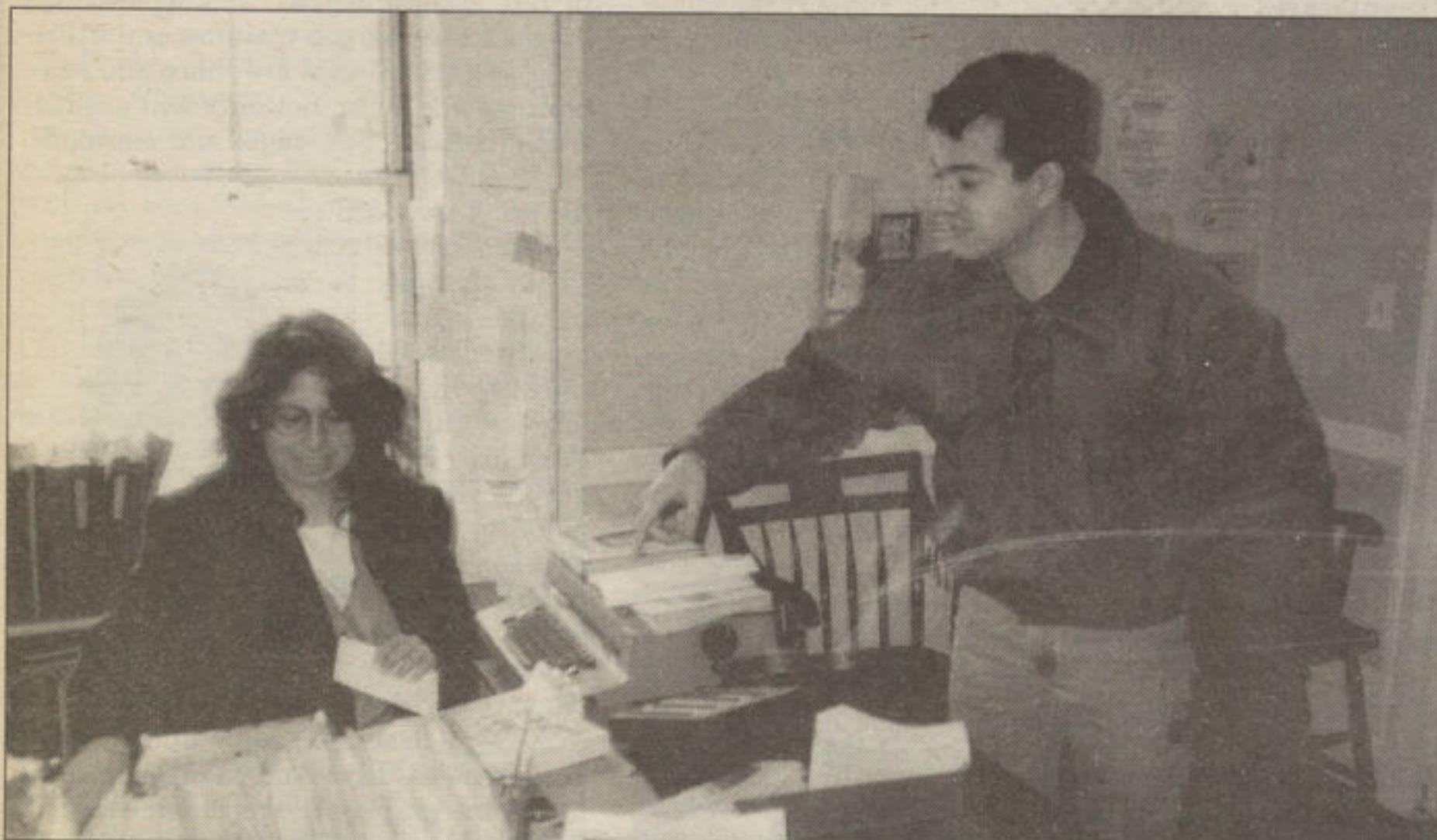




Diane Cardona '97 and Jorge Beltran '97 discuss the Harvard Legal Aid Bureau's caseload. RECORD Photo / M.J. Kelly

Law Days

For Beltran, Breakfast Awaits

By Matthew Kelly

This is the first in an occasional series documenting a different day in a life at HLS. Please note that all personal and place names relating to clients in the following piece have been changed.

8 a.m. Jorge Beltran '97 finishes breakfast in the kitchen and prepares for the day. The largest part of today, like every day, will go to his work at the Legal Aid Bureau. Despite the nominal 20-hour time commitment, most members of the Bureau put in many more hours working on their cases. For Beltran, recently elected president of the Bureau's board of directors, the commitment is even greater. It cuts into time for his classes, and it cuts into time with his wife, Sharon, who works evenings as a registered nurse. But for Beltran, balancing the competing demands is just another part of the challenge. While Sharon sleeps in the other room, he quietly gathers his papers and leaves.

8:50 a.m. The white clap-

board frame of Gannett House shines in the morning sun as Beltran arrives early for the monthly supervisors' meeting. Inside, it is still quiet. Mail is piled on the front desk and Harvard University Gazettes clutter an old Selectric typewriter. The reception area, which doubles as a waiting room, is lined with filing cabinets, boxes and empty chairs. Between two seats rests a carton of old toys, above which hangs a poster of a child's drawing that reads: "I have AIDS. Please hug me. I can't make you sick."

While Beltran waits for the supervisors to arrive, other members of the Bureau begin to trickle in. Fifty-five students work at the Bureau; each handles an average of five to six cases. Six private practitioners supervise the students' work. Legally responsible for all student work, the supervisors, like the students, nominally work on a part-time basis, but they routinely do more. The students divide the administrative work of the Bureau among themselves and take turns working the

"intake phones," the point of first contact between the Bureau and those seeking its help.

9:45 a.m. Two supervisors have not shown up. One who did asks Beltran what they should do. He hesitates before answering. Being both a student and nominal employer of the supervisors requires no small amount of tact. When first elected, he would have answered immediately with his opinion. Now he proceeds more cautiously: "What do you think we should do?"

10:10 a.m. The meeting scratched, Beltran makes it to class on time. Lecturer Virginia Wise expounds on boolean connectors and passive data retrieval. A Bureau member catches him after class and tells him that an emergency intake request requires a decision. Beltran also sits on the intake committee. The committee meets twice a week to screen all requests for assistance made to the Legal Aid Bureau. Emergencies generally involve

please see **BELTRAN**, page 2

Law Review Votes To Keep Grade-Based Selection

By Jaclyn Liu

Despite recommendations from its gender task force, the Harvard Law Review voted 47-21, with one abstention, to reject a proposal eliminating grades from the selection process at its meeting Monday.

"This proposal was the most controversial [among others presented], and it elicited the most debate," said Law Review President David Panton '97.

The task force was originally created by former president David Friedman '96 to investigate gender disparity on the Review after membership of women reached a record low this school year. Data from about 400 surveys distributed to 2Ls and 3Ls last October was combined with information from other law reviews about their selection process and gender ratios.

"People who wanted to eliminate grades focused on the gender disparity," Panton said. "People who wanted to keep the grades focused on three things. First, some Review members believed that there is insufficient and inconclusive data about gender bias in grades at Harvard."

"Second, these people believed that even if grades are biased, they serve other beneficial functions. Third, they believed grades at the present time do not play an overwhelming role in the selection process," said Panton.

According to Managing Editor Jenny Martinez '97, who favored the proposal, the vote did not fall along gender lines. "Men and women were on both sides of the issue," Martinez said.

The task force's findings revealed that a relatively high number of women compete for the

Review, a number which approximately matches the percentage of female students at HLS.

But significant gender disparity appears after the selection process. The task force concluded that the grades differential among male and female participants explains these findings. The average and median GPAs of women who applied to the Review and chose to reveal their grades were lower than men's, and "by comparison, women scored much closer (although still slightly lower than men) on the writing competition," according to a confidential task force memo released to the RECORD. Between 1992 and 1995, women applicants who reported their grades represent 33 to 37 percent of the overall HLS population.

Yet because scores on the writing competition for women are comparable to men, selection based only on the writing portion would yield a fairly balanced gender ratio, according to the task force.

Current selection procedures provide only 32 non-discretionary slots, with half chosen by scores based on 70 percent grades and 30 percent writing competition, and the other half chosen on scores based 100 percent on the writing competition.

The remaining seven to nine discretionary slots are based on affirmative action policies, which members declined to elaborate.

Lisa Westfall '96, editor-in-chief of the Women's Law Journal, questioned the importance of grades to the selection process.

"I think good grades have a tenuous connection to the skills needed for Law Review," said

please see **REVIEW**, page 14

Law School Applications Continue to Decline

By Hope Yen

The numbers of applicants to law schools dropped 11 percent this year as a part of a five-year nationwide trend, but several top schools, including HLS, are reporting only nominal decreases.

To this date, HLS has received about 6,500 applications for next year's entering class, a decrease of about 3-4 percent over last year, said Joyce Curll, assistant dean for admissions. The number is a contrast to the 17 percent drop in applications in 1994-95.

Applications to Yale and Stanford law schools also only decreased marginally this school year after registering heavy declines the year before. At Yale, for example, the admissions office received about 3,700 applications, dropping a few percent-

age points from the previous year, when they registered close to a 20 percent decline.

Stanford, whose applications dropped about 19 percent in 1994-95, received about the same number of applications — about 4,000 — this year, officials there said.

"My sense is that the more expensive and selective schools took an earlier hit" in the application drop, said Jean Webb, Yale's director of admissions, in explaining the leveling off of applicants this year. "Those who decided not to apply may have looked at the chances to get in and were not sure it was worth their effort to apply."

Nationwide, more than 60,000 applicants are jockeying for positions at law schools, a figure which represents the sharpest drop in its five-year

please see **APPLICANT**, page 15

HLS Puts Squeeze on Secretaries

By Rob Friedman

This is the second in a four-part series on employee relations, student services and internal decision-making at HLS.

Corporate America is downsizing. Harvard Law School is no different. Yet, at a time when the Law School is hiring new faculty, it has also committed itself to curtailing operating expenses. The result — a hiring freeze on staff and cutbacks in staff wages and benefits — means many faculty secretaries are feeling the squeeze.

This year, the 40 faculty secretaries at HLS received three to four percent wage increases on salaries that start around \$21,000, according to Doneen Williams, president of the Harvard Union of Clerical and Technical Workers (HUCTW). With cuts in health benefits, however, many workers will be earning less this year.

"I will make 30 percent less this year because of [changes in] the health plan," said Maura Kelley, a faculty secretary for 16 years.

Faculty secretaries are highly skilled employees, many with college and advanced degrees. The secretary of one prominent professor has a Ph.D. in history from Harvard. Secretaries sim-

While staff employees recognize the need for HLS to pay professors enough to attract talent out of the private sector, they question the way Dean Clark '72 has characterized cost-savings.

Few secretaries can forget the memos Clark sent four years ago to "exempt" staff — staff not covered by HUCTW's collective bargaining agreement. In the memo, Clark explained that times were tough, and that staff compensation levels would need to reflect the times, said Williams. He also warned employees that HLS would try to avoid layoffs, as, he noted, had occurred at Columbia and other schools.

A week later, the faculty received memos — memos that in many cases staff read in the course of their work — declaring that HLS was in strong financial shape, that raises for HLS faculty were the highest of all Harvard

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The Corporation

Inside Harvard's Administration

ply want to ensure they are compensated for "the kind of skills and expertise they bring to the job," said secretary Marilyn Byrne.

"While staff got three percent [wage increases], faculty got 10 percent," said Tom Potter, a secretary for 10 years. That is on top of the six-digit salary most professors receive, which does not include allowances, consulting income and royalties, he said.

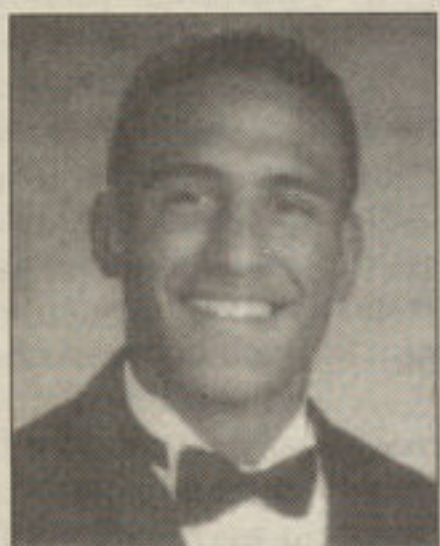
Speak Out!

Why Are Americans Unhappy With Their Standard of Living?

According to a recent *New York Times* survey, 53 percent of Americans say they are not as well off as they thought they would be at this stage in their lives. What is the reason for this?

Mike King '98

"A couple of things contribute to it. The number of people fighting for the pie is growing faster than the size of the pie. One trend is companies hiring well-paid CEOs to make companies more efficient to the detriment of jobs — firing one full-time worker and hiring two part-time workers so that you don't have to pay them benefits. Another problem is rising expectations. People always think that they should be moving up at a fast rate, that they always need to be keeping up with the Joneses. Half of the people have to be below average. It's not necessarily a bad thing because if everyone was satisfied, then complacency would set in. This maintains incentives to work harder."



Mike King '98

Bruce Goldberger '96

"I think it has to do with the fact that

80 percent of the population's real wages have either stagnated or declined in the last 20 years. You have many people who, 20 or 30 years ago, could have gotten a job that didn't require a higher education that would have given them health coverage and a steady wage that would support a family. Now you have workers taking two or three jobs to try to maintain that standard of living. The reason, in part, is global competition. Labor is cheaper elsewhere and companies are looking abroad for lower-paid workers and to reduce as much as possible the full-time benefits-receiving workers they have in the states. While this makes economic sense, we need to be mindful of the difficult adjustment period that American workers face and compensate them with generous social benefits. In the long run, open markets will make everyone better off. In the short-run, it makes only the top of society better off. They have an obligation to pass benefits along to others. The wealthiest segments of society, including most graduates of HLS, need to be taxed more. The money should go towards health care



Bruce Goldberger '96

and sustained federal support for financial aid, job training and education."

Rudy Reyes '98

"I would say that it has a lot to do with corporate downsizing. It also has to do with the need to make our education more in line with future needs. Reforming education is a major task, as is urban revitalization — expanding opportunity in inner cities in this country and making urban public schools and low-income rural schools as good as suburban, predominantly white middle-class public schools. The hopelessness that people in the inner city go through and the lack of good jobs need to be addressed. So many people think people, especially minorities, in the inner cities are lazy and collect welfare, but when a minimum wage job at McDonald's opens, there are several people that interview for those jobs. There aren't enough jobs to go around. We also need to stop blaming immigrants for our problems — embrace internationalism instead of shying away from it. And we need to encourage a good, corporate citizenship



Rudy Reyes '98

in our communities. If corporations invest more into job training and utilizing the workers that are there and have families and lives, not only will productivity increase, but wages and morale."

Arthur Kamy '98

"It's structural changes in the economy. Structural unemployment is high. Perhaps geographical mobility is not as dynamic as it was a long time ago. Unemployment is higher in Europe because people do not move around as readily. And changes in technology mean people are replaced much faster. You no longer have "cradle to grave" jobs. We need to retrain people at every single level. The days where you get a college degree and you think you have a job forever are gone — people need to have flexible skills and expectations. The bottom line is that the economy is producing jobs but they are not the type of jobs that give people peace of mind. They are part-time, McDonald's-type jobs. Perhaps shortening the work week is a solution, to share the work and regain some degree of job security."



Arthur Kamy '98

A Glimpse at the Life of an HLAB Student

continued from *BELTRAN*, page 1

procedural deadlines that cannot wait that long. Beltran must take the forms back to Gannett House to get the approval of the remaining committee members. On the way back, he takes a minute to stop off at Building Operations on behalf of La Alianza, the Hispanic law student organization. They have been waiting since last fall to have their offices painted. Beltran is told that their application was lost in the shuffle. Someone promises Beltran to look into it, set a date and get back to him this week.

12:05 p.m. It is noon now, and the offices of the Bureau are filled. As students arrive, others leave, some for classes or the library, others for court. To an outsider, it seems chaotic. One woman sits on the floor of reception, files spread out before her, sifting through papers. A summer replacement candidate sits nearby, waiting to be interviewed. Supervisors come and go, counseling students, taking calls. It is difficult for Beltran to move very far without someone accosting him with a question, a request or some news. Despite the sense of controlled disorder, there is beneath it all a deep sense of commonality of both purpose and method. Bureau members rely on one another for assistance and advice. In turn, they take the responsibility for their clients. Given the work they do, it is difficult to imagine it any other way.

Beltran scours the basement for the other members of the intake committee. Someone sticks his head out from an office cubicle and asks Beltran if he knows about the computer system — his screen froze in the midst of writing a memo that is due in housing court in two hours. Beltran tells him that all the computers are down. The student mutters to himself, "This is not the time for this. This is *not* the time for this" and goes to find help. Leticia Saucedo '96, former Bureau president, catches Beltran outside the intake room and asks if he can take a family law case for a student whose wife is about to give birth. He says he is busy but that if he has to, he will. Leticia suggests half-jokingly that maybe she will call the hospital anyway.

The final member of the intake committee is out of town; someone arranges to call her. With a little time to spare before lunch, Beltran sits at the front desk and

goes through the mail. Holding up a request-for-information postcard written in a spidery, elderly hand, he asks the woman sitting on the floor what Justice Brennan's first name is. She says she thinks it is William. He shows her the postcard from William J. Brennan, Jr. of Fairfax, Va.

1:15 p.m. After a quick lunch, Beltran heads to Langdell Library to work on his legal research homework, due the next day. He answers one question before it is time to go back to the Bureau for more meetings. He will try to finish the rest of the assignment later.

If, after missing a class assignment, Beltran ever has doubts about his two-year commitment to the Bureau, they amount to no more than the usual anxieties all law students occasionally suffer. From his perspective, it has been the best thing about law school, without which he would have been unable to stand another two years of classroom theorizing. Even his own law firm experience, which consisted of research and memo writing, pales in comparison.

What he values most is the total involvement in legal practice. Although supervisors help in planning strategies, students must do the rest themselves: file claims, meet clients, appear at hearings and speak with judges. There are other clinicals available, but student involvement is limited by their duration. In most of these clinicals, students pick up ongoing cases at the start of a semester and sign off at semester's end. At the Bureau, students commit for two years, during which they manage most cases from start to finish. Occasionally cases last longer. Beltran has a case begun in 1989. If it finishes, he wants to send letters to all the past members of the Bureau who shepherded it through in their turn.

2:30 p.m. Beltran thought the board meeting was in Langdell but finds out it is in Lewis International Law Center, in a room smelling unpleasantly of fresh paint. Several board members are out of town, interviewing for clerkships. Another has to

leave early for the same reason. A momentary lull in his own caseload permits Beltran to focus more on administrative matters at the Bureau this week; that should end soon enough. He leaves carrying a recruiting poster that he hangs in Austin North before heading back to the offices.

5:25 p.m. Beltran pulls up to a small apartment complex off Route 128 in Burlington. He is here to interview a man named Joe who wants the Bureau to help him restore his Medicaid payments.

Joe is not atypical of the Bureau's clients. Left without the use of his arms or legs after an accident last summer, Joe's Medicaid payments were cut off a month

after his release from hospital. He was told that he receives too much in Social Security, which amounts to less than \$900 a month. Joe's wife, Nancy, sits beside his wheelchair and listens silently as Beltran conducts the interview. The television, mute, is tuned to the weather channel. They are a young couple, still in their 20s, but already worry has begun to etch their

faces with age.

Nancy suddenly speaks up when Beltran asks Joe what the social workers at the hospital told him. She recounts the assurances she and her husband had been given and criticizes the social workers. Her agitation is the only sign she shows of her fear of Joe losing his Medicaid. Without it, she explains, Joe cannot afford his home care services. And without home care, Joe's only option is to return to the hospital. Nancy laughs nervously and adds, "He is not going back to the hospital."

Beltran tells them he foresees no difficulty in the Bureau taking Joe's case but adds that the formal decision will come from the intake committee tomorrow. Beltran can be encouraging because he knows the system and the realm of possibility within it. But Joe's and Nancy's imaginations concerning such things are more limited by their own inexperience.

For them, Beltran's words of confidence are as uncertain and perhaps as unpredictable as the system. They ask no questions during the interview. When Beltran asks if there is anything else he can tell them, Joe answers simply, "No, just whether you can help me."

6:30 p.m. Driving back in the dark, Beltran considers the role of the Bureau in his own legal education. He doesn't understand Dean Clark's view, reported in the Nov. 10, 1995 *RECORD*, that clinical education has no place at HLS. According to Beltran, he has learned more about the law in his two semesters at the Legal Aid Bureau than in two years of classes. His work at the Bureau has brought home the relation of law to society in a way the cost-benefit analysis of torts failed to do.

7:10 p.m. Beltran stops home to pick up some papers and feed the cat before heading to the offices of La Alianza for a meeting of the Harvard Latino Law Review. As treasurer, Beltran has negotiated a publishing agreement with a printer that promises to give the HLLR financial independence from the Law School. When he arrives, the other members of the board sit around in the nursery school playpen on the ground floor of Everett House — no one has a key to the office. The offices themselves look as though they've just moved in; papers packed in boxes anticipate painters who never arrive. With little financing from the school, La Alianza has furnished its offices with school cast-offs: different-sized filing cabinets, an old sofa and some three-legged chairs in various states of repair.

The meeting lasts two hours as the editorial board debates Beltran's contract. Consensus is slow in coming, although not for want of clarity. Every issue is so thoroughly discussed that what emerges most clearly is the members' commitment to making the HLLR an enduring part of the school. The meeting ends with a tentative decision to approve the contract.

While the others stay and gossip, Beltran slips off to campus and back to the Bureau to check in. It is just after 9 p.m. He will go to Langdell and finish his homework, perhaps getting a start on his Con Law reading for the week. At midnight he will leave campus for the day to pick up his wife from her job. Tomorrow she must be up early for pre-med classes. He is looking forward to seeing her for breakfast.

Beltran says he has learned more about the law in his two semesters at the Legal Aid Bureau than in two years of classes.

HLS Students Discover Loker Commons

By Christopher Edwards and David Liu

Three months after its opening, Loker Commons in Memorial Hall increasingly has become the favorite hangout of many Law School students who say they find its atmosphere, convenience and great coffee more appealing than the Hark.

What is Loker?

Loker was created to be "a student center — a place for students to meet for good company and good food," said Thomas Provost, Loker's customer service manager. Provost described the commons area as an "industrial loft space," a characterization highlighted by Loker's flashing electronic boards and generous use of gray coloring.

Located between the Law School, science labs, Harvard Yard and the Graduate School of Design, Loker attracts diverse student groups who come to socialize, study and eat. There are also other conveniences besides restaurants: an ATM, e-mail terminals, a newsstand, a film developing drop-off box and a mini-post office.

The space that now houses Loker has served a variety of purposes in the past, including a stint as a pistol range.

"Memorial Hall was neglected for many years," said Brian Yankee, Memorial Hall Complex production manager. "But it was so near the center of campus, we thought it could be a lively social center. The facility was originally intended for use as rehearsal space for campus groups since Sanders Theater is right upstairs. The idea for a complex that includes Sanders Theater, Annenberg [freshmen dining] Hall and Loker Commons is fairly new."

Work began on the basement about two-and-a-half years ago, and Loker opened this past December. However, its opening was not widely known at HLS. "We learned about it through word of mouth," said Matt Stennes '98 and Jen Blum '98.

"[Memorial Hall] is a Faculty of Arts and Sciences building and is definitely

oriented toward the undergraduates," said Yankee, "but it's open to any Harvard-affiliated person."

Law school students say they have taken advantage of this fact. "Loker is well-known at the Law School. I see more and more [Law School] people here all the time," said Stennes.

"We're happy it's been such a great success — we've gotten a good response from the whole community," said Provost.

Why do people come here?

Law School students have flocked to Loker in growing numbers for several reasons. Many of them say they enjoy being away from the Law School and being around non-HLS students at Loker.

"The critical thing is that I want to make a point of not having Gropius the center of my life," said Lara Schwartz '98.

"If you want a detox from HLS, [Loker] is the place to do it," agreed Roger Bearden '98. "The atmosphere [at Loker] is more amenable to those of us under 30."

Nevertheless, although many undergraduates and students from other graduate schools frequent Loker, "the undergrads don't really interact with law school people," said Felix Lee '97.

Loker's food is another big draw for HLS students. Loker offers four eating areas: a sweet shop, a coffeehouse and Mexican and Italian restaurants.

"We didn't want to turn it into a franchised campus restaurant. You won't see McDonald's here," Provost said. "We have high-quality products [that can be] judged against the better in Harvard Square ... at good prices."

Law students agree. "This place is a huge improvement over the Greenhouse, and it buries the HarkBox Cafe," said Lee.

"The Hark needs a better variety and

quality of food," agreed Schwartz.

Students singled out Loker's coffee, chili, soups and stews as particularly worthy of praise. The Mexican restaurant's burritos also earned high marks. "They're cheap and good — two things that are hard to find together in Harvard Square," said Rima Alaily '98.

In addition, Loker allows free refills on drinks, including coffee. "I stay here four or five hours sometimes and get my money's worth on the free coffee refills," said George Danenhauer '98.

Although some students criticized the limited food options at Loker, others disagreed. "You can be creative," said Arianna Cabrera '98. "I'm going to ask the pizza man today to make me a big [baked] dough ball. They'll do it for you."

Loker's late hours also attract many students. "We stop serving at 1 a.m., and the staff starts to clean," said Provost. "The staff leaves at 2 a.m., and they lock everything up."

Many students take advantage of the late hours and atmosphere to study and converse. Even late at night, "people sit and talk, study, use laptops and have meetings," said Provost.

"It's a good place to study and get coffee.

We even had our negotiating session for Lawyering class here," said Blum.

Cabrera agreed. "It's this or the library or sitting at home. The Hark is a place to run to before class to get food, but this is the place where you go at night. It would be really cool if the Hark upstairs could be something like this, but it's just not open enough."

"The low murmur of noise is key to effective studying," said Elizabeth Yoo '98.

Some law school students have taken advantage of Loker's atmosphere for more than studying. According to one 1L couple from Section II, "We met at Loker on a Thursday night, and we've come back every Thursday since."

According to one 1L couple from Section II, "We met at Loker on a Thursday night, and we've come back every Thursday since."

Students Receive Human Rights Fellowships

By Maria Green

For three months this summer, Perla Ni '98 will be working with Burmese refugees in Thailand near the Burmese border.

"Right now, there is a military dictatorship [in Burma] that is conscripting forced labor from villagers to work on a natural gas pipeline sponsored by Unocal," said Ni. "I will be doing factfinding and interviewing refugees about the political violence and torture."

Ni is among 21 recipients of this year's Human Rights Program summer fellowships, which fund HLS students in international human rights work. This year's fellowships cover human rights activities in 16 countries, from Serbia to Senegal to Brazil to Pakistan. The fellows will be working on issues that range from rural displacement in Panama to violence against women in India.

A larger number of people were funded this year than in the previous year, said Human Rights Program Administrative Director Gerry Azzata.

"We pulled more money out of the program budget because there was such interest," she said. "I think that the people who were interested in applying were very interested. They weren't just shop-

ping for summer jobs. They either had a background in human rights or a very clear idea of what they wanted to do."

"We're interested in getting people who will come back over the next couple of years, work on the journal, write articles themselves and maybe set up an activist group based on their experience," Azzata added.

The program was also able to extend the total number of fellowships by work-

ing with one of the other programs at the Law School. The Human Rights Program awarded five of the recipients travel supplements to public interest grants they received from the Financial Aid Office and the Office of Public Interest Advising.

"We really worked together on this," Azzata said.

Fifteen of the 21 fellowships awarded went to 1Ls, with two awarded to 2Ls, one to a 3L and three to LL.M.s. The grants to LL.M.s, said Azzata, are geared specifically toward students who are from developing countries and who want experience working with large human rights organizations, which they then can bring back to their home countries.

Lobsang Sangay LL.M. '96, who will be working with the International Commission of Jurists in Geneva, said he looks forward to the program as a way to carry professional skills to the Human

Rights Desk of the Foreign Ministry of the Tibetan Government in Exile in India, where he may work after earning his degree.

"I want to learn the methodology of how to prepare a report, which includes factfinding, research, investigation and compiling of reports," he said.

"I'll be sent to ICJ to do a professional training there and to use what I've learned at Harvard," he said. "Being a

person from a third world country, I could never afford to do an internship at any of these NGOs [non-governmental organizations] without the Human Rights Program Internship Fund."

For Ni, the fellowship is a way to pursue the interests that she brought to HLS. "I knew that I wanted to work with environmental issues and with human rights," she said, "and this issue touches on both."



RECORD Photo / Maria Green

Dr. Radhika Coomaraswamy LL.M. '82, the U.N. Special Rapporteur on Violence Against Women, chatted with Human Rights Program Fellow Devanesan Nesiah and Hema Fonseka of the Kennedy School Wednesday at a brown bag luncheon with students. Coomaraswamy gave the Edward A. Smith Lecture at the Human Rights Program Tuesday.

The Harvard Asian Pacific American Law Students Association,
along with the
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would like to thank the following for supporting
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Across the Wire... Across the Country

State Ethics Commission Fines Three

BOSTON (AP) — Three current or former municipal officials have been fined for violating Massachusetts' conflict of interest law, the State Ethics Commission has announced.

Paul Enis, a Dracut water commissioner, was fined \$1,000 for participating in the hiring and supervision of his son, Tom Enis, as a Water Department employee.

He earned about \$30,000 working for the district part-time during the school year and occasionally full-time during school vacations. The district never sought applications to fill the job.

Marilyn Mondeau, a member of the East Bridgewater Wage and Personnel Board, was fined \$500 for joining the board in recommending a wage adjustment that resulted in a raise for her daughter, Jeanne Bennett, a Police Department administrative assistant.

When East Bridgewater's town meeting approved the board's recommendations in June 1995, Bennett's annual salary increased by \$1,929.

Meanwhile, Louis Zwingelstein, a former member of the Sheffield Conservation Commission, was fined \$2,000 for designing for a private client a fire pond that required commission approval.

He also participated in public hearings when the commission reviewed the proposal and signed a determination of applicability.

In a statement released Monday, Mondeau and Paul Enis were fined under a section of the law that prohibits municipal officials from taking official actions that affect the financial interests of an immediate family member.

Zwingelstein was fined under another section that prohibits municipal officials from accepting private compensation in connection with matters of direct interest to their community, including matters pending before a municipal agency.

Since its creation in 1978, the State Ethics Commission has fined 85 officials for violating the first portion of the law and 16 officials for violating the second.



**This Week,
Reports
From
Massachusetts
and Maryland**

House Votes to Challenge Pay Raise Ballot Question in Court

BOSTON (AP) — The House voted Monday to ask Massachusetts' highest court about the legality of a ballot question that proposes halving legislative salaries and effectively limiting the legislative year to six months.

Among 10 questions being forwarded to the Supreme Judicial Court are queries about whether the question is properly constructed and, more fundamentally, whether its approval would shift the balance of power in state government.

The court could kill the question should it decide that it is not suited for November's ballot.

"I think it represents a dramatic shift in the balance of power from the Legislature to the executive (branch) and the bureaucracy, and I think the shift is so dramatic it may represent an unconstitutional approach," Senate President Thomas Birmingham during an interview.

He said he backed asking the court to review the constitutionality in part because it could eliminate the time, expense and energy of what promises to be a brutal campaign to fight the question.

Supporters of the question said they expected the challenge, although they could not resist noting the irony of the way it was mounted.

The House decided to seek the court's review without debate and on a voice vote, which allows members to avoid

being identified as supporters or opponents of a matter.

Part of the impetus for the ballot question is anger over the Legislature's decision to pass a 55 percent pay raise during the lame duck session that followed the 1994 state elections.

Legislators also made it repeal-proof by attaching it to an appropriations bill,

**The court could
kill the question
should it decide
that it is not
suited for
November's ballot.**

and they put it into effect without the normal 90-day waiting period by attaching an emergency preamble.

"They're continuing the techniques that got them into trouble in the first place," said Barbara Anderson, director of Citizens for Limited Taxation and a prime sponsor of a ballot question that proposes cutting legislative pay.

"They were too cowardly to vote on a

pay raise before the 1994 election, and now they're too cowardly to take a roll-call vote on whether they should challenge a pay raise that many of their constituents oppose," she added.

Birmingham called the criticism "untenable," noting that he and House Speaker Charles Flaherty sent out a press release announcing the challenge.

In December 1994, the House and Senate passed a bill that raised members' base salaries from \$30,000 to \$46,410. Many legislators receive thousands more, however, because they hold committee chairmanships or leadership posts.

Birmingham, for example, is paid \$81,410 annually.

Opponents of the raise are proposing to halve the base salaries and cut off all payments after June of each year, believing that will force the Legislature to wrap up its business in six months.

They already have gathered 65,000 signatures to get the question on the ballot, and the state attorney general has deemed it legal. It is now before the SJC, which has until the first Wednesday in May to approve the question or reject it.

If that happens, Anderson and her colleagues would have to gather another 10,800 signatures to get the question on the ballot.

Birmingham said he expected the SJC to render its opinion on the question before the May deadline.

Political Slander Suit in Hands of Jury

ANNAPOLIS (AP) — A novel suit testing how far candidates can go in criticizing political opponents before their statements become libelous and slanderous was put in the hands of a six-member civil jury Monday.

The suit was brought by Senate candidate Ruthann Aron after she lost the 1994 Maryland Senate Republican primary to Bill Brock, a former Tennessee senator, Reagan administration official and Republican national chairman.

The Anne Arundel County jury finished hearing closing statements Monday and was expected to begin deliberations Tuesday. A ruling against Brock could change the tenor of future campaigns in Maryland, making candidates more cautious about criticizing their opponents.

The effect outside Maryland was less clear.

Larry Sabato, a political analyst at

the University of Virginia, said when the trial began that even if Aron wins, he does not think the suit will have a major impact on the way political campaigns are run.

"I just don't think in the end people will look at it and say, 'My God, candidates better walk carefully in the future,'" said Sabato, author of a forthcoming book on corruption in American politics.

But Kathleen Hall Jamieson, dean of the Annenberg School of Communication at the University of Pennsylvania, said the lawsuit is unusual and could cause candidates to approach future elections more cautiously.

"That's the reason some of us have encouraged candidates who have been libeled to file suits," she said.

The four-week trial neared an end Monday when lawyers for Brock and Aron took all day to make a final pitch to the jury.

"This is a rare opportunity for you ... to send a clear message," said Geoffrey Gitner, Aron's lawyer.

Gitner said jurors should find Brock guilty of defamation to deter other candidates from making libelous and slanderous statements about opponents.

Ben Cotten, Brock's lawyer, said Brock was responding fairly and honestly to Aron's negative attacks on him when he ran advertisements and made a statement at a press conference that were the target of the defamation suit.

The advertisements and statement by Brock involved two civil suits brought against Aron, a wealthy real-estate developer, by her partners in two development projects. Juries initially ruled against Aron in both suits, but one was thrown out by a judge. Aron eventually paid out-of-court settlements in both cases.

At a news conference shortly before the 1994 election, Brock said Aron had

been found guilty of fraud by the juries. He also ran almost 1,000 radio and TV advertisements in the final week before the campaign, saying that "she had trouble obeying the law" and that "more than once the court ruled her out-of-bounds."

Aron filed her defamation suit and asked for unspecified damages.

Gitner told the jury the advertisements and Brock's statement were made "coldly as part of his plan to define Aron as a crook."

Cotten said the advertisements were a fair reflection of Aron's legal problems with her business partners. He said the statement at

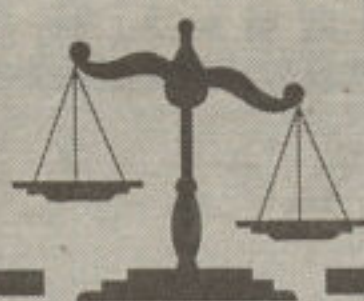
the press conference was made in the heat of the moment after Aron crashed Brock's news conference and accused him of swindling old people out of their money.

"Nothing we said or did depicted her as a criminal or a crook," Cotten said.

**A ruling against
Brock could
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Maryland...**

**"Nothing we
said or did
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crook," Cotten
said.**

BRIEFS



Late Prof. Areeda Wins Second Sacks-Freund Teaching Award

The HLS Class of 1996 voted last week to award late Prof. Phillip Areeda '54 the annual Albert M. Sacks-Paul A. Freund Award for Teaching Excellence.

The recent class vote gave Areeda his second Sacks-Freund Award; he first received the honor from the Class of 1994.

"He was one of the best professors I have had in my whole life," Linn Brady '96 told the RECORD in January. "He was a master of the Socratic method. He used it not to humiliate, but to encourage and provoke you to think. He wanted you to get the right answer, and he would lead you there."

Brady and Karen Johnson Shimp '96 took contracts with Areeda two years ago. "He had a huge impact on the section," Shimp said. "He was our most inspiring professor. I'm very fortunate I was in his last contracts class."

The Class of 1996 also voted to award the first annual Staff Appreciation Award to Paula Garvin, the Career Services Offices receptionist.

\$2.3 Million Professorship in Public Interest Law Established

Dean Clark '72 has announced the establishment of the Morris Wasserstein Public Interest Law Professorship, which is supported by a \$2.3 million fund from the family of Wasserstein, a New York City businessman.

"Harvard Law School's leadership in the area of public interest law will continue through the generous assistance of the family of Morris Wasserstein," said Clark. "The Wasserstein Professorship will support valuable teaching and research in this important area of law, benefiting students and society at large."

Previous contributions by the Wasserstein family have established two other public service programs at HLS. The Morris Wasserstein Public Interest Summer Fellowship Program has, since 1992, supported 134 HLS students who have pursued summer public interest work.

In addition, the Morris Wasserstein Public Interest Fellowship Program has, since 1990, supported visits by leading public interest practitioners to inform students about public interest careers. Fellows have included Neal Kravitz, principal deputy Democratic special counsel to the Senate Whitewater investigation; Victor Bolden, NAACP Legal Defense Fund assistant counsel; and Sally Goldfarb, NOW Legal Defense and Education Fund senior staff attorney.

"The Morris Wasserstein Public Interest Law Professorship is intended to further enhance the development of an outstanding public interest program at Harvard and to complement the Morris Wasserstein Public Interest Fellowship and the Public Interest Summer Fellowship programs," said Sandra Wasserstein Meyer.

"The Wasserstein family takes great pride in this most recent program and continues to support Harvard Law School's dedication to the area of public interest."

Bruce Wasserstein is a 1970 HLS graduate and a member of the Law School Visiting Committee and its six-person Executive Committee for its recently completed \$25 Million Capital Campaign.

Sen. Simpson Defends Immigration Bill, Draws Student Protest

Sen. Alan K. Simpson (R-Wyo.) defended his proposed immigration bill at the Institute of Politics this week amid protests from about 150 students.

Simpson's bill would cut both legal and illegal immigration by 20 percent per year for the next five years. The bill also would eliminate family-reunification preferences and require all immigrants to work for 10 years before getting government benefits.

"People across the land feel frustrated about the immigration situation," Simpson said. "Unless we reform legislation, the American Dream will turn into the American Nightmare."

Booing from audience members interrupted Simpson's speech several times. Thirty audience members also staged a walk-out prior to Simpson's address. Outside, protesters shouted chants and carried signs saying "Simpson — go home and take your xenophobia with you."

"The bill is egregious," said Sewell Chan, co-president of the Asian American Association of Harvard College. "Regardless of what you think of illegal immigration, there isn't one iota of evidence that legal immigrants take out more than they put back."

Answering questions from student audience members, Simpson admitted that legal immigration does not damage the U.S. economy. He said, however, that legal immigration must be cut off to placate the public.

"It is not appropriate," Simpson said, "for people to come to this country without having put anything into the system and then to receive benefits [such as Social Security and welfare]."

— from the *Crimson*

Activists Unveil New Anti-Death Penalty Campaign

Members of The Campaign to End the Death Penalty held a press conference this week at Harvard to unveil their new plans to muster support for their cause.

"We are not winning this battle right now, and I think we've got to turn the tide," said Brown University Prof. William Keach.

Speakers also pointed out the inequality of the death penalty.

"I don't think it's a coincidence that [those who receive the death penalty] are the same people in society who are suffering from cuts in welfare," Keach said.

The campaign, which Harvard Professor of Afro-American studies and of philosophy of religion Cornel West has joined, is committed to organizing the anti-death penalty movement at the grass-roots level and to putting pressure on politicians, Keach said.

— from the *Crimson*

Staff Working More For Less

continued from STAFF, page 1

professors and that things were so positive because of Clark's ability to hold down operating costs, said Williams. That year, HLS faculty were given eight percent raises.

"Harvard always overruns its private fundraising goals. But when it comes time to give staff a raise, it's 'we don't have any money,'" said secretary Brad Conner.

For many secretaries, the trend simply reflects what is going on in corporate America, where executive salaries continue to rise as workers' wages stagnate.

Secretary Liz Sponheim said she feels an increasing divergence between the haves and have-nots around her.

"I see extreme poverty at home [in Dorchester], and then I come to Hauser. And I can't help but get the sense that no one cares here," she said.

"Pride and Productivity"

Compensation may be down, but work-levels seem to be up. "Over the last five years, I have worked harder and harder. The work can be very intense, very squeezed," said Potter, who works for three professors, as most secretaries do at HLS.

And things are constantly getting worse, the secretaries say.

"When they add a faculty chair, there is no consideration for support," said Kelley. "It's assumed it will be picked up [by existing secretaries]."

Sponheim said it is often impossible to get a day's work done in one working day, especially when professors request large amounts of library materials.

"That's when I call Kathy Fisher [at the library]. It would be impossible without her," she said.

Things are especially tough, said Potter, when students start coming to secretaries with clerkship applications. As a result, many secretaries find themselves working unpaid overtime to get the work done, he said.

Byrne said the increasing workload creates "constant dilemmas" for staff who service two or more professors. The key, said Byrne, is prioritizing and remaining flexible. Secretaries often run into trouble when three professors want something done at the same time.

Ben Sears, who works for three professors, said he believes three is "one too many," and said that it is simply impossible for any staff member to give each professor the attention he or she needs.

He said the situation is more difficult for secretaries with new professors who aren't accustomed to sharing a secretary and who mistakenly believe they are entitled to more of a secretary's time than the secretary can give.

The staff reaction to the increased workload, said Potter, is to fight it with "pride and productivity." The staff want to show the administration they can do all the work thrown at them, Potter said. "They want to show they can be leaner and meaner." It's their "idealism" and sense of loyalty to faculty and students that makes secretaries overworked, said Potter.

While few professors are willing to defend their secretaries publicly against administrators and other professors, some have shown support for staff at union functions, said Williams. Others, she said, will help staff privately with their problems.

Many secretaries proudly recall the time that Profs. Charles Ogletree '78 and David Wilkins '80 helped a staff member keep her job.

The problem started three years ago when, due to "retooling" in the Copy Center, an employee who had worked at HLS for a quarter century was told her job was being eliminated. The employee was offered early retirement but refused because she needed to work one more year to earn money to support her ailing mother. When she refused early retirement, the

Corporation — the governing body for all of Harvard's schools — notified her that she would be let go.

That was when secretaries, the union, Ogletree and Wilkins became involved. The professors were able to "get in touch with the powers that be," said one staff member, and were able to keep the employee's job until she voluntarily retired.

In general, however, secretaries say they wish faculty paid more attention to their fights with the admin-

istration. For example, when the Corporation tried to cut both faculty and staff health benefits, secretaries say there was no hint of cooperation although both groups were hit equally hard by the changes.

Former HLS Prof. Derrick Bell, who currently teaches at New York University Law School, recently wrote a book criticizing HLS professors for their complacency. Entitled "Confronting Authority: Reflections of an Ardent Protester," Bell criticizes his former colleagues for their lack of activism in school affairs, particularly in faculty selection and appointment.

Sponheim said she views the problem in larger terms. HLS is just a slice of American life, she said. For working Americans, life isn't getting any easier.

"I live in Dorchester and work at Harvard Law School — two conflicting worlds," Sponheim said. "Sunday morning, I watched a house burn down in my neighborhood. I've seen things — extreme poverty. Around here, times aren't so tough [for professors and administrators]. It's not like that out there."

"I see extreme poverty at home [in Dorchester] and then I come to Hauser. And I can't help but get the sense that no one cares here," Sponheim said.

Intramural Basketball Standings as of Sunday, March 10

TEAM NAME	WON-LOST	TEAM NAME	WON-LOST
"A" LEAGUE			
1. Well Hung Jury	4-0	6. The Associates	1-4
4. Black Plague	4-1	3. Court Marshals	1-4
5. Caution: Flammable	3-1	2. One and Gun	1-4
"B" LEAGUE EAST			
10. Stormin' Mormons	5-0	5. General Gao	5-0
7. The Geat Danes	4-0	1. Gooch's Last Stand	5-0
1. Short Guys	4-1	12. Bye	4-0
9. Port Isabel Holmes	2-1	8. Last Call	4-0
2. TCB in a Flash	2-1	9. Flagrant Delicto	3-1
3. United Nations	2-1	4. Free Exercise	2-2
6. LLMagic	3-2	2. Soulbucket	2-2
11. Sweathogs 2	3-2	11. The Grizzers	1-3
12. Asphyxiation	0-2	13. The Quick Shooters	1-3
8. The Dissenters	0-3	7. Off-White Slammers	1-4
13. Double Trouble	0-3	6. Just For Laughs	0-4
5. Reversed & Remanded	0-4	10. Dude Looks Like a Levitt	0-4
4. Sleestaks	0-5	3. The Real Killers	0-5

Compiled by Lang Wiseman

GYM RAT

Back in Black

By David Koontz '96
Sports Columnist



THE Gym Rat returned late last week to the HLS intramural basketball league, and I found that everyone had different-colored jerseys. There were orange jerseys, purple, chartreuse, lavender and on and on. I was relieved to find out my Sleestaks' color was black. Black is a cool color — in fact, it is a complete absence of color, but that's cool because it absorbs every color.

I have no idea what the hell I'm talking about, but my point is that while I was away taking part in the February Georgia bar exam, I must have suffered a concussion at a Hawks game, because I somehow wound up with a black Atlanta Hawks Stacey "Plastic Man" Augmon jersey. It is black, and I was relieved that I could wear it in the HLS League. If you're not laughing already, just wait until you see me in it.

It's good to be back, but it was even better to know that the column was in good hands while I was gone. Todd "Inspire and In-" Stillerman '97 did a super job, and he will continue to do that job next year. I won't get mushy about leaving yet, but stay tuned.

One HLS sports position that remains alarmingly vacant is the commissionership of the HLS intramural football league. I've held the position for two years now, and I can say without lying that the job is not that difficult, and you make a lot of friends. Those friends tend to yell at you during the games, but they usually apologize afterwards. Seriously, folks, HLS needs someone to step up and take the job. I haven't recruited heavily for it until now, and I will not leave you alone until someone comes forward. Just give me a call at 493-9345 or leave a note in my 3L Hark box if you are interested.

As there usually are at this time of year, there are several interesting stories in sports that deserve special mention this week. First of all, you hockey fans out there know I usually give short shrift to the NHL, or Nominally Humane League. I won't be a big fan of the league until it rids itself of the nauseating abundance of senseless violence.

This week, though, a story caught even my lazy eye about the Montreal Canadiens leaving their longtime home, the Forum. I had never seen a hockey crowd stand and cry tears of pride and nostalgia. Canadian hero Maurice "Rocket" Richard, who retired in 1960, was remembered, appreciated, and given a 10-minute standing ovation. Modern-day facilities may continue to shove aside grand old stadiums in the name of progress, but in

Modern-day facilities may continue to shove aside grand old stadiums in the name of progress, but in Montreal, even fans of the 1990s can still appreciate the history and tradition of a winning team that continues to mean so much to them.

Montreal, even fans of the 1990s can still appreciate the history and tradition of a winning team that continues to mean so much to them.

Speaking of history and tradition on a much lesser note, the Gym Rat contemplated trying once again to spark interest in some sort of "guess the Final Four" contest. Last year's contest turned out only one participant, HLS basketball commissioner Lang "Three" Wiseman '96. This led me to wonder whether or not I was making a difference at all in the world, so I started interviewing with plaintiffs' firms. This year I'll just guess the Final Four myself, and we'll see if you agree. If I were smart, I would quit at a 100 percent published prediction rate after the Super Bowl; however, I feel some strange duty would be breached if I didn't stick out my neck on this one, too. So here it is: Connecticut, Kansas, Georgetown, and Kentucky. Who'll win it all? Kentucky. Or one of the other three.

In HLS hoops, we trot out the intramural standings this week for those of you who want to point out your undefeated record to your friends or to see if you still have a shot at the playoffs with a 0-5 record (I have a vested and self-delusional interest in that one). The top eight teams from B League East and B League West make the playoffs.

This week's A League marquee matchup featured the two remaining undefeated teams, Well Hung Jury and Black Plague. The Jury avoided defeat like the, uh, like the plague. Caution: Flammable won its game comfortably to move into a second place tie. So far, the league is competitive, but the records reveal a curiously balanced collection of haves and have-nots.

I still have not received a satisfactory explanation as to why a B League team would name itself Soulbucket. I did find out that one team member is Dave "Rocket" Rothenberg '98, who dressed his intramural football team (The Freshies) in tie-dyed uniforms. That explains things a little bit. The Bucket plays a nasty 1-3-1 trapping defense that yielded eight steals in the first 10 minutes of its last game, and the defense helped them even their record at 2-2.

In the B League East, the Danes and the Mormons may one day meet in an undefeated confrontation, which sounds like a Nostradamus prediction. Next week we'll talk a lot more HLS hoops, with juicy quotes and playoff scenarios.

Last weekend, the Harvard men's hockey team went to St. Lawrence as underdogs and left as winners. The Crimson, who had lost to the Saints twice in the regular season, took two of three playoff games in Canton.

Harvard scored three unanswered goals in the third period to win the first game 5-2. Henry Higdon netted the winning goal at 1:35 of the final stanza. But St. Lawrence responded with a 3-2 victory on Saturday night to send the series to a third and final game.

On Sunday night, the Crimson rose to the occasion and slew the Saints 8-4. Kirk Nielsen scored on the game's first shift, and Harvard never relinquished the lead. Nielsen and Higdon each notched two goals in Harvard's best offensive performance this year.

With the upset victory, the Crimson advance to the ECAC semifinals in Olympic Arena in Lake Placid, the site of the Miracle on Ice. Harvard faces regular season champion Vermont at 4 p.m. on Friday.

The Harvard women's basketball team makes its first-ever appearance in the NCAA tournament this week. On Friday at 9 p.m., Harvard plays Vanderbilt in Nashville. The Crimson are seeded 14th in the Mideast Regional.

FOOD O'RAMA

Raiders of the Lost Fork

By Heather Friedman '97 and Betsey Nevins '97
Restaurant Reviewers

IT was a dark and stormy night, the snow falling like goose down at a poultry farm. An icy wind ripped across Cambridge, tearing through parkas and polartec alike. Hats and gloves lay in the snow banks like so many dead fish after the fishmonger. The streets were silent; even the most steely commuter dared not venture forth into this tempest toss'd eve.

At Headquarters, Nevins and Friedman had been trying for more than half an hour to make telephone contact with their inside man. They were counting on Scirica to help them negotiate the lay of the land and find their way through the dizzying maze of local joints.

Finally, with contact established, they set their compass points to follow the southern jet stream and headed out. Knowing the trip would be perilous, they strapped on their ponderous packs, dug out their camouflage vehicle and went directly to the refueling station.

That was when the first trouble hit. It was a SNAFU all right, and the radio chose that very moment to go on the blink. HQ would never know the danger they faced.

Nevins and Friedman were undaunted. No windshield wipers in a snow storm — no problem for this dynamic duo. Friedman took care of the steering while Nevins jumped into action at every traffic light as the "human windshield wiper." Neither batted an eyelash when the back seat turned into a writhing pit of rattlesnakes either.

At long last they made it to Scirica's retreat; with him as their guide, they drew closer to their mark. The Aztec Sun, a dazzling golden orb, beckoned from its underground hideaway. Leaving their vehicle — soon concealed beneath the snow — the trio set forth on foot. As they approached the tracks, a train came barreling towards them out of the tunnel. They sprinted with their eyes closed. Safely across, they wiped the sweat — now frozen — from their brows.

Finally, their hearts beating with anticipation, they entered ... **Sol Azteca**. The decor — bright tile table-tops, a madonna in the corner, bric-a-brac (not to mention bricks) along the walls — brought them back to the taberna in Puerto Escondido they had found during their first mission, back in 1963. The phonograph crackled as merengue rhythms gave way to a Spanish version of "Back on the Chain Gang."

They followed the maestro to a table in the back room. A strapping youth came forth, bearing drinks, fried tortilla chips and a ceramic bowl of salsa. "It's got a nice coriandah flavah," he confided. Indeed, the salsa was well pocked with garlic, onions and red pepper, though the chips were nothing to write HQ about.

Sipping her smooth mango margarita, Nevins could almost forget about their recent perils. The tropical slush went down easy, transporting her to isles of yore she faintly remembered: Bahiia, Tarunga, Figita.... She was brought back to reality by the smell of roasted cactus. Ain't that always the way?

Turns out, Napalitos en salsa verde (\$4.75) was baked, not roasted; strips of cactus (with the texture of well-cooked green pepper) in a green salsa with tortilla shreds and covered by a mild melted cheese. Sounds weird, perhaps, but these gringitos found it rather tasty and safely de-quilled.

Time passed. Keenly aware that time was of the essence, the trio was growing antsy. Just when Scirica was about to don his sombrero to investigate the delay, the youth returned. This time he brought a platter of mole poblano (\$11.95) and a plate piled with tostada, enchilada verde, quesadilla: the famous Combinación Sol, with still more coriandah (\$10.95).

Noticing the strange look on Scirica's face, Nevins quickly assured him that the mole bore no relation to the small, gray garden animal with which he was familiar. Chicken in chocolate sauce? No problema for this macho aventurero. He lifted the fork gingerly to his mouth. Mmmm — Chicken. Not bad, though the meat was a little dry.

None of the three claimed to be an experto in Tex-Mex or Mexican cuisine, but it was clear that the combinación plate was no Taco-Bell production. The quesadilla — the fattest cosita this side of the Rio Grande — was stuffed with cheese in a crispy, but not too greasy, flour tortilla. Friedman tore into the enchilada verde, corn tortillas wrapped around white chicken and cheese and topped in the same green chili sauce as the napalitos. The tostada, piled with funny tasting beans, was not muy bueno.

Nearly as full as the Temple of Doom during happy hour, Nevins and Friedman nevertheless insisted on tasting some of the sweets the blond pony-tailed youth now offered them. Sotto voce he divulged that he himself was no fan of the "flahn" (a traditional Latino custard). Friedman, who considered herself something of a flan connoisseur, dove her spoon into the gelatinous mound of flan de cafe (\$3.25), oblivious to Nevins' warning, "But it's brown!" "Tastes a lot like nutmeg," she thought to herself pensively, "I wonder why it's brown."

A paper fluttered across the room, landing on Nevins' lap. She quickly perused the fine print. "Aha, coffee flan ... that's why it's brown." Sharp as a whip, that Nevins.

Scirica was looking baffled again. "Where's our banana flambee? Didn't the muchacho rubio promise me fried bananas in rum-caramel sauce if I ate the chocolate chicken?"

Au contraire, amigo; the banana was definitely not fried. In fact, a rather ordinary banana was sliced, as if in preparation for a bowl of corn flakes, atop a pool of gooey caramel. "Platanos con cajeta, (\$3.25)" read Scirica from the mysterious paper which Nevins had abandoned. "It sticks to my teeth, but it sure is yummy."

Weary from good talk and heavy food, the trio prepared to leave their safe haven and face the blustery night full of menace and dread. Just then, the blond boy appeared with another mysterious paper. This one had lots of numbers on it. The trio put their heads together to figure out the equation. "But what does it all mean?" asked Friedman, fear quivering in her voice.

The boy put out his hand, and Scirica quickly got the picture. "But, we don't have enough pesos to pay that!" he exclaimed. Sure, the food was good — and certainly more authentic than the Border Cafe — but this is almost "Avenida robbery!"

Still, it was a small challenge for the adventurers, compared to what lay on the road ahead. As they stepped back into the night, they hardly noticed that eyes behind the decorative Aztec mask that followed their every move....

Sol Azteca is located at 914A Beacon Street in Brookline (not Somerville). Call for information or take-out, 262-0909.

Harvard Law RECORD

Founded in 1946

Hope Yen
Editor-In-Chief

Why Kasner Matters

Two weeks ago, Ron Kasner packed up his room and went home. Even before he left, however, the official line has been unclear, at times stating that he left voluntarily, at other times stating that no ruling has been reached. Yet despite the confusion, it is clear that Kasner has been punished.

For weeks, students have approached professors and administrators with their inquiries. Their pressure has finally produced a promise to print an Adviser notice, the administration's first since the RECORD broke the Kasner story last term.

Since the original RECORD report, rumors have spread across campus. Some students speculate that the Ad Board delay grew from concerns about a possible lawsuit by Kasner. Others say Kasner had agreed to withdraw if HLS left his record clean. More rumors flourish: A student this week told people that Kasner was seen in New York, allegedly going to a job interview. When asked if he had been suspended, Kasner said that he had, but that he would be back. Indeed, this spring's parody lampooned a character named "Ron Cashier" who was spending millions he had "collected here and there."

How did the process of disciplining a student turn from a serious method of judgment into a feeding ground for rumor and satire? When the administration left a vacuum of information about Kasner, students understandably filled it with their own information, good or bad.

Kasner's case still matters because the Ad Board process he went through represents more than simply individualized justice. As much as HLS would like to characterize his situation as personal, it affects the psyche of the school. The administration's decision sends a message to all students about acceptable modes of behavior; it defines the relationship students have with each other and with the university.

The administration sees the process as a vehicle to punish errant students. But in the past few months, the definition of what is proper has become a Star Chamber affair. And no one benefits from this process if only those privy to it are administrators and a student who may never return.

Students do care about the Ad Board process, and they care to be involved and informed. We press this issue to persuade the administration that it needs to recognize the last community on their list of priorities: its student body.

In light of the Kasner case, administrative decisions seem calculated based on its acceptability to alumni, the legal community, professors and the public. And perhaps because of a fear about its image, the administration seems willing to hush a uniquely internal and highly influential student affair.

And that is why students care and why Kasner's case matters. The administration has handled the disciplinary process improperly, and vague Adviser scribbles fall short of complete disclosure. HLS officials need to view the Ad Board process inclusively, not as driven by decree, nor as an effort concluded when they, and only they, have spoken.

—Friedman,
Kuohung

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—First Amendment, US Constitution

• Letters •

Poor Education the Fault of Faculty

The fact that a large portion of Harvard Law Students routinely write lousy exam answers ought to trouble the faculty. I've read some old exams, and those that get a B or worse just aren't very good, my own included. Theoretically, we were admitted because the admissions committee thought that we were bright, but many of us just don't do well. By "don't do well" I mean that we don't learn the material, at least not the material that's being tested. What's the problem? Fortunately, it seems to be the method of "teaching."

The indicators of the problem are everywhere. From the grade sheets themselves, to the bookstores that sell the scores of study aids, to the often pervading sense of frustration and resignation that many students feel toward the learning process here. These factors suggest, amongst other things, that the teachers are not teaching. I am not saying that the faculty doesn't try or doesn't care. If I felt that way, I wouldn't be writing this piece. I am saying that, in general, they aren't being very effective and they need to make some changes.

How many times while preparing for class have we wondered: "Where does this fit in?" "Why is this important?" "What does the teacher want me to take away from this?" These are questions which any teacher would be proud of. The problem is that all too often the instructor fails to provide sufficient structure and detail for these questions to be answered. In these cases, the instructor is abdicating his or her responsibility to teach and is putting that burden on the student's shoulders.

Being motivated and intelligent, HLS students typically accept the challenge to teach themselves but all too often come short of the mark.

Any instructor who repeatedly receives lousy exam answers from dedicated students ought to be embarrassed. Every instructor ought to be teaching the material that they want their students to learn, and teaching it well. As a start, they could provide structure, a detailed outline, their own lecture notes, approaches to solving issue-spotters, pneumonics for memorizing key facts, whatever is necessary. In the absence of such instruction, some students are lucky enough to find a Victor-Jih-quality outline, the others are left scrambling at the end of the semester to try and piece the course together.

Dr. Ken Blanchard, a prominent author and management consultant, utilizes a simple, but sadly a rare, technique in his classrooms. He hands out the final exam on the first day of class. Then he spends the rest of the semester teaching his students the answers. There is no point to hiding the ball unless your goal is teach your students how to find it, in which case you need to teach them how to find it. There is no point to using the case method as your principal instructional tool if your goal is to have your students be able to solve issue spotters. Teachers need to be clear about their goals for the students, communicate these goals, and then do whatever is necessary to achieve them. Teachers need to be clear about whose side they are on.

Presumably, all teachers are on the side of their students' learning.

A Campaign Worthy of Its Contenders

The recent elections for Law School Council were a trying affair. The daily cycle of reading the other slates' newest campaign literature, framing responses, running to Kinko's at 3 a.m., and posting flyers around campus before students were awake, was emotionally draining for candidates and the supporters of the respective slates. The campaign also took its toll physically, as candidates slept and ate remarkably little for 12 days. Yet, by the same token, the campaign has been an unforgettably positive experience for me, as I watched students working near the limits of their endurance for the right to serve other students.

At the beginning of the campaign, I joked how I knew I was working too hard if I was half as busy as when I was in the army and getting only twice as much sleep. A few days later, I stopped laughing, as the work level and sleep deprivation approached military proportions. At times, I recalled the motto of one of my instructors in basic training: "When you reach the end of your strength, keep going."

However, sheer force of will carries one only so far. It can never substitute for the right substantive motivation. The exhausting election process weeds out candidates running on pure perspiration and wanting in inspiration.

I therefore congratulate each of the candidates on the Party of 3 and the Ticket to Ride for their dedication to improving life at HLS. Shortly before launching her campaign, Blythe Holden described to me her vision of transforming HLS into a more tightly knit com-

munity. By such means as increasing student input in faculty decision-making and by sponsoring more social events inclusive of the entire student body rather than for discrete segments of it, she wanted to change the very way students think about themselves. A more united and empowered student body would view HLS less as a vocational school grind and more as a surrogate home providing superior legal education.

Blythe demonstrated true commitment to her work on Law School Council when, in the midst of the campaign, she approached me regarding our ongoing work on the Hemenway Gymnasium. More than any member of the Council, Blythe has fought to improve Hemenway, and she was primarily responsible for the installation of thousands of dollars worth of new equipment, such as additional Stairmasters, last year. Her eagerness to disregard campaign partisanship to cooperate on a matter of mutual concern reinvigorated my own campaigning energy, as my respect for Blythe's worthiness and formidability as a candidate deepened.

Bob Melson shared with me the overarching goals of his candidacy when our paths crossed while posting fliers in Gropius one morning at 5 a.m. Between the Scylla of a fiancée concerned that he spent too much time campaigning and the Charybdis of half-completed clerkship applications, Bob's energy to campaign was sustained by his belief that Law School Council had become too self-important and detached to be responsive to students.

Unfortunately, instructor's actions often do not bear this out, and the dynamic in the classroom is usually infected by this. Of the students that go to class, how many are eager to participate in class discussion? Painfully few in my experience — adversarial relationships don't foster communication and cooperation in the learning process. While there are other contributing causes, a teacher could begin to change the typical dynamic of the classroom simply by making the changes necessary to convince the students that he or she is on their side.

There is no good reason not to make learning as easy as possible. If you think that everything is fine the way things are, then reread those exams from last semester or read some of the comments in the BSA evaluations and see if you still think everything is fine. If you're worried about further grade inflation, consider Prof. Dershowitz's comment to my Criminal Law class last year that if everyone in the class wrote an A paper, he would gladly give everyone an A and would then go ask for a raise for doing such a good job teaching. If the bell curve has to go, then it has to go.

Fortunately the problem lies with the faculty. This is fortunate since they are also a talented and motivated group of people, and since they are in a position to make a change. The potential rewards for both the students and faculty are enormous. I encourage all the faculty to analyze how well they have been teaching and to decide whose side they are on.

Brian J. Dorini '97
March 12, 1996

His use of humor throughout the campaign and his slogan about electing "Council officers that you would want to hang out with ... [and] play kickball with" reflected an entirely serious idea about facilitating greater communication between the Council and the student body.

Melson was particularly interested in making the Council more attuned to the needs of graduate students. He felt that the Council had pretty well ignored their calls for better career services and for more contact with J.D. students. Melson demonstrated his commitment to the cause of graduate students by expending the most campaign time and attention of all candidates to LL.M.s, S.J.D.s, and ITPs. His critique of the other slates in this area was constructive and appreciated.

Various explanations have been offered as to how the campaign became so frenetic this year. The newly protracted campaign period and the heightened exposure by the RECORD were surely major factors. However, Blythe Holden is probably correct in attributing the campaign's unusual intensity to the passionate commitment of this year's slates to their respective visions of Law School Council and HLS. Grueling U.S. Presidential campaigns are sometimes portrayed as gauntlets which we force aspirants to run as a sort of trial by ordeal. By this test, Blythe Holden, Bob Melson and Chip Nierlich all proved themselves worthy candidates for the Council presidency.

Rob Jancu '98
March 11, 1996

Monitoring Crime Neighborhood by Neighborhood

By Philip Heymann '60 and William N. Brownsberger '83

Over the years, the United States has developed a panoply of criminal justice reporting systems producing data on race. Yet racial criminal justice statistics are of little practical use, even as a check on racism. In contrast, neighborhood-level criminal justice statistics would be of enormous practical value. But even now, neighborhood statistics are scarce. Information technology has evolved to the point where most criminal justice system statistics can and should be published at a neighborhood level.

In the federally compiled annual Sourcebook on Criminal Justice Statistics, the bible for criminal justice statisticians, one may indulge almost any curiosity about race, crime and criminal justice. One may learn, for example, that 93 percent of blacks killed are killed by blacks, 93 percent of whites killed are killed by whites. Black adults are five times more likely than white adults to be arrested for drug offenses. The state and federal prison population includes roughly equal numbers of blacks and whites, but state and federal prison employees are predominantly (73 percent) white.

Racial crime statistics fuel the debate about black crime. Scholars debate the significance of the higher involvement of blacks in the criminal justice system. Do blacks commit proportionally more crimes than whites? Does the system discriminate against blacks? If blacks commit more crime, why? Does any difference disappear if differences in various measures of economic and social disadvantage are accounted for? Many African Americans are understandably troubled by the terms of this debate.

As a nation, we are committed, at a minimum, to equal treatment under the criminal law. Explanations of differences in racial crime rates should therefore be of little practical interest. No conceivable policing or sentencing policy will build in differential treatment of blacks and whites.

Racial criminal justice statistics might appear to be helpful in monitoring racism in the system. In fact, they are of little value even for this purpose. Racial disparities in crime rates are so large that they cannot be explained by police and court racism alone. On the other hand, most observers would agree that racism remains a serious problem in the criminal justice system. Control of racism in the

system is a day-to-day struggle in the trenches and is largely unaided by racial crime statistics.

Crime varies by neighborhood. Also, criminal justice system resources are de facto distributed by neighborhood. The police make more arrests in some neighborhoods. The courts process more cases in some neighborhoods. The prisons draw more prisoners from some neighborhoods. Yet, although some cities (including Boston) are beginning to make neighborhood crime figures available, there are no national analyses of the neighborhood-level concentration of crime.

Recently, more police departments have been computerizing their emergency call and response tracking systems. They are sharpening their ability to identify neighborhood crime patterns and target resources to respond to them. Yet these systems, which could readily create neighborhood-level statistics, are too often not being used for this

Racial disparities in crime rates are so large that they cannot be explained by police and court racism alone.

purpose.

Similarly, most courts, probation departments and prisons track the addresses of their clients in computer systems. Yet few of these institutions have a quantitative understanding of their own roles in high-crime neighborhoods. They generally track statistics by jurisdiction (municipality, district, country, state) or by facility (court, jail, prison, or probation office).

As a result, we have no national ability and far too little local ability to measure the correspondence between the distribution of crime and the distribution of criminal justice system resources.

Nor, in many jurisdictions, do we have an adequate handle on important local questions like how many of the juveniles in a given school district are involved in the juvenile justice system. Or, how many of the young men from a given neighborhood are on probation or incarcerated? Or, how much of the caseload of the courts in a given jurisdiction derives from certain neighborhoods?

If we had comprehensive neighborhood statistics on crime and criminals, we would have to face the differences among neighborhoods on a number of dimensions, and we might make more effective policy decisions as a result.

State and federally funded law enforcement programs

could become much more effective in targeting resources to troubled areas within localities. Today, scarce enforcement resources are often spread too broadly. There is a political need to offer something to everyone. The Clinton program to encourage more police is an example. Yet it is possible that if the high crime rates of the most troubled neighborhoods were not hidden in statistical aggregates, we might hope for a more rational distribution.

The staggering concentration of delinquents, probationers, prisoners and parolees in some neighborhoods would become visible if neighborhood statistics were available. This would probably lead to a reassessment of the role of the criminal justice system in these neighborhoods. Law enforcement would be seen not as a mechanism for eliminating the few most dangerous elements (although it would remain that), but as a collection of agencies heavily involved in the development of the majority of young men in some neighborhoods.

For many young men in some neighborhoods, the criminal justice system is the dominant agency of governmental intervention, surpassing the schools in significance, even for juveniles. If the neighborhood-level impact of the criminal justice system were visible, social service programs could better organize themselves in partnership with the criminal justice system. The state coercion supplied by criminal justice could be more effectively used to generate compliance with school regimens, job training, drug treatment and family support programs.

It is healthy for all communities to examine and attempt to reinforce their basic values. Yet most of the serious crime is concentrated in high-poverty neighborhoods where a host of other social pathologies are rampant. Criminal justice system involvement is 10 to 100 times more prevalent in high-poverty neighborhoods than in affluent neighborhoods. National documentation of this reality should scarcely encourage complacency. Instead, it should make clear that the problems of these neighborhoods are even more serious than often realized, and they must be addressed for the good of society as a whole.

Today, more criminal justice system agencies track the addresses of their clients in computerized records. Widely available "geocoding" software makes it possible to automatically translate addresses into census tracts. Also, high-capacity personal computers allow the manipulation of voluminous, disaggregated neighborhood-level data. This message is clear. The Department of Justice should begin compiling and publishing neighborhood-level justice system data provided by local authorities. The focus of policy that will follow the data can contribute greatly to the true understanding and reduction of crime in American society.

Philip Heymann is the James Barr Ames professor of law at Harvard Law School. William N. Brownsberger is an assistant attorney general of Massachusetts. The opinions expressed in this piece reflect the views of the authors only and not those of the Commonwealth of Massachusetts.

• Letters Continued •

RECORD Articles a Welcome Change

For a foreign student, Harvard Law School is a surprise in many ways: the fame leads us to expect Memorial Hall-type architecture instead of Gropius; the air of New England suggests parochialism and bourgeois standards. Instead, people hardly notice my accent, and almost nobody wants to know which corner of the world it comes from. There are simply so many differences already....

The question is whether quick and invisible blending in is good or bad? Obviously it's both, but it also may make life boring. It certainly has become too boring if the textbooks feel more interesting than the student paper or other free-of-form expressions. In the last two or three issues, the RECORD has surprised me. There have been new polemical articles, stories and columns written by real people with real spice: The Law School Student Council

Elections coverage was one example; great, that you took a stance. There's enough (superficial) impartiality in law — if somebody cannot tell the RECORD apart from a casebook, that is too bad. Bias is human, and open and honest opinion starts a discussion. Editors and columnists are supposed to inspire, provoke and wake us up — their views at best come from outside our legalist reality and find their places in between the laws, forms, standards, values and differences. Even in law we constantly need new directions: For instance, the equity doctrine finds new life outside *intra legem*. Lawyers and judges accept that human reality exists also *praeter legem* (in between law) and, even more so, *contra legem*. The RECORD has lately challenged my mind with political stances, interesting dialogues, surrealistic columns, different

religions, and even Zen... great! There's no way to live or work inside a textbook forgetting reality, real people, real controversies and the very question what is really "real" and what "surreal." The Drama Society's excellent parody was also a good reminder of these questions, but, of course, they can't do it every week. The RECORD through its columns and articles takes place in between and as against existing law, law studies and law school routine every week. I've actually started to look forward to it. It's good to remember that the existing law, as well as the reality itself, is always a product of the past, only by thinking outside and in between it every week can we have a hunch about where it's going — with or without us.

Outi Korhonen LL.M. '96
March 12, 1996

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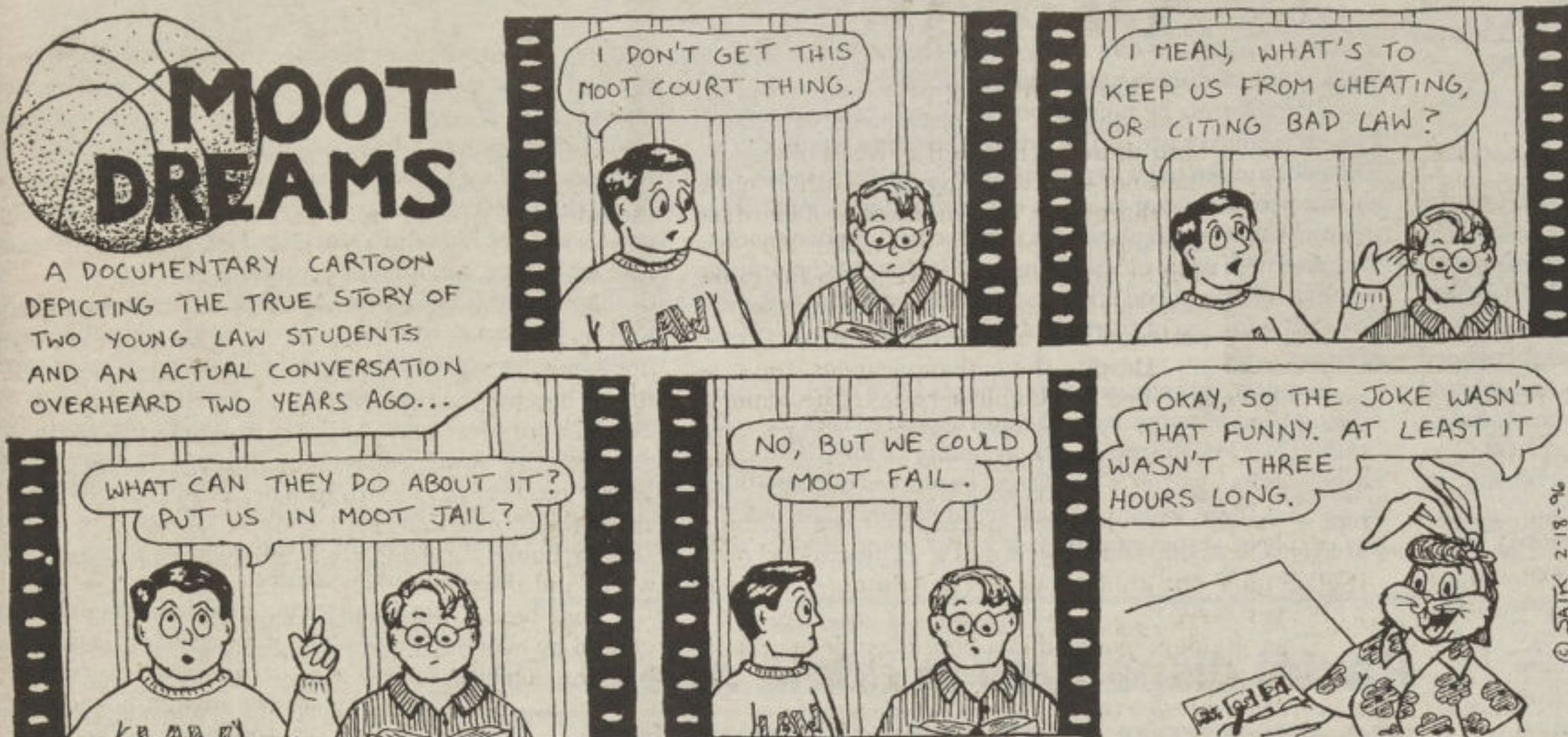
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Temporary Insanity

By Sheila Tuller

MOOT DREAMS

A DOCUMENTARY CARTOON
DEPICTING THE TRUE STORY OF
TWO YOUNG LAW STUDENTS
AND AN ACTUAL CONVERSATION
OVERHEARD TWO YEARS AGO...



Civil Procedure

The choices confronting the
law school graduate are
daunting



Corporate firms offer wealth.



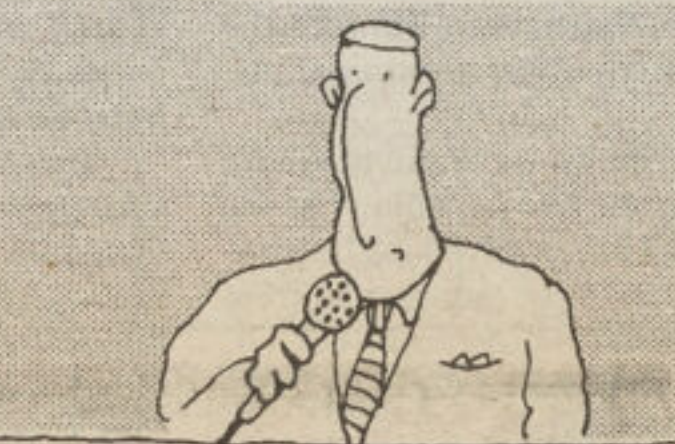
Government offers power.



Private practice offers status.



Then there's public interest...



M.J. Kelly 1996

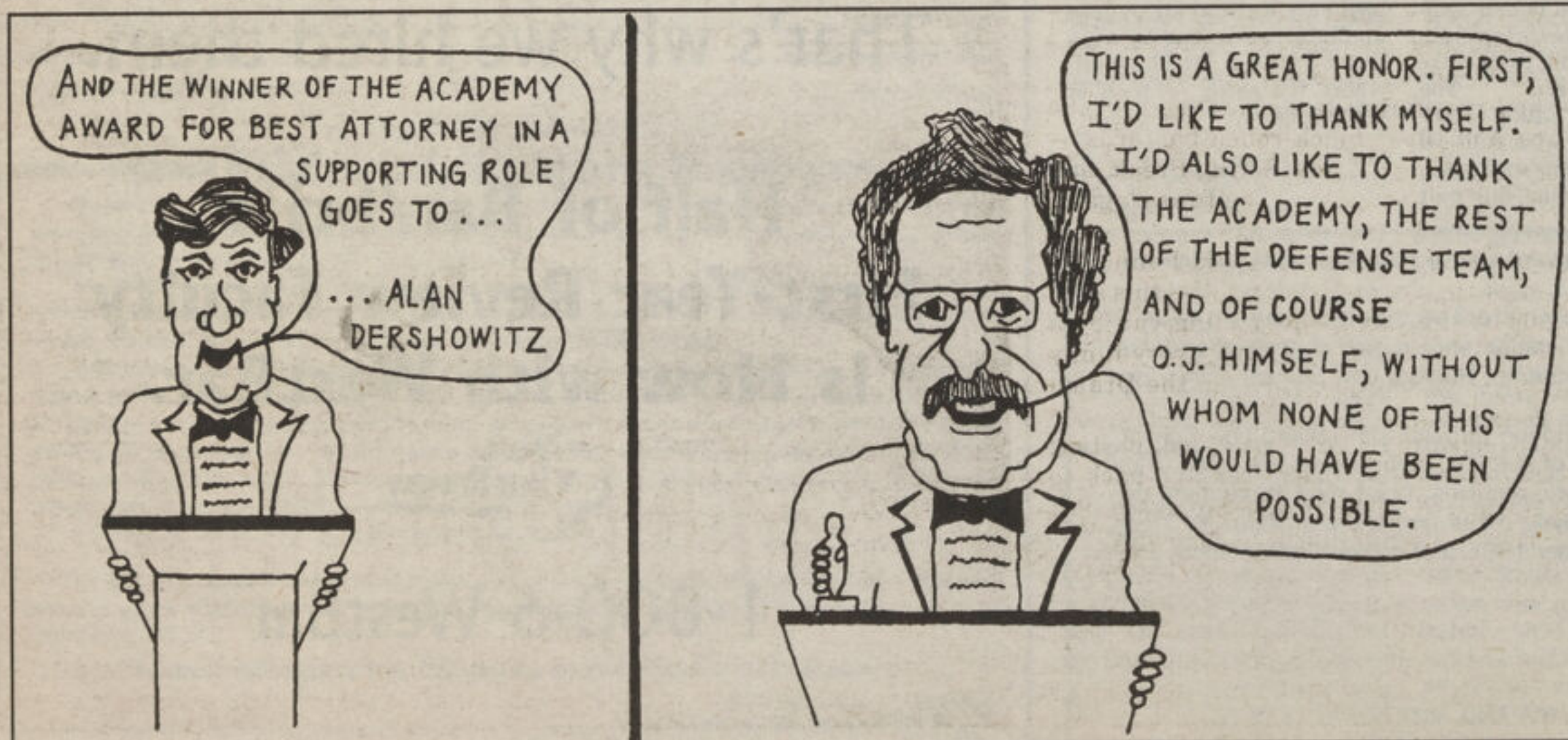
Backbench

By Brian Cheng



Ad Hominem

By Stuart Rees and Bill Zimmerman



CALENDAR

By Colin Meeder

I was recently discussing with a small group of people who, like most folk, flee in terror or disgust when confronted with music that they haven't heard before, exactly why it is that, in music, the unfamiliar is equated to the unpleasant. I've had this discussion before with others, and the answer I usually get is something along the lines of "because that crap you listen to is garbage — now put on some Whitney Houston before I'm forced to pistol-whip you."

Not this time, though. This time I got a fairly direct answer: the consensus was that to be pleasant, music must be participatory. Strange new music that does not allow the listener to sing or hum along is rejected as alien and unpleasant. To which I now respond: why can't one sing along to anything, even as it's heard for the first time? How can it be that folks who cannot read even Cosmo without underlining any word that inspires the slightest mental activity cannot similarly be engaged while confronted with aural stimuli?

Well, whip out your yellow highlighters, folks, it's another week of musical adventure. Tonight (3/14) at Avalon (262-2424), it's **Ziggy Marley & the Melody Makers** — and wouldn't you name your band after your legendary father's guitar if you had a chance? **Julian & Damien Marley** are "special guests."

I'm going to end up sounding like Mama Kin's (536-2100) press agent this week — it's not that I'm trying to meet Stephen Tyler (although cappuccino with his daughter Liv wouldn't be bad), but some fine, fine acts are playing there, and the rest of the greater Boston music scene seems to have fallen asleep at the switch. Tonight, it's the man who discovered Eric Clapton, **John Mayall** with his **Bluesbreakers**. **Kip London** opens. Then, on Friday (3/15), it's **Fear**. Yup, Lee Ving is back, still slinging out the vitriol, this time with a talented band including ex-Zappa bassist Scott Thunes. **Antiseen** and **Thorazine** open.

Last year, I saw the **Wedding Present** entrance a sold-out crowd at the Paradise, most of whom had come to see the opening act, local heroes Kustomized, with their vicious little pop tunes and breakneck playing speed. Saturday (3/16), you can see the new line-up of the band at Mama Kin. **Butterglory** and **Trona** open.

By Sunday night (3/17), you'll be on a first name basis with the bartenders at Kin, so why not see singer-songwriter ("Dead Skunk in the Middle of the Road") **Loudon Wainwright III** there? Because it's St. Patrick's Day, and you'll be getting the tar pounded out of you by some lout with a "Kiss Me, I'm Irish" button.

Rest well on Monday, for Tuesday (3/19) brings the thunder of **AC/DC** to the FleetCenter. There are tickets left, but they're so expensive it's mind-blowing; call TicketBastard and pay even more! **The Poor** are the opening act. A more economical choice would be country comeback kid **Steve Earle**, who brings his band to Paradise (562-8800).

The curious phenomenon known as slowcore, in which tortured thin guys hold guitars and sing nearly inaudibly, will be made manifest at TT the Bear's (492-BEAR) on Wednesday (3/20) courtesy of **Low** and **Idaho**, with local openers **TransAm**.

Bravo

By Markus Hartmann '96

THE producers of "Raiders of the Lost Hark" set out to show "how all of us can get together to laugh at ourselves, realize that we share a lot of common experience here, and maybe take a stab at feeling like a community for a couple of hours." This mission statement, found in the program, was ambitious to say the least. Fortunately, like Babe Ruth pointing to the far wall, the writers, cast, crew and band pulled it off. Home-run. In the potential words of Hardass Marksman: Mission accomplished.

Most HLS stories make this place sound much more unpleasant than it really is; "Raiders" was the exception. If you were entertained by Mr. Turow's "One-L" or find yourself renting "The Paper Chase" to understand the essence of our experience here, hopefully you saw "Raiders." If you missed it, find a way to get the video. Pay big bucks if you have to. I will place the video next to "The Paper Chase," "One-L," "Broken Contract," and "Poisoned Ivy" on my shelf. Of the lot, "Raiders" and "One-L" are the only ones worth looking at a second time. For our generation of HLS students, "Raiders" is by far the most accurate accounting.

When I was told to be sure to see "Raiders" by a few of this school's insiders, I was a little concerned. Was seeing it going to feel like breaking-up with Alanis Morissette? You think the break up was amicable, and then you hear how ticked off she was every time "You Oughta Know" is played on the radio. For me, the parody was closer to Alanis' "Isn't it ironic?"

"Raiders" was a provocative production that poked fun at various aspects of life here at HLS. The emphasis was placed on poking fun at various people at HLS. The thumb-print of IL section I '96 was evident. The parody begins causing laughter during the Prologue and doesn't quit until the audience is treated to a better-than-the-original remake of "Oh What A Night."

Granted, at times the laughter is often the kind that attempts to hide embarrassment. The embarrassment is the byproduct of the parody's accuracy. For those of us who were, shall we say, obvious characters,



it is akin to whistling past the graveyard. To say that the humor was merely cutting is to underestimate its effectiveness. I shall not speak for any of the other "obvious characters," but in the case of Hardass Marksman, besides Mr. Bamberger's height and the fact that he IS far more handsome than the original Hardass, the portrayal was beyond criticism.

Despite the embarrassment, the producers have provided a valuable service to the community in general and the "obvious" characters in particular. People pay big money to therapists for an objective assessment of how they are perceived by others. I only had to pay \$7. On a larger scale, people were laughing at themselves and this place we call: "The Law School." If HLS gave out a medal of levity, "Raiders" rates it with a veritas V.

Does "Raiders" succeed just because it pokes fun at some characters around here? No. It succeeds because it continually weaves the string of truth into the story. Veritas is delivered as a punch line, but it is delivered none the less. There were no undeserved criticisms, only instructive ones. The producers called the plot flimsy, but I must disagree. The plot incorporated everything from childhood personality traits to the "Still Haven't Found What I'm Looking For" questions of life. That is no small feat for a bunch of law students/parody writers. Brandon Baer '97, Jamie Feldman '96 and Dino Wu '97 deserve the school's accolades.

According to his cast biography, Jamie Feldman "wrote one character to personify each of his neuroses so he could make them fight with each other on stage." He added, "It's cheaper than therapy." How fortunate we are to have one among us whose therapy not only benefits himself, but the community as a whole. In his

Director's note, Jamie gives thanks to Laura Putney '95. For Jamie, the parody was not the same without her.

I must also thank Ms. Putney. Last year, I wrote a harsh review of Ms. Putney's video "Still Life," which included the testimony of various HLS students who were not quite certain that law was where their interests were best served. In lamenting some of the whining that goes on here, I painted with too broad a brush and included Ms. Putney in a group to which she does not belong. Despite my review, Ms. Putney allowed me to see her work. Like "Raiders," "Still Life" is a valuable source of understanding for people interested in entering the world of law through the gateway of HLS. What "Raiders" does with humor, "Still Life" does with sincerity. "Still Life" is a valuable legacy to Harvard Law School. I appreciated being allowed to see her work, and the parody reminded me of that fact.

That being said, I think that the video should be viewed by every student at HLS but should be guarded like the "Outline of the Covenant" from the outside

world. Maybe the video should be encoded with an H-chip so that only HLS people, and people within three degrees of HLS people, can view it. To release this video to the general public would be like pulling back the Wizard's curtain in the palace of Oz. Even worse, it may be more like Tonya Harding's Wedding-night video; not only are the experiences too intimate for

... not only are the experiences too intimate for general consumption, some of them are just gross.

general consumption, some of them are just gross.

Should you ever happen to visit me in my "plastic skyscraper," next to my HLS diploma will be the "Raiders of the Lost Hark" playbill. It is signed by a few of the cast members and by Jamie Feldman. Jamie deserves a lion's share of the credit for the accuracy of the Mr. Marksman character. The playbill will be placed on the wall to bring a smile to my face and to remind me that you don't have to be a Hardass to enjoy spending time with your friends at HLS.



When last we saw Fenno, he had just left the empire of the senses, helped along by the combined efforts of an obscure Hungarian medicinal liqueur and the horrifying news that the Ad Board has been infiltrated by the Choate Club, a secret society long thought extinct. What follows is a vision, or hallucination, depending upon the reader's degree of belief in the occult. It would be in italics, to indicate distance from reality, but as it immediately follows this italicized summary from last week, it appears in roman text. Fenno's editors sincerely hope that the next addition of the Bluebook will address this difficult situation.

Fenno was somewhere far away again, apparently the same damn tropical island to which he had been transported not very long ago. In his left hand was a margarita. He sipped it. It was really good. He felt a hand on his shoulder. He turned to face the hand's owner. It was George Burns. "Am I dead?" asked Fenno.

"Why are you asking me?" responded Burns, "I make a series of crappy films with John Denver, and suddenly everyone assumes I'm the Almighty. I don't know if you're dead or not, Fenno. All I know is that they told me to bring you to over to God's office and that Gracie would meet me there. You wouldn't keep a dead man from his dead wife, would you?"

Fenno, stunned into silence, merely shook his head. Burns gestured with his El Producto for Fenno to follow. The two walked a short, albeit infinite, distance, until they reached a building that looked eerily like Griswold. "Good luck, Fenno," said George Burns, "and tell God I'm running low on cigars."

"But, wait," cried Fenno uselessly, as Burns and Allen walked off into the distance, hand in hand.

Fenno watched them for a moment, took another sip from the margarita, and went into the building. A small, hand-lettered cardboard sign was marked "God's Office - G304." Fenno went to the elevator and pressed the up button. As he was either in Paradise or hallucinating, the elevator came swiftly. Before he knew it, Fenno stood before the door of room 304. In a charmingly unpretentious display of omniscience, the Creator opened the door and invited him in.

Those who had hoped for a precise description of God's appearance are advised to consult Shirley MacLaine; for present purposes, it will suffice to say that the Divinity looked like a cross between Alice Walker and a supernova, and that Fenno was not discomfited by the sight. "How do you do, Fenno?" asked God. "That's a rhetorical question, of course. I know how you do, and when and to whom you do it — just trying to be polite. I simply wanted to talk to you about this Choate Club stuff."

"You're a member?" asked Fenno, incredulously.

"No, no, my son. Too damn busy creating, sustaining and redeeming to worry about excluding," said God, kindly. "I just wanted to ask you to end your quest and go back to your wry and wacky adventures as a smugly drunken and indifferent law student. I'll take care of those black-robed bastards — you just have a nice Spring Break, and when you come back, be funny again. OK?"

"Well, I guess so," said Fenno. "I mean, you're probably right — this stuff about the Law School being run by a small evil cabal isn't really very funny and is probably best left to the Drama Society."

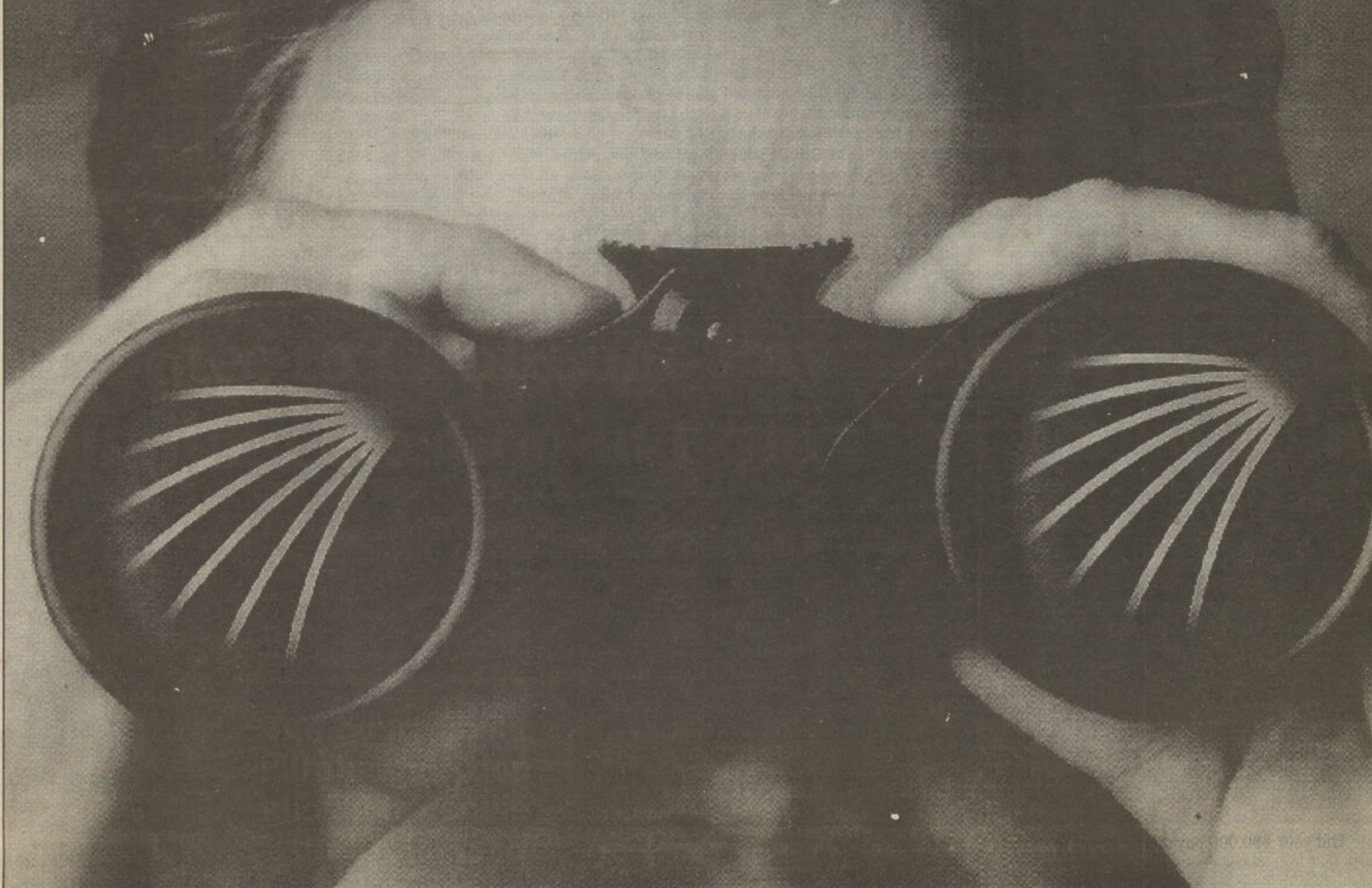
"That's my boy," said God, patting Fenno on the head. "Now go back to sleep, and when you awake again, it'll be as if none of this ever happened."

"Thanks, God. Oh, by the way," queried Fenno, "How's Prof. Areeda?"

God smiled. "He's adjusting well, but he keeps asking for Richard Nixon. Frankly, I haven't the heart to tell him."

**Sorry, Folks, but the
next issue of the
RECORD won't be
until April 12.
Have a great
Spring Break!**

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Upon Reflection

Of Whom Will They Speak?



By Calvin Gladney '97

Guest Columnist

SILENCE overwhelms the sounds of sobbing that echo throughout the velveted room. Flowers abound; their vibrant colors provide welcome contrast to the sea of dark suits which pack the room. All eyes turn to the ebony-clad figure at the podium; tears glisten in the person's eyes as she begins to speak. Family and friends stare blankly ahead as they listen intently.

Today others will speak for you and about you. You will not have the opportunity to cross-examine; you will not be able to object. Your only zealous advocate will be your life's words and deeds. This judge and jury await these final, reflective words.

Of whom will they speak?

Will they speak solely of navy-blue suits and law firm hallways, corporate-sponsored outings and country-club receptions...with a sense of "community" represented by a check in the mail?

Was there even a check in the mail?

Of whom will they speak?

Will they memorialize your personal convictions or your convictions in the courtroom?

Will they note what you believed in?

Did you stand for something or did you fall for everything?

Of whom will they speak?

Will they talk about how much fun you had?

Or did you jump on the bandwagon while you kept up with the Joneses?

Did your \$80,000 paychecks kneel to your \$100,000 debts caused by that corporate fast lane noose around your neck?

Of whom will they speak?

Will their attempts to celebrate your parenthood ring hollow?

Were you there for the first steps, the first crush, the first love?

Or were you too busy with your first memo, your first closing and your first deal?

Who was the better baby-sitter — you or the TV?

Of whom will they speak?

When their dark suits intermingle with the colorful flowers, when their sobs are overwhelmed by the power of silence, and when the one who stands in front of them offers those final words which reflect upon your lifetime...

I ask only one question:

Of whom will they speak?

SUMMER CLERKSHIP

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The project involves organizing an automated exchange for financial products and will probably include research, drafting memoranda and drafting applications.

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Fax resume and salary requirements to Grenex Corporation, (212) 243-8646.

House O' Style

First Impressions

By Vik Arora '98 and Christina Ho '98

Guest Columnists

PROSPECTIVE members of the HLS Class of 1999, Vik and Christina take time out of their demanding schedules (you know, gratifying the paparazzi and all takes time) to welcome you. Within the next few weeks, you will be making a momentous decision — which law school to grace with your presence. (Ego-inflation starts at such a tender age). You've already done regressions on the numbers from U.S. News and World Report, but Vik and Christina want you to know that relying on merely one publication to inform your purchase of a legal education will simply not suffice. After all, USN, for all their fuddy-duddy number churning, neglected to consider one important, critical, dispositive, conclusive, essential, extremely vital, very very key dimension: the fashion-sense of each law school's student body. And there is only one place to find that missing info: here, at the RECORD. No, you didn't ask for their opinions, but Vik and Christina are not bothered by what you want. For those of you with any style, the following will help guide you to the school of your runway fantasies:

Stanford. Those of you who haven't ventured west of the Mississippi can only rely on Beach Boys tunes and Baywatch for clues to style on the Pacific seaboard. However accurate such depictions are at capturing the Southern California scene, they do no justice to Stanford law students. Most of these Stanfordites took time off between college and law school and still haven't shaken their I-am-a-grown-up-because-I-dress-that-way wardrobes. With the weather suggesting all sorts of enticing possibilities ranging from sundress shaded by broad-brimmed hat to Daisy Dukes accessorized by Virginia Slims, how could Stanford women go wrong? Yet, they stubbornly forego whimsy and settle instead for slacks and Keds. As for the men, they dig deep into their closets to produce ... the outfits they wore on corporate casual days at the I-bank — khakis and a button-down. Frighteningly enough, Stanford law students make the celery-eating, Birkenstock-wearing, anti-fashion undergraduates look as daring as Cher. The law students dress like your mom and dad. So do yourself a favor — ignore the weather factor, and stay away.

Yale. A friend of Christina's who went to a formal here reports that a woman was wearing, over lace-net stockings, a short dress that could have been classified equally well as a long sweater. How should one label such a conundrum? The correct answer is, "TACKY." But what can you expect when the law students sleep, eat,

The law students [at Stanford] dress like your mom and dad. So do yourself a favor — ignore the weather factor, and stay away.

attend class and party all in the same building? One is bound to find people wearing loungewear everywhere. Pull some polar fleece over the sweats, thinks your typical Yalie, and *voila*. You're suddenly presentable enough for an informal lunch date. This reasoning is, unfortunately, fallacious. Polar fleece is not presentable. Polar fleece cannot make unpresentable sweats presentable. Ergo, don't go to Yale. Quod erat demonstratum.

Chicago. Chicago has set itself apart in two ways: it interviews many of its applicants, and it is the brain stem of the beast we call Law and Economics. These two characteristics wreak havoc upon the fashion scene of Chicago's South Side. Although interviews might serve to weed out the fashion unconscious, Chicago actually strives to keep itself the land of the intellectual uglies. Intellectual they may be, but the checked polyester (even worse than Lamar's flannel) and Wranglers are, quite frankly, an assault to the senses. As you'll soon discover, the key to law and economics is efficiency. Efficiency in torts, efficiency in sex and yes, even efficiency in dress. Examples of efficiency include wearing moon boots throughout the spring (in case the hard winter comes back to haunt the scene), not sculpting the coif (for the wind has no mercy) and not accessorizing. Needless to say, it's not pretty. Don't go there.

Columbia. Ah, what potential. New York, mother lode of American fashion: nightclubs that set the trends; street culture; Soho; the Village. But, alas, Columbia has not capitalized on these resources. Instead, the student body has polarized into two warring contingents, the Slobs and the Hoods. A typical Slob wears jeans whose last contact with soap and water coincided with the Slob's last real shave. By contrast, a Hood, like any good Hood, would rather snort lard than take off her black leather. But there is one sparkling pinpoint of hope, the Columbia students inform Vik and Christina. Recently, an unidentified woman has been spied on campus wearing a pink satin, to-the-knee, pencil skirt with leopard-print blouse. Viva audacity! But can a lone star illuminate the wasted urban-scape and redeem Columbia from its dinge? Think on that and skip the City.

Michigan. This law school wins the "Highest Percentage of Students Who Actually Wear School Insignia Clothing" award. Baseball hats, sweatshirts, athletic shorts, boxers, polos, socks even, all shamelessly displaying the same merchandising source. One speculates whether U Mich, by clothing every limb of every university student in sight, has become the J Crew of Ann Arbor. Think about it: would you rather wear a breathtakingly overpriced T-shirt or a breathtakingly over-priced T-shirt with a wolverine on it? Vik and Christina think the answer is pretty clear.

Princeton. Admit it, you just had a frisson of fear, wondering how you overlooked this Ivy law school when you were donating \$70 application fees to all the others. Relax, there is no Princeton Law, and you wouldn't turn down Harvard to go there even if there were. But imagine if Princeton Law existed: it would be the kingdom of men in monogrammed sweaters and women in velvet headbands. Vomiting yet? Come to think of it, there probably was a Princeton law school in the days of yore. And the students were probably as unsightly as you'd expect. Heeding the cries of an entire nation suffering from the offending sight, the ABA Style Division probably intervened and closed the institution down for being a public nuisance.

Harvard. By now Vik and Christina should have banished from your mind any sane desire to attend the foregoing institutions. They may have their small educational virtues, but surely you weren't going to base your decision on those. This weekend, look around. We'll let you do the commentary on Harvard. Just remember, in law school and forever after, judge a book by its cover. You heard it here first.

Of Bulldozers and Butterflies

Gropius' flesh

By Alexander Boldizar '98

Guest Columnist



GOOD morning dear lemons, how juicy you look today....

For this week's column, I originally planned to relate a conversation I overheard between Justices Holmes, Story, Dane etc ... and Mr. Gropius, the architect from Hell. It was not a pretty scene and didn't pass by the censors.

I was in the process of trying to rewrite the column so that its rating would not be in danger of falling off the end of the alphabet when I was distracted by a Walking Head. No, it wasn't a Talking Head, though Walking Heads do spend a lot of time talking, but a head with no body, no flesh, nothing but stringy legs holding up a big head with a flapping mouth. The head had pink eyes, and its flapping mouth was wagging, "Oh dear! Oh dear! I shall be too late." It looked at its pocket watch and ran down the underground tunnels to class. My own jaw sagged in surprise.

Now, I admit that I have a saggy, flappy jaw myself, but usually it is caught by my chest when it falls open too far. This time, however, it just kept on falling and falling. I looked down and realized that my jaw had fallen into the Abyss of Law School, and I too had become a Walking Head.

"What do you do ... when you live in a shoe?" I thought to myself. It was inevitable. My mind raced back to Gropius ... I mean I went back home to my little room in Gropius ... and then I understood: form follows function. I looked at my home-sweet-home in a different light: I saw what the architect William Curtis called the "sophisticated combination of rectangular frame, vertical panels, and cantilevered horizontal planes" which unified the form through their functionality. I understood!

Curtis described Gropius' work as a "simple yet living form subsuming all parts and details." The description fits the Law School conceptually as well as it does the physical structure of the Gropius complex. Parts which have a function are incorporated into the form, subsumed by it, while parts which don't are elim-

A Walking Head is what's left after a body is dragged through the antiseptic cleanliness and irreducible bareness which is necessary in order to look at the Law "objectively."

inated. Some may argue that the fact that my head remained disproves my entire argument, but such nasty observations aside I had a hard time focusing on Gropius' compliment to my head. I wanted my body back.

Another architect, E.H. Gombrich, once said that "styles, like languages, differ in the sequence of articulation and in the questions they allow the artist to ask." The style of a first year at Harvard Law School creates some kind of strange, inarticulate barrier against raising my hand during Civil Procedure and saying "Um, excuse me Prof. Miller, but, um ... have you seen my body? It's gone. I think it was swallowed up along with all the other oddities that don't fit into Harvard Law School, but I'm not sure."

Now, if you've read this far, you're probably wondering what the hell I'm talking about. By way of clarification, I will describe a Walking Head. Any one will do; there is little difference between us. A Walking Head is what's left after a body is dragged through the antiseptic cleanliness and irreducible bareness that is necessary in order to look at the Law "objectively." The flesh is burned off because it is filthy and distorts our reading of rules, laws and statutes. The flesh is the source of passions, and passions are primitive. Passions prevent clarity, cause crimes and, worst of all, create unpredictability. Lawyers hate unpredictability.

The parody of HLS last week implied that many of us who initially intended to pursue public interest jobs are feeling "seduced" by corporate law firms. But "seduction" is not the force that is pulling us towards the private sector. What's sexy or seductive about frigid, impersonal corporate America? On the contrary, what is happening is that our flesh, our blood, our passions are being amputated. They fulfill no useful function and so do not merit form. At least not within the world of the pragmatic, the practical and the analytical.

I am sick of my head and crave flesh. Speaking French is some consolation, for I spend so much time sitting in a chair, but it is far from enough. I rejoice when I get a handwritten letter, or even a typed one that uses a slightly different font. When I read a judicial opinion where a poor little judge makes a small joke, like "to b(2) or not to b(2), that is the question" (*Wetzel v. Liberty Mutual*, 508 F.2d 239), I sing, I dance, I hug my case book and giggle happily for hours.

I thank God every night that I am turning into a basket case, because I know that the alternative is to fully become a Walking Head, sucking the flesh out of unsuspecting victims and formulating it into "if A then B unless C." Flesh is essentially chaotic, but Head only understands order. Chaos lacks function, thus it must lack form. Head sterilizes Flesh to make it orderly. Head swells. Flesh decays.

Nietzsche once wrote that "One must still have chaos in one to give birth to a burning star." There are a lot of stars here who are burning out. He also said, "I would only believe in a God that knew how to dance." We have made Law our God; let's see it dance a little! We have nothing to lose but our minds and our heads ... and we may gain our bodies back.

The Walking Head opened its mouth, picked a bit of flesh from between its teeth, and started to sing "Burning down the House." I ran after it to class.

There is at least one good thing about Law School. It has taught me to come up with new and innovative rationalizations for getting fat and out of shape....

Grades Stay in Law Review Competition

continued from REVIEW, page 1

Westfall. "As an editor of WLJ, I do not know the grades of my other editors, and I am not sure that will make a difference.

"Good grades do not mean they can write or edit," she said.

Some women on the task force expressed similar sentiments.

"I was in favor of eliminating grades," said Seana Shiffrin '96, chair of the task force. "We have a writing competition that assimilates what the editing process will be like on the Review.

"From Lani Guinier's study [which found that women's grades were consistently lower than men's at the University of Pennsylvania Law School], other law review articles and various anecdotal information, we know there may be a disparity between men and women through the grading process," said Shiffrin.

"If we have some doubt about this selection process, and if we have another process — a substitute or a better one — then we should try them instead," she said.

"Law Review is primarily a journal, and the skills most relevant — editing, writing and analytical thinking — are proved in the writing competition," said Lisa Parker '96, another task force member.

"We should not be the proxy for the school's ranking system," she said.

"Eliminating grades is too radical of a change from the current system," said Martinez in her speculation of why Review members failed to pass the proposal though she herself was in favor of it.

The task force, said Panton, was particularly interested in data from a group of 17 women who had high grades but did not participate in the competition. Issues about quality of life, the negative perception of the Law Review and the enormous time needed for the competition deterred these women, according to the study.

As a response, the task force recommended, and the Review approved at Monday's meeting, various proposals ranging from a greater emphasis on introducing 1L women to the Review to publicizing the fact that the Review deals with a variety of issues that interest women.

"These women do not compete because they do not see the payoff on the Law Review. They want to do friendlier journals where they have more responsibility and better quality of life. Choice definitely

plays a role," said Westfall in her explanation of why these women are absent from the competition.

At the same time, Westfall is hopeful that the task force's recommendations will have beneficial results. "I have to give Law Review a lot of credit for the survey and for trying to reform the organization. Getting more women on the Law Review might get the ball rolling — more women might be drawn to it, finding it a friendlier environment."

The Review will convene next Monday to vote on the three remaining proposals of the task force. They include: a recommendation to give more emphasis to the writing competition over grades, to include gender as an affirmative action category, and to reduce the number of individuals who are chosen on a 70 percent grade-on basis.

Panton hopes that passing these three proposals will help correct the gender disparity on the Review in lieu of the grades elimination approach. "It's difficult to tell

what the outcome will be. But we will know next week," he said.

However, many female task force members questioned whether the alternative proposals if implemented will have the same effects as the sweeping recommendation to eliminate grades completely.

"I think the three proposals will minimize the bias that grades have — they somewhat address the possible problems. But I do not think the oth-

er proposals will go as far as the grades proposal would go," said Parker.

"This is worth trying. But I don't feel that I can predict for certain whether playing with the process in more subtle ways will mimic the results that elimination of the grades will bring," said Shiffrin.

Despite the task force's substantial findings about the gender bias in grades, Panton hesitated to completely endorse the result's reliability. He said that the failure of the Law School administration to release the available academic data of the student body impeded the Review's efforts to reach a full understanding of the situation.

"We know there was an internal study made by the HLS administration. But it refused to reveal the study's findings. That is very unfortunate," he said.

"The Administration needs to address this issue in a public and forthright manner. Our study urges the Administration to take the initiative in dealing with the problem of gender bias of grades at Harvard," said Martinez.

"Eliminating grades is too radical of a change from the current system," said Martinez.

DRUNK DRIVING DOESN'T JUST KILL DRUNK DRIVERS.

If you don't stop your friend from driving drunk, who will? Do whatever it takes.

FRIENDS DON'T LET FRIENDS DRIVE DRUNK.

U.S. Department of Transportation

Number of Applicants to HLS, Nationwide Decline

continued from *APPLICANT*, page 1

trend of declining applications. Last year, the number of applicants dropped 7.8 percent, compared to decreases of 1.7 percent in 1993-94, 6.3 percent in 1992-93 and 2.2 percent in 1991-92.

At HLS, applications dropped for the second year in a row, after registering increases in the number of applications of 10 percent in 1993-94 and 16 percent the year before.

Admissions officials said it was unclear why applications have been dropping off after witnessing unprecedented numbers during the 1980s boom, but they speculated that students today are thinking more seriously about applying given the depressed job market.

"The dramatic rise [in the 1980s] is more of an aberration than the number

we're seeing now," said Curll. "Interestingly enough, we have found that this year our applicants are a bit stronger by the traditional measures of GPA and LSAT score."

Though the same number of women continued to apply to HLS (43 percent), minority applicants are down about 11.5 percent with about 92 percent of the applicant pool currently known, Curll said.

Asian Pacific Americans and Native Americans continued to apply in roughly the same numbers, while African American and Latino applicants registered small decreases over the previous year, she said.

More than 150 of the admitted HLS applicants will be visiting the Law School Monday as a part of "Admit Days" where they can meet student organization leaders and sit in on classes.

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RECYCLE!

Drawing a Blank

The Gods of Irony

By Matthew Huggins '96

RECORD Columnist



YOU know, I think the Gods of Irony are up there laughing themselves silly at me. I can see them up there on Mount Iron, thinking up new ways to thwart me and make my life more ironic. This realization began when I went skiing a few weeks ago. Skiing is, as I discovered, an inherently silly, and possibly ironic, sport. It kind of begins with the proto-sport of sledding. Sledding is easy. You walk up a hill, and slide down on a simple piece of plastic (or, in the old days, wood with metal runners). Walk up, slide down. Walk up, slide down. But this is way too simple! So why don't we try instead strapping two boards to our feet in a way that makes it impossible to control them, and instead of walking up, we'll construct huge contraptions resembling some Marxist fantasy of capitalism gone wild in the woods to catapult us up the hill, so we can then slide down. Catapult, slide. Catapult, slide. But that would be way too simple! We need to put obstacles in the way, so you can't just slide down, but have to somehow maneuver around trees, big huge bumps and other skiers, before finally sliding down to the bottom, to get in line, to be catapulted up, to slide back down. Catapult, obstacles, slide, line. Catapult, obstacles, slide, line. At this point, the Gods of Irony are slapping their thighs and turning red they are laughing so hard.

So, while I was up there skiing, I met a guy who told me I look like someone who learned to ski in the '70s. Wow, I thought to myself. Was it my white three-piece ski outfit with the black turtleneck? The little John-Travolta disco flourish at the end of each turn? The gold snaggle-tooth around my neck? No, apparently it was my technique. So, even though I was embarrassed to be 20 years behind the curve (pardon the pun), deep down somewhere I was flattered that I had absorbed enough technique so that someone could tell that I had ever even learned to ski and wasn't just hurtling myself off the top of the hill in a vain act of faith. My mixture of embarrassment and flattery was interrupted by the giggling of the Gods of Irony. Oh, just shut up, will you?

So it turns out that this guy, who was so good at analyzing my technique, taught LSAT prep courses. He was impressed to learn that I attended the Harvard Law School. (See Markus Hartmann on the "Harvard Mumble.") "You must have done really well on your LSATs to get into Harvard. I mean, *nobody* gets into Harvard." I didn't know where to start with this guy. I mean, *somebody* got in, like me and 550 of my closest personal friends. "Oh, I did OK I guess, nothing special really." "Oh, I'm sure you're just being modest. Really, what did you get?" So I told him. "How'd you get into Harvard with a score like that?" Ba-dum-bum.

I mean, if they gave me a drug that made me *smarter*, now that drug I might abuse. Heavily.

There was a sound then, like something skittering across the snow, but I realized it was the Gods snickering. Oh, grow up, will you guys?

But the Gods were in no way finished with me. I was so happy at the end of last summer when I took some of my law firm earnings and bought an old beat-up pick-up truck so I could tool around New England in my last year of law school. And the thing I like about this truck is that it is never boring. Every time I get in, there is some new little musical sound to accompany me where I'm going. Every trip I take, something else goes wrong. So, I was skiing. I skied until they closed the lifts. It was pretty cold, about 10 degrees. I was pretty cold. I couldn't wait to warm up in the truck. Wrong answer, because the heater had decided to quit. So instead of taking off clothes for the ride home, I put more on and drove back to Cambridge looking like Charlie Brown out on the skating rink, with hats and scarves and gloves, hoping my breath wouldn't frost up the inside of the windshield too much. And one of the little sounds that the truck was making on the way back was the little tee-hee-hee of the Gods of Irony getting their jollies at my expense. Would you guys give me a *break*?

But the Gods had more in store for me. They engineered it so that I, I who live for winter, I who love snow storms, would essentially completely miss this last one. Basically sleep right through it. They achieved this in the following manner. I had to have a small surgery performed to remove a blockage in my nose. This happened two days before the storm. The surgeon prescribed a narcotic pain killer called Percocet for me to take after the procedure. When I went to get this filled, I had to give the pharmacy my address, social security number, mother's maiden name, grandfather's blood-type, the police record of anyone I was now or would ever be related to, in addition to my scores on the LSAT, SAT and PSAT and the addresses of the last 20 places I had lived for more than 24 hours. They then called two guards clad in bullet-proof vests armed with various types of machine guns and grenades to bring the filled prescription out of (and I'm not making this part up) a *safe* in the back.

I presume these safety procedures are all part of the war on drugs. The irony (be *quiet*, will you?) is that this is not the kind of drug I would ever want to abuse. It makes you so stupid you can't even remember how to spell your first name. Matthew. Hmm, is that with an "s" or a "p"? After two-and-a-half years of law school, I don't need to take a drug to feel extra stupid. I get that for free. Well, for a mere nominal payment of thirty-odd thousand dollars a year. But let's not quibble. I mean, if they gave me a drug that made me *smarter*, now that drug I might abuse. Heavily. But that's not what they gave me. So I spent the entire snow storm vaguely staring out the window, trying to figure out how to spell my name and wondering why it was that someone was erasing the street in front of my house. And all the time I kept hearing these snickers from the Gods of Irony.

So, after the drugs had worn off and I remembered how to spell my name (hint: there's no "s" or "p"), I was talking to my brother. He was asking me about how I decided to go to law school. I remember at one point thinking about getting a Ph.D. But I decided that I really wasn't interested. I thought about the life of an academic, long hours alone in the library, just me and the books, late nights spent writing up research, the isolation, the alienation, the lack of respect. So I decided to become a lawyer instead. At this point, the Gods of Irony are laughing so hard they are having trouble breathing.

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