancy was all better. But at least the writers off'd Gary. At least I got the pleasure of seeing their perfect little TV lives become just as depressing as mine. Such things seem comforting when you have so much grief you don't know what to do with yourself.

I can't help myself from all this indulgent self-pity these days. I don't know how to handle things I have no control over. You try to do your best. In between defeats you try to laugh a lot and eat sushi. Or whatever it is that gives your life the illusion of meaning. One thing is probably just as good as another.

As my days here come to a close I've had an awful realization. I worked very hard for nothing. I tried to bring diversity to the Harvard Law faculty and all I got was Kathleen Sullivan, Chris Edley, and Elizabeth Warren riding off into the sunset. I fought the law and

the law . . . well, you know the song.

This place has certainly rubbed off on me. I can now whine better than when I was a toddler. "I haven't even made a dent," I've been sniveling to almost anyone who will listen.

Their responses are almost uniform. "No, you made a dent," or "I remember you made quite a dent in the Dean's closet," or "A dent? I'd call it a fender bender."

Yeah? So where are all the women-of-color professors? What about the incredible disappearing act that continues among the women and minority faculty? I don't see the nation's best female law professors getting anywhere near this place. I see them hanging out with Lance Liebman at Columbia and making dinner reservations in Palo Alto.

Now that Harvard is finally calling them, it's too late. "This is Harvard Law calling? Can I put you on hold? Listen, maybe I should just get back to you some other time." If I were Carol Rose and had been strung out by Harvard this long, that's exactly what I would say. Paul Weiler once told me that the reason Gerald Lopez turned down his offer was because of family concerns. Does he know that's not what they say at Stanford?

I was very upset when Elizabeth Warren told me that she was declining her offer. I worked hard for her. I lobbied any professor who would stand still long enough. I cornered poor David Wilkins at a Thurgood Marshall memorial service. I even invited Charles Fried and Bob Clark to a party for her. But she's not coming.

"What do I care anyway?" I told myself. "It's not like I'd ever get to have her again even if she did come." And that's when it hit me: I care because I care

about this place and because I know Warren can do what we never could.

Every graduating class goes through this thing about "who will take our place in the movement?" The class of '91 said it. And the class of '92, too.

But the class of '92 may have been right. We failed to fill their shoes. All that happened was that La Alianza finally came thru on its perennial threat to pull out of CCR. Lisa Otero, who never did attend a CCR meeting without threatening to withdraw Alianza from the coalition, would be proud.

And so now, as the class of '93 leaves, we see even fewer coming up to take our places. I could be comforted by thinking that our efforts will be realized in the long run if I thought there were students to carry on the struggle. I'd feel better if we were leaving a legacy, someone to continue the diversity movement after we graduate. But I don't see it. And if students don't do it, who will? Certainly not the faculty. Not now.

I was lying in bed, popping codeine and swishing cherry jello around where I used to have teeth, when I got a call from one of my favorite alums. We discussed many things, one of which was his theory that Roger Fisher is a blood sucking vampire. It seemed

quite plausible to me at the time. It doesn't even seem too unbelievable now. After all, he did a good job sucking the life right out of the diversity movement.

That night I had a nightmare. The next morning I found that I had written "Buy Garlic" not on the note pad on the nightstand, but, rather, on the nightstand itself. With a big fat felt marker, no less.

"Do you think years from now that this is all I'll have to show for Harvard Law?" I asked a friend.

"Don't forget the loan repayments, too," he said.

This place has certainly rubbed off on me. I can now whine better than when I was a toddler. "I haven't even made a dent," I've been sniveling to almost anyone who will listen.



Fenno thought he was in heaven. He walked back from jogging by the Charles, and a clutch of white blossoms sprinkled down over him. Neil Diamond was singing "Sweet Caroline" to him on the Walkman. Catharine MacKinnon was farther away from tenure than Charo. All was right with the world.

A group of his friends were meeting at 7:00 to make a pilgrimage into Boston, to worship women who still called themselves girls. Fenno showered and changed from his sweaty clothes into tan chinos and a blue striped oxford pinpoint shirt, the official scamming uniform of the 1992 Seoul Olympics. Then he slapped on some Drek Noir and checked his tidy whites twice to make sure there were no skid marks before heading out the door. Fenno was off to the races, and his horse was rising to the challenge.

The first place they went to was the Alley Cat on Boylston Street. They had to wait for half an hour in line, but enjoyed the free show from all the women passing by. They counted fourteen with thong underwear. One was just wearing two band-aids and a cork. "How 'bout some fries with that shake, baby?"

They dodged a pimply nineteen year old screaming the words along to "I'm Every Woman." Yeah. She looked like she was every woman put together.

Suddenly, they spotted prey wearing spandex, gyrating in the corner.

"Dude, what skanks!"

"So what, she's perky."

Fenno thought of some possible approaches. "Didn't we go to different schools together?" Nah, she's too young to learn anything. How about, "Do you know I'm not only the president of the big hair club for men, I'm also a member?"

Finally, Fenno settled on an old favorite. "So, where do YOU go to school?" he asked.

"I'm a fresh thing at Pine Mattress," she said.

Fenno decided it was time to drop the H-Bomb. "Did I mention I attend Harvard Law School?"

Amy pulled her gum out of her mouth in a long sticky string. "Bullshit," she said, levelly.

"No, really!" Fenno showed her his signet ring, his ID, and his winter term grade printout from Nesson. "Really, all my grades are like this. I'm headed for a magna cum laude."

Fenno could tell she was finally convinced when her nipples hardened and she started nibbling his ear. Fenno waved good-bye to his friends, but they just hung their heads sadly. They knew it would be another night of pounding their meat into oblivion. No magna coming loudly for them.

Fenno took Amy back to the Inn. "Yeah this is my place. Some of my friends hang out here sometimes."

"Would you like to see my schnauzer? He's in the weight room."

"Ooh, I love dogs. I have a huge male Great Dane at home. His name is Thor, and so am I when he's done with me."

Then Fenno knew there was no point in continuing this charade. He would be no match for a majestic creature like Thor. Sadly, Fenno retreated to his room to pound his schnauzer. The ASPCA arrested him two days later.

Quote of the Week

"Yeah, Scott Skiles has been held literally scoreless for this game, with only five points."

— Bob Cousy, Celtics Broadcaster

Lose 25 pounds in two weeks. Guaranteed.

Write for the RECORD!

for information on our "pay by the pound" diet plans, call Lisa Zornberg at 495-4418.

Never Trust Anyone Over 30

By Rich Wareing '93
RECORD Columnist



I can vaguely remember when I was a little kid seeing some hippie-types ranting and raving about something or other. I don't remember too much about what they were saying, since I was very young, but I do remember pretty clearly that they all seemed to agree that kids should never trust anyone over thirty.

At the time, I really didn't understand why they were saying such terrible things. My parents were over thirty and they treated me OK. Who was I to complain about older people?

It was only as I got older that I learned why these youthful baby boomers hated people over thirty. People over thirty, like my parents, you see, were "conformists" who had jobs and paid taxes, and whose primary concerns in life were raising their kids and building decent lives for themselves, not getting high and complaining incessantly about everything from the comfort of the university campus to People's Park. Of course, what could I expect from people who didn't shower, cut their hair, work, or do much of anything in particular?

Baby boomers, no doubt, will insist that their generation has brought much-needed morality and conscience to the American scene. Without them, they'd argue, we'd all be selfish drones, doomed to an un-enlightened existence.

Morality? Conscience? Enlightenment? This is the same generation that now talks about how kids today need responsibility and self-discipline after spending most of their youth high and hanging out. This is the same generation that denounced capitalism, but now worries about handling two-career families and where to go for vacation. This is the same generation that protested Vietnam, but now clamors in the *New York Times* to send troops to Bosnia. This is the same generation that supposedly sympathized with the plight of inner-city blacks, but has now perfected the art of white flight to distant suburbs. This is the same generation that supposedly preached tolerance, but invented Political Correctness.

The baby boomers stand for morality and conscience about as much as I stand for high-brow culture. What the baby boomers stand for, like most people, is themselves. The difference between them and the rest of the world is that most people are honest enough to admit their self-interest. Baby boomers, on the other hand, feel compelled to clothe it in nauseating babble about "justice" and "the public good," and denounce as morally odious those who refuse to play along.

Not too long ago, I launched into a tirade about something or other. An older friend upon whom I had inflicted this outburst simply sat there and said nothing. When I was finished, he looked at me and said, "you really betray your age saying stuff like that."

I pressed him for an explanation about what that was supposed to mean, and, with some reluctance, he told me that my speech reflected the harshness and cynicism of "kids" today. He added that unlike baby boomers like himself, "my generation" didn't have ideals, or vision about what the world could be, but were only interested in getting our cut of the action.

True to form, I guess, I quickly shot back that unlike baby boomers like himself, people my age didn't all grow up with indulgent, two-parent families and a beneficent government who forked out big money so they could sit around in college for seven years, smoke pot, avoid the draft and then go teach sociology in some community college and complain about "the system." We are expected to go work for a living and pay our bills, and, incidentally, finance his social security.

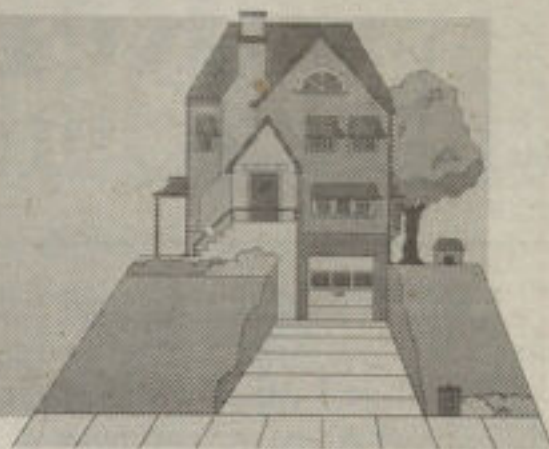
Never one to let up, I continued that he and his sanctimonious baby boomer friends would be harsh and cynical too if they had grown up in a world with AIDS, broken homes, drugs, urban chaos, and crappy schools, with only rising taxes and a \$4,000,000,000,000 national debt to show for it.

As for being selfish, I reminded him that *Sisters*, *Thirty-Something*, and *LA Law* were all about whining, self-important people from his generation, not mine, who have nervous breakdowns whenever their Volvos have to go into the shop.

I concluded by pointing out that before he and his self-righteous baby boomer friends went around lecturing people in "my generation" about solving the world's problems, maybe they should stop to consider that the only things their generation have ever contributed to society are sexually-transmitted diseases, drug-addiction, single-parent families, "new math," and crappy network TV.

Never trust anyone over thirty. I like that.

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.

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.

1BR in 3BR Suite in New York. Available May 15 - August 15. Rent: \$485/month including utilities. W. 111th Street, New York, NY 10025. Call Michael, (212) 663-5915.

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).

BLSA Conference a Tremendous Success

continued from BLSA, page 1

by outgoing NAACP Executive Director Dr. Benjamin L. Hooks, and an event-ending soiree to culminate the weekend.

Although much of the tone of the conference, embodied in the addresses delivered by the speakers and the topics presented in the panel discussions was somewhat somber — dealing with careers, criminal justice in light of Rodney King, and the role of black lawyers in their communities — many alums and students used the occasion to catch up with old friends, take a break from the routine, and enjoy the various festivities for their own sake.

In addition to the nearly 350 students and alums who paid \$35.00 each to participate in all of the weekend's activities, more than 300 additional students from HLS and other schools in the area participated. Few

people walked away disappointed.

"It was by far the best Spring Conference, in every way, BLSA has ever had," proclaimed Francis Philip '93, the conference finance committee chair.

"It was by far the best Spring Conference, in every way, BLSA has ever had," proclaimed Francis Philip '93, the conference finance committee chair.

The conference began on Thursday, April 15 with perfunctory, uneventful registration and a welcome reception. The following day, however, the mundane gave way to the spectacular, weaving the conference's theme, "many paths, one goal," through the activities.

Professor Charles Ogletree '78 began the panel discussions with a seminar on "Race, the Community and Law Enforcement." The seminar was particularly topical and timely given the King proceedings in Los Angeles. Professor Frank Sander '52 followed

with a presentation entitled "Alternative Ways of Resolving Disputes."

"Judicial Conservatism and Recent Developments" was the topic of the seminar led by Professor Frank

Michelman '60, and Deputy Director of the Harvard Negotiation Project Bruce Patton '80 chaired a workshop entitled "Negotiation: Conflict and Community."

The conference's opening address was given by Reverend Al Sharpton to a crowd of about 250 in the Ames Courtroom on Friday evening, followed by a cool tail reception at the Cambridge Marriott, and an evening of entertainment with Bofill.

Saturday's events drew upon the momentum generated by the events which preceded them. In addition to Saturday's speakers, BLSA alums presented panels on career opportunities in government and the entertainment industry, coalition building, and the legal profession (led by Professor David Wilkins '80).

The conference was dedicated to the memory of Justice Thurgood Marshall and featured a special tribute to Reginald Lewis '68. It was organized primarily by Rhonda Adams '93 and newly elected BLSA president Linda Dunn '94 with the support of many others, including Carmia Caesar '94 and Karen Harris '94. The organizers had hoped the conference would be both provocative and enjoyable. An unofficial survey of conference participants indicates they succeeded.

Write for the RECORD

COMMENTARY

"Pig" Bashing

By Reade Griffith '95

IN my short experience at HLS, I have been thoroughly impressed by the sheer brain-processing power of the students and faculty. We have amazing storage capacity and retrieval speed, but, as is the case with most new hardware, we seem to lack adequate software to effectively use our potential. Most of us claim to want to learn the law objectively and in a non-offensive and politically tolerant manner, but, as we all know, this is far from the reality of the State of Ames. The particular bone I have to pick in this article concerns the generally unsympathetic treatment of a real underclass in our school, the police.

I can feel many of you cringing and frowning your brow at the notion of the police being an underclass at HLS, but please hear me out and then burn my article or sneer at me in public. As with every group in our society there are *good* and *bad* police, so generalizations about "pigs" (to borrow a colloquialism from one of my criminal law classmates) is misleading and wholly unhelpful to rational discourse.

So far so good? Next we must recognize that as society becomes more brutal

The police force, like government, is a necessary evil and we must approach police constructively if we expect positive change.

so will the police who fear for their lives or who share some of society's brutalities and prejudices. This is reality, and to expect more is to live at HLS. We must also realize that police are generally from poor or middle-class backgrounds and work hard, long hours for a very mediocre salary, many of them in and constant danger. In addition, the lack of respect accorded them by the general public only can make them less cooperative. If we smiled at the police instead of glowering, they would, naturally, feel more charitable in general.

I am not trying to excuse cases of police brutality, harassment, and racism, but anytime you give a large organization a bit of power abuse will closely follow. Instead of trying to vilify the police, perhaps we should try to understand what motivates their actions and reactions to life's stresses. The police force, like government, is a necessary evil and we must approach police constructively if we expect positive change.

I speak to you as one who has been subject to many harassing stops, arrests, and other "questioning" that was offensive and outrageous. Granted, I have not been the subject of overt racial discrimination, but I do have some solid standing on the harassment issues. As a Marine, I was in life and death scenarios and had to deal with brutality and administer rough-handed justice under exigent circumstances. I know the fears and temptations the police deal with, and I make an effort not to let isolated incidents, or even patterns of harassment, create negative stereotypes and generalizations about a group of our society often deserving of high praise and respect.

I know I'm not the only one who feels this unfortunate disapproval of "cops." A classmate whose parents were police officers recently felt obliged to apologize for their law enforcement efforts before beginning a thoughtful comment in class.

I spent a lot of my time in the Marine Corps pulling a reluctant Right towards the center, but at HLS I feel that the Left is more in need of the tug towards center. At HLS we need to respect all people and approach all problems constructively. Generalizations are too easily substituted for rational thought. We should instead vent rage and anger at culpable individuals and specific acts.

Speakers Stress Communitycontinued from *SPEAKERS*, page 1

tributions of those who risked their lives to make progress possible.

"We have become too self-centered and content," Sharpton admonished. "No one is in the books simply for being bright, but for using the brightness to shed light on the lives of others."

He stressed the importance of community involvement and anecdotally related his experiences as a reverend. "As a clergyman," he told the audience, "there is nothing harder than preaching at the funeral of an unproductive person. It's hard to invent a life for these people."

Sharpton has a long history of activism and has called for justice in the strife torn, racially- and ethnically-stratified neighborhoods of New York City. He made a bid for the US Senate in 1992, garnering 16 percent of the vote, and anticipates running again in 1994.

Higginbotham will soon be stepping down as chief judge emeritus of the United States Court of Appeals for the Third Circuit. A jurist and a scholar, he is a leading figure in civil rights law. Higginbotham recently announced he and his wife, Dr. Evelyn Brooks Higginbotham, would be joining the faculty of Harvard University.

His tribute to Marshall was filled with personal anecdotes and reflections, and was equally solemn and inspirational.

Rush also delivered an inspiring address. He began by telling the crowd, rather humorously, over a catered lunch, "I wanted you to see what a Panther in Congress looks like."

Invoking the "many paths" theme, he told the crowd, "our primary goal is the pursuit of the American dream, pursuit of the American potential, and indeed, the pursuit of the American promise."

Rush spoke of how the assassination of President John F. Kennedy changed his life to one of activism. However, he reminisced about how "naive" he was and how "critical miscalculations" and "inappropriate strategies" by the Black Panthers led to "mixed and tragic results."

It seemed somehow appropriate that Hooks delivered the keynote address. His speech summed up both the speakers and the history that preceded him.

"We've come a long way baby," he began. "But we still have a long way to go."

Like the speakers before him, Hooks urged his audience to assume responsibility for their community. "If you don't participate, you're not a part of it."

I Might as Well...

By Dean Newton '95

RECORD Columnist



IT seems like everyone is complaining these days about one thing or another. While it's in fashion, I thought I would devote this column to getting a few things off my mind:

1. The sojourner what? This "Sojourner Truth Squad" is a real joke. For those of you who haven't heard of it, it is the alias used by the clowns who go around painting graffiti and sending out fake letters. Oh yes, occasionally they post flyers proclaiming that we will all be corporate lawyers when we grow up — working for those nasty corporations that keep the economy running — thanks for the brilliant insight.

It seems like everyone is complaining these days about one thing or another. While it's in fashion, I thought I would devote this column to getting a few things off my mind.

Of course it takes a lot of guts to go around mouthing off and never signing your name to statements. My Dad calls that "having an alligator mouth and a hummingbird ass." Most liberals have the gumption to go on the record and say what they believe — those people who built the mock prison camp, for example. I thought they were wrong, but God love 'em, they weren't cowards about voicing their opinions. Meanwhile, these "truth squadders" ran around painting stuff. Give me a damn break.

2. Harvard bashing. I am sick and tired of everyone bashing Harvard. No diversity — the professors can't teach — grades are random — too much pressure — the registration process stinks — Bob Clark is the anti-Christ — on and on and on. In my opinion, Harvard University is the number one academic institution on the planet Earth. It has been for a very long time and will continue to be so in the future — yet does anyone sing its praises? No. Oh well, they say it's lonely at the top.

3. The misguided LIPP. What is the story with these people saying we should get rid of the Low Income Protection Plan? One of them compared it to frequent flyer miles, claiming that Harvard has the program because other schools have it. Thus, if Harvard leads the way by getting rid of the program, the other schools will follow. It's called economics — study it. If Harvard gets rid of the program, no one else will follow. Rather they will use it as a competitive advantage in trying to lure students. Sure, Harvard is the greatest — see #2 above — but no one wants to attend a school that leaves them bankrupt. Students interested in public service, who would have come here but don't have rich parents, will probably go somewhere else. Yeah, that's it. Let's encourage bright students to go to law school somewhere else. Let's reduce Harvard's representation in the public service sector. A great idea, don't you think? Are you kidding?

4. Liberals crying over Bill Clinton. Look gang — YOU VOTED FOR HIM. I actually got a call from a Liberal wanting to convert to the GOP. Great! I'm all for it — feel free to come on in under the Big Tent as we gear up for '96. But then there are those who just whine. One actually griped, to me of all people, "he [Clinton] just doesn't have an agenda." Another was complaining about the value added tax being considered. I agree. When you are supposedly trying to revive an economy, a value added tax is STUPID. So get off your behinds and do something about it. Not long ago the Clintonistas around here put up signs urging you to call Congress to support Clinton. Well take the numbers, call your congressmen, and gripe to them! Maybe some of these Democrats on Capitol Hill will wake up. P.S. — the congressional switchboard number is (202) 224-3121.

5. The Leak. Would somebody please fix the leak in the tunnel between Langdell and the Hark? The plastic wrap and paper clips were trendy for a while — but it's getting old. Maybe the truth squadders should paint it — they could release their frustrations and the administration would no doubt immediately move to cover it up.

6. Finally, it ain't Beirut anymore. Not long ago people were calling the Law School "Little Beirut." But, at least this year, it has been relatively quiet. Did all the crazies graduate? Could students actually be studying for a change? Are the radicals on valium? Maybe they are afraid they will be booted out of here, making it difficult to obtain that dream corporate job. I've got it — it must be a conspiracy between Bob Clark and the admissions committee to admit more conservative students. Whatever it is — it's great. Finally, there is peace in Beirut — Little Beirut that is.

Chef Lee's



GOURMET CHINESE FOOD

296-298 Beacon Street
Somerville, MA 02143FREE DELIVERY
on orders over \$15

876-7666

5% OFF

with student ID.

Dining room and take-out only.

Lunch Specials

from \$4.25 to \$5.10

**Occasional Daily
Specials**

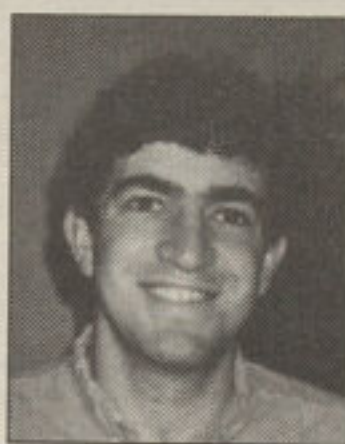
\$3.99

NO MSG!

The Bosnian Generation

By David Weinstein '94

RECORD Columnist



"It's a complex issue." Four words that form the eternal excuse for inaction and hedged positions. Any topic that cannot be shoved into the ideological boxes of simplified cold-war morality or the easy slogans of identity politics is a ready candidate for such summary dismissal.

Ever since the conflict in Bosnia began, this simple sentence has been driven home by cardboard pundits and cocktail-party experts. It is often followed by the knowing assertion that "all the sides are horrible," another convenient refuge for those who would avert their eyes from the ethno-cide taking place in the Balkans. These two phrases provide the escape hatch through which all distinctions and choices are avoided. They make an appropriate epitaph for the tombstone now being prepared for the Bosnian nation.

There has never been a moral challenge that did not appear complex at the time it was confronted. Few today would contest the evil nature of fascism, but it is not hard to dig up contemporary apologists who viewed Mussolini as an icon of efficiency and Hitler as a bulwark against Bolshevism. The great failures of will that took place half a century ago, the surrender of Czechoslovakia at Munich and the American refusal to bomb Auschwitz met with little protest at the time. They all were justified by the craven power politics of the day.

There has never been a moral challenge that did not appear complex at the time it was confronted.

And now we hear that the destruction of Bosnia is also some muddled quagmire, a confused mix of ancient hatreds incomprehensible from this side of the Atlantic. The mass rapes, the shelling of civilian populations, the concentration camps — they are just inherent in warfare, or perhaps a tactic engaged in by all sides.

One need not subscribe to ethnic simplifications to recognize some basic truths about the Yugoslav war: The majority of Bosnia's people chose independence. Its elected government at least aspires to a multi-ethnic ideal, while its Serbian opponents draw solely on myths of particularism and nationalist survival. These foes have access to the supplies of the former Yugoslav army, while Bosnia's Moslems have only light weapons. Then there is the most basic fact of all: A people is being destroyed.

Some who acknowledge these facts cite practical constraints on our influence or fears of US intervention to justify their reluctance in opposing our spectator's role in this slaughter. Yet these trepidations cannot overcome one stark reality: An armed force unashamedly bent on destruction cannot be stopped by empty demarches or carefully worded resolutions. Its opponents must either be armed by lifting the arms embargo on Bosnia, or they must be aided directly, through military intervention. To choose any other course is to resign oneself to mourning while the fresh earth is thrown on Bosnia's grave.

A few weeks ago, I attended a panel on this issue at MIT. I watched as the distinguished speakers spoke blandly of ending the suffering in Bosnia while they studiously avoided mention of any real options. I watched as a woman in front of me fidgeted uneasily through their empty formulations. As the discussion ended she rose from her chair, almost shaking with anger. The moderator tried to quiet her, but her insistent words cut through the crowd's chatter.

"You have all spoken very beautifully," she said. "This wonderful English language has served you well. Yet it is these beautiful phrases which are responsible for the deaths of thousands. These well-crafted speeches are nothing more than excuses for inaction, for watching silently while a country dies."

The crowd shuffled out uneasily into the night, heading home to watch the evening news. Somewhere between *Oprah* and *Married with Children*, they could watch genocide in early prime. And if the sights of haggard refugees and wounded children got too much for them, they could reach for the remote control — our generation's solution for complex issues.

Law Review Policy

continued from *REVIEW*, page 1

roughly 32 of the top applicants are automatically selected, half solely based on the writing competition, and half based 70 percent on their grades and 30 percent on the competition.

The Selection Committee then determines whether the recognized minority groups are underrepresented. If so, then the Committee selects applicants from the underrepresented groups to become editors. Jain would not disclose what criteria are used to determine if the groups are underrepresented, except to say that there is no quota and that the Law School population is taken into account.

Not surprisingly, opinions differ as to whether women should receive affirmative action status. Kevin Warsh '95 said he suspected women on the Review themselves voted against the proposal. "I imagine the women on the Review now are proud and know they deserve to be on it," he said. "They probably don't want the stigma or cloud over their heads that they didn't deserve to be there."

Law Review member Rebecca Eisenberg '93 said there is a stigma already. "Being a woman in general has a stigma," she said. "When I walk into job interviews, judges often ask me what the selection process is. I doubt that white males get asked that question." If women are afraid of any stigma, she said, they could elect not to identify themselves as

women on the application. Then they could tell interviewers that although there is a policy, they were not selected under it, she said.

Eisenberg is ambivalent about adding women to the list. "I am in favor, but not strongly in favor," she said. "It's very important that the *Law Review* becomes a place that belongs to men and women of every race and ethnicity. A lot of problems could be mitigated by having women on *Law Review*."

According to Eisenberg, the main problem is the selection process before affirmative action concerns are addressed. The Affirmative Action Committee found that white men are the only group not adversely impacted by the process, she said.

Eisenberg proposed hiring an outside expert to study the selection process and determine why the process is discriminatory, but the *Review* rejected the proposal. The editors did agree to keep statistics of how various groups make *Law Review* over a three-year period and to re-evaluate the policy in the future with this new information in mind.

Warsh suggested that a more frank discussion of how the policy works might provide a sounder basis for evaluating its merits. "There's a lot of misinformation out there," he said. "[The policy] should be open. Everyone should know what it is."

Glazer Needs to Get A Clue

from *LETTER*, page 9

England one in five brides were pregnant. (Thompson, *Sex in Middlesex: Popular Mores In a Massachusetts County, 1649-1699*, U. Mass. Press, Amherst.) The only differences now are that you are old enough to hear them being talked about without your ears being shielded and more importantly, these issues are now being openly discussed on a national level. Sex is going to happen. It has, it does, and it will continue. So let's start to talk about a solution that fixes the problem instead of merely making moral judgments.

Lastly, I would also like to anticipate your next commentary on the commencement speech by General Colin Powell, the Chairman of the Joint Chiefs of Staff who advocates exclusion of gays in the military merely based upon status. When I read that General Powell

was going to be speaking at Harvard's commencement I was hurt. I was hurt because for three years, the last at Harvard, I have been told that we as lawyers could make a difference. I saw students from all over the school come together on such issues as diversity, fairness, procedure, and truth in conviction and most importantly character. To end on this note completely takes the thunder out of my whole experience at Harvard.

When I think about commencement, I think about it as a celebration of all that you and I have accomplished.

Commencement is the time when the University sends us out into the world to affect change. It is disappointing that those parting words should be ones of hate, discrimination, and yes Neil, lack of tolerance and acceptance. How can we as law students sit by while

Harvard's president invites a speaker who fifty years ago would not have been admitted into the armed forces given his own race, deliver a parting message of discrimination?

If you disagree with my stance on General Powell based upon First Amendment grounds, I merely ask you to think how you would feel if Harvard invited Kurt Waldheim to deliver the commencement speech. While being the president of Austria, he also participated in the extermination of Jews. I think that almost all would agree that this would be disrespectful, hurtful, and totally inappropriate and that some type of protest action must be taken. Commencement is neither the time nor the forum for fostering hate, discrimination and intolerance.

Michael Kraut '93
April 20, 1993

RECYCLE!



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 two weeks.

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

Fill out either side

Address: _____
Description: _____
Length of Lease: _____
Rent: _____
Number of People Desired: _____
Your Name: _____
Phone Number: _____

Location Desired: _____
Features Desired: _____
Length of Lease Desired: _____
Maximum Rent: _____
Number of People: _____
Your Name: _____
Phone Number: _____

COMMENTARY

Harvard High Strikes Again

By Rob Rader '94

THIS past weekend, DSAC (That's the Dispersing Spew Affairs Council to you, Bub!) sponsored its annual semi-formal at the Sheraton Commander on scenic Garden Street, a rite of spring hailed near and far as one of the few events at which law students pretend to socialize and like one another. Against my better judgment, I attended and, to my surprise, I actually enjoyed myself while in the company of law students. (The \$10 for an open bar didn't hurt.) After checking for jungle fever and trichinosis, I was forced to admit what I've always said — that law school is a lot of fun. Could I have been right for once?

I was struck immediately by the incredible resemblance of this event to the good ole' high school days. Ah, Friday night football, Duran Duran, civics class, gym, Mrs. Kroog, hanging out at the mall, *Ghostbusters*, and The Senior Prom. Of course, it's no revelation that this place has a certain unchanging sophomoric air about it, but Saturday night was almost surreally adolescent. I kept waiting for a spitball fight, but all I got was duchess potatoes.

Just like the prom, everyone was all duded up, matched up, and made up. I didn't notice anyone knocked up, but who knows? The self-appointed "Beautiful People" were out in force. I kept expecting people's names to be announced as they entered — along with their starting salaries. "Joe Schmoe, \$85,000! Mary Joe, 60% of that!" As for me — the self-appointed leader of the "Short and Sideburned People" — I spent my time giving out awards: "Poster Boy for Norplant," "Most-Elevated Breasts," "Most Interesting Accessorizing," and "Most Conservative Haircut on a Non-Marine." In the category of "Blackest Cocktail Dress," everyone was declared a winner!

Most people were dressed to kill, or at least maim. I was impressed; it takes

Of course, it's no revelation that this place has a certain unchanging sophomoric air about it, but Saturday night was almost surreally adolescent. I kept waiting for a spitball fight but all I got was duchess potatoes.

an event like this to remind you that people at the Law School aren't really that ugly. It's tough to believe so I'll repeat that: People at the Law School aren't really that ugly. Physically speaking, of course. Because we're used to believing we can't hook up because people here are too butt-ugly to focus our eyes on, we overlook the fact that it's not our fellow students' faces and bodies that's the problem — it's their ugly personalities that repels us. I mean, beauty is only skin deep. Of course, as Jean Kerr said, "That's deep enough. What do you want, an adorable pancreas?" It's good to regain your perspective once in a while.

Not that people had such ugly souls there. Everyone had that phony "I'm so happy to see you look!" that people get at reunions. Of course, the semi-formal is cherished by all civilized persons at the Law School, which apparently means no 3Ls, from what I saw. I guess 3Ls have given up on DSAC by this time in their "education." Only 2Ls think it's cool and 1Ls don't know any better. Or, maybe it's the other way around. I guess it's the absence of 3Ls that made things seem enjoyable.

But then, disaster struck. Just when it was almost cool enough that you forgot you were in law school for a second, the Commander closed the ironically named "open bar." Apparently, someone got drunk (At a party? Get out of here!) and alcohol was canceled. What a great example of general deterrence: to punish everyone for one person's "crimes!" Now I understand Criminal Law! I'm a little confused, though. Haven't they ever heard of business conventions at the Commander? Don't most people at conventions spend their time drinking and throwing up? That's the only reason I joined the ABA.

Then, there was the dancing. I enjoyed watching people dance — seeing who had hooked up with whom. "Some of these people are having sex!" I thought. "There should be rules against that!" In India, they would have been forcibly sterilized. The dancing wasn't too bad, though. At least two-thirds of them had rhythm, maybe more, and the music was pretty good. (It had a good beat and you could dance to it; I give it a 94.)

But, something was wrong. Could it really be a law school event if none of the people who "count" are here? I mean, where were Marie-Louise Ramsdale, Mike Twomey, Hank Fincher, Alysse MacIntyre, Dave Lopez, Emily Shulman, Todd Hartman, Rebecca Eisenberg, Raul Perez, and Enu Mainigi? Forget the other 1,500 people who attend Harvard High School! Where are the "GQ Magazine Seven?" They're the only ones who count, since they're always in The RECORD. (In fact, this paragraph gets me off the hook, since I almost finished an entire RECORD column without doing the required mention of either "Campus Celebrities" or Biblical prohibitions of anything of which Neil Glazer disapproves.)

I guess the DSAC semi-formal was a success. ("DSAC" and "success" in the same sentence — who'd have thought in our lifetime?) Still, there's something disconcerting seeing a couple hundred ambitious, high-achieving, upwardly-mobile law students anticipatorily enjoying the prerogatives of their power at a swanky event that serves cheese and vegetables as appetizers. Often, I wonder what's to become of all of us.

Okay, that's not true. I really don't care what happens to the rest of you. It's my own ass I'm wondering about. Still, in some sense, much as no one likes to admit it, I am one of you and it's disquieting to think that I saw something of my own future this weekend, dressing up for fancy, schmancy parties with my carefully-coiffed colleagues. It's enough to drive one to drink. If only they hadn't closed down that damn bar...

Out of My Liberal League

By Debra Dickerson '95

RECORD Columnist



THE late comedian Robin Harris used to proudly proclaim to his audiences, drink in hand, that he was a "DRUNK, damn it and not no goddamn alcoholic. Alcoholics gotta go to all them damn meetings." That's kinda what it's like being a liberal at Harvard, I've never attended so many meetings in all my life. I thought I left those behind when I swore off government work.

The funny part is that, while waiting for school to begin, I envisioned myself 'Debra, Queen of the Campus Liberals'. I pictured myself immersed in campus intrigue, penning investigative pieces for the RECORD (which would be picked up by the major papers and eventually win Pulitzers), and pulling all-nighters chained to the Dean's car while finally learning the words to Michael, Row the Boat Ashore. It didn't quite work out that way.

Zestfully, I signed up for every left-leaning organization Harvard had to offer. After 12 years in the military, I was delirious at the prospect of finally being in the political majority. I looked forward to being with people who don't wear T-shirts that read "Join the Air Force: Visit ancient lands. Meet exotic people. Then kill them." Another popular one showed a bomber flying away from a mushroom cloud with the logo, "Now, it's Miller time." Granted, most of us were kidding, but it kinda sets a tone.

You liberals have no idea what it's like to spend quality time with a group that thinks Ollie North has a cool 'do and that the Cosby show was too risqué. [Let me take this moment to say something for the sense-of-humor-impaired: I wouldn't trade my Air Force days for anything in the world. I am proud to have served with the people I'm making fun of and I said these same things to their faces. They'd call me a bleeding heart, we'd argue some more, and nobody whined about being silenced. We worked together smoothly, partied together raucously, and watched each other's backs. I didn't stay 12 years just to acquire material for this column.]

Ideologically, it was really easy to be a shameless liberal in such circumstances and it also required very little effort. It was even kinda fun watching their little faces turn all red; they'd have this great little 'amen corner' going, all agreeing with each other about how anyone who really wanted to could find work or how great the Contras were. Then I'd cruise by and ask if they knew what the unemployment rate was or what the Contras actually stood for beyond the proposition that it would be nice for all their relatives to be in charge. My willingness to disagree with the Commander publicly during the flag burning debate emboldened many of my 'closeted' liberal friends in uniform to speak up. (You campus conservatives who complain about PC-silencing haven't seen pressure to shut up and conform til you've defended homosexuality to fighter pilots or why NEA grants should be based on something other than Jesse Helms' nicotine notions of art. Come talk to me when you know something.)

Having stood alone for so long, I thought I could hang with the best. But then I get to Harvard and find out that I'm playing in the Liberal Big Leagues. Part of the problem is the age difference. At 34, I find just the stamina of liberal groups here challenging; I'm awed by these people who are doing so many things at the same time.

Recently, a BLSA friend woke me early in the morning before my 10:30 class. "I had been up for hours planning the violent overthrow of the government. 'You're still asleep?' she asked incredulously. 'I've been so busy, I guess I lost track of time, I'm sorry. When do you get up, I'll call you back.'" Of course I couldn't admit my alarm was set for 10:15 so I pretended to have overslept and thanked her for waking me. While I'd slept, she'd organized a BLSA Street Law Clinic (which she co-created), the next Women of Color Collective meeting (which she created), worked on the National Lawyers' Guild budget (she's co-chair), and caucused with her BLSA Political Action Committee colleagues about its next roundtable discussions.

You know, video sluts and the Victoria's Secret catalog have long since taught me to feel inadequate as a woman but it took Harvard to make me feel inadequate as a liberal.

The issues here are much more problematic than the general ones we shot the breeze about in the military while apolitically carrying out policies decided by others. It was a much easier decision to risk offending the extremely conservative colonel who wrote my performance appraisals than it is to decide how to go about my personal political involvements here. This is so much more specific.

While I support the faculty diversity movement, for instance, I didn't support disrupting the curriculum meeting by reading that list of names and therefore didn't participate. But then I didn't try to dissuade them. Now I see that there's a movement afoot to prevent Gen. Colin Powell's receiving an honorary degree. Lordy, what do I do now? I'm so disappointed by his stand on gays in the military, but I'm so proud of him in every other way. Am I going to spend the next two years supporting causes in general but refusing to take a stand on specifics?

I'm so ashamed. I'm a disgrace to liberals everywhere. Could it be that I'm just a conservative in liberal's clothing? Maybe that's why I always felt just a little sorry for George Bush when one of his size 9's would lodge, yet again, next to the silver spoon in his mouth. Now that my days of following orders are over, now that I can no longer simply pay lip service to the liberal creed from afar, my lefty credentials are truly being put to the test.

Just when I had half-decided to just tune out, Prof. Bellows did something no one's done in a long time. He inspired me. In our Lawyering for Poor People class he was explaining how the hefty lawyer's fees in a Legal Services case he'd won were calculated. A student asked if he'd personally received the fee. He laughed and said offhandedly "Oh no. In thirty years of practice I've never accepted attorney's fees. I guess it's a badge of honor by now." Prof. Bellows, among many other things, has been a public defender, represented migrant farm workers, fought a governor named Reagan to keep Legal Services in California alive, and helped begin Harvard's Legal Services clinical program.

Damn. Inadequate again. OK, OK so I'll take a stand. I'm still not sorry I didn't help disrupt that particular meeting but I will protest against Gen. Powell, much as it will pain me. I wish it hadn't occurred to anyone, I must admit, but I owe it to my gay friends still on active duty to fight for their right to serve their country. But I give up on that Queen of the Campus Liberals thing. I'm definitely not up to it.



How one number can help the whole gang stay in touch.

Once school's over, your best friends may be all over the city, state, or even the country. Looking for jobs, setting up places of their own, living new lives.

Because you never want to lose touch with these friends, you should order AT&T EasyReach™ 700 Service. It gives you one simple way to let everyone keep up with you.

Your EasyReach 700 number moves along with you: now you'll forward calls to and from virtually any touch-tone phone. Friends and relatives can reach you right away; prospective employers won't have to track you down.

i PLAN You can always hold onto your EasyReach number; it won't change even if you move.* It's one number to give out, one to remember. You'll find

EasyReach 700 Service is part of our commitment to meeting your individual needs with innovative services. AT&T calls this personalized approach to long distance The i Plan.™

AT&T EasyReach 700 Service costs just \$7 a month, plus reasonable rates for calls. Order today, and we'll reimburse you for the \$7 monthly fee for your first three months of Service. We'll also waive the \$10 sign-up fee, a \$31 value.** Before everyone goes off in different directions, get the one number that will make it easy to stay in touch. Call 1 800 245-8003, ext. 9045 now.

Friends for life. Keep it that way.

Save
\$21 on your
first 3 months.
Call 1 800 245-8003,
ext. 9045.

AT&T EasyReach™ 700 Service



*Subject to call terms and conditions. Please note the Service is available in the U.S. Mainland and Hawaii only.
**You will be reimbursed for AT&T Long Distance Certificates at the end of the three-month period. Offer expires June 30, 1994.

© 1993 AT&T