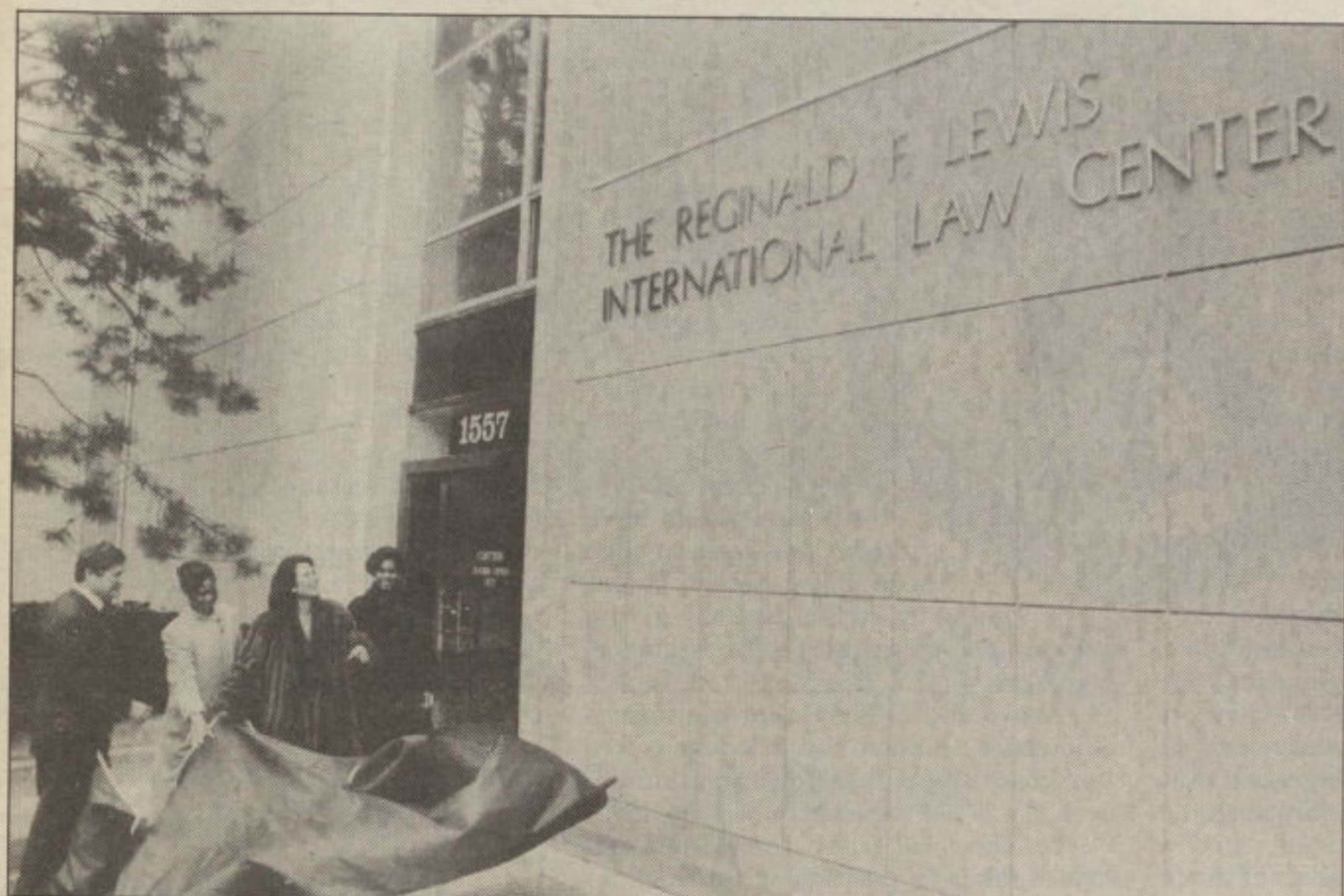




Dedication of the new Reginald F. Lewis International Law Center

Students Ponder Injunction Against Speech By Powell

By Glennis Gill
and Greg Stohr

While the announcement that Janet Reno will be the HLS Class Day speaker appears to have pleased everyone, the selection of Colin Powell as the University speaker has led to controversy, due to Powell's position against gays in the military. The most extreme reaction

— the possibility of a civil injunction to prevent him from speaking — has come from a small group of 3Ls, who have made it clear that COGBLLI does not support their strategy. One of the students, Michael Kraut '93, said the injunction would be based on the theory that by asking Powell to deliver the commencement address and awarding him an honorary degree, Harvard University is in violation of a contract it has with

students.

"Students pay the University tuition and the University agrees, expressly or implicitly, not to discriminate on race gender or sexual orientation," Kraut said. He also asserted that, since Powell has "tried to prevent women from going to the front line, actively worked against the court ordered reinstatement of Keith Meinhold, and is against gays in the military," Harvard would be violating this contract by having him speak. Kraut said students seeking the injunction have requested a meeting with Rudenstine "to see how we can settle this out of court."

Quashing Powell's free speech is not the idea, explained Kraut. "The cure for inappropriate speech is more speech, but you don't have that at com-

please see **POWELL**, page 13

Nader and Class of '58 Plant Seeds for Public Interest

By Johanna Davis

Led by Ralph Nader '58, the HLS Class of 1958 passed a resolution at its 35th Alumni Symposium on Saturday to "implement and pursue" the Appleseed Foundation project. The foundation will "inform, stimulate, and help organize statewide Centers for Law in the Public Interest," according to the detailed proposal submitted to class members attending the reunion.

Nader, a longtime crusader for consumer protection, said he believes a project like Appleseed is necessary to check burgeoning institutional abuses. "It's crucial that we hold public and private institutions accountable for their abuse of power," he said. "A huge growth of complex events affecting people has transformed society in the last twenty years, and public interest law has not kept pace. There are probably no more than 300 to 400 full-time public interest lawyers in the United States."

Arizona Center is Model

Nader and other organizers of the Appleseed Project hope to

remedy this problem by creating a Section 501(c)(3) nonprofit foundation whose purpose will be to establish public interest law centers across the country. "The prototype is the Arizona Center for Law and the Public Interest, which has been in existence for 20 years," explained Richard Medalie '58, one of Appleseed's founders.

The Arizona Center concentrates its efforts in six areas: government accountability, consumer protection, human rights, health care, environmental protection, and education reform. It draws over \$1 million per year in private funds through contributions, foundation grants, voluntary state bar dues checkoffs, and attorney-fee awards.

Like the Arizona Center, the Appleseed Centers will derive financial and professional support primarily from the local bar. Organizers anticipate that individual centers may vary their legal specialties to meet regional needs. "The centers will be homegrown, with community boards," explained Nader. "Our Appleseed Foundation is just the catalyst, the facilitator, the orga-

please see **SEED**, page 15

International Law Center Dedicated

Friends, Family Remember Lewis '68

By Lisa Zornberg

Alumni celebrating their 25th HLS reunion last weekend joined with other members of the Harvard community to remember their absent classmate, the late Reginald F. Lewis '68, and to dedicate the Reginald F. Lewis International Law Center in his honor.

The Center is the first building at HLS to be named after an African-American.

The late chairman and chief executive of TLC Beatrice International, Lewis died unexpectedly at the age of fifty in January. Only six months earlier, he had given a \$3 million grant to the Law School for international studies. It was the largest amount ever contributed by an individual in the Law School's history.

Speakers at last Friday's

dedication included Harvard University President Neil Rudenstine; Dean Clark '72; Lewis's daughters, Leslie N. Lewis and Christina S.N. Lewis; Prof. Frank Sander '52; and Lewis's law school classmate, William Slattery '68.

"We are here today because my father wanted to disprove the

lie that for people of color there are certain things you cannot do; there are certain ambitions to which you cannot aspire," Leslie Lewis told the crowd.

"One reason he consented to have this building named after him," she said, "was because he was convinced that the

mere existence of this building would make African American students walk a little taller and work a little harder."

Prof. Sander recalled Lewis's

please see **LEWIS**, page 13



Reginald Lewis '68

Dean of Students Search Nears End

By Maria Politis

By next week, law students should know who will replace Sarah Wald as their dean of students.

"I'm getting close," said Dean Clark '72, predicting he will make a decision within the week.

At this point, said Administrative Dean Sandra Coleman, chair of the selection committee, "The committee has finished its responsibility. It's in the dean's hands." While the committee's

recommendation is strictly advisory, it has given its opinion to the dean and has ranked three finalists, according to Clark. Committee members are Director of Financial Aid Sally Donohue, Professor Daniel Meltzer '75, Professor David Wilkins '80, Rhonda Adams '93, and Neil Glazer '93.

When asked what characteristics he will consider in making his decision, Clark said, "What you might expect. Each candidate's strengths and weakness-

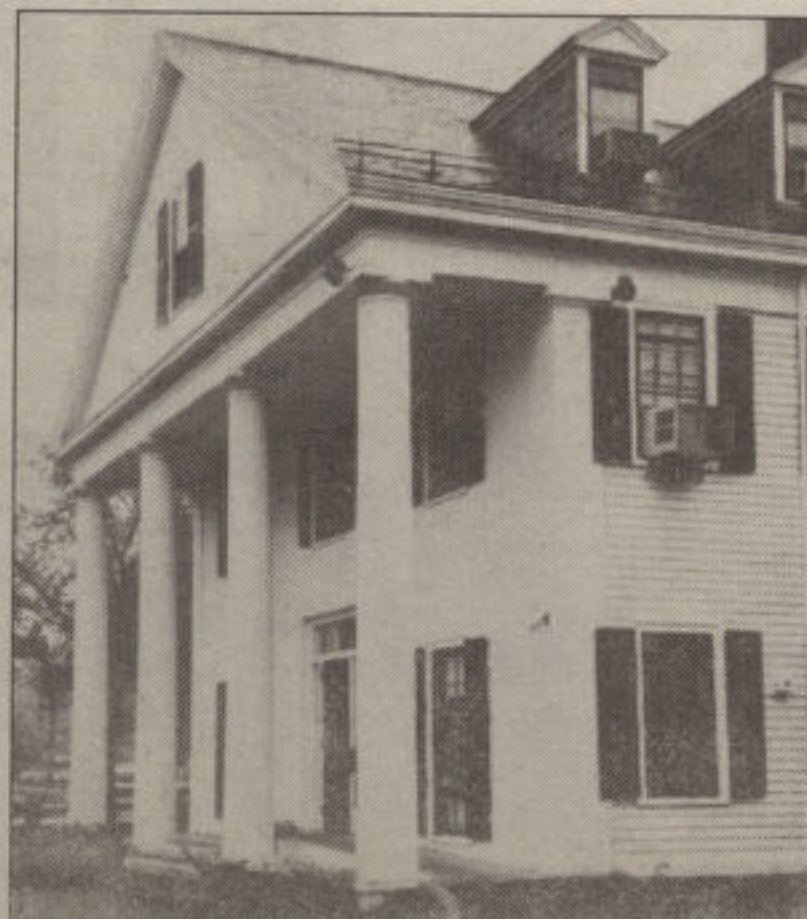
please see **SEARCH**, page 15

Gannett House Looms Large as 1Ls Contemplate Law Review

By David Clancy

Although students may cringe as they pass the illuminated Gannett House on a Saturday night, the prestige of *Law Review* membership remains a definite draw for first year students. Lewis Polishook '95, crystallizing the general sentiment of *Review* candidates, said "it looks great on a resume."

A general perception exists that this prestige is an invaluable asset in the arduous quest for quality clerkships and, later, quality professorships. "I have some interest in teaching, and *Law Review* seems essential," said Jay Kojima '95.



The talismanic effect of *Review* membership in shaping post-law-school careers may explain the large proportion of first-year students who typically compete for positions. According to Mike Labson '94, *Review* editor and director of

the competition, nearly 300 students — over half the class — pick up the competition materials at Gannett House each June. Last year 317 students picked up materials, a Law School record.

Nevertheless, a significant number of students simply choose not to contend. These students seem to opt out for one or more of several dominant reasons.

Many students are dissuaded by the prohibitively steep odds. Only forty editors are chosen

see **REVIEW**, page 14

Labor Law Project Supports Wine Boycott

By Robert Weissman

Boycott Chateau Ste. Michelle and Columbia Crest wines. That is the message members of the Harvard Law School Labor Law Project are delivering to Cambridge citizens and Law School students on behalf of farmworkers in Washington state.

Since last fall, the Labor Law Project has organized half a dozen informational pickets outside of the Wine Cask in Somerville and the Cottonwood Cafe in Porter Square. The picketers are not calling on patrons to boycott these establishments, but they are asking customers to ask the store and restaurant to stop selling and serving the wines. Both the Wine Cask and the Cottonwood Cafe have so far refused to stop selling the wines.

The United Farm Workers of Washington State (UFWWS) has called for a national boycott of Chateau Ste. Michelle and Columbia Crest wines because Chateau Ste. Michelle, the owner of the wineries, has refused to allow the vineyard farmworkers to unionize. According to UFWWS representatives, Chateau Ste. Michelle has also subjected the workers to low wages (which have fallen approximately 25 percent in the last six years) and poor and unsafe working conditions (including no pay for overtime and exposure to unsafe pesticides).

The Labor Law Project has joined the boycott campaign, says former organization president Megan Muir '93, because the union "is trying to take the boycott nationwide and it is relying on volunteers to do it." The Labor Law Project, she explains, is working to "directly assist a labor group that needs help because it does not have the money to hire a public relations consultant and high-priced labor organizers to run around the coun-

try."

Not surprisingly, Chateau Ste. Michelle is less impressed with the UFWWS and the boycott, which it contends is unjustified. Company spokesperson Mark Jennings says Chateau Ste. Michelle pays above-average wages for farmworkers and "firmly supports the right of our farmworkers to collectively bargain." However, he says, the corporation will not recognize a union until the state passes labor legislation covering agricultural workers.

Jennings says the legislation is necessary to provide a framework for union elections and labor negotiations. Without legislation, the UFWWS could maintain the boycott unless it was able to win every demand from the company, including some that the company could not possibly meet, he says.

Chateau Ste. Michelle actively worked to achieve a farm labor bill in the Washington state legislature's last session, Jennings says, but the UFWWS sabotaged efforts to get a bill passed by making unreasonable demands. "How can we be sure the UFW will negotiate in good faith when its [supporters in the legislature] couldn't even keep them at the negotiating table?" he asked.

UFWWS representatives dispute Jennings' contentions. They claim Chateau Ste. Michelle has actively interfered with workers' right to organize; to support their claim, they point to a September, 1992 \$120,000 settlement of

a lawsuit in which workers claimed they were fired for labor organizing. The winery reinstated the workers but did not admit to punishing them for organizing.

The UFWWS says the bill Chateau Ste. Michelle supported in the state legislature was fatally flawed, containing numerous anti-farmworker provisions. Among the union's complaints: The bill would have enabled growers to call for decertification elections in the winter, when few workers are present, and would have forced workers to give three days notice before going on strike, thereby giving growers an opportunity to find replacements.

Above all, UFWWS representatives emphasize, Chateau Ste. Michelle is free to recognize a vineyard workers union, even if it is not required to do so by law.

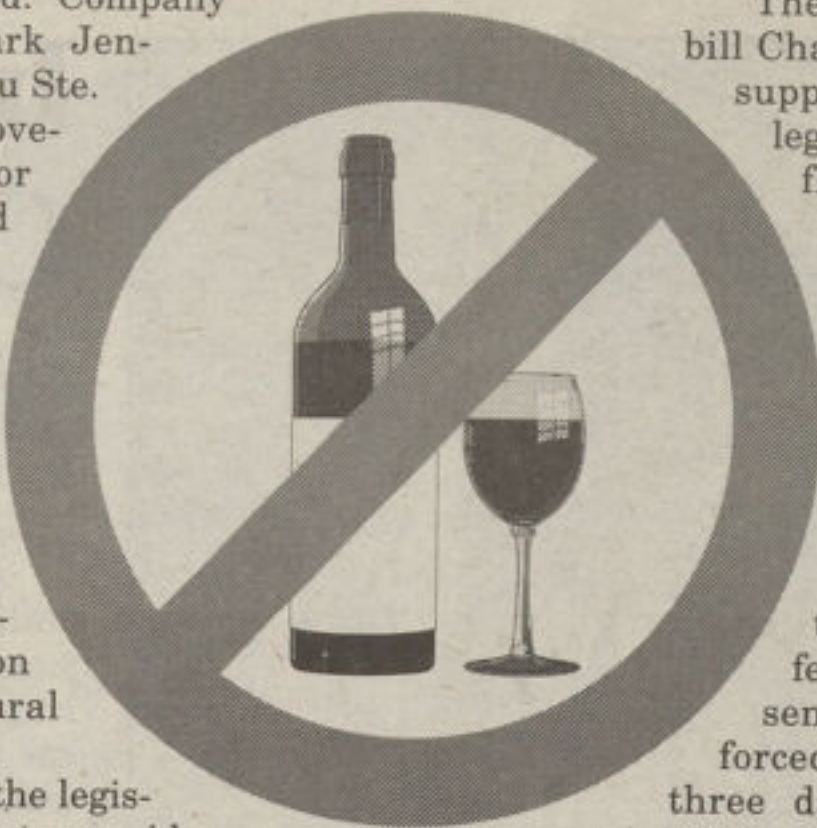
On the local front, the Wine Cask says it takes no position on the dispute. "We have received information from two sources — the protesters and the winery," said Stephen Mosher, a wine seller at the

store. "We are not in a position to take one side's story and believe it 100 percent. We are quite distant [from the conflict] — we are on a different coast and there hasn't been any local press on it."

"We don't mind having the protesters outside and them getting information to our customers," Mosher added.

But Labor Law Project members are hopeful the Wine Cask, the Cottonwood Cafe and other local establishments will stop selling the wines. That is the strongest way to send a message to the winery, they say.

George Finch, a board member of the UFWWS who joined a Labor Law Project picket last week, says the boycott campaign's efforts to take Chateau Ste. Michelle and Columbia Crest off the store shelves and restaurant menus has yielded impressive results. Close to 30 restaurants in Washington state have stopped serving the wine, he says. Moreover, "the company president has said that no day goes by without him having to [deal with the boycott]. So the boycott is affecting them."



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A speaker makes a point during Tuesday's panel on NFL Free Agency

Conference Examines Judaism and Sexuality

By Greg Stohr

From the issue of whether homosexuality should be an acceptable lifestyle within the Jewish faith to whether a husband must satisfy his wife sexually, the JLSA Spring Conference presented a wide, and sometimes contentious, spectrum of perspectives on Jewish sexuality.

An estimated 150-200 people attended the Saturday conference, "Aspects of Love," which featured panel discussions on sexuality in Jewish texts and tradition, rituals and laws regarding sexuality within marriage, and homosexuality.

The final panel prompted the most heated exchanges, as speakers tried to reconcile the Biblical prohibition against male homosexual activity with the reality that many practicing Jews are homosexuals.

Orthodox Rabbi Barry Freundel said that while he would neither exclude homosexuals from his congregation nor tolerate discrimination against lesbians or gay men, the book of Leviticus clearly forbids homosexual activities. Conservative Rabbi Elliot Dorff argued that homosexuality is an orientation and not a choice and therefore sources of Jewish law should be reinterpreted to permit monogamous homosexual activity. Julie

Klein, a lesbian, spoke of her internal struggle between her religious law and herself.

"The gay panel raised a lot of troubling issues in regard to my faith," said Baynam Dayanim '93. "On one hand we're faced with an explicitly Biblical prescription in the text. On the other hand, we face the reality that having that prescription effectively excludes many people from our faith community. I have no resolution for that."

An earlier panel confronted rituals surrounding sexual relations within marriage in the Jewish faith. Blu Greenberg, an Orthodox Jew, defended the Nidda, which forbids sex during and for seven days after a woman's menstrual cycle, and the Onah, which requires that a husband sexually satisfy his wife. She said they help ensure that marital sex remains enjoyable and that a woman's body is regarded as an entity independent of her marriage. Conservative scholar Francine Klagsbrun expressed concern that the rituals could have a degrading impact on women.

Conference Co-chair Susie Horowitz '93 said she was pleased both with the provocative comments and the turnout.

"The audience ranged from lawyers to students to activists," she said. "It was a great success."

Panel Tackles Football Free Agency Issues

By Tony Petrilla

As many football fans are rapidly discovering, free agency in the National Football League is undergoing a renaissance as a result of recently settled litigation between NFL team owners and players. On Tuesday night, Prof. Paul Weiler '65 moderated a discussion sponsored by the Committee on Sports and Entertainment Law between Jim Quinn, one of the key lawyers for the players' association, and Jeffrey Pash, a member of the Covington and Burling team which represented the NFL owners.

In the six weeks since the players' association won a favorable ruling in the Eighth Circuit, resistance by NFL owners to less-restricted free agency has collapsed and a new collective bargaining agreement has been negotiated between the parties. The most apparent change to fans of the game is the fact that teams are now unable to bind players following the expiration of prior contracts. Players are free to shop around the league for better pay or more preferable contract terms. A noted example of this phenomenon was Reggie White's recent decision to sign a new contract with the Green Bay Packers.

Quinn and Pash presented strongly opposing viewpoints on the legal maneuvering that has been going on since the 1970s and that led to the recent settlement. Quinn characterized the NFL owners' restricted free agency policy as a type of price-fixing, placing the players in bonds of "enslavement." He argued that the antitrust laws precluded this sort of arrangement and that, essentially, the players' association had spent the last few years wading through a sea of technicalities in order to secure players' rights to a free market.

Pash rejected these contentions, stating that the players' association misunderstood the interests of its members. He claimed a healthy NFL is a necessary condition to continued profits for players and owners alike. And a healthy NFL depends on a competitive set of teams. With unrestricted free agency, Pash warned, the league runs the risk of creating dynasties centered around teams with

the most money and the best locations (e.g. Miami or Los Angeles). Pash did, however, acknowledge that the salary caps due to take effect for the league next year will dampen the influence of richer teams.

Even though Pash and Quinn traded barbs throughout the discussion, in the end both agreed the litigation could not go on much longer. Quinn noted that the NFL owners have more resources than the players' association and are better coordinated. Further, the owners could prolong the battle simply by creating new — though essentially unchanged — plans of "free" agency, requiring the players to relitigate over and over. It was, said Quinn, in the interest of the players to bring the legal confrontation to a close with the best settlement possible.

Pash concurred that ending the litigation was equally desirable from the point of view of the owners. The players are the "product," he said, and the NFL markets and owners could not remain at war with their product without suffering in the long run.

Israeli Parliament Member Comes to HLS

By Scott Kolbrenner

As the Mideast peace talks resume in Washington this week, there is renewed hope that leaders will show a willingness to compromise. This was the message conveyed by Knesset member Ran Cohen, who spoke to more than 100 students and members of the community in Pound Hall on Monday, Israel's Independence Day. Cohen prophesied peace through compromise and reassured, "The dream is alive."

Cohen, a member of the Meretz coalition,

which holds 12 of the 120 positions of the Israeli parliament, grew up in Iran until he ran away to Israel as a youth. Today, Cohen is a leader of the group that advocates positive reinforcement, not fractiousness, when dealing with difficult situations.

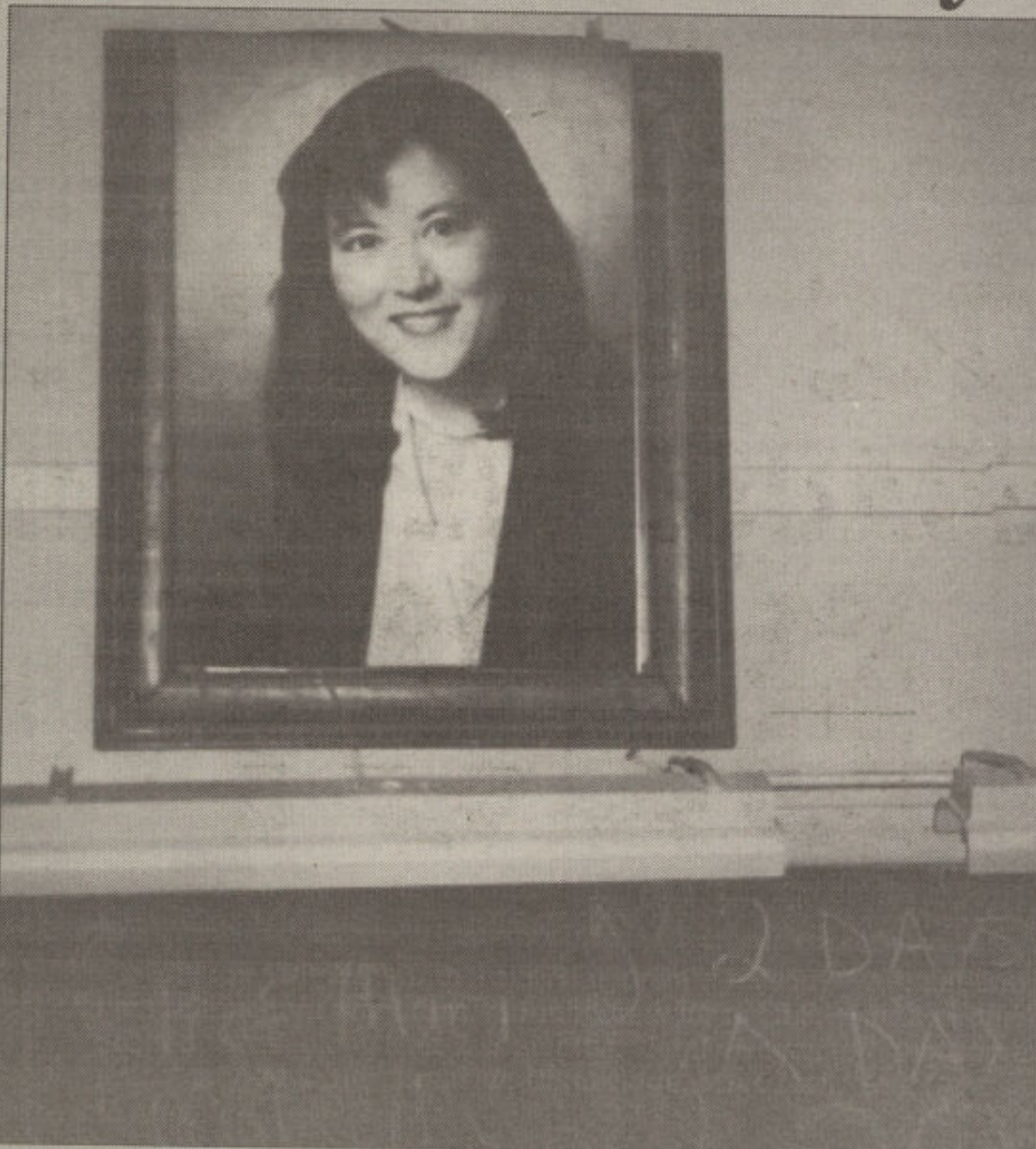
Cohen said he is optimistic about conditions throughout the Mideast and in Israel itself. "The Israeli government should be stable throughout the next four years," he said. This stability, and the Israeli government's willingness to negotiate, Cohen added, should lead to positive change.

In contrast to many who discuss Mideast issues, Cohen seemed willing to apportion responsibility to both sides. Although he claimed Palestinians must be held responsible for their terrorist acts, Cohen also said he recognized the Israeli government's responsibility in resolving the present conflict. Specifically, Cohen did not rule out the possibility of compromise in the occupied territories, so long as safety can be ensured for all parties. He detailed his desire to create jobs and self-government for Palestinians in the lands they would occupy.

Cohen confronted the sticky issues of Israel's deportation of 400 Palestinians belonging to the terrorist group Hamas, and the "closure" of Israel to Palestinians living in the Occupied Territories. While he said he understood opposition to these measures, he said he also saw them as realistic and voiced concern for the security of those Israelis he was elected to represent and protect. When questioned by a student about his party's lackluster response to the two events, Cohen responded, "It's easy to be against closure at Harvard, but in Israel, there are other concerns." About Hamas, Cohen continued, "These people came into Israel to kill, not to work."

The event was sponsored by the Harvard Human Rights Program and the Education Fund for Israeli Civil Rights and Peace.

A Portrait of Diversity?



The Sojourner Truth Squad has struck again. Earlier this week, the group covered one of the portraits in a Langdell classroom with a photograph of Georgetown Law School Professor Mari Matsuda.

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BRIEFS



Lincoln's Inn Washed Out

Follen Street swallowed a red Honda last Monday night when road construction work collapsed, leaving a large sinkhole. The sinking car split a water main, temporarily transforming the residential street into a treacherous river. Torrents of water burst pipes and caused massive basement flooding in residences along the street, including the Lincoln's Inn. "The water was gushing out of a standpipe, and spewing out of the downstairs toilet like a fountain. It looked like the climactic scene from *The Poseidon Adventure*," said Johanna Davis '94.

Although representatives from the Cambridge sewer commission and fire department came to inspect the Inn, both men said they could do nothing until the water rose even higher. Inn members worked frantically to pitch the water out of a back door fire escape. "Despite the vigorous efforts of numerous volunteers over the course of several hours to divert and bail the flooding, our basement, storage and social rooms were swamped with foul, dirty overflow," said Mike Rubenstein '95, the Lincoln's Inn House Manager.

J.B. D'Allessandro of Quincy, the independent subcontractor doing work on the site, returned later Monday evening to mend the gaping hole. The continued construction work interrupted water service for the Inn and 50 Follen Street throughout Monday night and most of Tuesday. "Because the Inn has steam heat that requires water, we had no heat Monday night," added Hank Fincher '94, the Inn's Chairman.

The Inn plans to file a complaint with the City of Cambridge for reimbursement for repairs and cleaning costs. The City claims the problems began when the driver of the Honda disobeyed caution flags and drove her car onto the quicksand intentionally, but Rubenstein doubts it. "I think she drove down there thinking it was properly secured," he said.

Prof. Jackson Testifies Before Congress

Professor Howell Jackson was the lead witness testifying before the House Banking Committee's Economic Growth Subcommittee last week about creating a secondary market for commercial and business loans (BCLs). His testimony will help Subcommittee Chairman Paul Kanjorski (D-Pa) to draft a bill creating a secondary market for all sizes of BCLs.

Jackson said the primary structural impediment to developing huge volumes of BCL deals is the difficulty of classifying and rating the credit risks of small and medium-sized business borrowers. The private market may not have the capacity to obtain and correlate this information, so government intervention into the BCL secondary market would be appropriate, he explained.

Jackson said there are several ways for the government to promote the development of the secondary market for BCLs, including reforming and updating existing legislative and regulatory rules to ensure that they do not unnecessarily impede or distort the development of the market.

He predicted that if a government agency were to guarantee the creditworthiness of BCL-backed securities, the market could develop very quickly. While the government agency would assume the risk of subsidizing the development of the market, Jackson believes that the government agency would develop immediate expertise and information about the secondary market for BCLs that the private market could eventually utilize.

K-School Student Starts Perot Chapter

Mark Goffman, a Kennedy School graduate student, plans to help Texas billionaire H. Ross Perot build "a nationwide network of United We Stand America (UWSA) student chapters," according to a recent *Crimson* interview. Perot, who won 19% of the popular vote in his bid for the presidency last November, founded UWSA as a non-profit organization to challenge the present political situation.

Goffman was among the ten students from different parts of the country invited by Perot to an informal gathering in Dallas last week. He said he was invited to Dallas after contacting Ralph Perkins, a Perot representative whom he met at a UWSA gathering in January. Goffman, a graduate of Emory University, said he supported Perot in the 1992 campaign.

HLS Hosts International Conference

On Saturday, May 1, the Conference on International Business Transactions presents its first annual conference, titled "Legal and Economic Transformations in Global Markets." Representatives of the World Bank, foreign judges, private international lawyers, and HLS Professors Alford '77 and Vogel will be speaking about their areas of specialty, including investment opportunities, taxation, and other economic issues in four areas: East Asia, Latin America, the Middle East, and Europe.

An optional luncheon (\$10 for students) will feature a keynote speech by Herbert Morais, General Counsel of the World Bank.

The conference, which was organized by HLS students Haleh Akhlaghi LL.M. '93, Lily Akhlaghi LL.M. '93, Eduardo Baistrocchi LL.M. '93, Peter Ping Hang Lin SJD, Benjamin Rozwood '94, Olufunmilayo Arewa '94, and Stuart Grider '95, is free to students and \$35 for everybody else. For reservations, call 496-4197. Or, you can register at the door.

Edley's Winter Grades Still Not In

Five months after Winter Term's end, Prof. Christopher Edley '78 has still not turned in his grades for Administrative Law. The recent Clinton appointee left for Washington last month. The Registrar's office and irritated students have since tried to obtain the missing grades, but to no avail. Registrar Sue Robinson expressed profound frustration with the situation, and said she hoped the grades would be ready by late next week.



Marchers for gay rights pass by the White House

HLS Students Participate in March for Gay Rights

By Glennis Gill

HLS students showed their support for gay and lesbian civil rights at the march last weekend in Washington, DC. According to estimates, 40 to 50 people from HLS, including at least one professor, made the trip to the nation's capital.

"It was an incredible experience," said Steve Homer '94, past chair of COGBLLI. "Most people from COGBLLI went, as did some supportive heterosexuals." He said he also saw one HLS professor.

Homer said he saw "every big name

in the gay community. . . Everyone I've ever known in my life, who hasn't died from AIDS, was there."

Michael Kraut '93 also met up with old friends. He said he "marched with friends from all over, one of whom is in the Air Force and therefore had to avoid the cameras."

Like many organizations that estimated the numbers of people at the march, Homer said, "The National Park Service vastly underestimated the numbers of people there." The National Park Service put the number at 300,000, while others have estimated that there were about a million supporters at the march.

Speaker: Voluntary School Prayer Should be Protected

By David French

Special to the RECORD

One of the most divisive issues facing the courts and public schools today is the issue of school prayer. Who can sponsor it? Can it even be allowed? On

September 21 the Federalist Society and the Rutherford Institute brought Jay Sekulow, lead attorney for the American Center for Law and Justice, to Austin North to address these questions.

Sekulow is a prominent religious liberties attorney who has litigated ten separate cases before the Supreme Court and argued six of them. Most recently he defended the right of a rabbi to give a graduation invocation in *Lee v. Weisman*. Despite that recent defeat, Sekulow appeared to be upbeat as he mapped out his approach to questions about school prayer.

According to Sekulow, each school prayer case can be litigated as both a religious liberties and a free speech question. Since *Employment Division v. Smith* winning on freedom of religion grounds has become more difficult, so it has become imperative to find alternative ways of approaching these cases. Sekulow argues that because students do not "leave their First Amendment protections at the schoolhouse door," their religious speech should be as protected as their political speech. Voluntary school prayer, even

prayer at a graduation ceremony, should receive protection. As long as the prayer is not mandated by public school officials, Sekulow argued, a student is entitled to pray publicly if he or she desires. Any attempt by a school official to forbid him or her to pray would be an unconstitutional prior restraint.

As long as the prayer is not mandated by public school officials, Sekulow argued, a student is entitled to pray publicly if he or she desires.

Apparently, this new approach to school prayer cases has been moderately successful, but it is not without its opponents. According to Sekulow, the ACLU is split on this approach. It is torn between the goals of protecting student speech and erecting a wall of separation between church and state. The Supreme Court is split as well. Although a majority seems sympathetic, agreement with Sekulow's position is by no means universal. Sekulow told the audience how Justice Stevens, in a recent dissent, wrote that

Sekulow's arguments were "about as exciting as grilled cheese."

After a brief question and answer session, Sekulow ended the evening by telling the audience of the desperate need for talented constitutional lawyers. According to Sekulow, students wishing to exercise their free speech rights sometimes face massive resistance, and his own organization is swamped with requests for help. With the ACLU on the fence, he said, there is a great need for young attorneys who are willing to step into the gap.

What Women From the Rest of the World Have to Say

By Bonnie Chan LL.M. '93

Bearing in mind that one of the basic ideas of the LL.M. program is for us to learn about the American culture and return with what is good, we as a group of female graduate students have met on one occasion to discuss what is the one thing that strikes us as the most fascinating at HLS. Without much hesitation, we concluded that it is the high profile, high visibility of feminist activities at HLS. All around the campus we see our dedicated sisters in action. Yet, whereas one of the underlying objectives of "feminism" is to provide women with more choices, we detect that women at HLS are not particularly happy (a stark contrast to the joyous group of "crazy LL.M.s"). We are astonished by the unnecessarily angry looks that we see cast on the faces of many fellow schoolmates. This is something worth pondering, given that all women attending HLS are supposedly the more privileged and liberated ones. So what accounts for this melancholy?

Perhaps it is the way the feminist battle is fought here. There are moderates and militant extremists. We observe, however, that the method adopted by many devotees here is an antagonistic one, expressing the "men are evil" sentiment. We believe that such hostility is unnecessary and not constructive. Instead of creating a united front against men, why not adopt a more cooperative approach?

There are differences between men and women that need to be accommodated. Perhaps the best way to achieve this is through communication, which necessitates an atmosphere of good faith and mutual respect instead of contempt and derision. A suggested approach is the idea of "complementarity" that has become fashionable in France. This idea advocates that men and women can play different roles and take up respective responsibilities. One needs to be careful, though, to avoid "stereotyping" in the course of identifying one's role and responsibilities.

To some of us, it is also difficult to understand the idea of playing down one's feminine qualities in order to demonstrate one's refusal to submit to the tyranny. In October and November, during interview season, we

recall that the majority of the female interviewees tended to wear skirts at knee-length, not an inch longer or shorter. Perhaps it does look professional, but it could hardly be considered attractive. Yet it seems to be a golden rule observed in order to project and protect an image of "seriousness." A woman wearing too short a skirt might be taken as flirtatious, incapable, or seen as disrespectful to her own sex.

I doubt if many women who observe this rule actually concur with the "wisdom" behind it. But we do not see many dissidents — perhaps it is not worth risking a job to test its validity. A survey of our group revealed that in no other countries do women lawyers abide by such a strict dress ritual. In fact, we found more in common talking about the long mini-skirt and the super mini-skirt.

Some would argue that it is our problem that we don't see any problems, that we should be more conscious and aware of our rights and mission as women. In fact, we have been recurrently told that we are lured into a false consciousness and an illusory sense of happiness and contentment. But if that is the case, we would rather choose to believe that "ignorance is bliss." Or is it possible that when we choose to be housewives, or when we wear our mini-skirts and show our legs, we are actually making a more "emancipated" choice?

The question remains, why is there so much difference between feminism here and elsewhere?

The difficulty in answering this question begins just in trying to set a universal definition for the term "feminism." In our respective countries, the term carries very different meanings. In many European countries, feminists are seen as a more or less radical left-wing group. In Belgium, for example, the term refers to women who have "gone too far." In other corners of the world, such as Colombia, Mexico, and some Asian countries, a lot of women do not even have a bare conception of what "feminism" is. In yet other places, women do not have time to be "feminists." In Russia, for instance, where women stand in line for hours just to buy food to feed their families, their lack of enthusi-

asm is understandable.

In the United States, any understanding of feminism is further complicated by diversity within the society. Women's issues often overlap with those of class and race. This being the case, a question might be magnified or discussed in the wrong categories, resulting in undue tension.

With all this difference, it is certain that American feminism cannot be transposed in its entirety to any other countries. However, there are certain elements that we see worth importing to our homelands. For example, the emphasis on awareness is a positive attribute. One must realize her situation before she knows how to react and protect herself. However, the approach adopted by feminists we observe here is objectionable. It dictates what women should and should not do, while supposedly giving them more choice. We believe a more complementary approach could achieve a better end without creating hostility between the two sexes.

The following graduate students contributed to the viewpoints expressed in the article:

Viviana Krsticevic (Argentina), Karen Vandekerckhove (Belgium), Clara Elena Reales (Colombia), Stella Cuevas (Colombia), Natalie Bensasson (France), Silvia Rocha (Mexico), Sonsoles Seoane (Spain), Adina Spiro (Canada), Ximena Zuleta (Colombia), Catherine Pedamon (France), Natalya Dronova (Russia)



Female graduate students discuss their experiences



The Eye of Paris: Brassai

By Michael Tenenbaum

Out of Town

After years of dabbling in journalism, art, and cinema, Brassai (born Gyula Halasz) began a career in photography that at last concentrated his talents in a medium which would win him a posterity of both critical and popular praise. The Houk Friedman Gallery, now a tenant of the Manhattan space at 70th and Madison, on May 1st will conclude an eminently enjoyable exhibition of more than a handful of his best works. The photographer's own extended, but eloquent and incisive remarks supplement the several series of images reflecting the everyday life of Paris in the 1930s that must now invite mere nostalgia from New Yorkers.

Brassai captured vignettes of vanity and vice, of romance and ribaldry. In "Lovers, Place d'Italie" (pictured here), a model cafe embrace masks the utter self-absorbency of the enamored pair, each as much in love with his or her own reflection as with the notion of being caught at such a moment. Brassai's work was hardly candid, yet it hints at nothing of artificiality. "Introductions at Suzy's," a variation of which is now visible in advertisements, depicts a patron's uncomfortable selection from among the three bare, bulbous bodies with whom he will soon share his bordello dream. One can only marvel at the photographer's access to the bars and bedrooms of the unabashed.



The native Transylvanian wrote of the bedizened practitioners of the oldest profession: "Contrary to the mobility streetwalkers usually display, they waited, immobile and placid, along the sidewalks like a row of caryatids for the butchers and the tripe sellers from Les Halles, men who were accustomed to dealing with huge masses of flesh." He was even more articulate with his camera, subtly capturing young lovers in their seemingly timeless pursuit of the most sublime seduction.

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Earth Share

Bright College Years

Remembering Denny
By Calvin Trillin.

New York: Farrar, Straus and Giroux, 1993.
210 pages. \$19/hardcover.



By Mike Fischer '95

PSYCHIATRISTS call it an impostor complex, and most of us at HLS recognize its symptoms. Never feeling good enough. Not sure we belong here. Wondering when we'll trip up, expose ourselves, be unmasked for the charlatans we really are. Hoping that the next batch of grades, the next paper, the next competition won't mark the inevitable, long anticipated moment when the rising curve begins its inexorable descent. Fooling them at college, after all, was one thing, even at Princeton or Harvard or Yale. Law School — or that first summer clerkship, that first job, that first partner review, is quite another. Sooner or later (but probably sooner) the truth will come out.

That I can even write such a paragraph underscores how much the cultural landscape has changed from the 1950s world commemorated in Calvin Trillin's eulogy to a college classmate and old friend, *Remembering Denny*. Living in a world of shrinking economies and diminishing expectations, our generation has long resigned itself to being the first in American history that will be worse off than its predecessor; the New Frontier has beaten a retreat before Murphy's Law. But in Trillin's 1950s, the frontiers still seemed limitless, at least if you were white, "straight," and male. Failure might have been feared, but it was not expected.

The thought that Denny Hansen might fail — let alone consider himself an impostor — would have seemed preposterous to any observer on that day in late

May when he graduated with Trillin in the Yale Class of 1957. Denny's accomplishments seemed endless: varsity swimmer, Phi Beta Kappa, secret society member, Rhodes Scholar. He was the one person, as Trillin remembered, whom everyone at Yale knew or seemed to know. His graduation was photographed by *Life*, in an era when, Trillin reminds the younger among us, "*Life* was a weekly magazine and had the cultural impact of all three television networks rolled into one."

But while his friends hashed out who would occupy what cabinet position in Denny's first presidential administration, he himself was already beginning to fall apart, riven by "black moods that were unexplained and maybe inexplicable." Beneath the smiling, confident exterior was a man torn by deep

insecurities concerning everything from his intellectual abilities to his sexual orientation. Seen by those around him as "a symbol of the achievement" to which they all aspired or in which they all needed to believe, Denny was forced to "lug around" a "knapsack full of promise" that he wasn't strong enough to carry.

Coming of age in the Fifties made that knapsack a lot heavier, as Trillin masterfully demonstrates. Caught between their patriotic elders, who had vanquished fascism to save American values, and the postwar Baby Boomers, who questioned not only the war in Vietnam but all American values, Denny's generation was raised to play by the old rules and then disenfranchised by new ones before it got the chance. As Trillin writes in his wonderful, pithy style: "Somehow the rules got changed in the middle of the game. What made it all the more difficult . . . was that the rules we were handed had been so simple and so clear and presumably not subject to argument or even examination."

Bouncing around in search of a future and a career, unsure of who he was and imprisoned by what he was expected to be, the Denny whose life Trillin traces proved increasingly incapable of withstanding examination of any kind. In a society whose golden boys were expected to succeed fabulously and where it was impossible to admit wrong — when all-male classes at Yale assumed that society was theirs to lead and worth leading — there was no space and less tolerance for failure. One was either a winner or a loser: There were no grays and no gradations.

Denny considered himself a loser when he killed himself, despite holding an endowed chair at the prestigious Johns Hopkins School of Advanced International Studies. When your peers had expected to call you "President," "professor" just won't do. When you're a golden boy in *Life*, you're not allowed to be gay. When you have a smile which apparently mesmerized everyone and which still radiates confidence in the graduation day photos sprawling across the book's dust jacket, you aren't allowed the luxury of manic depression.

Caught within what a speaker at his funeral described as a "disquieting tension between past and future," Denny disowned his past and all its friendships rather than confront his embarrassed failure to fulfill his "potential." As a rueful Trillin discovers in the course of digging up Denny's former friends, he was not the only one who had neither spoken to Denny in years nor could remember the last time he had. What gives *Remembering Denny* its special poignancy is Trillin's candid acknowledgment that it might have made no difference — that even if he and his classmates had been in touch with Denny, they might not have truly reached him anyway. "We had become close friends during our last year at Yale," Trillin writes, "in that guarded, bantering way that young men, or at least the young men I knew, affected in the Fifties." Denny's secretive life, hidden beneath the smiles, provides ample and painful testimony concerning how hard that habit of (non)communication could be to break.

And not, intimates Trillin, just for Denny; his entire generation was and is caught within the contrast between old habits — covering everything from modes of interaction to lifestyles — and present circumstances for which those habits are inadequate. It is Trillin's feel for this contrast which infuses his re-membering of Denny with such insight and makes it such a stunning achievement. Capturing something of the emotional cripple who Denny Hansen actually was, one begins to understand how another 1957 college graduate, Michael Dukakis, could respond with such apparent lack of feeling to a debate hypo about the rape of his wife.

One also comes to understand a good deal about Calvin Trillin, whose portrait of a generation courageously exposes a good deal of himself in the bargain. The wryly funny Trillin of *The Nation* verses, who is constantly — and justly — compared to Mark Twain the humorist, gives way here to a twentieth-century version of Mark Twain the moralist, painstakingly and passionately chronicling the personal and generational failures of an era which all too frequently substituted affect for feeling, status for relationship, and expectation for experience.

Headbangin' at HLS

By Jeff Bucholtz '95

Not so many years ago, the thought of any self-respecting Harvard Law student listening to heavy metal would have been hilarious. Metal meant makeup, misogyny, and especially, moronity. Talentless pin-up hairpieces like Poison and Cinderella made fourteen-year-old girls swoon and the rest of us hurl. It was a shot to the brain, Bon Jovi was to blame; the poseurs gave hard rock a bad name.

Then, pre-yuppie Harvardians were far too sexy for such mindless, low-brow pursuits. But now, loud doesn't necessarily mean stupid or uncool. Jane's Addiction and Soundgarden merged alternative/punk attitude with hard rock power and converted college-radio trendoids to the joys of headbanging. Ministry's cyberthrash obliterated the lines separating industrial, hardcore, and metal. Nirvana dragged the mainstream into the mosh pit. Megadeth's Dave Mustaine was even a delegate to the Democratic National Convention. (We'll know metal has lost its edge when one of its stars turns up at the Republican convention.) No longer do respectable people have to conceal their affinity for power, speed, and volume — hard rock is out of the gutter and into the light.

One of the bands most responsible for the higher status of heavy metal is **Living Colour**. The New York quartet's 1988 debut *Vivid* was ignored because their black skin didn't jive with their metallic riffs. Radio and MTV didn't have a clue about what to do with blacks who played creative, powerful, meaningful . . . heavy metal. The last black rock star anyone could remember was Jimi Hendrix, and he was, well, a special case. But nearly a year after its release, justice was had, as Living Colour broke metal's color barrier and became national sensations with "Cult of Personality."

Living Colour's breakthrough single-handedly changed the landscape of hard rock, as it occurred to record labels that talented, original bands with something to say could be worthwhile investments. Living Colour gave the industry a much-needed kick in the ass and the genre much-needed credibility, and their influence extends far beyond their sales.

Stain, their third album, is Living Colour's first with bassist Doug Wimbish. A decade in the seminal dub/funk/industrial outfit Tackhead established Wimbish as one of the most versatile bassists around, and he does not disappoint on *Stain*. Between Vernon Reid's explosive fretwork, Wimbish's low-end throb, gurgles, and crunch, and Corey Glover's expressive vocals, there's almost too much happening on *Stain*.

Glover's lyrics retain their customary social consciousness, but thankfully avoid preachiness. On the outstanding "Ausländer," Glover evokes the plight of Germany's "foreigners," guest workers looking to build their lives safe from neo-fascist persecution. As Reid tears off blistering leads over a pounding, near-thrash backbeat, Glover reminds the wary hosts that "everything that I want isn't everything that you've got." The use of a sample of a clanging cash register (apparently from Pink Floyd's "Money") to drive home the point that it's about freedom, not money, is true inspiration. Kay Dickerson '95, HLS taste arbiter, pronounces it "kind of loud, but very cool."

Glover's tone turns to pointed sarcasm on "Go Away," ("I sent my \$20 to Live Aid/I paid my guilty conscience to go away") and softens to a plaintive appeal for unity on "Wall." Glover laments that "we hate each other because we think we know it all," and his plea that "the walls between us all must fall" echoes amid the

album-closing orgy of loops, samples, and reverse cuts.

Possibly the best songs on *Stain* are the two softest. "Bi" showcases Wimbish's fluid bass and Glover's playful delivery of lines like "I need a closet big enough to live in/a closet for the whole world to live in." Now that's a big tent somebody ought to warn Neil Glazer '93 about.

On the compelling "Nothingness" Glover croons existential balladry to the sensuous strains of what is undoubtedly one of the prettiest songs ever recorded by a hard rock band. Even Kim Yahr '95 emerged from her classical hideaway to express her approval. Glover's "isolation, separation, nowhere to hide" should resonate with HLS students from close encounters of the Socratic-sadist kind.

Living Colour bring their intense live show to the Orpheum on May 21. Jim "Rivethed" Eastman '95 is going, and you should, too. Yeah, it's during finals, but come on — it's a Friday night, and you're just going to get Bs anyway. Who knows, if you bang your head hard enough, you might shake loose some of the garbage we've been fed in class. Or, you could just stand at the edge of the mosh pit and hand out business cards — mo' money, mo' money, mo' money!

Another striking example of hard rock's move upscale is the debut from the San Diego-via-London trio **the God Machine**. *Scenes from the Second Storey* is a vast, sprawling canvas of a disc, its eighty minutes covering the spectrum from the insistent, visceral guitar attack of "She Said" to the haunting, string-dri-



ven "Purity." This unclassifiable band is attracting the "alternative metal" label pinned on Jane's Addiction and Prong, but comparisons do a profound disservice to this truly special band.

Mediocre metal bands mask their failings in formulaic songs drowned in excesses of speed and noise. The God Machine have the unusual confidence not to be afraid of quiet, and the spaces in their expansive compositions often express more feeling than most bands' entire songs. The band's stunning range and dynamism compound the impact of each area of sonic territory they explore.

Nearly every track displays myriad shifts in tempo and style, as if the God Machine consciously intended not to write conventional songs. "Seven" peaks and crashes, lurches and glides so many times in its sixteen majestic minutes that it seems unfair to call it merely a song. Dickerson, closeted grunge fiend no more, gives it "two snaps up and a circle."

"The Blind Man" teases with an extended acoustic intro, as singer/guitarist Robin strums an ominous melody behind a half-whispered vocal. When the

please see **MUSIC**, page 12

Oh, Canada...

By Dave Lopez '93
RECORD Columnist

I went to Montreal this weekend, I don't know why. I saw things there; I did things. I will never be the same. I drove up through Vermont, driving as fast as the laws of physics allowed. Cyndy Mao '95, and Frank O'Neil, a friend from Berkeley, went with me. I had been wanting to make the trek for a long time. I'd read about the fierce Iroquois war parties, numbering thousands of warriors and carrying weapons purchased in Boston,

Charny walking through campus. He was shaking his head at me as if to say no, no, no. I was worried. "Mr. Lopez," he said, "I read your third year paper. I must say, it needs work." "Well, I could work on it some more if you want, whatever." I was getting really nervous. "I don't think a month is enough, Mr. Lopez," he said. "I could write another paper?" I said. "Are you believing this?" said Charny. By then I was scared to death I was going to have to do more work. "You were joking?" I asked. He laughed; that's just what I love, a teacher with a sense of humor.

I remember the first time I met Charny. I was walking through Langdell looking for L201, which was my first class at law school. I was passed by this guy in a hurry. The guy stopped in front of a room and began to unlock it. I asked him where L201 was. He told me there was no L201, and that I must be looking for P201. He directed me to Pound Hall and so I went off to class. I remember thinking that the guy looked a little young to be a law student.

Next thing I know, the same guy I asked directions from in Langdell walks into my room. He smiled, waved at me, and proceeded to teach the class: Mr. Charny himself. I like Charny. He's one of those professors who pushes logic and reason to their farthest reaches, to grey areas where nothing makes sense, where ships lose their course and compasses spin wildly. He stays out there, on the edge, and questions things at the center until the center becomes the edge.

To be really good, you have to learn that the physical is mostly mental, that the mind can force the body to undergo

that would swoop down on Montreal in the late 1600s and ravage the farms in the area. The French colonists would become so desperate for ammunition that they had to melt down anything that contained lead for bullets. I'd read about how Captain Iberville's Pelican, with 44 guns, sailed alone against a combined English fleet of 114 guns and beat them all. Against the largest, the Hampshire, Iberville raised his wine glass in a toast to the opposing admiral before sinking it with a final broadside. I couldn't graduate from Harvard without taking a look at these hardy survivors.

Montreal was a clean city, and everyone was out to enjoy the sun. We walked up and down the streets and settled into a comfortable café. At night we went to a movie, called *Les Voyageurs*, about two guys from thirteenth century France who end up in modern times. Cyndy's French is better than mine, but I was able to pick

I like Charny. He's one of those professors who pushes logic and reason to their farthest reaches, to grey areas where nothing makes sense.

up most of what was going on by context and the words I knew.

It started out with these two knights who had caught a witch, and she returned the favor by sneaking a potion into the knight's canteen, causing him to hallucinate. The knight ends up shooting his bride-to-be's father, and then she doesn't love him anymore. At any rate, the knight tries to fix the situation by going to a wizard who gives him a potion and sends him to modern times. I thought he wanted to go there, but Cyndy tells me that he wanted to go back just a little bit to avoid shooting the father, but ended up going forward in time by mistake.

The first thing they did in the present was to beat the crap out of a car they thought was attacking them. The guy cut right through the hood with his broadsword as the driver ran away. While in the present, the knight and his servant are taken in by the descendant of the bride-to-be, who is married to a dentist, and there's all kinds of fun. The knight is shown the bathroom and washes his face in the toilet, the servant steals some meat and cooks it in the fireplace, they leave the water running, to the consternation of the dentist, and they get car-sick and throw up on him.

After that we went to a rave club. Trying to find the door of the place, we see a huge rat walk by. It trotted a little bit to get out of the way of the people behind us, but it wasn't worried. I half expected the rat to stand up and ask us for a cigarette, it was so casual. I knew this was going to be a night to remember. They played Metallica, Ice T's "Cop Killer," and rave music that sounds like machine gun fire.

When I got back, I bumped into Mr.



DAN 'N ERIK'S FOOD GRADER

A Taste of Red Square in Harvard Square



By Dan Drosman '93 and Erik Marks '93

Russian food is supposed to be bland, boring, and politically correct. But three years of Harvard Liberal School indoctrination and the American Cold War victory convinced us to test this theory, so we dined at Harvard Square's **Troyka** (1154 Mass. Ave., Cambridge; 864-7476). Notwithstanding what They tell you in law school, stereotypes do have some truth in them.

Troyka itself is quite endearing. On one wall hangs an impressive collection of photographs depicting famous Russian stage and screen performers, and the other walls are decorated with colorful posters advertising Russian plays and performances from years past. The tables are appealingly tucked into small corners of the restaurant, and each table is graced with a rose and lit by a reproduction Siberian Railway brass lamp.

You might start your meal with the Carrot/Apple Salad (\$3.15), in which shredded carrots are topped with shredded apples and accompanied by a blue cheese dressing. Such marvelous functional simplicity is typical of all the food at Troyka, and eating this food is a reminder that no one needs Wolfgang Puck to place teak-grilled Arctic oysters with aboriginal-harvested essence of sage in a sauce of Tibetan Chrysanthemums to make a dinner worth eating. The Vinegret Salad (\$3.95) and Borscht (\$3.25) are hearty, filled with satisfying root vegetables, and purple.

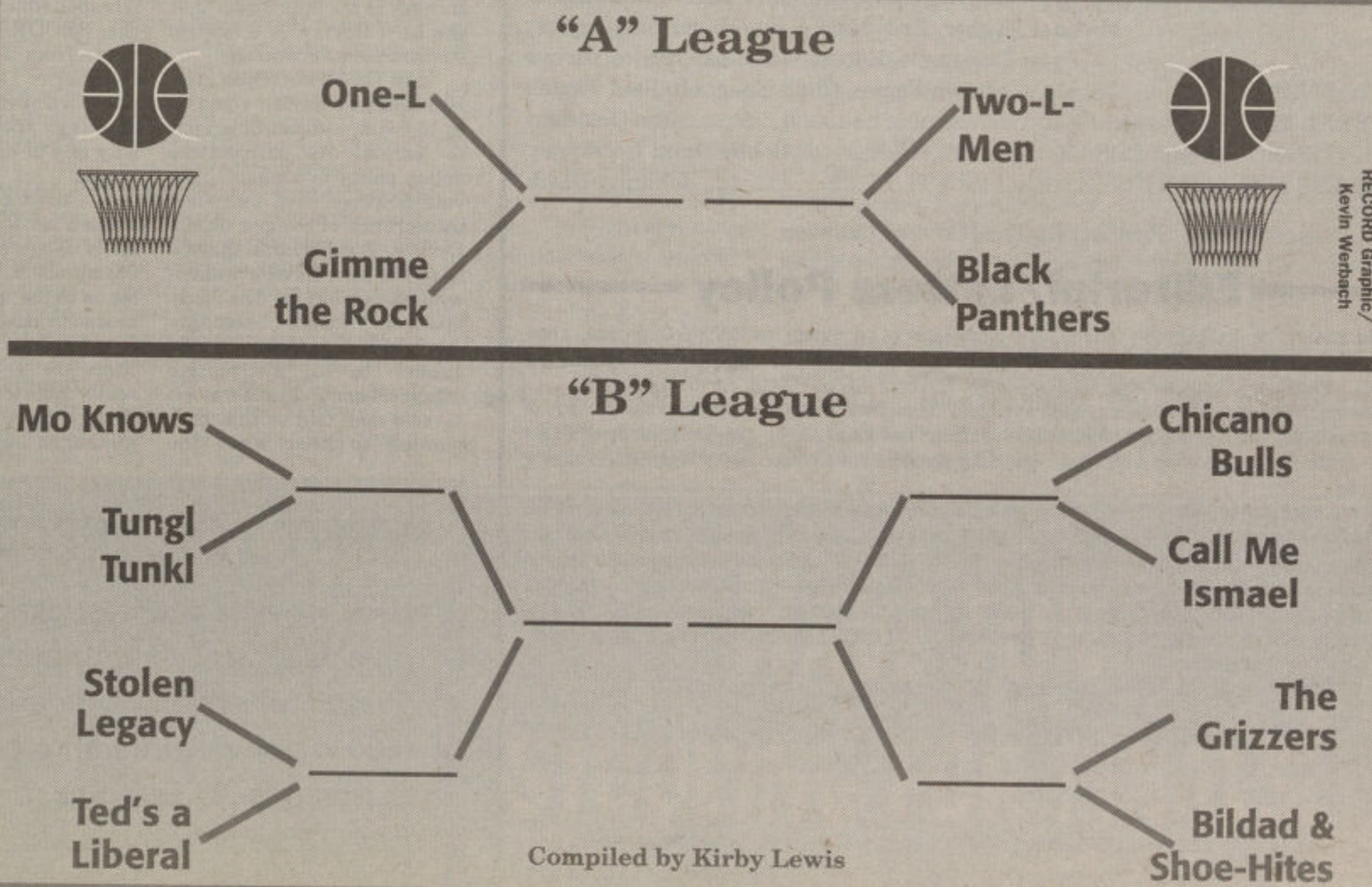
After soup or salad you will choose from the list of traditional Russian entrees. The chef creates Piroshki (\$2.65) by filling a pastry crust with meat, potato, or cabbage; we recommend the peppery potato filling over the others. We were excited about trying Siberian Pelmini (\$6.85 — eggy, beef-filled ravioli), which Troyka's Pelmini Chef prepares by hand. To fully appreciate the perspective of a man sentenced to heavy labor in Siberia, dunk your Pelmini in the traditional mixture of vinegar and Russian mustard (a surprisingly spicy honey mustard available by special request from your server). The Stuffed Cabbage (\$9.65) is plump with ground beef, vegetables, and spices, and baked in a rich and spicy tomato sauce. The Nova Lox Blini (\$11.95) is our favorite entree choice: Nova lox, scrambled egg, and scallions come stacked on a platter, and you roll them by hand into tender Russian pancakes.

End your meal at Troyka on a high note by ordering the Turkish Coffee, which is served on individual enamel trays in tiny, pounded-copper flasks. The desserts are quite good, ranging from a very sweet Cherry Cake (\$3.55 — perfect with the Turkish Coffee) to the Margarita Cake (\$3.55) which is constructed from layers of melt-in-your-mouth meringue.

Troyka is ideal for intimate parties of two or four, but larger groups may find themselves cramped. Live guitar music draws crowds on weekends. Notably, Troyka is one of the few restaurants in the Square without a liquor license, so bring your own bottle of wine or Stoli, and the restaurant will happily supply glasses for your imbibing pleasure.

Grade: B/B+

HLS Intramural Basketball Playoffs



RECORD Graphic/
Kevin Wernach

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The Straight and Narrow

"Straight But Not Narrow" proclaimed a sign at the Gay Rights March on Washington this weekend. The NPR reporter asked its bearer why he was there. He replied: "I am an African-American, I understand what hate is, I understand prejudice." *Straight, but not narrow.* These words stayed with me.

The African-American community, like Harvard itself, is divided over the University's decision to honor General Colin Powell in this year's commencement exercises. General Powell is a man who has accomplished a great deal in his lifetime. He rose to the top of an institution corrupted by racism and prejudice. For this he is worthy of our admiration. But this is only a narrow picture of the man.

Many African-Americans resent what they see as the gay community's appropriation of the symbolism of the civil rights movement, and its equation of two struggles that are very separate and distinct. For a long time I was among them. Their struggle is *not* the same as our struggle, I thought. They can always hide their minority status. I am a Black woman, I can never put that in the proverbial closet. But now I realize how narrow such thinking is — how dangerous it is not only to others, but also to myself. Silence is oppression.

As a community, even if we do not see the gay rights movement and the civil rights movement as comparable, we must recognize the common denominators which have motivated each: hate and prejudice.

By selecting him to deliver the commencement address, the University is not merely providing a forum in which General Powell can express his perspective, but is presenting him with an honor, holding him up not only as a leader for the African-American community, but also as a leader for the entire University.

President Rudenstine, when I graduated from Harvard College in 1992, I saw you as a symbol of change, a "new beginning" (to use some electoralese) for all minorities on campus. The University's decision to invite General Powell was at the very *least* short-sighted and hypocritical. I guess I should know by now this pattern of slapping with one hand and patting with the other will not change anytime soon.

We are sorry that we have offended you gays-lesbians-blacks-latinos-asians-native-americans-women. We are sorry that we are flying confederate flags and honoring people who publicly denounce you, but if you walk the straight and narrow we can all sit and talk about it when we are finished.

— Coleman

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—First Amendment, US Constitution



Letters

Cutting Class Size Would Be Costly

Recently, the Sojourner Truth Squad (STS) sought to expand the diversity debate in two ways. First, by impersonating Bob Clark. Second, by proposing to reduce entering classes at the Law School from nearly 560 in the class of 1995 to just 400 in the class of 1998. Others have commented on the first choice. But what of the second?

I propose that we examine this issue in Bob Clark's native language: money.

For the moment anyway, let us think of ourselves not as students but as "base loan amounts." To the Law School budgeteers, the average law student represents not a package of ideas, not a future judge or distinguished member of the bar, not even a sentient human being, but \$18,100 in revenue. (This and subsequent figures are in 1992-93 dollars.)

STS would cut class size to 400. That decision would eliminate nearly 160 "base loan amounts" in each class at a cost to the law school of \$2.9 million in revenues. With the entering class of the year 2000, the Law School would have shrunk by 480 students,

costing the school \$8.7 million annually in lost revenues.

At the same time, STS would go ahead with the planned expansion of the faculty (at least \$3 million per year), increase spending on OPIA, and double funding for the Low Income Protection Program (adding \$1 million annually).

Let's assume that Bob Clark has figured out how to pay for faculty expansion. Thus, fully implementing the rest of the STS program without major cuts in other services would cost \$9.7 million per year. Replacing the lost revenue and paying for added costs with endowment funds would require about \$100 million — just to cut class size and increase LIPP. For those of you keeping score, that's at least 30 Reginald Lewises.

Replacing the lost revenue by raising tuition for the happy 400 that remain would increase the base loan amount by 40% to \$25,340.

Beyond the direct fiscal effects, cutting class sizes could create disastrous side effects. Which 160 students don't make the new cut? Legacies, if there are any,

seem like a good target, but this might dampen alumni giving, exacerbating the fiscal costs. Spreading the cut evenly across racial, ethnic, and other identifiable groups would seem equitable, but this would create a better educational experience for some minority students at the cost of excluding others who would be admitted at current class sizes. Cutting only white males might appeal to some members of STS, but this could wreck chances for community cohesiveness with those that remain and probably add a couple of million for litigation to the STS bill.

Class sizes at the Law School will change soon. But they inevitably will rise as the Law School strives to pay for a larger faculty and the Big White Hefty Bag by the Hark. The challenge for the diversity movement and others who want change at the Law School is find opportunities in the current state of financial flux at HLS.

Matthew Haskins '95
April 26, 1993

Review Action Not a Vote Against Women

We are writing to correct some misconceptions that may have resulted from Maria Politis's article entitled "Law Review: No Affirmative Action for Women" (RECORD, April 23). As an initial matter, we object to the tone of the article, in which Ms. Politis states in her opening sentence that the Law Review "nixed" a proposal to add women to the list of groups covered by our affirmative action policy. From the beginning, this article contributes to the impression that the Law Review is a hostile environment for women.

It is true that the Harvard Law Review voted 43 to 15 (with 4 abstentions) not to extend its affirmative action policy to women. This vote, however, does not reflect intolerance of women at the Review. A substantial majority of the Law Review women who spoke out at the body meeting spoke strongly against the proposal to add gender as an affirmative action category. Furthermore, several men told us that they wanted to hear what the

women had to say before they voted on the issue. It was not the case that the body was divided along gender lines and that the women were simply outnumbered. Women and men were on both sides of the issue.

The women who spoke out against the proposed change represent an ethnically and politically diverse group of individuals, and each had her own reasons for opposing the proposal. It was irresponsible and wrong for the RECORD to rely on a quote from a 1L man, not a member of Law Review and therefore obviously not at the meeting, speculating about why any of us voted the way we did.

Currently there are 26 women on the Law Review. All of us are eager to increase our numbers, although we differ as to the most appropriate means to accomplish this goal. It is important to emphasize, therefore, as the article correctly pointed out, that the Review voted to collect information on women applying to

the Law Review in the hope of having more complete data in the future. This was NOT a vote against women, and we strongly encourage all first-year women to try out for the Law Review this spring.

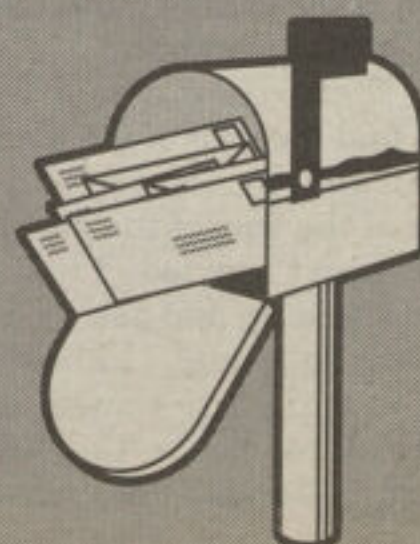
Tami Lefko '94
Jennifer Cabranes '94
Michelle Goodman '94
Melanie Oxhorn '94
Gail Brashers-Krug '94
Gail Levine '93
Isobel Jones '93
Sue Hendrickson '93
April 27, 1993

Editor's Note:

Due to a computer malfunction, various editorial changes and quotations were omitted from the article on the Law Review affirmative action program. In particular, the article was to have included a quote from Jennifer Cabranes '94 explaining that a majority of women who spoke at the recent Law Review body meeting opposed adding gender as an affirmative action category.

VENT YOUR SPLEEN!

Next week is your last chance to give us a piece of your mind. Submit letters on paper and disk (500 words maximum) to Lisa Zornberg's 2L Hark Box or the RECORD box in the Hark.



The Day Robert Reich Became a Feminist

Feminist legal scholar Clare Daulton was denied tenure by HLS in 1988 after a lengthy and acrimonious battle. Amid charges of discrimination, she left Harvard, where she had been a professor since 1981. She now teaches at Northeastern University.

The following account was written by her husband, Robert Reich. Mr. Reich was for many years a lecturer at the Kennedy School of Government, and is currently the Secretary of Labor.

By Robert B. Reich

"I lost, by four votes," she said simply. "I'll be home soon."

I MUST HAVE LOOKED SHAKEN as I put down the phone. Our precocious 6-year-old, who had been eyeing me, summed up the situation: "They fired Mommy, didn't they?"

Sexism had always been something of an abstraction to me. I knew it existed, but I assumed that it was the product of backward and parochial cultures. It might show up in entrenched corporate bureaucracies dominated by old-boy networks, or in ethnic groups governed by male-dominated traditions, or in working-class communities in which Rambo still reigned. But surely no such noxious bias would be found in the overwhelmingly liberal, intellectual, worldly and high-minded university community that we safely inhabited.

Yet a string of white males had been voted tenure just before her. Most had not written as much as she, nor inspired the same praise from specialists around the nation as had her work. None of their writings had been subjected to the detailed scrutiny — footnote by footnote — to which her colleagues had subjected her latest manuscript. Not one of the male candidates had aroused the degree of anger and bitterness that categorized her tenure decision.

Why? At first I was bewildered. I knew most of the men who had voted against her. A few I knew to be narrow-minded, one or two I might have suspected of misogyny. But most were thoughtful, intelligent men. They had traveled widely, read widely, had held positions of responsibility and trust. I was sure that they felt they had been fair and impartial in judging her work. They would be appalled at any suggestion of sexual bias.

Gradually, I came to understand. They were applying their standard of scholarship as impartially as they knew how. Yet their standard assumed that the person to whom they applied it had gone through the same training and had had the same formative intellectual experiences as they. It assumed further that the person had gained along the way the same understandings of academic discipline, and the same approaches to core

problems, as they had gained. In short, their standard was premised on the belief that the people they judged had come to view the modes and purposes of scholarship — of the life of the mind — in the same way they had come to view it.

A WOMAN'S WAY OF KNOWING

THROUGH the years, my wife has helped me to see the gender biases of these assumptions. Her experiences and understandings, and those of other women scholars, have been shaped by the irrefutable reality of gender. The values and perspectives she brings to bear on the world — and in particular, the world of ideas — are different from theirs, because she has experienced the world differently. In fact, it is the very uniqueness of her female perspective that animates her scholarship, that gives it its originality and intellectual bite. They had applied their standard as impartially as they knew how, but it was a male standard.

Not that they were incapable of appreciating her scholarship simply because they were men: After all, the experts in her field whose opinions had been solicited during the tenure review, and who had overwhelmingly praised her work, had been male. And the majority of the men on her faculty had voted to grant her tenure; she had failed only to get the necessary two-thirds.

Presumably the men who supported her had been able to imagine the life of the mind from a different perspective than their own. They had been able and willing to expand their standard — not to compromise it or to reduce it, but to broaden it to include a woman's way of knowing. I suspect those who did not, did not even care to try.

And why would they not have cared to try?

Here again, I was momentarily stumped. Apart from the few diehards, they were kindly men, tolerant men. But perhaps they did not feel that she had invited them to try. Early on, her closest friends on the faculty were a group of young professors who took delight in challenging the sacred cows of prevailing scholarship. Her early articles openly proclaimed a feminist perspective. She had not played at being a good daughter to the older and more traditional men on the faculty, giggling at their jokes and massaging their egos. Nor had she pretended to be one of them, speaking loudly and talking tough. They had no category for her, and to that extent she had threatened them, made them uncomfortable. So when it came time for them to try to see the world from her perspective, they chose not to.

[T]he experience shook me. First came the rage and confusion. Only later came insight into the insidiousness of sexism even in our most enlightened institutions. It has made me wary, in addition, of my own limited perspective — of the countless ways in which I fail to understand my female colleagues and students and their ways of knowing the world.



Photo courtesy of the Harvard Crimson.

assistant professor. "She's not assertive enough in the classroom," he confides. "She's too anxious to please — doesn't know her own mind." Then, later, another colleague, about the same young woman: "She's so whiney. I find her very abrasive." It is possible of course, that she is both diffident and abrasive. But I can't help wondering if these two characterizations more accurately reflect how my two colleagues feel about women in general — their mothers, wives, girlfriends — than about this particular woman.

At a meeting of a small foundation's board on which I serve, the lone woman director tries to express doubts about a pending decision. At first, several loquacious men in the group won't give her a chance to speak. When finally she begins to voice her concerns, she is repeatedly interrupted. She perseveres and eventually states her objections. But her concern goes unaddressed in the remainder of the meeting, as if she had never raised it. It seems to me that this isn't the first time she was ignored, but it is the first time I noticed.

In my class, I present a complex management problem. An organization is rife with dissension. I ask, what steps should the manager take to improve the situation? The answers of my students are filled with words like "strategy," "conflict," "interests," "claims," "tradeoffs," and "rights." My female students use words like "resolution,"

Sexism had always been something of an abstraction to me. I knew it existed, but I assumed that it was the product of backward and parochial cultures.

"relationship," "cooperation" and "loyalty." Have their vocabularies and approaches to problems always been somewhat different, or am I listening now as never before?

The vice president of a corporation that I advise tells me that he can't implement one of my recommendations, although he agrees with it. "I have no authority," he explains. "It's not my turf." Later the same day, his assistant vice president tells me that the recommendation can be implemented easily. "It's not formally within our responsibility," she says, offhanded. "But we'll just make some suggestions here and there, at the right time, to the right folks, and it'll get done." Is the male vice president especially mindful of formal lines of authority and his female assistant especially casual, or do they exemplify differences in the way men and women in general approach questions of leadership?

NO SMALL TALK

IF being a "feminist" means noticing these sorts of things, then I became a feminist the day my wife was denied tenure. But what is my responsibility as a male feminist, beyond merely noticing? At the least: to remind corporate recruiters that they shouldn't be asking whether prospective female employees want to have a family; to warn male colleagues about the subtle possibilities of sexual bias in their evaluations of female colleagues; to help ensure that women are listened to within otherwise all-male meetings; to support my women students in the classroom; and to give explicit legitimacy to differences in the perceptions and leadership styles of men and women. In other words, just as I seek to educate myself, I must also help educate other men.

This is no small task. The day after the vote on my wife's tenure, I telephoned one of her opponents — an old curmudgeon, as arrogant as he is smart. Without the slightest sense of the irony lying in the epithet I chose to hurl at him, I called him a son of a bitch.

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• Letters (Continued) •

Bosnian Intervention Not So Easy

In response to David Weinstein's call to aid the Bosnians "directly, through military intervention," (RECORD, April 23) I would like to point out a few uncomfortable facts:

(1) The human suffering in Bosnia, although tragic and heart-wrenching, is no different from the suffering going on right now in similar civil wars in Liberia, Angola, Azerbaijan, Cambodia, Peru, and Sri Lanka, just to name a few examples. I acknowledge that just because we can't intervene in all those places doesn't mean that we shouldn't intervene anywhere, but I still would like to know on what basis Weinstein would make the decision that Bosnia is more worthy than the others.

(2) It is not altogether clear that the Serbs are any worse than the Croats or the Bosnians. The Lebanon intervention should have taught us that, despite the best intentions, a peacekeeping force in this type of situation is inevitably going to be seen as taking sides (see, e.g., Northern Ireland, Cambodia). If we are going to be committed to killing Serbs in

the Balkans, the implications of that policy go far beyond Bosnia-Herzegovina (see, e.g., origins of World War I). If we are going to be on the side of the Bosnian Muslims, then we bear some responsibility for what they do, too (see, e.g., El Salvador).

(3) I have no problem at all with using American military force when it is in our country's national interest. I have yet to see any national interest implicated in the Balkan conflicts other than a general interest in peace and stability all over the world. If there is something more important about Bosnia that is worth Americans dying for, please tell me.

(4) I have no problem with using American military force when there is an objective to be accomplished and a plan for accomplishing it. I have seen neither. Don't start something you can't finish.

(5) Air strikes are a tremendous combat multiplier when employed in support of ground or sea operations, but they are notoriously ineffective by themselves. They never stopped us when we lost our fleet at Pearl Harbor,

they never stopped Germany (war production actually rose throughout World War II), they never stopped China and North Korea, they never stopped North Vietnam, and they never stopped Iraq. I can only think of two examples in history where air power alone worked: the 1986 bombing of Qaddafi and the two A-bombs that ended the war with Japan, both of which are inappropriate examples. We will have to put in soldiers and marines on the ground to do this job.

(6) As for the Americans doing the dying, I would also like to note that it's easy for Harvard Law students and The New York Times and the draft-dodger himself to put other people's lives in jeopardy for their own moral principles. Mr. Weinstein is a young, intelligent, presumably fit male. If this killing offends him so deeply, he's perfectly free to go do something about it. If he thinks that's too dangerous or inconvenient, then he has no moral basis from which to complain.

Jim Bowen '93
April 27, 1993

NOT-SO-INNOCENT QUESTIONS

I have begun to notice small things. A recruiter for a large company calls to ask about a student who is being considered for a job. "Does she plan to have a family?" he inquires, innocently enough. "Is she really — er — serious about a career?" It is not the first time such a question has been put to me about a female student, but it is the first time I hear it clearly, for what it is.

A male colleague is critical of a young woman

**HAVE FUN
STUDYING FOR FINALS!**

Liabilities

By Paul Taylor



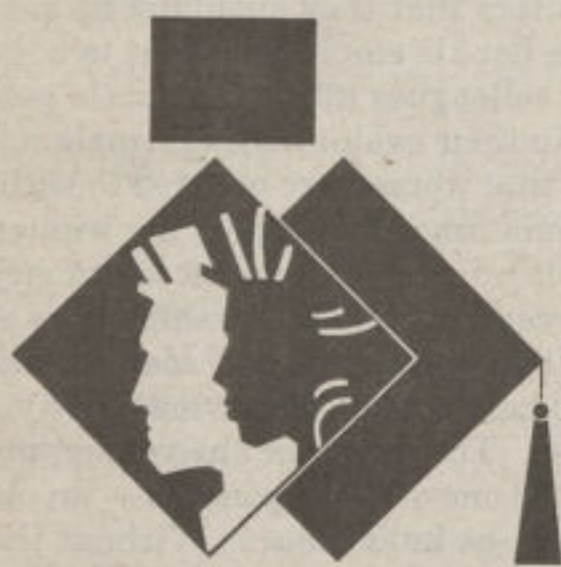
GROMM: Barbarian at Law

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.

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HOROSCOPES

By Rosie Cosentino

ARIES March 21 to April 20. The full moon this week falls in your money house. Finances will be your major concern. Look for romance to be competitive. You will win if you keep your temper under control. A fun project will bring you recognition.

TAURUS April 21 to May 21. The full moon in your seventh house brings partnership and contracts. Be prepared to sign papers and to make choices. Family quarrels. Keep your mouth closed and listen to the advice. It doesn't mean you must take it. Just listen.

GEMINI May 22 to June 21. The full moon in the sixth house is a good time to start a diet or join a health club. Take a friend and go dancing. Exercising is best this week. It relieves the anxiety of your future. Speeding tickets, be careful. A blonde-haired, blue-eyed person with good news.

CANCER June 22 to July 23. The full moon in your fifth house means speculate. Romance and finances bring rewards. A child may need some guidance, help them out. Money is in the mail with a proposal for a trip. Enjoy.

LEO July 24 to August 23. The full moon in the fourth house brings matters to a close. Choose carefully — your future and your destiny are not always one. Be true to yourself and take a few days away to make your choice.

VIRGO August 24 to September 23. The full moon in your third house stimulates communication. A time to finish up letters, lessons, phone messages, and interviews. This is a week to be noticed and to ask for what you want. A new friend will help with the work. Put romance on a shelf.

LIBRA September 24 to October 23. The full moon in your second house helps you get ready for the future. Check your finances and then take a short trip and have some fun. A view of a lake or a hotel with a hot tub will prove very relaxing, and will help you set goals for the summer.

SCORPIO October 23 to November 22. The full moon on your ascendant shows you off. Your personality will be in the spotlight and you must be on your best behavior. A time of achievement, both in business and in romance. Take time to say thank you, and be humble.

SAGITTARIUS November 23 to December 21. The full moon in your twelfth house lets you make plans for the future and work behind the scenes to get what you want. Private meetings and some quiet time spent alone will prove to you that waiting can get you what you want. Let it come to you.

CAPRICORN December 21 to January 20. The full moon in your eleventh house of hopes and wishes says now is the time to see your dreams fulfilled. Sometimes knowing what we really want holds up the process. Write down the ten or twenty most important things to you and watch your goals come true.

AQUARIUS January 21 to February 20. The full moon on your career house will bring the success you want if you work for it. This is a week to be competitive and to go after what you want in love and in business.

PISCES February 21 to March 20. The full moon in your ninth house puts the lights on education and travel. This is a time to finish any correspondence and to go on interviews. An older female friend will be of influence. Listen to her words. Love is exciting and new.

For personal consultations contact:

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

Standing Against Hatred

By Alysse MacIntyre

RECORD Columnist

OVER the past three years the Class of '93 has been a part of many a controversy. So it only seems appropriate that our exit be marked by yet another: Colin Powell. Colin Powell is speaking at commencement and may possibly use the opportunity as a platform to continue his attacks on gays and lesbians in the military.

Sound like an outrageous suggestion? You would hope so. But it wasn't unthinkable to the Associated Press, which announced this as his topic. The University responded by issuing a retraction stating that his topic has not been confirmed. After a few calls to the Governing Board I learned they don't know his topic and they will not admit to asking him to restrict it. Thus for the record, General Powell can discuss whatever he likes and it's all fine by Harvard.

Of course, regardless of what General Powell chooses as his topic, he is still a symbol of opposition to civil rights for gays and lesbians. How ironic when one year ago Harvard had its first openly gay commencement speaker, our own Peter Cicchino '92, one of the finest people to ever grace the tunnels of HLS.

Of course, Peter's speaking at commencement was not without its controversy, too. It was widely rumored that our own Dean attempted to keep Peter from speaking. I asked Peter about this. He was uncharacteristically unforthcoming with the details. But he did tell me what Bob told him. Apparently Bob was concerned that Peter would "embarrass the Law School" and as a consequence he called the marshal of the University, but of course, said Bob, he was powerless to prevent Peter from speaking.

"That sounds like a non-denial to me," I said, and went off about the irony of Bob claiming he could do nothing about the *Revue* because prior restraint is inappropriate in a University, not to mention his comment to COGBLLI that he could do nothing about Powell. Apparently being able to do nothing didn't stop him from at least trying with Peter. But Peter would only express how hurt he had been by Bob's actions and changed the subject.

I've read Peter's commencement speech and it was a bit of a surprise. There were no overt politics. It was teasing, humorous, even affectionate of Harvard. No one could have been hurt or demeaned by it, not even Bob Clark. Was this the same man whose incendiary rhetoric became his trademark in his final days at the Law School? Who could forget Peter's eloquent call for the Dean's resignation which ran in the RECORD? It was one of the most intelligent and well-written pieces ever to appear in these pages.

I couldn't believe Peter's speech. But he explained it to me this way. It's inappropriate to bring politics into commencement or advocate things that would make members of the audience uncomfortable. Commencement is a celebration — you shouldn't ruin it for people.

Which is one reason I feel so strongly about Colin Powell. General Powell is not simply an accomplished man with an opinion some of us disagree with. He is someone who earns his paycheck blocking equality for some of society's most oppressed members. It was under Colin Powell that the Navy initially violated a court order to reinstate gay sailor Petty Officer Keith Meinhold. And General Powell, rather than following the wishes of his Commander-in-Chief, opposed them and came out publicly against gays and lesbians in the military. He even offered his resignation over the issue, preferring to quit rather than serve over an integrated military. Thus it doesn't matter what he talks about at Commencement, he is a symbol of hatred for gays and lesbians.

To right-wingers and those who use the First Amendment to bash women, gays, lesbians and others, I must say that I would welcome Colin Powell any other day of the week, just not on Commencement. I wish Harvard had invited him to a forum where there could have been dialogue. We all know that the cure for bad speech is more speech. But there is no "more speech" on Commencement Day. Indeed, commencement is not a day for speech, it is a day of symbolism. And Colin Powell is a symbol of hatred. His presence will keep commencement from being a day of pride and celebration, and instead turn it into just another day at Harvard, full of anger and politics.

I appreciate that African-American students are in a special position with regard to the issue of General

Powell. I've read the biography of Powell the University issued and was very impressed. He's not what I thought he must have been. No West Point degree, no childhood spent summering at Martha's Vineyard with Mummy and Daddy. Powell was born in Harlem in 1937, attended the City College of New York, and afterwards enlisted in the Army. Through hard work and intelligence he worked his way up. In short, he's an American Hero, and, of course, an African-American Hero. I appreciate the difficulty for African-Americans that opposition to him poses.

I've heard some students talk of standing by Colin Powell in terms of standing by their community. Of course you stand by your community when that community has been given the shaft in every single way conceivable. But sometimes a community or a member of a community is wrong on an issue. Malcolm X told whites that the one thing they could do was work in their own communities. Gay leaders today could well say the same to heterosexuals. If I went along with my community rather than trying to change it, I would be opposing Colin Powell because he is black. Hated, Inferior, Untrustworthy, Sexual Predators — in my community these are the things that I was told about both blacks and gays. "Community" is no justification for maintaining the hatred of others.

Indeed, the African-American faculty at the college are opposing the invitation, probably because they know what I only found out accidentally: Homophobia is deadly. In 1986 a friend, both black and gay, committed suicide after his family joined with his ex-girlfriend in successfully fighting his attempts to get visitation of a child he fathered in high school. In 1990, his former boyfriend, also black, died of AIDS. His family did not attend his memorial service.

There has been much discussion about what to do at commencement. Please allow me to ask you on behalf of many to not boo or hiss Colin Powell. It will only make us look juvenile and take the focus off the issue of equality and on to the First Amendment. Instead, people are advocating signs, buttons, and standing with our backs turned. You don't have to be gay to join. You don't even have to like Judy Garland. All you have to be is willing to oppose hatred. As General Powell himself says in the latest Garth Brooks video, "We're a family. Let's take care of each other."

Fenno

"Fenno for Class Marshal."

Fenno liked the slogan, which had appeared to him in a dream the night before. The dream had all the usual elements: lime jello, fetal pigs, Kim Basinger, all swirled together in a surreal pleasure waltz. Suddenly, he awoke with a bad hangover and a dull craving for power. He cleaned the fresh vomit off his chin and headed for the copy center.

Soon Fenno's posters blanketed the unsuspecting Law School. "Fenno is the Christ" said one unassuming leaflet. Another challenged his simpering opponents to a duel. Fenno patted his trusty rapier. It had gotten him past the admissions committee at Harvard, and it would get him to be class marshal.

Fenno checked his mailbox, searching for clever flyers from other candidates which he could burn and plagiarize. The box was stuffed with the usual drivel: three fake letters from Dean Clark, two forgeries from Vice-Dean Smith, and an old parchment scroll from Professor Nesson warning of the "looming apocalypse" and declaring cryptically that "we are all Branch Davidians now." He crumpled up a papal endorsement for one potential marshal, and passed a few doctored photos of another opponent with his German Shepherd as he headed for the candidates' debate.

Fenno nervously reread his opening statement, checking the spelling on various brands of beer and dotting the i's on "sacrificial virgin." As he approached the podium, he could feel the women in the audience undressing him with their eyes and then, strangely, brushing his teeth with their nostrils. Fenno began by speaking softly and movingly of the absence of scorpion bowls at last year's parental reception. He cleverly sprinkled his speech with racial epithets and origi-

nal synonyms for sexual devices. Pounding the podium with his shoe, he concluded by obscenely tying a cherry stem into a knot with his tongue.

Fenno sat down as the riot police easily contained the surging crowd. He even thought he could hear the sound of one hand clapping, but it turned out to be only the dull thud of a barbell hurled inadvertently at his head. Fenno adeptly dodged a clumsily-lobbed molotov cocktail as he escaped behind the protection of Langdell's security guards.

He threw his body onto a rickety couch, wiping the sweat that was gushing from his brow like the green liquid from the basement toilet in the Lincoln's Inn. Politics was a tough business, he thought, but it would all be worth it if he could use his position to do something good for the suffering of the world. And it would look so nice on his resume.

Fenno sank slowly into sleep. It was his favorite fantasy: the one with the divorcée and the oatmeal bath. He was engulfed by bliss. And as the angry, torch-bearing 1Ls surrounded his snoring body, they heard him mutter softly, "apples and cinnamon. My favorite!"

Quote of the Week

"If the only way to consort with non-lawyers is by marrying one, then I highly recommend you do that."

— Doctor Mark Byers speaking on stress in the legal profession.

Last Chance!

Next week will be the RECORD's last regular issue of the year.

Take time out from procrastinating and join our trek along the sacred paths of journalistic enlightenment.

Submit letters or columns to Lisa Zornberg's 2L Hark box, or come to the RECORD's **End of the Year Jam** at our luxurious offices in the basement of Ames Hall, on the evening of Tuesday, May 4th.

For more information, or a free copy of the top-secret Law Review Corps outline,* call the RECORD at 495-4418.

For all you stress-beset out there, this is a JOKE!
We would never give our copies of the top-secret Law Review outlines away for free.

Do It Yourself

By Rich Wareing '93

RECORD Columnist



WELL, it looks like we're going into Bosnia. Not that we're going in with troops tomorrow, or anything like that, but that's only because everybody knows that's not the right way to get yourself tangled up in a mess halfway around the world. What you have to do is draw the thing out, and make people believe full military intervention is necessary and inevitable.

The "experts" have been working on us for months now, trying to do just this. All the headlines talk about "crisis," "Holocaust," "genocide," and use all sorts of other scary words designed to make average Americans feel downright ashamed of themselves if they aren't in favor of sending their sons off to die for objectives

I guess the inherent immorality of war all depends on who has to do the dying.

nobody's ever bothered to define. When you couple this psychological warfare with the absurd plans for "limited engagement" the bureaucrats at the State Department have been drawing up, it makes US military intervention seem like the right thing to do, and a tasty way to do it, too.

I can see it now. First come the ineffectual economic sanctions. Next, there will be some bombing missions, to teach the Serbs a lesson about the sanctity of international law. When that doesn't work, we'll have to send in some Special Forces guys to train the Muslims and Croats to defend themselves. Next, we'll need a "presence" on the ground to protect the Special Forces guys. Finally, we'll need a "multinational" ground force to "keep the peace" and "restore order." This force, I suspect, will be composed largely of Americans, along with a dozen assorted Europeans, a few Pakistanis, and two guys from Japan, who won't be allowed into the fighting by their government.

Of course, our troops won't really have a clear military objective, other than to "stop the killing," and they'll have to abide by the United Nations rules of engagement, which means they can't shoot back until they're surrounded. Aside from these small problems, however, and the fact that it will be impossible to tell friend from foe, we really shouldn't have too much trouble doing whatever it is we're supposed to be doing over there. After all, it's "the right thing to do."

It seems to me we once tried an operation like that. I think it was called Vietnam.

Of course, what's driving this rush to war is not a calm assessment of US economic and security interests, but rather a nauseating pseudo-morality spewing forth from journalists and academics who insist that justice demands that Americans sacrifice their lives to prevent violence and death wherever in the world it might occur.

Naturally, this claptrap about the "moral necessity" of military intervention in Bosnia isn't any sort of a consistent principle of foreign policy. If it were, these same people yelling about Bosnia would support American intervention in Peru, Angola, Northern Ireland, Liberia, and Armenia, which they don't, and they would have supported wholeheartedly our intervention in the Gulf to stop Iraq, which they didn't. This chic cry for intervention is nothing more than the absurd muscle-flexing of a group of people who spent their youth hiding in Canada, or protesting from the safety of Harvard Yard, and now wish to assuage their guilty consciences by showing the world how much testosterone they have.

Of course, now that they're all well into their forties, these experts are just too old to go to Bosnia themselves. As such, they'll have to send the poor kids from Roxbury and South Boston off to Sarajevo to do their dirty work for them. I know it's unfair that these kids, and not the sons of the intellectual elite who clamor for war, will be the ones doing the fighting and dying, but re-instituting a general draft would just be so *militaristic*.

It's funny, but I seem to remember so many of these people now arguing for intervention also protested against Vietnam, saying that all war was inherently immoral. I guess the inherent immorality of war all depends on who has to do the dying.

Don't get me wrong, something needs to be done about what's going on over there, preferably by the European Community, which has been sitting on its collective butt for over a year, waiting for good old Uncle Sam to come and bail it out. As for these so-called experts and their itchy trigger fingers, it's like what James Michael Curley told FDR when Roosevelt stiffed him on being Secretary of the Navy and tried to offer him the job of Ambassador to Poland instead — "If Poland is so goddamn important, why don't you resign the Presidency and take the job yourself?"

Advice for HLS Headbangers

continued from MUSIC, page 6

band finally kicks in the Sabbathian stomp, the contrast is stark and powerful, probably the most effective metal crescendo since Metallica's "Fade to Black." Then, the pummeling gives way to a graceful, cascading groove that recalls Smashing Pumpkins' psychedelic grunge. Brian Carlson '94, confused metalhead, says "they kick ass. Not as much as the Dead, but they kick ass."

Normally, even the best loud rock band doesn't get compliments for subtlety, emotion, and delicacy. But the God Machine play with such grace, precision, and class that even full-on tracks like "I've Seen the Man" and "Home" avoid the

dissonant, violent racket that turns many people off metal. Headbanger extraordinaire Eastman approves: "I wish it was Sabbath, but it's cool anyway."

While its constant ebb and flow prevents *Scenes* from being instantly accessible, it should hold tremendous appeal across genre boundaries. The God Machine have no desire to create disposable, convenient music, and their astonishing talent amply compensates the effort it takes to really get to know this strange and beautiful album. Still, *Scenes* makes for intense and demanding companionship; listening to it while attempting, say, to read Property, is hopelessly futile. Trust me.

COMMENTARY

The Toughest Road

By Kathleen A. Tarr '94

"I had no idea you knew you were Black," joked the moron after reading my *RECORD* commentary, "Leave A Token For The Cab" (April 16, 1993). I was astounded. Did the moron actually believe that March 20, 1993 was some epiphany for me? Did Moron actually believe that on that day I first realized the color of my skin? Did Moron actually think that I suddenly had developed a more emotionally responsive ME focus — one that reduced itself to the constraints of society's narrowly defined social categories? Do you think I'm being too subtle with my point?

It is not because I'm Black that I hate being called "nigger." I hate just as much when someone calls out "chink!" It is not because I'm Black that I hate hearing how naive I am because I don't despise "them" enough. The dagger stabs as deep when others are taught that bigotry is the true sign of loyalty and wisdom. And it is not because I don't know I'm Black that I get equally pissed off at all oppressions. They violate MY *personhood*. They insult my every breath, my every heartbeat, my every thought and emotion. How can you ask me to pick and choose from among these pains?

I have been assaulted by everyone — Blacks, Whites, Asians, Latinos, Native Americans, men, women, homosexuals, bisexuals, heterosexuals, the abled, the disabled, United States-ians, foreigners, the rich, the poor, the middle class, the atheists, the God-fearing, the agnostics, the tall, the short, the fat, the thin. . . . Why should I hate any one of them more than any other?

I have been loved by everyone — Blacks, Whites, Asians, Latinos, Native Americans, men, women, homosexuals, bisexuals, heterosexuals, the abled, the disabled, United States-ians, foreigners, the rich, the poor, the middle class, the atheists, the God-fearing, the agnostics, the tall, the short, the fat, the thin. . . . Why shouldn't I love any of them as much as the others?

I've heard it said that Black women have the toughest road in this society because of "double-minority" status. Of course, that "political" statement is "correctly" amended to include being homosexual, disabled, and poor.

The toughest road is traveled by those whose belief in equality is the foundation of their being.

But I witnessed my own heart sink when my legs first maneuvered the brick and cobblestone of this town, and I thought of how it must be to get around here in a wheelchair. But I saw my sister fume because a fellow Black woman angrily opposed the "White Santa on the Christmas door of my mother's house!" But I heard the clenching of my (Black) mother's teeth when I told her some guys at a football game turned to an Asian man reading a physics textbook and chastised, "Trying to set the curve, huh?" But I felt the tears well in my (White male) father's eyes when a young Black girl insisted on coloring the hair of her self portrait a brilliant shade of yellow.

And I heard the laughter ring loudly when friends spoke of what "that crack-er did yesterday." And I saw others, unconcerned, mock, "You can marry 'em, but you can't kill 'em." And I watched as people smiled beneath their white hoods, holding each other's hands through the drapes of their white robes, feeling that Truth had given them one body.

The toughest road is traveled by those whose belief in equality is the foundation of their being. They don't have the freedom to find their allies in those prominent and exclusive communities that reach out for them and neglect that skins don't construct monoliths. Those who seek true equality, true justice, and true peace only find the true meaning of "constant struggle."

I personally have not inhaled unpolluted air since I turned one. I have not since found a resting place that allowed me to catch a breath of freshness. I remember being cradled in my uncle's arms, the breeze blowing across my bald head, the lapping of the water underscoring the rhythm of the birds' melody, the afternoon brightness illuminating all the world as far as the horizon. . . . You ask how I can possibly remember an event that occurred before I could speak? I could never forget what freedom felt like.

All other memories are stained with the ugliness of an earth I hadn't seen. All other pictures coincide with the despair of feeling membership in the World Family and knowing my family was not united.

All this because I am a person first.

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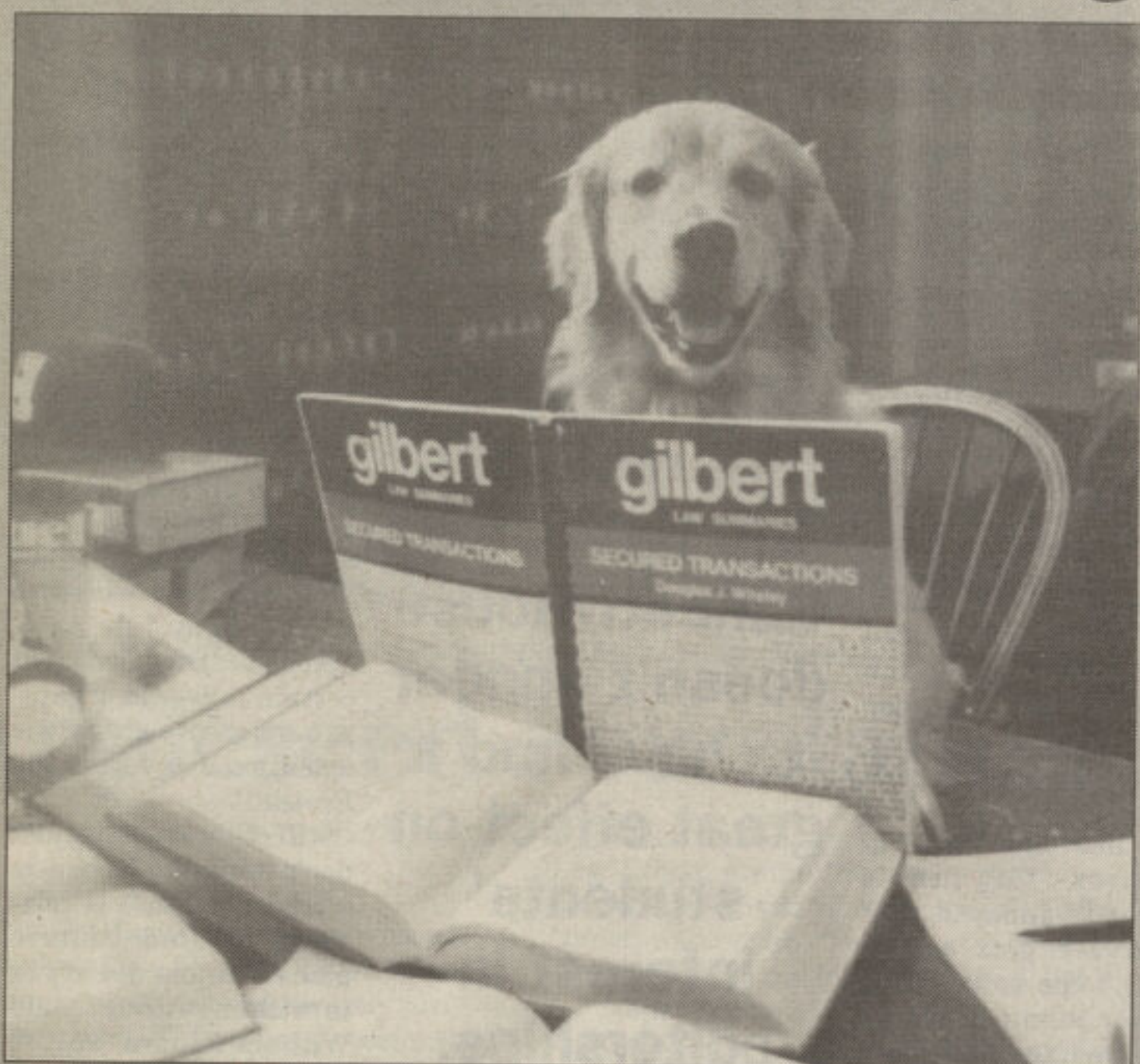
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NO MSG!

Dog-Tired From Studying



With finals around the corner, the HLS community hits the books. Photo courtesy of Michael Kraut

Lewis Center Dedication

continued from LEWIS, page 1

"extraordinary energy and intelligence." The two first met in 1965, when Lewis, a college senior, visited HLS as part of a summer program designed to interest minority students in pursuing legal careers.

Clark said: "Reginald Lewis was a man in love with the world. There is so much more that he would have liked to explore. So many journeys he would have liked to make. So much he would have liked to do to make the world a better place. We can all take great pleasure in the knowledge that, with the establishment of the Reginald F. Lewis International Law Center and the Reginald F. Lewis Fund, he will make those journeys and explorations possible for others."

The Lewis Center is home to the HLS

Graduate Program, the International Legal Studies Program, and the School's large international library collection.

Part of the grant will also fund the Reginald F. Lewis Fund for International Study and Research to subsidize work relating to developing countries.

During his active involvement with the Law School, Lewis served as a member of the Law School Visiting Committee and the executive committee for The Campaign for Harvard Law School.

The dedication took place amid continuing allegations that the Lewis money has not been used to promote the diversity goals of the donor. In his letter bestowing the grant, Lewis said, "I am particularly hopeful that this gift will help the School continue to expand and accelerate its efforts in faculty diversity and other areas."

Powell Speech Decried

continued from POWELL, page 1

mentement," since there can't be two speeches, he said. "Our parting words should not come from any person representing hate, discrimination, and intolerance."

Acknowledging that an injunction might not be possible, Kraut added, "If he's going to speak, there needs to be some manner of protest — but a respectful one, without interfering too much."

Many COGBLLI members agree a respectful protest is the right course. "There are many members of our organization who are offended at the thought of honoring someone who's taken a stand against us and our lifestyles," said Carlos Vasquez '94, one of COGBLLI's recently elected chairpeople. "We understand he was invited before this issue came up in the media, but we also believe his viewpoint on gays was known before he was invited." Vasquez confirmed that COGBLLI is not part of the effort to obtain an injunction.

"It's a difficult issue because of freedom of speech," Vasquez continued, noting that opinion within COGBLLI is divided. "Some wish he could be disinvited, while others are happy to have him speak but feel that we too, under the First Amendment, should be able to speak against him," he said.

COGBLLI is currently considering some form of protest. Vasquez said the protest could include wearing pink triangles, carrying lavender balloons, and/or

having protesting graduates stand up and face the other way as Powell receives his honorary degree.

A major concern among COGBLLI members stems from the fact that Powell is an African-American, and as former COGBLLI Chair Steven Homer said, "It's sort of awkward for us to be protesting one of the few African-Americans getting an honorary degree." However, Vasquez praised a letter written by Homer to BLSA for limiting the possibility of tensions between COGBLLI and BLSA over the issue. In this letter, Homer said he explained that "we'd be protesting in some way and why — that it's an unfortunate situation." He added, "I felt that out of respect for the sense of community we have with BLSA it would be nice to let them know we appreciate how they might feel but that we still had to go ahead and do it."

The protest of Powell has presented a dilemma for BLSA too. Many members find themselves torn between, on one hand, the goal of eliminating discrimination of all types and, on the other, a pride in the accomplishments of Powell, the first African-American chair of the Joint Chief of Staff. At a meeting today, BLSA will consider a formal response to the letter.

"BLSA will respond in a formal manner," BLSA President Linda Dunn said.

Sources within BLSA say the organization, while not likely to endorse the Powell protest, probably will not object to COGBLLI's actions.

Love, Holmes, and the Spaghetti Club

By Andrew Tulumello '95

RECORD Columnist



JUSTICE Holmes once said that the law is a jealous mistress, and while it's hard to imagine the venerable judge getting play, I agree with the idea — especially as I'm trying to maintain a 3,000-mile-away romance. Law school pokes its ugly head into every aspect of your relationship and your life, right down to your sex drive.

Take the phone calls. Perhaps I love too much. My monthly bills from September through December were always over \$300. But more than love, it was stress. In the early weeks, I was so paranoid about class that she would comfort me by listening over the phone as I practiced announcing the holding of *Batsakis v. Demotsis* should Rakoff call on me the next day. By November, I was the lover of the law who didn't want to talk about Seinfeld or her work, but wasn't *Vosburg* a really fascinating case in that it creates norms of human interaction and blah blah blah. By December, I was a shark cranking out (useless) outlines in my dogged pursuit of law review. Baby, I'll call you back in a few days.

Being an attached 1L also ruins your social life. Oh, those nights with the boys at the Spaghetti Club! Call me a chauvinist, call me an elitist, but I just can't talk to the women there, my girlfriend aside. I say "I'm a law student," and they usually say "I'm in electrolysis!" and I look down in awkward silence. I usually

Being an attached 1L also ruins your social life. Oh those nights with the boys at the Spaghetti Club! Call me a chauvinist, call me an elitist, but I just can't talk to the women there, my girlfriend aside.

bum a cigarette after that — it gives me something to do while I hope she goes away. By this time my friends Gilman and Toto have abandoned me in pursuit of women on whom to drop the Harvard-Bomb. Attached people simply have no purpose or function in the Spaghetti Club. At least at the Bow I can play that football game. So, what usually happens is that I drink, get depressed, and walk home in the freezing cold to make another desperate phone call to LA.

The piece of heaven of long-distance love is the visit, but even that doesn't come easy. Logan Airport has been fogged in or closed due to "storms of the century" every sixth Friday (my visitation day) since registration. Plus, law school kills your sex drive. Lo, should a vision of Michelman happen to whisk through my mind in an intimate moment. On top of that, how can anyone have it goin' on in law school? We spend so much time sitting in class and drinking beer and eating wings at Rosie's that I've turned into a sloth, the George Foreman of HLS. I know that I try not to look, and maybe she tries not to also. Then, when I finally get the juice, my neighbor bangs on the walls, or calls me up to yell that he can't study because of the noise. I'd be jealous too — all alone in the sterile environment of HLS. And maybe we're louder than we need to be, but hey, I'm sure Justice Holmes did the same thing.

Overall, the hardest part about maintaining this relationship is keeping perspective. The aura of Harvard Law made it easy to become ridiculously self-absorbed and to believe that my mission here overshadowed what was important to both of us. I was "the man" at HLS, embarking on the Great Legal Project, and any of her concerns would have to wait until I made it here. Now, when most of my idealism about law school has been snuffed out, I regret that I missed her, and what she was about, last fall.

It's also hard to find the right balance between the day-to-day stuff and more serious feelings. Too much day-to-day, even on the phone, and one of us starts feeling smothered, even 3,000 miles away. Too serious and my whole life becomes heavy. Long-distance relationships seem to give you too much of one or the other. It'd be great to bump into her in class and go for pizza just whenever, instead of having to plan every single interaction.

Finally, people in long-distance relationships often expect that it will be difficult to connect with the other person's new life. That's not the problem. The problem is that I don't know what the hell I'm doing half the time. In the past three weeks, I've made decisions about working at a firm, classes, the law review competition, clinicals, housing, time off, with no opportunity to reflect. I feel crazy — and it's hard to get that across the airwaves. How can she hope to connect to something which I haven't even figured out?

Thankfully, the day of reckoning is around the corner in June. When this place spits me out, I'm hoping we'll be able to relax and be normal again. And I think we will, because while the law may be a jealous mistress, the law doesn't know my girlfriend.

Next
RECORD:
May 7

LAST ISSUE OF
THE YEAR!

Losing Isn't Everything, It's the Only thing

By Rob Rader '94

Guest Columnist



LAST week, I lost.

I ran for office in an organization that was important to me and I lost.

I'm not talking about a Law School Council election where an amorphous, faceless, and supremely disinterested student body decides whom they can most tolerate being quoted in the RECORD for the following year. I lost an election for a group in which I've spent the bulk of my time in law school.

And, believe it or not, it hurts. It hurts a lot.

The question is, I suppose, what do I do with that hurt? (I've thought about selling it, but the market for hurt is really down this year. According to Louis Kaplow, I should cut my losses and reinvest, something about the time value of emotions, but I guess I'm just naturally optimistic about my moods.) I want to hold someone responsible. Someone other than me, that is. And, there are lots of candidates for that position, at least.

I could resent my friends in the organization who didn't vote for me. But, I already resented my friends before I lost, which takes the satisfaction out of that response. I could despise my opponent, but she'll probably do a good job. And, once again, I already did despise her before. I could blame my supporters for telling me what a wonderful job I'd do in office. But, then, now that I think about it, they never really said that, so that's just plain phony.

Unfortunately, that just leaves me.

Me?! Can't be me! I mean, I know how fabulous I'd have been. It's not my fault that other people were too stupid to realize that. Surely, I'm not to blame for their ignorance. What am I, their parents? Next thing, I'll get blamed for their poor choice of careers. I'm not the one who didn't have anything better to do with my life and just ended up here. Oh, wait a minute... I guess I am. So much for that argument.

Maybe I shouldn't be sad at all. Maybe I should be relieved that I won't have to do all that grunt work that comes with the position. Maybe I can do all those other things I wanted to do with my time, like read the great classics of English literature. Maybe I'm better off not winning. Yeah... and maybe monkeys'll fly out of my butt!

I went through all these "sour grapes" responses already. I guess we all do. Even if they're true (which they're not), they don't really make up for the fact that I wanted the job and that my group not voting for me was a rejection. A rejection of me, not some hypothetical "reasonable person" who looks like me. (Lucky guy, if he did, though. No one, however, has ever mistaken me for a reasonable person.)

Too often, we protect ourselves by not feeling the sadness within us, by cutting ourselves off from that emotional response and telling ourselves (lying to ourselves, really) that it's all for the best. Maybe someday I'll believe all this, but coping with failure is something even people on *Law Review* have to do, I'm told, and denial ain't really confronting the issue squarely. That's why they call it denial.

To borrow from the Mighty Nesson, we put on a Mask that protects us, instead of admitting our vulnerability, even to ourselves. I tried on (and even drew!) the Masks of Bitterness, Sour Grapes, Resentment, Apathy, Public Drunkenness and Nausea at a DSAC Event, but that's all they were — Masks. Masks to avoid seeing myself. To face up to failure and to rejection by your peers is one of the most difficult things in life. I'd better get used to it. I have another fifty years of it to face and that's if I'm "lucky." Dave Lopez, for example, is extremely used to those things. How I envy him.

But, everyone has to face many failures over the course of a lifetime, so maybe we'd all better get used to it. At Harvard Law School, it's especially hard (in more ways than one) for us to do that. Everyone here is just such a wonderful over-achiever that of course if you fail, it's not your own fault. We all spend so much of our time protecting our oh-so-built-up egos by externalizing our failure. Someone else caused it, not me.

But, let's face it, we cause most of our own problems. ("The fault, dear Brutus, is not in our stars, but in ourselves." Bill Shakespeare, *Julius Caesar*) For instance, I could come up with all sorts of excuses why people had good reasons not to vote for me that had nothing to do with my quality as a candidate, but I won't. I won't rationalize this failure away.

I lost. Period.

I lost! Exclamation point!

I lost? Question mark? How could I?

There's a dumb quote about only those willing to risk failure deserving victory. I'll bet some loser came up with that one. Nice excuse, bub. Maybe I should become a Cubs fan. Nah, I'm not that desperate.

No, I guess I'll live. Anything that doesn't kill me makes me stronger, I've heard. Yeah, I'm probably the strongest man in the world now. I hope I become even more powerful through some more personal defeats. Boy, that'd be great! Maybe I could get on American Gladiators.

The New Testament says, "For what is a man profited, if he shall gain the whole world, and lose his own soul?" (Matthew 16:26) Well, for one thing, he's got the whole world. That looks like profit to me.

On the up side, at least I get other people's pity. What could be more desirable than lots of well-wishers expressing sympathy? Off the top of my head, I can imagine a big guy named Lester pulling out my fingernails one by one. Some people can't take compliments, some can't take pity, and some can't take out the trash. I can't do any of those. I wish people would save their pity for Haitian refugees or Bosnian victims of war; I certainly don't want it. Pity is a second-cousin to pathos. (And uncle to indifference!) I'd rather have their hate than their pity. I'm used to hate.

Furthermore, I don't need pity. I'll fight my battles, losing some, and go on. Or not. Either way, it's my decision. But, pretending that it doesn't matter after the fact and that it's someone else's fault are lies I refuse to accept. Unfortunately, they're such flattering ones, I find it hard to resist.

1Ls Consider Law Review

continued from REVIEW, page 1

out of the approximately 200 students who eventually complete the assignment. For those with less than stellar grades, the odds are therefore even steeper, because about half of the 40 positions are determined largely on the basis of grades.

"Lots of straight-B students are daunted," said Erin McPherson '95.

Another important issue in students' decision-making

process seems to be the actual timing of the competition. The contest's early-June scheduling dissuades students for a number of reasons.

McPherson decided not to take part in the competition because the extra week in Cambridge would have been a week not spent at her law firm in Denver. "My firm is already annoyed that Harvard gets out so late," she said. "The other summer clerks are from the University of Denver, which finishes much earlier."

"The opportunity cost of trying out for the *Review* for a student working in a large New York firm this summer is 1600 bucks," said a first-year student who declined to be named. "That's a lot of money for a small chance."

While many students are not pleased with the timing, most realize there is not much of an alternative. Noting that because the publication's fall term work begins in mid-August the competition could only be held earlier in the school year, Lewis Polishook '95 said, "I'd rather

do it in June than during classes. It's a necessary evil."

Polishook's assessment of this scheduling problem was supported by Labson, who said the only alternative to June is to hold the competition during spring break. "It's a lot of work to do right in the middle of the semester," he said.

In addition, other campus organizations compete with the *Review* for candidates — including the Board of Student

Advisers. One first year student said she was competing for the *Review* and BSA, but was leaning in preference towards BSA. "I'd like to be a member of something more involved with the student body," she said. Some students also cited certain legal aid organizations as drawing their attention away from the *Review*.

Still other students just don't think the *Review* is a credential that is relevant to their future plans. "It just doesn't fit in with my career," said William Kinard '95. "I want to do patent law, and I feel I could better spend my time research-

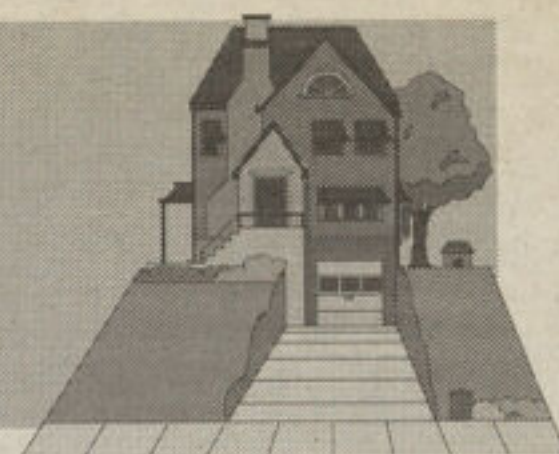
ing and writing for patent law writing competitions."

Interestingly, the turmoil at Gannett House doesn't appear to have had a great effect on students' interest in editorships.

Tracy McFerrin '95 said at first she was deterred, because "I can find friction and conflict without competing to become part of it." She has since changed her mind, however. "The only way things change is if more enlightened people get on the *Law Review*," she said.

**Interestingly,
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Ralph Nader '58, who spearheads the creation of the Appleseed Foundation

Appleseed Foundation

continued from SEED, page 1

nizer."

The Appleseed founders envision that members of the class of '58 will oversee the project rather than directly provide legal services. The proposal recommends that center staff "be drawn from young lawyers who are committed to building institutions with the energy to connect Harvard Law Alumni of all classes in various carefully selected states."

Possible Competition with the Capital Fund

Nader estimates the cost to establish the Appleseed Foundation will be \$300,000, and he pledged at the symposium to raise \$50,000 himself. But he hopes local attorneys will financially and professionally support the centers after they are organized. "The mainstream bar is whom we hope will fund them," said Nader.

Critics worry the Appleseed Foundation may divert alumni funds away from public interest programs already in place at HLS, as well as from the capital fund in general. "We didn't want to be considered as competing as far as raising money for the capital campaign," said Medalie. "There were delicate problems that we wanted to work out."

Medalie said Appleseed founders had extensive meetings and discussions with administration members including Vic Koivumaki and Scott Nichols, as well as with the Class of 1958 officers to make sure that "it was not something competing with any of our activities."

Nader claims the fear of Appleseed diverting funds from anything is completely unfounded. He predicted the novel project would build a new kind of class unity and tie alums even closer to the School. "The class of '58's project is redefining the meaning of an alumni class, and extending its purpose. We hope

we'll find emulation by other Harvard Law School alumni classes, not to mention alumni classes at other schools," said Nader. Moreover, "The class [of '58] has already met its quota of a million dollars. . .," Nader said.

Organizers are currently applying for 501(c)(3) certification while raising money for the project. "We're on our way. . . Several classmates have committed funds [with the stipulation that there would be] interface with the Law School," said Medalie.

Appleseed's Relationship with Law School Unresolved

Appleseed organizers were delighted when Arthur Miller '58 and Gary Bellow '60 agreed to be faculty liaisons for the project. "Arthur Miller envisioned a seminar in which issues that would be raised in centers for law and public interest would be investigated. And Gary Bellow would incorporate the centers as a terrific element in the clinical program," said Medalie.

But the institutional relationship between the Appleseed Foundation and the Law School is still unclear. Both Medalie and Nader said Boston would be a prime site for a center due to the city's large number of HLS alums. Because the project is still in preliminary stages, the administration and Public Interest Office have not yet resolved what kind of relationship an Appleseed Center could have with the HLS public interest program.

Madeline Fain '94, co-chair of the Alliance for Public Interest Alternatives (APIA) said she hoped Massachusetts would be the first state in which a center would be established. "Massachusetts is a great place to start for two reasons: first, to allow HLS students even more clinical opportunities, and second, because the state is really falling behind in public representation of poor people," she said. "The state's funds are continually being cut. Any boost would help."

Dean of Students Selection

continued from SEARCH, page 1

es, how they'd relate to students, their initiative, style, how they'd make things better." He said he was particularly interested in what students on the selection committee thought, but noted that unlike administration and faculty members, students' opinions "were all over the map."

The dean would not release the names of the three candidates, but Suzanne Richardson, who has been acting dean of students since October of last year, said she is one of the three finalists. She said she did not know who the other two candidates are. Richardson also said she has been satisfied with the selection process so far.

"I think it's been good, it's been inclusive and well thought-out, and I'm serious

about that," said Richardson. "It has included all segments of this Law School. It has included administration, students, and faculty with all their myriad concerns — who [the candidate] is, what he will do to the tenor of the Law School. You're going to have to take time [to decide] with a position of this importance, and it has been exceptionally good."

Students have been happy with Richardson's performance as acting dean of students. "She just stepped right into Dean Wald's shoes when she left," said Enu Mainigi '94, president of the Law School Council. "She knew everyone, and understood all the politics and nuances, and I think she has been able to deal with all of that very effectively."

Clark would not comment on whether he would release the names of all the candidates after he made his decision.



Suzanne Richardson

Can't We All Just Get Along?

By Debra Dickerson '95

RECORD Columnist



A couple of weeks ago, I was walking past Pound en route to joining friends at the Aces when two thirtysomething white guys passed me. I heard enough of their conversation to know they were trying to find Langdell. One politely stopped me to ask directions. The other, just as politely, cut him off. "Thanks anyway," he said to me. To his friend he said, "Let's ask one of these Harvard types." "Yeah, good idea."

I heard them stop the person directly behind me for directions. Hard as I tried, I couldn't resist allowing myself to turn around and confirm that they'd stopped the first white person they saw (who turned out not to be a student). They must have been tourists since they didn't recognize my 200-pound sack of books and the trademark Harvard spinal curvature caused by said books. Maybe I'll tattoo my Bs and my loan payback schedule to my forehead since those are the unmistakable characteristics of a "Harvard type."

Would I have been justified in demanding to know why I didn't qualify as a "Harvard type?" Yes, I guess, but what would have been the point? Was that incident the equivalent of the race riot the LAPD had upside Rodney King's head? Certainly not. Does it represent an insidious, pervasive, low-intensity racism which people of color may justifiably fear and to which we may justifiably object? I think so.

Surely many will feel that it's an overreaction to attach any importance to an exchange so seemingly insignificant. But I can not for the life of me think of any reason other than race for their assuming that I couldn't be a Harvard student. Just like the rest of you, I'd have posed nude for "art" photos to get here so I could whine about being here and it pisses me off to be dismissed like that. More importantly, though, I think it's those unexamined, objective manifestations of our subconscious beliefs that demarcate the real state of race relations in America. And I think it's our hesitance to deal honestly with our actual, internalized beliefs about ourselves and each other, as opposed to the pro forma PC beliefs we espouse aloud, that keeps us in our present racial quandary.

My 1L Crim class is a good example. Last Wednesday, we had a fairly ugly clash about 4th Amendment search and seizure issues. Race, class, Constitutional interpretation, public policy, personal experience: All this got incoherently mashed together. Given such volatility compounded by the inherent difficulty of orchestrating a 150-person discussion, it's a wonder Prof. Meltzer didn't just run back to his office and barricade the door. Some students saw any call for limits on police discretion as a knee-jerk PC plot and contend that their refusal to recognize a racial component in the issue is a testament to their acceptance of a color-blind polity. Others saw only the racial issue and would impose strict limits on police discretion in the name of personal liberty and because of perceived widespread police abuse. Those were the extremes, of course, with the majority taking up positions all along this (grossly over-simplified) continuum. Tempers flared, angry groups huddled in opposite corners of the room, liberals fumed to liberals, conservatives to conservatives. Lots of people sat around looking confused. I was certainly ticked off. Given our national obsession with race, you'd think we'd have gotten better at talking about it by now.

As an undergrad in 1980 I applied for (yet another) typing job. The personnel manager was so impressed with my grades, work history, typing test and recommendations that she hired me over the phone without having actually met me. You can see where this is going. When I showed up for work she almost had a stroke. Her face turned red, her eyes bulged and she was furious. Absolutely livid. Without thinking, she bellowed "You didn't tell me you were BLACK!" Even after her initial fury waned, she retained a serious attitude toward me as if I had committed some horrendous faux pas. Righteous indignation is truly the only way to describe her demeanor. Needless to say, once the apoplexy passed, she suddenly remembered that they were phasing out the position. The reason this sticks with me is not because of the racism, which saddens more than surprises me anymore, but because of the anger.

I suppose I could understand surprise (insulting as the assumption is that good workers who speak intelligently must be white) but why anger? That's much more complicated. I've given her a good deal of thought over the years; for some reason, hers has always been the face of racism for me. I can still see the twisted fury on her face, like the faces in the crowds tormenting the '60s Civil Rights marchers with their unleavened hatred. I think of her every time I'm called a nigger or wonder whether store clerks are ignoring me because they're lazy or because I'm black. Hers is the certain face of racism, the face most easily dealt with, the face we rarely see anymore. In public.

During that bizarre meeting, she'd also said petulantly, "You know, you didn't sound black on the phone. You should . . ." "I should what?" I asked. Ask if I could cash welfare checks on the premises? Mention that I had a gold tooth? She meant, I think, "You should act black." I have concluded that she was so angry because she had thought of me as white. It was as if I had been caught stealing. I had gotten in under her radar and it scared her. She had mentally treated me like a white person and felt deceived, somehow minimized to learn that I was not, in fact, white. I was living proof that her belief, however unrecognized and unexamined, of white people, of herself, as inherently, demonstrably, and identifiably separate and different from non-whites was wrong. That natural chasm between blacks and whites that exists expressly for unreconstructed bigots and internally for bigots in mental hiding, is both necessary to and the measure of their innate superiority. To bridge that chasm is to assault the very notion of 'whiteness' as naturally apart, naturally better. She couldn't deal. Cognitive dissonance in action. I was 21 then and much nicer. I actually ended up apologizing. Neither of us dealt honestly with what went down between us. Does she realize she's a racist? I doubt it. Did it cost me a job? For sure. Is she still a personnel manager?

Early this year a car load of Caucasian Cro-Magnons tried to run me down as I crossed Mass Ave (again in front of Pound) while screaming the N-word and the B-word. The easy part of all this is agreeing that both they and that personnel manager whose brain circuits I fried are dangerous. But what do we do about the two guys on the street who don't think I belong here, these ones who (probably) say one thing but actually believe another. What if they're personnel managers? Loan officers? Cops? I think they're at the heart of the American racial dilemma. The real problem is, though, that I seriously doubt that the three of us could have an honest, intelligent discussion about it.



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