



HarkBox Cafe Gets New Look

By Jeff Bucholtz

Dunkin' Donuts, turkey sandwiches with stuffing, and neon are only a few of the changes greeting students this fall at the HarkBox Cafe. Gardner Merchant, which runs the dining services upstairs in the Hark, took over management of the Cafe from the Dormitory Student Affairs Council and drastically renovated the Cafe this summer.

Frank Lamentea, the director of building operations, explains that HLS asked Gardner Merchant to run the Cafe last year in order to "professionalize" the operation. "We felt it was important to improve the product line and to extend the hours beyond what DSAC could really do," he said.

Gardner Merchant now has full responsibility for ordering and handling receipts, while the Cafe remains staffed by students. Except for the popular coffee, retained from before, and the sandwiches, which are different than those sold upstairs, the Cafe's offerings largely mirror the selection available from dining services in the Hark.

Other new additions at the Cafe include several kinds of sandwiches, made fresh on the premises, salad, bagels, frozen yogurt, and a wider variety of drinks. "The sandwiches and donuts are big hits," Kim Yahr

please see **CAFE**, page 12

TAP Under Attack

By April Rockstead

The age-old feud between local landlords and low-income tenants is escalating into a war of words involving two Law School organizations, an HLS office, and even city hall.

The Cambridge City Council last week approved an amended initiative drafted by Councilor William H. Walsh to appeal to Harvard University to remedy what Walsh calls Law School favoritism of the Tenant Advocacy Project (TAP), the student practice organization that represents low-income tenants and landlords.

HLS discriminates against local landlords by providing clinical program oversight for TAP without affording the same for the Small Owners Assistance Program (SOAP), the student organization representing low-income landlords, Walsh said.



Scenes from the first annual Student-Faculty Volleyball game.



RECORD Photo / Josh Friedman

Career Services Sets New Sign-Up Process

By Maria Politis

It happens every year: 2Ls and 3Ls trying to make sense of employer resumes, attaching their own resumes to transcripts, and signing up for scores of interviews. The often-maddening job hunt is on. With the addition of a new system for computing interview schedules, however, everyone is hoping that this year's search goes smoothly.

The new system resembles the course-selection procedure. Students sign up for a week of interviews at once and prioritize their choices. Last year students did not prioritize and signed up on a day-to-day basis. The sys-

tem was changed because the old program was about 25 years old, said Director of Career Services June Thompson.

The result is that the system focuses on students rather than employers. "Before, the computer took an employer and filled up its slots with students," said

please see **JOBS**, page 10

Dalton Settles Suit Against HLS

Law School to Co-Sponsor Domestic
Violence Institute with Northeastern

By Lisa Zornberg

Just two days before trial-like public hearings in her gender-discrimination suit against Harvard Law School were to begin, Clare Dalton '73 agreed Monday to a settlement with HLS that will engender a new Domestic Violence Institute, jointly sponsored by HLS and Northeastern University School of Law.

On Tuesday, the parties announced the settlement in a press statement that was surprisingly peaceful in tone considering the stormy nature of the controversy. The Law School's denial of tenure to Dalton almost five years ago embroiled the entire University and drew national media coverage.

Under the terms of the unusual settlement, Harvard will contribute \$260,000 to the project, of which Dalton will be executive director.

Dalton, now tenured at Northeastern, filed the case in 1987 after she was denied tenure at HLS in a year in which five

men were granted that permanent status on the faculty. Although a majority of the faculty voted in her favor, she failed to receive the two-thirds majority needed for tenure approval. In the turmoil that followed, and after an outside panel erected by then-University President Derek Bok reviewed her work and also decided not to grant her tenure, Dalton charged Harvard with gender discrimination.

In her complaint to the Massachusetts Commission Against Discrimination (MCAD), Dalton said her "record was equal to or surpassed that of the males voted tenure" that year, and that the University held her to a much higher standard of scholarship than it did her male colleagues, a charge Harvard has consistently denied. The parties were scheduled to appear before MCAD Commissioner Michael T. Duffy on Wednesday.

"Manna From Heaven"

By redirecting their energies from battling each other to

please see **DALTON**, page 15



Prof. Donald Trautman was a pioneer in computerized legal instruction.

Prof. Trautman Dead at Age 69

By Johanna Davis

Professor Donald Trautman, 69, died of an apparent heart failure at his home in Cambridge Saturday. He will be mourned by his family, colleagues, and three generations of law students whose lives he touched.

Born in Cleveland in 1924, Trautman's brilliant career in legal academia began when he graduated from HLS in 1951. After serving as law clerk to Justice Felix Frankfurter, Trautman was tapped for the HLS faculty by Dean Erwin Griswold '28 in 1953. Griswold recalled Trautman fondly. "He was an active faculty member, and was much liked by students," Griswold said. "I'm so sorry that he passed on at

such a relatively young age."

Trautman quickly became a leading expert in the field of conflict of laws and co-authored *Law of Multistate Problems* with Arthur von Mehren '46 in 1965. "Don Trautman contributed much to the fundamental rethinking of the field of conflict of laws that took place in the United States after World War II," Von Mehren said.

Trautman was a specialist in federal jurisdiction and incorporated federalism concepts into his Admiralty course. He also taught Accounting for several decades. Professor Detlev Vagts '51 called Trautman's willingness to continue teaching accounting "a service. He stuck with a very unpopular course that the administration felt

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please see **TAP**, page 13

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Law School to Celebrate 40 Years of Women

By Matthew Huggins

Women at Harvard Law School? In 1950, when the first class of women entered HLS, the idea was outrageous to some. But next weekend, October 1-3, the HLS Association Alumni Committee will sponsor "Celebration 40," to commemo-

Ginsburgs are HLS's first mother-daughter alumnae team.

Ruth Bader Ginsburg will attend the celebration and is scheduled to speak at noon October 2 in the Ropes-Gray Room and will receive a special award. Other tentatively scheduled speakers include US District Judge Kimba Wood '69 of the Southern District of New York, US Rep.



Justice Ruth Bader Ginsburg (below left) and her daughter Jane Ginsburg '80 (below right), as students, and Justice Ginsburg more recently. The mother-daughter team will be among those honored at Celebration 40.

rate the 40th anniversary of the first class of women HLS graduates, who now number close to 5000.

The celebration will focus on women and public policy and will honor Supreme Court Justice Ruth Bader Ginsburg (who attended the Law School from 1956-58 before moving to New York with her husband Martin Ginsburg '58 to finish at Columbia), Congresswoman Pat Schroeder '64, and Jane Ginsburg '80, professor of law at Columbia and daughter of Ruth Bader Ginsburg. The two

Jane Lakes Harman '69 (D-Calif.), and New York City Comptroller Elizabeth Holtzman '65.

The celebration will include panel discussions and breakfast, luncheon, and dinner meetings focusing on how women have shaped the legal profession in the last 40 years and the possibilities for reforms in legal education. Donna Chiozzi of the Office of Special Events says hundreds of reservations have been made by students, alumnae, and interested people. The costs of the meal ses-

sions, which range from \$5 to \$20, is being subsidized for women students who wish to attend.

According to Conference Chair Anne Cicero Weisberg '85, no sessions will be exclusively dedicated to issues involving women of color, reflecting a decision "to integrate better the concerns of women of color into every discussion." Weisberg said creating separate sessions would isolate issues of women of color from the general discussion and would frustrate attempts to get the general community talking about such concerns.

Some are hoping the conference spurs concrete change at the Law School.

"The Law School really has to hire more women one way or another, and I think they know that," Professor Lucy White '81, visiting professor from UCLA, said. Similarly, Laura Meadows '60, chair of the committee that invited Ginsburg and Schroeder, said, "There is still anti-woman bias in legal education, and it is still pertinent to work on changing that."

White said she hoped the Law School

could do more to bring child-care and children into the institution, as "an acknowledgment that taking care of children is a priority."

"Job demands [in the entire legal profession] have to be understood in the reality of children and family," White said.

Some alumnae have refused to attend Celebration 40, in protest against Law School hiring practices, White said.

Weisberg said she hopes that in the next 40 years of women at HLS, "legal employers, from law firms to law schools, will be more accommodating to women, to the issues women face, to the different values that women bring to a firm or a law school."

For law schools, Weisberg said, these objectives mean "making the curriculum reflect women's concerns," starting with "changing the case books to reflect women's experiences, so that women actually appear and are visible." For law firms they mean changing the way partnership decisions are made.

3L Captures National Triathlon Championship

By Tony Petrilla

Anne Curi '94 turned a few heads pm July 11 when she became the nation's top amateur female triathlete at the Triathlon Federation Championship in Hammond, Indiana. Curi came from behind to beat then-reigning champion Mary Ellen Powers by 13 seconds in the last mile of the course. She registered a combined time of 2:05.06 for the 0.92-mile swim, 25-mile bike, and 6.2-mile run.

Surprisingly, Curi has only been competing in triathlons since graduating from Yale a few years ago. As an undergraduate, she was a walk-on member of the Yale track team and a self-described poor runner. In her senior year, she began to improve markedly and went to national competition in cross country. Ironically, the run is now her strongest leg and enabled her to catch Powers.

Curi entered her first triathlon with a minimum amount of training. "I just wanted to try it one day," she recalled. She didn't do particularly well, but her interest was peaked. Now she trains with the Boston Running Club and has the benefit of its coaching experience.

She estimates that one to four hours of her day is occupied with running, biking or swimming. Her training log dates back to her days at Yale and helps her understand which techniques work best. "No one really knows what the formula of training is," she said. "It's kind of hit

or miss."

Despite her dedication to the sport, Curi says she does not intend to turn professional. Pros must practice for much of the day and usually do not have other occupations. Curi intends to practice law with a firm here in Boston. She also enjoys being the top amateur triathlete and is not certain she would be very successful at the professional level, primarily because she is not a "good" swimmer. Since there isn't much money to go around, she doubts that it would be possible for her to make a living as a pro.

Yet, in August Curi got a much better idea of where she stands in international competition when she participated in the World Triathlon Championship in Manchester, England. She finished as the third amateur female triathlete in the world, the second in her age group (25-29), and the first American. She again came from behind to beat Mary Ellen Powers in the last half mile of the course, this time by about 12 seconds. Curi jokingly notes that Powers still speaks to her.

"The other women are very supportive," she said. "You feel like you have to stick together or else the sport will disappear." Women's triathlon is not yet an Olympic sport and, until it becomes one, Curi feels that it lacks a solid foundation.

Curi's next endeavor will be a Duathlon (run-bike-run) in Dallas on October 16.



Anne Curi '94

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Seven Appointed Named Professors

Seven professors have been appointed to named professorships. Traditionally, appointment to "chair" a professorship reflects a high level of professional achievement both inside and outside the classroom. New honorees include Gary Bellow '60, Alan Dershowitz, Mary Ann Glendon, Robert Mnookin '68, Charles Nesson '63, Paul Weiler '65, and Lloyd Weinreb '62.

Bellow was named the Louis D. Brandeis Professor of Law. Created in 1972, the Brandeis chair honors a professor who has made contributions to teaching and scholarship in Urban Legal Studies. Bellow is the faculty director of the Law School's clinical program. Dershowitz succeeds Abram Chayes as the second Felix Frankfurter Professor of Law. The chair honors a professor who focuses on First Amendment issues. Glendon was named the Learned Hand Professor of Law. It was created in 1965 by the Ford Foundation. Newly arrived Mnookin was named the Samuel Williston Professor of Law. Like his predecessor Roger Fisher, Mnookin's scholarship focuses on negotiation.

Nesson assumes the Weld Professor of Law chair from recently departed Professor Derrick Bell. The professorship was created by a gift from an ancestor of Massachusetts' current governor William Weld. Weiler adds the title of Henry J. Friendly Professor of Law. The chair historically honors those making scholarly contributions on matters of interest to federal courts. Weiler's primary research focuses on labor law. Weinreb succeeds the late Albert Sacks '48 as the Dane Professor of Law. The chair was first held by Joseph Story in 1829.

LSC Prepares For Upcoming Elections

Only several weeks into the new semester, the Law School Council is already gearing up for its fall elections, which will be held Wednesday and Thursday in the Hark, from 11:00 AM to 2:00 PM. Voting will be for eight first-year section representatives (two per section), seven at-large representatives, who may be from any Law School class, two LL.M. representatives, and one SJD representative. In order to run, students must file with the Dean of Students office by 5:00 PM today.

"We seem to have a lot of interest this year," said LSC President Enu Mainigi '94, who in the last week has been encouraging students to run by placing notices in their Hark boxes and speaking to 1L sections at the beginning of class.

MIT Wins Reversal of Info-Sharing Case

Two years ago the eight Ivy League schools signed a consent decree with the Justice Department agreeing to stop the sharing of financial information. The Justice Department claimed the long standing practice, known as "overlap," violated the Sherman Antitrust Act. Under the overlap process, MIT would meet each year with the ivy schools to collectively set financial aid awards for commonly admitted students. MIT took exception and filed suit.

Last week a federal appeals court remanded the case for further hearings reversing District Court Judge Louis C. Bechtle's earlier dismissal of the case. The higher court mandated additional hearings to determine whether regulating competition in this case might actually enhance competition, thus exempting it from the Sherman Act. In applauding the decision, MIT President Charles M. Vest told *The Harvard Crimson*, "This is a significant step towards equal opportunity for all students to attend the college of their choice."

Crimson Executives Censure President

By a nearly unanimous vote last Sunday, the Crimson's executive board censured Crimson President Ira E. Stoll for "his words and actions" on the morning of Commencement this past June 10th. On that morning, Stoll was involved in an altercation with several female editors over what began as a practical joke. Allegedly, the mostly first-year women took the president's antique chair into the women's bathroom, and demanded that he remove his shirt in exchange for the chair. Several editors were bruised in the scuffle that followed, which ended with Stoll being pulled away from the chair and using obscenities. Stoll has since apologized for the utterances, which he said were hurtful and degrading to women.

In the months following the incident, more than twelve Crimson editors have signed a petition of no-confidence in Stoll, including senior news and business executives. But Stoll has indicated several times that he has no plans to resign.

At least one executive, Associate Managing Editor D. Richard de Silva, has announced that he plans to resign from the Crimson in light of Stoll's plans to stay. "As much as I love *The Crimson*, I could not be on the same executive board as Stoll after he attacked those reporters," de Silva said Tuesday. "He's compromised our ideals as an institution, and our credibility as a news organization."

Others at the Crimson believe that Stoll is insensitive, if not sexist.

The board also announced Sunday that it has adopted the Equal Employment Opportunity Commission's guidelines on sexual harassment and plans to formulate official policies to deal with complaints of a sexual nature.



The Lincoln's Inn awaits a new paint job.

RECORD Photo / Josh Freeman

Inn Living Color

By Lisa Zornberg

For members of the Lincoln's Inn Society, last spring's decision to repaint the exterior of their Follen Street residence has turned into a lesson in architecture, a test of patience, and one more rendezvous with Cambridge city politics, this time the Cambridge Historical Commission.

Last April, after raising the requisite funds, the Inn contracted to have the house repainted a dark blue with light grey trim. "The hardest decision of all was for all the board members to agree on a color scheme," said Inn President Hank Fincher '94.

But in the five months that have since transpired, the board's plans still have not been realized. The city's repaving of Follen Street forced the Inn to delay the repainting until after the summer, and now the city's decision to rewire the street with underground electrical cables may extend that delay even longer.

Moreover, the Cambridge Historical Commission recently vetoed the Inn's choice of color. Situated smack in the middle of the Cambridge Historical District, the house that Inn members have called home since 1947 is under the strict patrol. The commission retains veto power over all exterior changes to homes in the area. And to receive the commission's approval, homes must be painted in the colors most favored at the time they were built.

This is not the first time the Inn has changed its agenda to fit the Cambridge bill of health. In 1992, in order to receive a certificate for use and occupancy, the Inn was required to make major internal renovations to bring the house up to Cambridge City Code standards.

A House With History

Inn members, in their efforts to comply with the commission's requirements, have learned a fair amount about the history of the roof over their heads.

please see INN, page 15

Alums Establish New Summer Fellowships

By Robert H. Liao

The HLS Association chapters of New York City, Northern California and Colorado are each sponsoring a new summer fellowship for students to work in traditional public interest organizations in the chapter's geographic area.

In attempting to involve alumni in the careers of students interested in public interest work, the new fellowships represent an expansion to the national level of a four-year-old program sponsored by the Connecticut chapter of the HLS Association. They are the brainchild of Stacy M. DeBroff, director of Office of Public Interest Advising, and Carl "Toby" Oxholm III '79, an active member of the HLS Association and a lawyer at the Philadelphia firm Hangle, Connolly, Epstein, Chicco, Foxman & Ewing.

The local chapters responded to a letter sent last summer by HLS Association President Wesley Williams '67 on behalf of OPIA to alumni associations across the country asking them to establish summer public-interest fellowships in their areas. The letter represented the first organized attempt by OPIA to tap the financial resources of the HLS Association chapters nationwide.

The response came quickly. Within a week, the New York City chapter called

OPIA with an offer to establish a fellowship. "We were really surprised and delighted at the response and quick turnaround time," said Kathleen D. Reich, associate at OPIA. Soon after, Colorado and Northern California also established fellowships. OPIA is still waiting to hear from other chapters and is sending follow-up letters.

"We are taking a long term view with this program," said Reich. "We hope that all the chapters will participate eventually and at least make a contribution to our public-interest funding program."

Reich seemed confident other chapters would participate and predicted that student interest in the programs already established would help move them. "If the chapters are inundated with student responses, they will know that this is a terrific program that should be continued," she said.

Although approximately 75 other public-interest fellowships are given out each year, many students are wait-listed and ultimately do not receive funding. These HLS Association fellowships give students another avenue by which to seek funding.

The HLS Association fellowships differ from other fellowships administered by Harvard Law School in that students

please see FELLOWSHIPS, page 6

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The Inter-eruptions of History

The Volcano Lover

By Susan Sontag

New York: Anchor, 1992

419 pp. \$12.00/paper

By Mike Fischer '95

Book Review Editor



ON the surface, Susan Sontag's latest and most ambitious foray into fiction is yet another potboiling rendition of the novel's favorite theme: the love triangle. Coupled with Sontag's relentless and penetrating intelligence — honed by over three decades as one of this country's few accomplished essayists and even fewer genuine intellectuals — and *The Volcano Lover* emerges as one of those rare novels that provoke and haunt you forever.

Set in the late eighteenth century in Naples, *The Volcano Lover* tells the story of one of the most famous trios in history. Sir William Hamilton, childhood playmate of George III and Britain's ambassador to the Bourbon court at Naples, was a renowned collector and naturalist whose letters on the then-erupting Vesuvius captivated Europe. When he married Emma Hart, his second wife and half his age, she was nearing the pinnacle of her meteoric ascent from prostitution on the streets of London to a stint as the most celebrated beauty of the age. Her lover, Admiral Horatio Nelson, would soon be the hero of the Battle of Trafalgar, which saved Britain from Bonaparte but cost Nelson his life.

As the novel begins, Hamilton's cavalcade — replete with 47 trunks — is returning to Naples after his first leave home. Interested in everything but engaging nothing, his gratification requires that he maintain the proper distance from himself and his passions. His primary passion is collecting — "a species," the narrator notes, "of insatiable desire, a Don Juanism of objects." An apt representative of the rising Empire he serves, Hamilton's collecting mania is insatiable. He not only collects priceless artifacts and rare paintings, but exotic animals, picturesque experiences, and people — all meticulously classified and reduced to a list.

Hamilton's most famous possession — and the one for which he would be best remembered — is his wife Emma. While he observes and catalogues the world that he wants to control but refuses to enter, Emma — passionate and vulgar, generous and excessive, intelligent and uncultured — displays a zest for life and an overwhelming urge to awaken those "so easily satisfied" with their lives into an awareness of "how glorious this existence was."

Passed all her life from man to man and keenly aware that she must please them to survive, she shapes her enthusiasms and her energies to the interests of the man of the moment. "Had her nationality been different," notes Eleonora Pimentel, the Neapolitan revolutionary whose monologue closes the book, Emma Hamilton might have teamed up with a French revolutionary and died a Jacobin heroine who "ended most courageously at the foot of some gallows."

But Emma Hamilton was British and, for seven years, the lover of the warrior who led the forces of counter-revolution. A man of "preposterous ambition" and outrageous vanity, Nelson not only saved Britain, but also presided over the murder of many of Naples' gentry and most of its intelligentsia, partisans all of the short-lived Neapolitan republic which he had crushed. History would assign Emma, another Cleopatra undoing another Antony, a large share of the blame. No wonder, the narrator archly points out: "Letting the woman, or women, in the story take the rap is a resourceful way of occluding the full coherence as politics of what was decreed."

Such narrative asides punctuate the entire book and, as Sontag's story picks up steam, increasingly develop from pithy aphorisms into sustained meditations on the environment, revolution, genius, art, the meaning of history, and religion. But to even describe Sontag's interventions in this way suggests that they are somehow pasted onto the plot by a consummate essayist who has forgotten that she is supposed to be writing a novel.

Instead, *The Volcano Lover* throws up for grabs just what it means to write a novel — or, for that matter, just what a novel is. Dubbed a romance in the subtitle, it has no heroes or heroines; the three main characters have too many faults for that. Radically skeptical, it nevertheless resists the cynicism of a postmodernism that proclaims its nihilism in an increasingly bored voice rather than searching for answers. Formally realist, its frequent lurches away from the story threaten to undercut the whole idea of "the" story. Indulgently philosophical, its plot nonetheless rushes at breathtaking, page-turning speed toward a dramatic ending.

Or should I say endings? All of the novel's conflicting possibilities culminate in a masterfully crafted final section in which Sontag presents four confessions from beyond the grave: From Hamilton's first wife, Catherine; Emma's mother; Emma herself; and Eleonora Pimentel, Minister of Propaganda and the sole female official in the short-lived Neapolitan Republic.

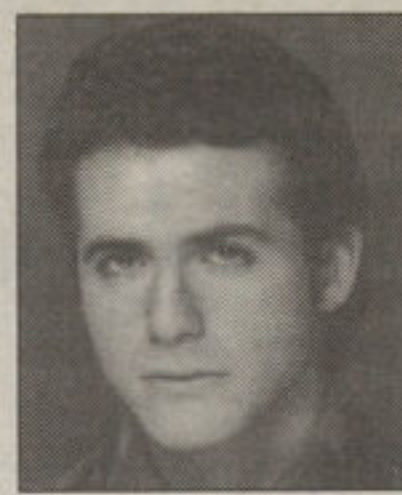
Death gives all four women the luxury of an honesty — especially concerning how they think about men — that they could rarely afford when they lived. But even as we see similarities in what and how they suffered as women, sisterhood is not powerful enough to overcome other allegiances that divide: There are just too many differences of religion and class, of intelligence and temperament. There are just too many times when, as Pimentel finally admits to herself, "I had to forget that I was a woman to accomplish the best of which I was capable." "Thus," she continues, "do all women, including the author of this book."

This is vintage Sontag: Having remorselessly refused all others' claims on truth, she turns on herself, undercutting her own authority by acknowledging that she too must struggle from within history. Hamilton's distinctly male illusions notwithstanding, Sontag reminds us that there is no truth about the world that can be mastered from outside it. As she stated in a famous interview in 1975, such pretensions to knowledge imply a contempt for intelligence. And "not surprisingly," she continued, such "a contempt for intelligence goes with the contempt for history" and its inherent ambiguities, its countless possibilities. Ultimately, *The Volcano Lover* reminds us, history is not a force waiting to be discovered, but choices which we ourselves must create and make — in how we live, and in how we read.

Arms and the Man I Sing

By Rob Rader '94

RECORD Columnist



If action movies were animals, "The Fugitive" would be a giraffe. It has a long neck, a strangely-mottled hide, two bumps on the head, and an excitingly-powerful tongue. I enjoyed the movie so much, I went to see it twice — first, to see it; second, to see it again. Both times, it turned out the same. Beware, here is where I give away the ending: She's a guy.

I highly recommend this flick. It's pretty darn exciting, rivaling a column in the RECORD for sheer entertainment value. Andrew Davis' direction is fast-paced and Tommie Lee Jones may win

Furthermore, not only does the one-armed guy forget to bring a murder weapon, but both Dr. and Mrs. Kimball nearly kick the crap out of him.

Before the one-armed man finally shoots her and brutally clubs her to death, Mrs. Kimball almost beats

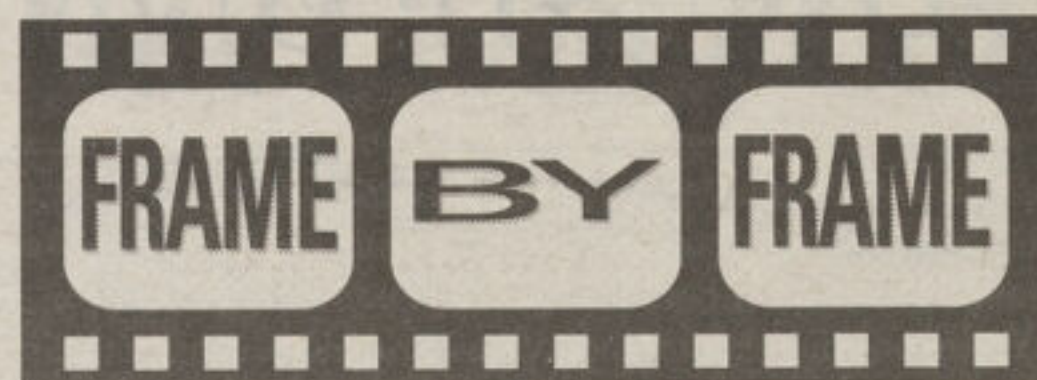
him up (sure, let the one-armed guy get beat up by the "victim"). Then, Dr. Kimball overpowers his "surprise" attacker, rips his prosthetic arm out of the socket, and throws him down a staircase. Very stereotypical. This merely perpetuates society's biases about one-armed people not being good murderers. I'm sure one-armed people are just as good at killing as those of us with two arms. Isn't it time

our so-called liberal society recognized all persons on the basis of their individual skills and not class amputees as poor criminals merely because they are unarmed.

The makers of this film consistently treat

amputees as less-than-people. With the recent passage of the Americans with Disabilities Act, I thought we'd seen the last of this sort of movie. But, for once, I was wrong. In "The Fugitive," not only does the one-armed man single-handedly frame Dr. Kimball for the murder of his wife to get the plot rolling, but also escapes detection by the police handily.

"The Fugitive" is a prime example of what I call the "Captain Hook" Syndrome: Let the evil within manifest itself via physical deformity. (In recent years, there



the Grammy for his portrayal of US Marshal Gerard. As usual, Harrison Ford is solid as Dr. Richard Kimball, while Carrie Fisher is Princess Leia Organa. Interestingly, this movie reminds me of a play I saw, "Les Misérables," but without the songs. It also bears an uncanny resemblance to an old TV show that even had the same name, "The Fugitive." In all of these, one guy chases another guy. Unfortunately, this otherwise fine and wholesome family movie is ruined by one ugly blemish: the villain. Of course, most

**I highly recommend this flick.
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entertainment value.**

movies are marred by a villain. What I'm talking about, however, is "The Fugitive's" choice of villain.

Isn't it typical for Hollywood to have a one-armed man as the villain? Why must Hollywood type one-armed persons as murderous, corrupt ex-cops? How much more clichéd can you be than having a "one-armed bandit" as your villain? Just like "The Silence of the Lambs" and "Basic Instinct" used homosexuals and bisexuals as villains, "The Fugitive" deprecates amputees. It's time we put a halt to this and hand amputees the respect they deserve.

Sure, you might think it's amusing to poke fun at people without arms, but I don't. (I suppose you also find it amusing that Dr. Kimball spent the whole movie running from the "long arm of the law.") "The Fugitive," however, heaps symbolic insult upon actual injury, for not only is the one-armed man a murderer; he's an incompetent murderer. He was supposed to murder Dr. Kimball, not his wife.

has been a counter-trend: "The Elephant Man," "Mask," and "The Man without a Face," starring Mel Gibson, the Man without Acting Talent — but with a Nice Butt.) Just like the biblical mark of Cain, having one arm apparently means you are disfavored by God. I suppose the converse is also true, more arms being a sign of virtue. Next year, heroes will no doubt have three arms, and the year after that, four. When will this arms race end?

I must admit, in some sense, by focusing attention on amputees at all, the makers of "The Fugitive" have paid them a left-handed compliment. But, amputees must be shown in their diversity as full members of society, not just as fall guys or villains. The time for such patronizing representations is past. And, when Hollywood abandons this outmoded attitude and adopts a more progressive portrayal towards amputees, I'm sure one-armed persons all over the world will applaud.

New Summer Fellowships

continued from FELLOWSHIPS, page 4

must apply directly to the various chapters, rather than through HLS's own lottery system. Additionally, funding will only be available for work with public defenders, prosecutors, and traditional public interest organizations like legal services or non-profits. Students obtain-

ing other jobs with governments, judges and public interest law firms are not eligible.

As applications are accepted on a rolling basis, students can maximize their chances by applying early. Those students interested in further information on how to apply should contact OPIA.

New York v. Boston: Sox Crash and Burn Again

By Bill O'Dowd '94

RECORD Columnist

Some things can only happen in New York. New Yorkers, of course, point to this fact with pride. Natives of the Big Apple cite Broadway, the Met, and countless options for fine dining as reasons for never wanting to leave their fair metropolis. The rest of the country simply shakes its head and ponders, "Why?" As in, why would anybody want to live in that zoo? Non-New Yorkers generally associate New York with crime, Joey Buttafuoco, more crime, Woody Allen, and even more crime. In fact, I wouldn't be surprised if most people believe New York City to be populated completely by neurotics with bad accents (like George on *Seinfeld*) and taxi drivers who don't speak English.

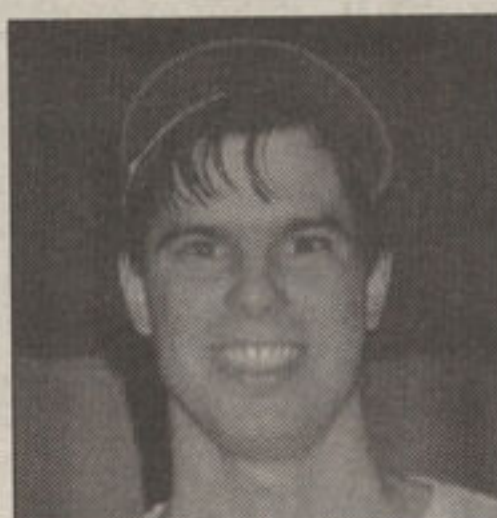
This "anything could happen and probably will" aura that surrounds New York has influenced several memorable moments in the world of sports. How 'bout Giants' quarterback Joe Pisarcik handing off to Larry Csonka on what should have been the last play of the game, only to see Csonka fumble, a Philadelphia Eagle defensive end scoop up the loose football and return it for a touchdown to win the game? And who could forget the "Mookie" ball that rolled through Bill Buckner's legs in game six of the World Series at Shea Stadium?

Now, attributing the Mets victory over Boston in the World Series to the "twilight zone" atmosphere of sports in New York may not be completely fair. I mean, some things can only happen to the Boston Red Sox. The Red Sox have been perennial also-rans since before the Great Depression. The year after their last championship, the Red Sox sold the rights to Babe Ruth to the New York Yankees. The resulting futility has been labeled the "Curse of the Bambino." And it's not as if the Red Sox help themselves. Stormin' Lou Gorman and the rest of the front office have assembled the finest collection of mediocre, everyday players in the league.

You don't agree? Ask even the most avid of baseball enthusiasts outside of Boston to name the Red Sox's starting shortstop. Or even anybody who's played the position this year! Bob Zupic, Scott Cooper, Tim Lincecum, John Valentin. You have to admit, none of the above are exactly household names.

Only with this background could the events of a week ago be explained. The setting was venerable Yankee Stadium. Locals simply refer to the place as the Bronx Zoo. About five years ago a guy bungee jumped without the cord from the upper deck and landed on the net above the backstop behind home plate. Fans have been known to throw pennies and batteries at opposing players in important games. But on this day fan participation took on a whole new meaning.

The Red Sox were in New York to play the Yankees. Leading 3-1, the Red Sox got two quick outs in the bottom of the ninth. Reliever Greg Harris looked to be sharp. Yet, as only they are capable, the Red Sox were able to snatch defeat from the jaws of victory. Harris hit the next batter, Mike Gallego, on a 2-1 count. Then it got weird. Yankee catcher Mike Stanley popped up to short left. Mike Greenwell caught the ball. Third out. Game over. No, wait. The third base umpire had called time. A teen-aged fan had run onto the field as Harris was entering his wind-up. The pitch did not count. As we used to say in pee-wee league, it was a do-over. The rest was a Hollywood ending. On the very next pitch, Stanley singled to left. Wade Boggs singled to the hole behind second (doesn't that one sting, Sox fans?), bringing home Gallego. Dion James walked. That left the bases loaded for the Yankee captain, Donnie (Baseball) Mattingly. With his team down by a run, Mattingly smoked a single to right driving home two. Yankees win 4-3. Absolutely, positively the most exciting finish I've ever seen to a baseball game simply because I couldn't believe it was happening. Only in New York. Only to the Red Sox.



The Red Sox have been perennial also-rans since before the Great Depression.

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The Partial Debate

Professor Donald Trautman, an expert on subjects such as Admiralty and Conflict of Laws, died last Saturday. His passing is a great loss to the HLS community, but also raises the question of how we are to fill the gap now left in the faculty. If, as Dean Clark declared last week, we should "think big" about appointments this year, we should also prepare ourselves for the turmoil that seems inevitably to accompany every appointment debate.

Yet among the first thoughts that comes to my mind is, do we really need someone new to teach seemingly obscure backwaters of the law such as Admiralty?

As important as *who* will teach us is the question of *what* they will teach, and a sober look at what is being taught at Harvard Law School is deeply troubling. We have legions of jurisprudence scholars, but hardly anyone to teach environmental law and intellectual property, two of the most significant and rapidly growing areas of contemporary legal practice and analysis. In fact, even in such "traditional" areas as bankruptcy we have to depend every year on visiting professors. And while Admiralty is still important — I worked this summer on a small Admiralty case you may have heard of involving a boat called the *Exxon Valdez* — the point is not that we should reflexively jump at the latest fad in the law, but that we should be alarmed when classes in now-mature areas of scholarship and practice, such as environmental law and bankruptcy, are so underrepresented in our booklet of course offerings.

What is the cause of this strange imbalance? We have, it seems, a stunted or *partial* debate about faculty appointments. One side thinks about "scholarship," traditionally defined, while the other focuses solely on tearing down the white-male ivory tower of the Law School. It's like having two people in a room, each standing with one arm behind their back, trying to make the sound of one hand clapping.

But excellence is neither static nor indeterminate, and both sides of the partial debate would be wise to pay heed to the other. Harvard Law School is great, as a scholarly institution, because, over the years, it has been able to change as the law has changed while still demanding that its faculty be the very finest in the country.

Few conservatives can deny that HLS's intellectual character, as well as its reputation as a source of vital and new legal ideas, has been enriched by Duncan Kennedy, Roberto Unger, and other leaders of the Critical Legal Studies movement. Similarly, Critics must recognize that the prestige of HLS has grown with the presence of Law and Economics gurus such as Steven Shavell. More significant, the loosening of the white-male stranglehold on the faculty has brought with it leaders of important and developing areas of legal scholarship. We cannot ignore the impact of Martha Minow, Martha Field, and others on our stature in the field of family law, or of Randall Kennedy and others on our leadership in Critical Race Theory.

Of course, the fit is not absolute; there is a diversity of perspectives within both dominant and marginalized groups. But the larger pattern is undeniable. Over the course of time, diversifying the faculty will inevitably help restore our preeminence in the exciting and essential developing areas of legal scholarship. And, just as important, a true emphasis on cultivating scholarship in significant areas of the law will inexorably lead to greater diversity.

As the next round of appointments approaches, the two halves of the partial debate must be unified. The faculty and administrators of the Law School need to focus once again on the simple criterion of *excellence*, broadly understood as what is provocative, intelligent, and ultimately useful to the community of legal students, scholars, and practitioners. Professor Trautman, after all, was not only an aficionado of Admiralty, but a leader in the novel area of using computers in legal education.

If this is to be the greatest law school in the world — or even merely a healthy one — we must stay in touch with both old and new, both substance and identity. Let's put both hands together, and clap.

—Kevin Werbach

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Printing By The Harvard Crimson

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

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

Submissions may be sent to The RECORD at the above noted address, dropped in the RECORD box located in Harkness Commons, or left in the 3L Hark box of Lisa Zornberg. All copy must be typed, double-spaced, and submitted on paper and on a computer disk (Macintosh or IBM). The RECORD reads and appreciates every letter we receive; we reserve the right to edit letters for space as necessary. We will return your disks. Off-campus subscriptions are available. Subscription price: \$30.00 year mailed; \$35.00 year mailed outside U.S. Individual copies: 35 cents at newsstands, 50 cents at the Law School, \$1.00 mailed, \$2.50 for back issues and reprints. Second-class postage paid at Boston, MA and additional mailing offices.

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Letters

We Need a Stage to Stand On

As Drama Society President, I have gained a reputation for writing funny, satiric letters to the *RECORD* (well, at least satiric). Unfortunately, this letter does not contain such levity. I am writing now about a matter that threatens the functioning of the Drama Society: namely, the extreme difficulty of scheduling rooms on this campus.

Already this semester we were almost displaced by the Ames Moot Court Finals dinner and reception in the Ropes-Gray and John Chipman Gray rooms so that we would be unable to present our fall musical, *Pippin*. As it stands, we have reached a tenuous compromise with the administration wherein we must clear out all of our portable production materials before the dinner, lose our final dress rehearsal night, relocate our belongings, prepare for opening night as soon as possible after the reception, present our show on Friday, Saturday, and Sunday (as opposed to our usual schedule of Thursday, Friday, and Saturday), and strike the set and clear out the rooms by early Monday morning.

Additionally, a similar arrangement may have to be made for the spring, when our traditional, highly-attended musical parody is slated to run, because of another group's desire to use Ropes-Gray for their function. Scheduling problems have also led us to move our fall drama to the spring and therefore to cancel our fourth scheduled show. And we face the prospect of having only four and a half weeks to put *Pippin* together, since the earliest we can have auditions in Ropes-Gray is at the beginning of October.

The Drama Society generally makes only enough money from ticket receipts and our grant from the Law School to break even. We thus do not have sufficient resources to rent out other production sites. Moreover, even if we could perform elsewhere, our returns would undoubtedly be diminished since it is the convenience of being able to see our plays on campus which attracts much of our audience.

It is too late to rectify the situation this year, and we in the Drama Society are resolved to grit our teeth and

make the best of these bad circumstances. However, we beg of student groups and the administration alike: Please do not think of Ropes-Gray as the sole place to hold important events.

That there are more and more significant functions being held at the Law School is evident, and the increase in these events is certainly beneficial to the school. But we feel that the Drama Society and the mental well-being provided for students and faculty through our productions, not to mention the enthusiasm these productions engender among alumni groups who watch the shows or recordings of the shows, are equally important and beneficial. With the reported lack of a large auditorium or function room in the plans for the new Holmes Field Building, the scheduling crunch will by all accounts continue. We merely ask that the Drama Society not be crunched out of existence.

Susan E. Brooks '94,
President

Harvard Law School Drama
Society
September 20, 1993

Withdraw Policy is Unfair

This week, I joined the growing ranks of Harvard Law School students who have one or more WDs adorning their transcripts. WD is the Registrar's administrative notation for "Withdrew after Deadline," and a student will get one by failing to drop an oversubscribed course by the end of the first meeting of that course. In my case, the WD resulted from the misfortune of wait listing for one oversubscribed class that happens to meet at the same time as another in which I was already enrolled. In order to add the new class, to which I was admitted *after* the drop deadline, I had to take a WD for the old one, because it was already too late to drop it.

I spoke to the Registrar about the injustice of the WD rule as it applied to me and about the merits of that policy more generally. I was told that it is a "hard and fast rule" that is strictly enforced in all cases, that it makes sense from the student's, as well as the administrator's perspective, and that in any case it is

no big deal, because no one will ever care if I have a WD on my transcript. Despite the Registrar's defense of WDs, however, I maintain that the rule warrants serious reconsideration.

Although the prospect of a WD encourages students to drop oversubscribed courses early, and therefore to make room for others, it also penalizes students through no fault of their own. The Registrar's position is that there is no real penalty exacted by the WD, because students should not be choosing *among* courses. They should be deciding whether they will keep or drop each individual class on its own merits. So much for education being a consumer good that we students are purchasing. When buying a car, would one forego comparison shopping?

In addition, says the Registrar, a WD is not really a penalty, because employers don't care if Harvard students have them on their transcript — unless, of course, there happen to be too many. Let

me get this straight, then. The Registrar's office imposes a penalty on students to deter them from holding on to courses too long, but it's not really a penalty since employers don't care anyway. Is it a penalty or isn't it?

Finally, the Registrar argues that a WD is not a penalty for students, because *students* were the ones who voted for it on the administrative board. This is indeed curious, considering that students are also the ones who may some day have to answer the awkward question from a potential employer as to why there is a course on their transcripts without any grade. In addition, everyone I know thinks the rule is terrible. Where are the students who voted for it? If, in fact, students are the ones who consented to the WD rule, then the solution should be simple: students should simply withdraw their consent.

David Gottlieb '94
September 15, 1993

CORRECTION

In our Brief last week about the Holmes Field Building construction worker who exposed himself to two students last Spring, we erroneously reported that the worker was convicted by a jury. He in fact plead guilty.

The RECORD regrets this error.

The RECORD welcomes your letters, epistles, missives, scribbles, confessions, course outlines, doodles, balls of string, floating pen collections, and other bric-a-brac. Submissions should be no more than 500 words, and provided in both hard copy and IBM or Mac disk to Lisa Zornberg's 3L Hark Box.

Justice After Peace

By Alan Dershowitz

WHENEVER PEACE BREAKS OUT between former enemies, there are always lingering problems of justice and accountability. After the fall of the Berlin Wall, the newly-united German government prosecuted former East German spies for activities that were legal under East German law but criminal under West German law. Following the end of Communist rule in Russia, some old line Communists were prosecuted for the attempted coup against Gorbachev. Other examples are legion.

Now that Israel and the PLO have agreed to give peace a chance, there are certain to be monumental problems of justice and accountability.

Consider what will happen the first time an Israeli mother whose baby was among the 21 children murdered by PLO terrorists at Maalot spots her baby's killer honored at a reception in Jericho. Under Israeli law, there is no statute of limitations for murder, and a terrorist killing of a child is murder under the law of all civilized society.

How should Israel deal with those who killed its civilians during the Intifada? Indeed, how should the United States now deal with PLO terrorists who killed our citizens? Several United States citizens, including at least one diplomat, one congressional aide, a photographer, an old man in a wheelchair, and others, were murdered by PLO terrorists.

Even Yasir Arafat, who was honored at the White House, gave the specific order — which was surreptitiously tape-recorded by US intelligence — to murder an American diplomat in the Sudan back in 1973.

On the other side of the ledger is the fact that Israeli agents have killed PLO terrorists. For example, there can be little doubt that the assassination of Abu Jihad — whose wife and children were spared — in Tunis in 1988 was the work of the Mossad. Although there is no moral comparison between the deliberate random killing of innocent children, and the retaliatory killing of guilty terrorists, still what Israel did was certainly against the law of the countries in which the acts took place. There will be demands by Palestinians to punish the Israelis responsible for the deaths of their loved ones. There are also likely to be demands for punishment against Israeli soldiers whose bombs were directed against military targets but accidentally killed civilians — though this, too, is morally distinguishable from specifically targeting innocent civilians.

**Turning swords
into plowshares
does not require
forgiveness of all
past atrocities, lest
they be encouraged
for the future.**

Is the correct policy to forgive all past crimes? Would that trivialize the lives of those who were murdered and encourage others to murder civilians? Would prosecution only renew the battle, this time in the courts of law? If there is to be an amnesty, should it be applied as well to terrorists who have been convicted of past crimes and are still serving in the Israeli prisons? What about spies, such as Jonathan Pollard, who are in American prisons for crimes committed during the state of war between Israel and the PLO? Would it be fair to give amnesty to

murderers and not to spies?

These are the kinds of questions all civilized nations must confront as they move from war to peace. Turning swords into plowshares does not require forgiveness of

all past atrocities, lest they be encouraged for the future.

Indeed the entire manner by which the PLO achieved international recognition and status — particularly in years past — serves as a dangerous model for other aggrieved groups, of which there are many. The model is one of random terrorism and violence, which was rewarded by the United Nations, many European countries, and many leading intellectuals.

I favor the current movement toward peace in the Mid-East, but I worry that by too easily forgiving the past we are endangering the future. There are no easy answers. But still the question of justice must be asked. The great philosopher Immanuel Kant once wrote that if an island society

were disbanding forever, it should not leave even a single murderer unpunished. Perhaps that Kantian view is too draconian for the modern mind. But perhaps the easy resort to total amnesty for the most heinous of crimes is a bit too forgiving even for today's more situational morality.

An appropriate line might be to grant amnesty for military actions against legitimate targets, but not for deliberate acts of terrorism against innocent civilians. Thus, all PLO guerrillas who killed Israeli soldiers would be pardoned, as would all Israeli soldiers who targeted military personnel or PLO terrorists. But PLO terrorists who murdered innocent women, children and other civilians would still be subject to punishment. So too would Israelis — settlers and soldiers — who deliberately murdered innocent Palestinian civilians. (Israel, of course, has already punished many of the settlers and soldiers for their criminal conduct, but the PLO has not punished its terrorists.)

Some such distinctions are essential if the demands of simple justice are not to be ignored in the euphoria of potential peace.

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How I Spent my Summer Vacation

By Debra Dickerson '95

RECORD Columnist

EVEN though I've spent a significant amount of time traveling in the Third World, I must admit to some hesitance as my first real trip to New York loomed back in June.

My Air Force Assignment Preference Sheet (a.k.a. Dream Sheet) specified my preference for the Third World and contained the following addendum: "Anyplace overseas is better than anyplace stateside." I moved to Turkey and South Korea with no trepidation (mind you, these are places where I do NOT blend in). Against State Department counsel, I traveled through what used to be Yugoslavia as it was unraveling and partied with armed rebel soldiers on a mountaintop I won't say where. But a summer in New York had to be forced on me by the terms of a scholarship.

Since I've always suspected I'd die senselessly and without dignity, I figured it was better to do so in an exotic land rather than on a subway platform at 2 AM. Shot by a mega-loser named Gangsta Leroy wearing pants so baggy as to personally acquaint me with the Fruit of the Loom guys as I went toward the light. Death by a mob of chanting natives whose natural resources we'd been systematically siphoning off just seemed somehow romantic. But shot while ordering a Happy Meal? Because I just had to hit 7-11 at 2 am for pork rinds and a TV Guide? I wasn't interested.

If I'm to die meaninglessly, at least let it make the cool crowd in high school envy my obituary. Let them covet my glorious demise as they dust off their community college degrees while their brains atrophy back in St. Louis. Those that didn't drown in the flood. How come you never invited me to the parties? I wanted to smoke dope, you just never passed it to me. And why did you keep setting my locker on fire? I got everyone's homework in on time. And . . .

Where was I? Oh yeah.

When my cab stopped in the Village, I thought the driver was dropping me off at the world's only open-air psychiatric ward. People and cars were everywhere, the noise was deafening, and everyone but me seemed to know there was a costume party going on. Just a typical Friday night in the West Village, but it looked like Kafka to me.

Startling as New York was, I must say I adapted quickly. One of the most important lessons was: NEVER BREAK STRIDE. No matter what anyone says, does, asks, offers or shows you, keep moving; it's much harder to hit a moving target.

Within a matter of days, I was stepping over inert bodies in the crosswalk and feeling only annoyance. Rather than naively checking for a pulse and getting anesthetized by MD-20-20 breath, I quickly learned to just step wide and briskly so as to save my shoes. (Street people tend to be bleeders.) Shock and surprise were emotions I've had to re-teach myself since leaving New York. I'd just have had to continue being shocked and surprised block after block and it got to be pretty wearing. So I learned to just take it all in at face value and deal with it later.

Some of it, though, was truly entertaining.

I came out of my building one morning to find a shaggy-type street guy doing a headstand against the wall. He was smoking a cigarette upside down (no hands, mind you) and playing Stairway to Heaven extremely well on a 12-string guitar. Ten points for creativity and \$2 to put towards that heroin score, that's what he got. Now I look at the suburbo-brats in the Square with their blue hair, nose rings, and expensive leather jackets and despise them for their lack of imagination. Ain't they just too daring?

Despite my initial hesitance, I came to appreciate New York and to understand its personality. It has

everything. Beautiful neighborhoods and sprawling ghettos. Incredible art and crass consumerism passing as art. The city is truly the crossroads of the modern world and, being such, unable to incorporate the good without the bad. New York, I finally understood, is a world-class city with Touret's syndrome. It suddenly and inexplicably spews forth its lost souls like a prize-show dog suddenly coughing up bones on her master's expensive Persian rug.

In the middle of a beautiful, stately crowd of the beautiful people in an expensive restaurant on the

upper East side, a lunatic homeless guy, shaggy as Cro-Magnon man, exploded onto the exquisitely-buffed hard-wood floors. Raving about X-rays and his subsequent inability to evacuate his bowels, he went earnestly from table to table, a big wet spot on the front of his pants, ashen teeth like rocks removed and replaced at random, trying frantically to make himself

understood. He actually put it in that formal way — "evacuate my bowels."

There was a table of those super-skinny women, all dressed in white, size-one, lace mini-dresses. You knew dinner wouldn't be in their stomachs long. They were orbiting a man who was not at all skinny and spent the entire meal yelling into a cellular phone with his mouth full. Cro-Magnon man headed toward them, arms outstretched. One of the Skinny Ones flicked her napkin at him emotionlessly, as if he were a fly. Immediately, he veered toward me, eyes alight. "Black folks got to help me," he implored. "White folks don't know, they just don't know about the bowels."

But I was at a loss. I didn't know either. The staff hustled him out matter of factly and I was the only one who seemed to think something unusual had just happened. He must have had a point at one time, but what was it?

I've always suspected I'd die senselessly and without dignity.

Fenno

Fenno went to the Legal Drive-In on Route 128, settled back in the bucket seat of his white 1987 Acura, and watched the show.

"The name's Cave. **Bryan Cave**. I'm a P.C. A private detective. I remember the cold and rainy night when the clock **strook** nine. I had been sitting all day on my **akin gump**, and I was looking for some excitement.

Then she walked in. She flashed her **Hazel** eyes at me and said: "Let's not **mintz** words. I'm **Murtha Cullina**, the famous heiress. My uncles, **Lord Day** and **Lord Barrett Smith**, bequeathed a fortune to me. But my brother **Gotshal** is trying to kill me to get the riches. He's already **stoll** and **stoll** by manipulating the executor. You've got to help me, Bryan."

I looked into her eyes and had to agree that I had never seen a **battle fowler**. Surely I would help this damsel in distress. But I had to admit to myself that her **luce**, **forward** manner made me want to **piper**.

So the next morning I headed down to the ranch, which her brother owned, just to see if the **MoFo** was up to any mischief. I pumped up some old Billy **Squire** on 93.3 **Kutak Rock**, and went **skadden** all over the highway.

When I got to the ranch, I **preston gates**, but I couldn't get in. So I bribed the **Gardner** and hid in the bushes. I looked through the window and saw a horrible scene: Murtha was tied up in **ropes** and **gray flannel suit remnants**, **weil Gotshal** was standing before her, with the **butler rubin** against her.

"Release your **grippo** her, you fiendish **gunster**," I shouted, surveying the **Gammage**.

"**Obermayer** dead body," the villain said, "I'm going to get that money come **Heller** high water."

As he reached for his **saiber**, I broke through the picture window and **Murtha** and I leapt out. We ran through the **Woods, Rogers & Hazlegrove**, picking our way through the dense foliage, until **Murtha** fell into a deep **Cravath**. But her brother had caught up to me, and trapped me in a **half-nelson**. When he reached for his knife, I had to **popham**.

He was lying in a **poole** of blood, and it made me feel like John Wayne, **Orrick** in **Casablanca**. Like a cross between **Bronson & McKinnon**, I had both taken revenge and defended the rights of women.

And what a woman — I had never admired anyone's **buist moore**. After I managed to pull her out of the **blackwell**, I had to **sheppard** her to a local bar, **mullin** over what I would do next. I ordered some **strasburger** and decided to **testa herwitz**. "Riddell me this: who's the real executor, baby? **Hill wynne** in the end."

At first she seemed evasive, arranging the four beers into a perfect **beveridge diamond**. Then I found out she'd **szold** me down the river. "Stop being such a **Liddell Sapp**, Bryan. I'm the executor."

"Ah, so **thatcher proffit**," I thought. But she was already nibbling on my **Loeb**, and it turned me into a **Wildman**. My **johnson** began to **steptoe** and turned into a **steel hector**.

She undid my pants, and touched my **fried frank**. Then we **shook hardy**, and **bacon** we were makin'.

Feeney.

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Prof. Trautman Dies at 69

continued from TRAUTMAN, page 1

was important but which no one wanted to teach."

Trautman bridged two eras in American legal education: He addressed post-WWII conflict of laws issues and later pioneered computer-assisted learning. Trautman revolutionized the use of computers in legal education, co-founding C. A. L. I. (Center for Computer Assisted Legal Instruction) in 1982 with Russell Burris, a law professor at the University of Minnesota. Later Trautman served as faculty adviser to the Law School's Education Technology Department, which produces legal interactive video lessons for use by schools, industry, government, and law firms.

Colleagues from the Educational Technology Group characterized Trautman as nothing less than a visionary. "He liked to view himself as the Godfather of computing at HLS, and he certainly was," Scott Glanzman, director of the Educational Technology Department said.

John DeGolyer, who worked with him during the early days of the Educational Technology Project said, "He was the oldest 25-year-old I'd ever met: spirited, innovative, and willing to take on new challenges." DeGolyer said that while most of the systems they researched in the early eighties are now in commercial use, "at that point, they were just blue sky ideas. He supported what were then very risky ventures."

Glanzman observed that Trautman's love for computers was not confined to the office. "He made me jealous because he was always on the cutting edge of technology, even in choosing computers for his personal use," he said. "In fact, he was one of the first people I knew that had a compact portable — it weighed about 80 pounds. Once again, he ended up leaving me in the dust."

Despite all his professional achievements, Trautman will most fondly be remembered as a warm individual who was concerned about others in all of his roles: a teacher, a father, and a friend.

Professor David Westfall '50 entered HLS with Trautman, and joined him on

the faculty in 1955. "He was a friend of mine for over 40 years," said Westfall. "He was a caring, concerned person who cared about helping people and making them feel comfortable."

Professor Von Mehren said Trautman will be missed acutely by the faculty. "He never had a contentious professorial personality, and he was not embroiled in campus politics," he said. "He was a person who had time and respect for many points of view, and he was very tolerant of other positions."

Professor Donald Trautman's passing leaves over 100 students with scheduling changes.

Trautman's Admiralty course has been canceled. Students in Admiralty have been notified by the Registrar that they must make up the credits by adding courses to their schedule.

Professor David Herwitz '49 will teach Trautman's one-credit accounting course at its regularly scheduled time. Scott Glanzman, director of the Educational Technology Group, and Terry Martin, director of Langdell Library, will now teach Trautman's Educational Technology Seminar.

The Registrar has not yet determined whether Trautman's spring Conflict of Laws course will be taught, and if so, by whom.

Paul Wilson '95, a member of Trautman's Admiralty class this semester, said, "In the short time that I had him as a professor, I came to see him as one of the nicest people on the faculty. He was very responsive to student concerns, and wouldn't hold to a rigid class plan if student interests led in another direction."

While open-heart surgery prevented Trautman from teaching last year, he was an active man throughout his life. "He was a man with many interests: snorkeling, symphony, travel. He very much believed in living life to the fullest," said Westfall.

He especially loved swimming in Walden Pond. "I saw him there just last July, and he seemed all patched up and swimming fine," De Golyer said.

Trautman is survived by his wife Susanah Bailie; children William of Washington DC, Ann of New York City, and Benjamin of Berkeley; two grandchildren, Sarah and Alexander; and his beloved black Labrador retriever Sophie.

The burial will be private. Memorial services will be held Monday at Memorial Church.

HarkBox Cafe Gets Facelift

continued from CAFE, page 1

'95, one of the student managers, said "People seem happy with the variety of food available." Melissa Scholer '95, the other student manager, estimated that "we get about three times as many people as last year."

Beth Davidson, Gardner Merchant's director at HLS, said that "the Cafe has always been a student place, a place for people to hang out, and we've tried to keep that, and just to add things that the students couldn't do themselves."

Some students, however, miss the Cafe's old atmosphere. "It's not like a cafe anymore," lamented Paula Castaldo '94, who worked at the Cafe last year, "Now it's more like Store 24. It wouldn't be any fun to work there now." Kay Dickerson '95 appreciates "being able to get a quick sandwich," but echoes the views of many by saying, "The music's not as good as before."

Another common complaint targets the Cafe's cookies, previously baked in the Cafe and served right out of the oven and now prepared upstairs and stored in a

case in the Cafe. "When I used to walk by and smell them, I couldn't resist," recalled Kim Davis '95. "But now I don't even notice them."

For Davidson, the renovations have been a "tremendous success. We've sold a lot more Crimson Cards and the lines upstairs are a lot shorter." Scholer said she recognizes that "some people, especially 3Ls, are unhappy about the changes," but believes that "most people seem to like it."

Yahr thinks Gardner Merchant has been "very receptive to student input. They're trying to give students what they want, not to kick us out of the Cafe." Davidson said that "the Cafe is a place for students, and no one has any intention of changing that. We hope it remains a fun and social place."

Lamentea observed that the Cafe has been consistently busy, and that "more people are hanging out in the seating area" by the Hark boxes than before the changes. "Practically everybody I've talked to likes the new Cafe," Lamentea said. "There seems to have been a real demand for it."

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Controversy Over TAP

continued from TAP, page 1

TAP leadership is taking a more aggressive stance against critics like Walsh and what it perceives as direct attacks from SOAP.

"TAP has never opposed SOAP being formed," he said. "Landlords need representation as well as everyone else in society."

"TAP is a pro bono program, but SOAP is not. It uses a political message to hurt the tenants of Cambridge, whereas TAP is basically apolitical."

While some of TAP's work involves representing pro-tenant positions outside of the judicial forum, the organization is more interested in enforcing the law than changing it, Marks said.

Daniel Greenberg, director of the HLS Office of Clinical Programs, agreed that TAP's policy roles are incidental to representing its clients.

"I think Councilor Walsh and others mistake a clinical program with advocacy of the positions of those affected," he said.

"We are not interested in saying tenants are always right, any more than we would be in saying in the Prison Legal Assistance Program that prisoners are always right."

But SOAP is no less an organization devoted to pro bono representation of its clientele than TAP, and its policy advocacy is no greater than TAP's, said SOAP Chair Frank Iacono '95.

Both organizations have represented the interests of their respective clients before the Cambridge Rent Control Board, Iacono said.

"We do that, TAP does that — I don't think that makes either of us a political organization," he said.

Moreover, Iacono said, SOAP is not opposed to TAP's existence, and any disagreement between the two organizations is due to the fact that they represent people whose interests are opposed.

"If individual members of the community want to bash TAP that's their business, but we're not TAP bashers," he said. "We're about helping out the small property owners of this community."

In addition, SOAP is not envious of TAP's clinical status — and consequently, substantially greater Law School funding — despite Councilor Walsh's demand for equal treatment of the two groups, Iacono said.

"The Law School has been very good to us, and I'm totally confident that they will continue to be there with the funding as we grow," he said, adding, "TAP's bigger than we are, they're older than we are. Before we can even consider becoming a clinical program, we have a lot of growing to do."

SOAP did not have a hand in Councilor Walsh's initiatives and is not directly allied with him, Iacono said.

TAP enjoys clinical program oversight — and consequently, substantially greater Law School funding — because more students were interested in representing tenants than landlords when the program was formed, and it would be a conflict of interests to represent both landlords and tenants under one office, Greenberg said.

Par for the Course

By Marc Channick '94

Guest Columnist



I want to make one thing perfectly clear before we get started: This column will *not* be about golf. Much as I love the sport, I realize that many of you rank golf right up there with setting off firecrackers in your noses on the list of favored Sunday-afternoon activities. So, please bear with me — what you are about to read is only a segue. (If this were a real column about golf, the disclaimer you just read would have been followed by a lengthy discussion of chips, slices, and how to say things like "I think it opens up over there" with a straight face.)

Once again, controversy swirls around the Ryder Cup. For those of you who haven't been counting the days until this Super Bowl of golf, a quick explanation. Every two years, golfers from America and Europe compete for the honor of their countries in an event matched in intensity and drama only by the season premiere of "Baywatch." For me, the best thing about the Cup is that the players are required to wear team uniforms, and thus are foreclosed from subjecting us to their individual tastes in clothing, which appear to run toward colors and materials that originated somewhere outside this solar system.

The Cup being a matter of grave national importance, the US team traditionally is given a presidential send-off at the White House. However, this year tradition may be broken, because several of our boys have expressed displeasure with President Clinton. Paul "Guts and Glory" Azinger says his father, a Vietnam veteran, would never forgive him for shaking hands with a draft-dodger, while John "Shmuck of the Year" Cook has criticized Clinton's tax policy.

Cook was quoted over the weekend in the *Boston Globe* as saying, "this is just another example of taking money from people like me who work hard and make a lot, and giving it to people who don't give a damn."

All the material rewards we're being offered can operate to cloud our judgment about what is really best for us as people.

Now, correct me if I'm wrong, folks, but as I understand it, young Mister Cook makes close to a million dollars a year for doing what many of us pay good money for on the weekends (and Thursday afternoons, if we can figure out a way to bill it to "Office Administration"). Needless to say, I'm sure we all feel John's pain. And with his permission, I'll be taking him on a nationwide tour of public elementary schools, so that the teachers there can commiserate with him. Once again, that's C-O-O-K for those of you who want to send in your tax-deductible donations. You can make a difference, America.

OK, so up to this point the column *has* been about golf. But I do have a point, and it is this: Money does funny things to people. (While we're on the subject, I've also noticed that money makes people do funny things. For those of you who don't believe me, I have only four words: "Let's Make A Deal.") Most of all, money makes us lose our perspective.

For an illustration of this phenomenon, let's take a random example . . . namely, me. I worked at law firms this summer, and I didn't like it that much. I didn't like the hours. I didn't like the tedium. I didn't like wearing a tie. What I *did* like were the paychecks that came every two weeks. I won't say how much I made, but let's just say that I paid more in taxes this summer than I ever earned before in a year. I could get used to that kind of money.

In fact, my fear is that I, and a good number of you out there, already have. Given the choice between practicing law for all that money or going to do something else we enjoy more at a lower salary, we will choose the money. That scares me, and I hope it scares you. (Note to 1Ls: Ignore everything this man is saying. Law is a rewarding, fulfilling career, and HLS is the best place on earth to prepare for it. Love, DBC.)

The "golden handcuffs" start to tighten much earlier than I ever anticipated. I know, the prospect of my singing the blues to the tune of \$70,000 next year is likely to get me about as much sympathy as Cook's call for tax equity. I suppose I could go do public interest work to salve my conscience, but there are two major obstacles. First, it wouldn't really solve the problem, since there would still be the hours, the tedium, and the ties, just no money. Second, I'm still not really sure where the public interest office is.

In the end, I guess I'm just trying to point out that all the material rewards we're being offered can operate to cloud our judgment about what is really best for us as people. This is not to say that we can't beat the system and have it all — just that it's really easy to get seduced by the money and miss out on the other things (you know, friends, family, an absence of peptic ulcers).

As another year dawns here at HLS, let's all take a minute and decide what it is we really want for ourselves. For some, it's not even an issue: The money *is* important, either as a means to an end, or as an end in itself. For others, public interest is the way to go, and I admire them.

I would hope that some of those out there who are questioning their career choice (myself included) will pay heed to the anonymous philosopher who pointed out that "just 'cuz you live in the ocean, don't mean you're a fish." Just because you're trained to be a lawyer, you're not *required* to be one.

Above all, this is a personal decision, so don't come to me for help. I'll be in Mrs. Appleby's third-grade classroom, trying to pull seventeen pairs of safety scissors out of John Cook's chest.

Look for RECORD
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We will also be interviewing Harvard 2Ls and 3Ls on Friday, October 15, and would like to encourage all interested students to sign up to meet with our firm's representatives. Students who wish to learn more about our firm and are not available on this date should contact Irena McGrath, Director of Professional Services, Wiley, Rein & Fielding, 1776 K St. NW, Washington, D.C. 20006 (202) 429-7000, to make alternate arrangements.

HLS, Dalton Settle Suit

continued from DALTON, page 1

improving the legal services provided to battered women and their children, the parties have reached a settlement that HLS litigation counsel Joan Lukey called "manna from heaven." Lukey, a Hale & Dorr attorney who was retained to represent the Law School in the scheduled hearings, credited Dalton with conceiving the idea.

The institute will offer students from both universities clinical training and supervision in providing free legal services to the victims of domestic violence. The institute's creation will significantly expand the clinical program already piloted by Dalton at Northeastern.

"We are enthusiastic about this joint venture," said David Hall, LL.M. '85, SJD '88, dean of Northeastern Law School, in a prepared statement. "[It] will expand Northeastern's existing program in this area, enabling us to assist more victims and to train more advocates. Cooperative efforts of precisely this type enable both schools to contribute far more to the community than either could alone."

The schools hope to have the institute operating by the next academic year.

Keeping Faculty Wounds Closed

While Dean Clark '72 expressed satisfaction with the settlement, he affirmed Harvard's innocence in the suit, explaining that he wanted to avoid reagravating divisions in the faculty.

"I was pleased it worked out this way," Clark said, "although I was very confident that there was no gender discrimination, and that we would ultimate-

ly win." He added, "I didn't want the faculty to go through a media circus and a process that would open old wounds. Faculty relations, though not perfect, are much better now than in '86-'87."

Tuesday's settlement announcement evoked a sigh of relief from many on the faculty, according to Prof. Charles Ogletree '78. "While no one can be completely satisfied with the settlement because many of the critical issues were never publicly aired, I think the creation of an institute that will focus on domestic violence is a wonderful idea. It is also a long overdue partnership on clinical matters between Harvard Law School and Northeastern Law School," Ogletree said.

Prof. Todd Rakoff '75 also welcomed the settlement. "I'd much rather see money spent on doing something positive for students than fighting it out," he said.

Said Duncan Kennedy: "I believe the settlement is unprecedented in Harvard's history. Clare Dalton has been vindicated."

The parties were assisted in their settlement negotiations by Margaret Morrow, who, at the request of both parties, flew in from California to mediate the talks. Morrow is the incoming president of the California Bar Association.

Dalton, who has taken a two-year leave from Northeastern, is currently a visiting professor at American University in Washington, DC, where her husband, Robert Reich, serves as US secretary of labor. In a press release Dalton expressed "personal satisfaction" with the settlement. She could not be reached for further comment.



Clare Dalton

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Chicago, Illinois

A Dollar and a Dream

By David Weinstein '94

RECORD Columnist



Two hours' drive from the banks of the Charles River, the future is on display. In Eastern Connecticut, the world's first judicially-created city is being born. Amidst the real-estate signs that shout "development!" from every backroad sits a burgeoning complex of hotels, golf courses, parking lots and, the crown jewel, the Foxwoods Casino. Every weekend its adobe facade plays host to busloads of pensioners and vacationing hard-hats, ready to atone for their nation's sins with each silver dollar.

The centerpiece of the vast hall is an airplane hangar posing as a bingo parlor where, packed in like an old-fashioned revival meeting, the faithful finger their cards while a few small video screens speak the Word of mammon to the congregants. Next door, amidst the few waitresses in ersatz Indian costumes, row upon row of Middle America pours its savings into the coffers of the Pequot tribe. Welcome to the fastest growing industry in the United States.

Ever since the Supreme Court limited the right of states to regulate casino gambling on Indian reservations in 1987, one-armed bandits and blackjack tables have been the odd instruments of historical recompense to Native Americans. Reservations previously mired in unemployment and alcohol abuse have become small economic miracles. In their model an increasing number of mayors and governors believe they have found fiscal salvation. Washington, DC, Chicago, and New Orleans are only the first to consider whether the road to economic development is staffed by croupiers and card sharps. Riverboat casinos have sprung up throughout the South, while states across the country have discovered scarce education dollars in the pockets of compulsive lottery players, enticed by increasingly-higher stakes.

Far from demonstrating farsighted leadership, this headlong rush by state and local governments into the bookie business is hard evidence of today's culture of political cowardice. The hacks who staff our legislatures have little stomach to challenge their constituents' steadfast commitment to the free lunch of increased services without additional revenues. A lottery or the additional tax receipts earned from casino gambling suddenly provides a "voluntary" contribution to help foot the bill.

And who are the philanthropists who balance the books? As study after study has shown, it is the poor and working class who purchase their dreams in fifty-dollar increments at the convenience store every Friday. This practice of pouring scarce dollars into an almost sure loser, of risking one's savings on a quick roll of the dice rather than on a long-term investment, is actively abetted by our elected officials. California, New York, Florida, Illinois, and Virginia all shell out upwards of twenty million dollars a year in marketing campaigns designed to encourage false hopes among the desperate and to open the wallets of the frugal.

The advertising slogans used are enough to shame a congressman. The state of Illinois set up a billboard to explain to the residents of a poor Chicago neighborhood that the lottery was their "way out." A Spanish language poster in New York's subways helpfully pointed out that a few well chosen Lotto numbers could help their lucky holder "realize the American dream." Apparently, the more realistic slogan, "you have a greater chance of being struck by lightning," has been rejected by the state's fundraising mavens.

As for those cities that see their future in Foxlands, perhaps a quick glance at Atlantic City is in order. Since it turned to the blackjack table to reverse its fortunes, four mayors have left office amidst clouds of scandal. Crime and prostitution have increased, and much of the promised development-aid has disappeared into the pockets of casino moguls. Whatever jobs have been created will become increasingly elusive as the spread of legalized betting diminishes tourist dollars, making gambling a vice you can enjoy at home.

The movement to expand casino gambling and other forms of state-backed wagering is like a huge pyramid scheme. It will either collapse of its own weight or demand ever greater addictive behavior to feed its habit. When the bubble finally bursts, perhaps it will then be time for politicians to fund their programs honestly, rather than through regressive taxes driven by false hopes — hopes that the state has been only too happy to foster.

Lincoln's Inn Painting

continued from INN, page 4

Built at the turn of the 20th century, the Inn began its history as a boarding house. It was built in the French style, with the most distinctive architectural feature being its slanted Mansard roof. Fincher explained that in Paris at that time homeowner taxes were determined by the number of floors each house possessed. The Mansard roof, which "hides" the top floor beneath its slope, allowed Parisians to skimp on their taxes.

"It's appropriate that a social club for law students should be housed in a building design that was part of a tax avoidance scheme," Fincher quipped.

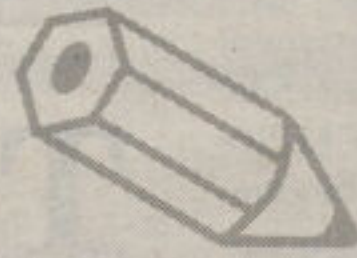
The practical consequence of this lesson in architectural history is that the Inn has agreed to repaint the house a light

gray with medium-dark grey siding, which the commission felt to be a more appropriate color scheme.

The HLS Building Committee experienced similar problems gaining approval for the Holmes Field Building in the Summer of 1992. According to Administrative Dean Sandra Coleman, the Law School agreed to move the construction site by approximately ten feet in response to concerns of the commission.

The commission's extreme seriousness in conducting its affairs is indicative not only of the historical significance of Cambridge edifices, but also of their high property value. Although Fincher could not disclose the estimated value of the Lincoln's Inn, he did note that another house on the street recently sold for \$1 million.

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