



E-Mail Forgeries Under Investigation

Messages Flood System as Administrative Lists Become Public Domain

By Emily Ryo

For HLS e-mail users, last week's events were all but "bewildering," to use one student's words. The onslaught of messages that flooded HLS students' accounts began last Tuesday when a student posted an announcement about a newly-formed student organization by using three mass e-mail addresses that forwarded the announcements to the entire student body.

"I only meant to use the address to send out a one-time notice. I really just wanted to compile a list of only those who responded back," said Michelle Spalding '99, who sent the original notice.

Although Administrative Dean Sandy Coleman and Susan Vik, director of Information Technology Services (ITS), both stated that the mass e-mail lists were secured for administrative use only, the lists were, in fact, never secured.

Jane Sulkin, director of ITS User Services, explained that the lists were secured last year when they were developed on the Eudora client software. This year, when HLS switched over to a new client — Open Mail — the software was so new that it had not yet contained a security option. "The security portion of

Open Mail will not be available until November," Sulkin said.

Sulkin said that she authorized Spalding to use the e-mail lists as a matter of "professional courtesy."

However, she explained that Spalding's use of the lists did not alter the lists' security — any student had the capability of using the lists since the beginning of the semester. When students saw other students use it, they realized that it was open for general use and tried it themselves, Sulkin said.

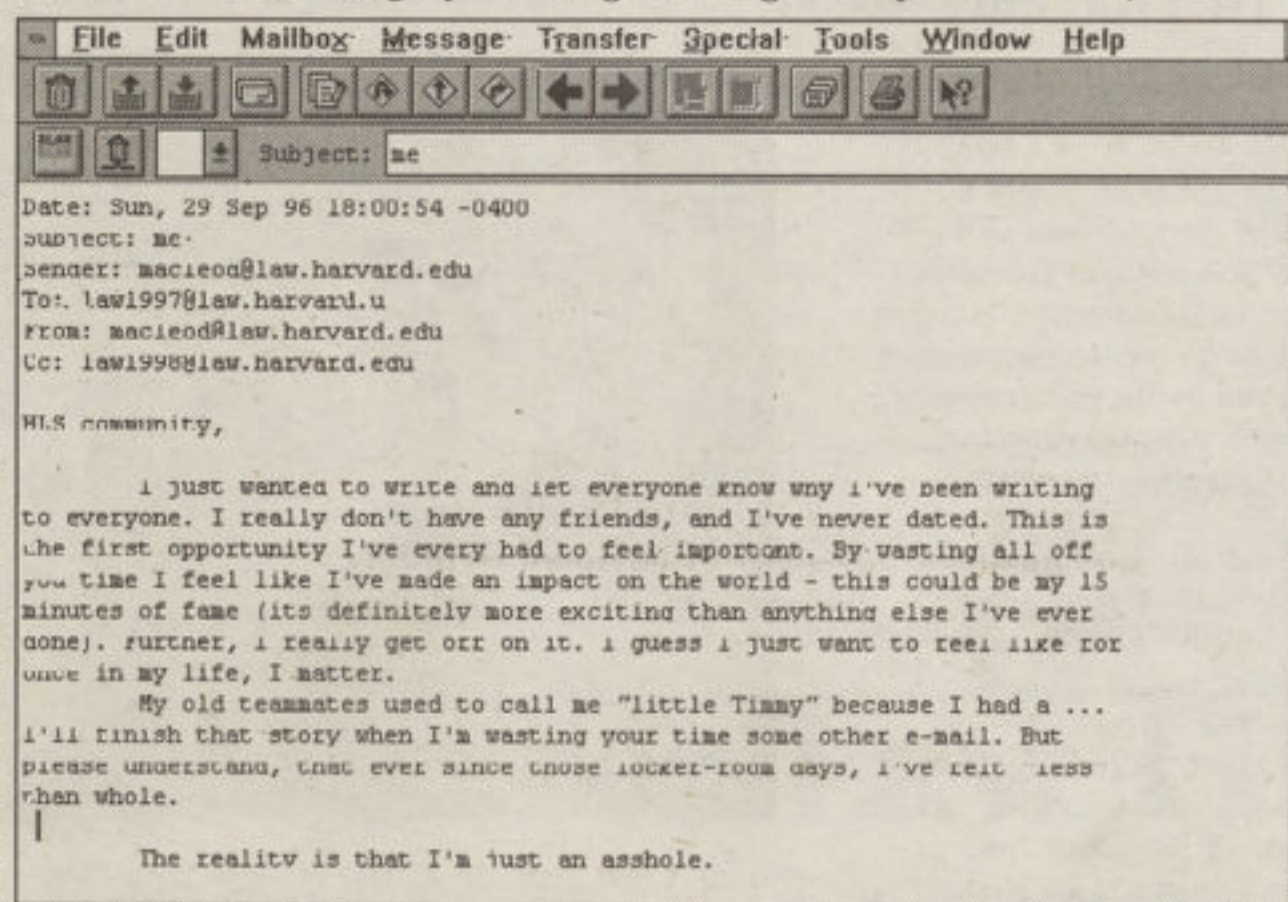
After Spalding's announcement was sent, other students began to use the e-mail addresses to send personal notices to the student body. What followed was an explosion of heated exchanges among students about the use and the "abuse" of such mass e-mailings.

In addition to such relatively innocuous messages, students also began to receive a long series of e-mail messages from a "serial

hate mailer," whose messages seemed to be sent from other students' e-mail addresses. The forgery is being investigated by

the Administrative Board."

"Misuse of the system creates a lack of trust that should not be tolerated," Coleman said.



Bogus message sent to all HLS students over the weekend.

ITS and the administration as a violation of student codes.

"This is a serious offense as far as ITS is concerned," Vik said.

While ITS would not publicly announce the identity of the individual(s) involved in the e-mail forgery as of early this week, it is likely that ITS has already traced the sender(s). According to Coleman, "the administration is working actively to pursue the matter and is considering whether it should be referred to

Monday afternoon Construction Year Task Force meeting. As a result of these meetings, a memo was drafted and sent out to the student body on Wednesday, reminding them of the e-mail usage agreement and the rules against forgery. The memo assured students that their individual e-mail addresses had not become public knowledge as a result of last week's events.

Sulkin said that the ability to "forge" other students' e-mail

addresses is a quick and simple process. "This is a capability which has always existed within Eudora, to use another address that is not your own," Sulkin said.

Largely due to the growing student complaints and the issue of e-mail forgery, Dean of Students Suzanne Richardson, Coleman and Vik met on Monday morning to discuss the problems.

The issue was also brought up during the

addresses is a quick and simple process. "This is a capability which has always existed within Eudora, to use another address that is not your own," Sulkin said.

While it may be simple to do, Sulkin said, such misrepresentation clearly violates the "usage agreement" distributed to students at the beginning of the semester. The rules, which are outlined in the Wednesday notice, provide for ITS to temporarily revoke system access to violators.

Sulkin said that no action has been taken at this time. "We are still in the process of collecting information," she said. Law Student Council Vice President Rob Jancu '98, however, expressed concerns that "there are people who can break through even secured lists and send forged messages that are not traceable." On Tuesday morning at 3:00 A.M., Jancu called the Harvard University Police to report the incidence of e-mail forgery. The police, however, refused to register his complaint, citing their lack of technical resources.

As to the general use of such mass e-mailing, students expressed a spectrum of vastly differing opinions. For some stu-

please see *E-mail*, page 3

Gorelick Advocates Public Service and Moderation

By Jacob M. Appel

Deputy Attorney General Jamie S. Gorelick '75 opened her address Tuesday with the declaration, "I've come to talk about you." After 30 minutes of dialogue, however, it was clear that her audience of 35 was equally interested in her work as the second-highest ranking official in the Department of Justice.

The stated theme of Gorelick's address was how to find happiness in the legal profession. "I see a fair amount of unhappiness among my colleagues," Gorelick explained.

"I think it's important that you look at my generation to see who's happy, who's bored with their jobs. People don't put enough stock in doing something that makes them happy. It's been my experience that you can't be happy every minute of your life, but you can be happy most of the time."

Although Gorelick noted that she had worked for 18 years in the private sector and that her speech was not intended as "a clarion call against corporate law," her underlying message was that too many people choose to work for large firms either with the mistaken belief that such a choice expands opportunity or

because that option is the path of least resistance.

"Too many people spend an awfully long time working below their responsibilities. Yet for every opportunity you keep open, you're not going to be doing something else. Don't make your mind up too quickly. . . Insist on variety and newness. Money and security have their merits, but they're overrated."

Gorelick pitched the public sector and particularly government service as a particularly rewarding line of work. "You think... sitting in a room full of [prospective] lawyers every day that your skills are common skills," she noted. But the ability to listen to others and argue issues without arguing personalities has become all too rare in public life, she said. She made a plea for moderation, citing the lessons of Arthur Schlesinger Jr.'s "The Vital Center" and exhorting those individuals on the far right and far left who claim to speak for the American people.

"The people in the middle," she explained, "hope that the government will do as little harm as possible. They need to have higher expectations."

Although Gorelick's message was aimed at students

please see *Gorelick*, page 3

Financial Aid Base Loan Increases \$1000

Remained Steady For Three Years While Grant Spending Rose

By David Lenter

The Financial Aid Committee's spring decision to raise this year's base loan by \$1000 has increased some students' borrowing. But Director of Financial Aid Sally Donahue said the increase came only after the base loan had stayed the same for three years while grant spending and the total cost of attendance had risen.

The base loan is the portion of a student's financial aid package that comes from borrowing. Aid that students require in excess of the base loan comes in the form of grants. The \$1000 increase in the base loan, from \$18,500 last year to \$19,500 for 1996-97, means some students must borrow more and — all else equal — get less in grant aid.

Before this year's increase, the base loan had stayed at \$18,500 for three years. The previous level was \$18,100 in 1992-93. Dean of Admissions Joyce Curll, who also is the chairperson of the Financial Aid Committee, said four years of stability in the base loan was

unusual.

"It's very rare that base loans don't increase. We were very happy that we have been able to keep it steady over the years. It is always the committee's goal to keep what students have to borrow as low as possible," Curll said.

To determine the base loan, Donahue said the Financial Aid Committee learns "how much money [it] will have to spend in the next year" — based in part on projections of annual grant accounts — and then "sets the student living budget for the next year." The committee uses this prospective information along with data from previous years to decide the base loan amount.

Donahue said that in the three years the base loan remained constant, the rise in grant spending outpaced increases in the student living budget and total borrowing. The total cost of attendance increased from \$31,020 in 1993-94 to \$32,160 in 1994-95 — an increase of 3.7 percent — while grant spending jumped 20 percent, from \$2.84 million to \$3.41

million, and borrowing rose 7.6 percent.

From 1994-95 to 1995-96, the total cost of attendance increased 6.6 percent to \$34,290, grant spending rose 22 percent to \$4.15 million, and borrowing increased 4.6 percent.

The higher grant spending is spread over more students. In 1993-94, 410 students received grants. The number rose to 443 in 1994-95 and to 464 last year, according to Donahue. Still, the average grant per student was higher by more than \$2000 last year than it was in 1993-94.

"How all of that hits individual students depends on their individual circumstances," Donahue said. Students might see their grants raised or lowered based on changes in their own finances. Summer jobs play a role, she said.

"A student might get a low-paying, public interest job after first year and have his or her grants go up from first to second year. Then the student might have a high-paying, law firm job after second year and see grant aid go down from second to third year," Donahue said.

Although the base loan has risen, "nothing has changed in

please see *Loan*, page 11



Sally Donahue

47 Years Ago in the RECORD...

The Harvard Law School Record

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PRICE TEN CENTS

HLS TO ADMIT CO-EDS

Comments Approve Decision To Admit Women To School

The decision to admit women to the Harvard Law School was accepted in most quarters as a ratification of the inevitable, so much so, that few people when asked their feelings on the subject would comment strongly either way.

Soia Mentschikoff, first woman to have been a member of the Law School faculty told the RECORD: "I am very pleased at the announcement. It means that the prestige of the Harvard Law School has been added to the forces moving toward creation of equality of opportunity for women in the law. At the same time I cannot feel surprised, for the action was inevitable under the School's tradition of liberal and realistic admissions policy. I hope and believe that the School will profit by the contributions which should be made by the women to be admitted. I know that the women will profit by admission to the School."

In a wire to the RECORD Dean Wesley A. Sturges of the Yale Law School stated: "The Yale Law faculty and student body are deeply moved by the action of Harvard Law School in admitting women. Feel it quite possible Harvard may make contribution to womanhood. Doubt many adverse consequences to Harvard faculty or student body. We have always followed with genuine interest the long struggle of Harvard liberals in this matter. Our many generations of women graduates are of course a pride and joy."

"I have voted in favor of it three times in the past forty years and I'm glad that the majority has finally come around," said Professor Scott when asked for a comment. "I do not think it will make any difference in the classes. We have

(Continued on page four)

NEWS IN BRIEF

FORUM

Dean Erwin N. Griswold of the Law School will discuss the topic *Legal Education at Harvard* in Langdell Courtroom at 8 p.m. on Thursday, October 13. An address by Dean Wesley A. Sturges of the Yale Law School on *Legal Education at Yale*, will be given on October 19, at the same time.

INTERNATIONAL COURT

His Excellency, Jules Basdevant, President of the International Court of Justice at The Hague, will be a guest of the faculty of the Law School this Friday, October 14.

The President will speak briefly on *International Justice*, Friday afternoon at 4:10 o'clock, in Langdell South. His address will be in French, and it will be rendered into English by M. Jean Garnier-Coinet, Deputy-Registrar of the Court. All students are invited to the talk.

LAW SCHOOL REPAIRS

Alteration, general repair, and decoration of the Law buildings by the Building and Ground Crew of the Harvard University under the supervision of J. W. Dickinson is nearing completion at a cost of \$100,000. Engineers are experimenting with new lighting arrangements and the elimination of dangerous

Students Of Procedure Jam School's Courtroom For Novel Mock Trial

A packed, tense audience greeted the opening session of the trial term of the Superior Court of Ames last Thursday evening. Drawn by the newspaper publicity attendant on the opening case of *Starr v. Keene*, and by the eminence of counsel employed, the Courtroom of Langdell Hall was jammed to overflowing.

After a succinct statement of plaintiff's case, Mr. Richard H. Field, counsel for Dr. Starr, called his client to the stand. The witness told of his employment at the Atomic Power Development Corp., in a position of high trust, involving custody of quantities of U-235. He told of his return from a weekend trip to Vermont, to be greeted by a telephone call from his superior at the laboratory, the defendant Dr. Keene. The witness testified further that in response to Dr. Keene's request he had gone to the laboratory and there had been forcibly detained by Dr. Keene for approximately an hour and a half, while the latter harangued him, accusing him of having stolen 25 grams of U-235. The plaintiff further testified that he had arisen twice to leave but had been ordered to stay by Dr. Keene.

On cross-examination Dr. Starr admitted that he had written to Dr. Keene offering to drop all action if he could be reinstated in his position with an apology.

The next witness for the plaintiff was Mike Brown, a guard at the A. P. D. C. laboratory, who testified that Dr. Keene had given him instructions before the interview to remain outside the door during the interview and prevent Dr. Starr from leaving. Mr. Brown's testimony closed the plaintiff's case.

After a motion to dismiss had been denied, the defense opened its case. Mr. Edmund M. Morgan, Dr. Keene's attorney, chose to base his arguments on two major points. He made the point first that Defendant Keene had really never

(Continued on Page three)

Prospective Graduates File Employment Data

Assistant Dean Louis A. Toepfer has started a series of 15-minute interviews in the Placement Office in Langdell Hall to complete the classification of all third year students according to their general academic background, law school record, and employment interests, both professional and geographic.

To introduce his office to the graduates, Dean Toepfer has issued an 11-page pamphlet entitled *Harvard Law School Placement Information 1949-50*. The pamphlet begins with a cartoon from *The New Yorker* and ends with a roster of the placement chairmen in 42 metropolitan areas. In between there is an outline of the services offered by the Placement Office, an estimate of employment prospects for the coming year, and pointers for landing a job. Services of the office include a Placement Library which is a focal point for employment information and reference material.

Prospects for the coming year indicate that most students will be placed within six months following graduation. According to Assistant Dean Toepfer, job hunting is most effective after graduation and preferably after being admitted to the bar. For those students intending to use the Christmas holidays for

Judge and Counsel in Recent Case



PROF. R. H. FIELD, JUDGE C. E. WYZANSKI, JR., AND PROF. E. M. MORGAN, PRINCIPAL ACTORS IN TRIAL DEMONSTRATION.

Drawbacks To Mixed Doubles Review Groups Depicted Long Ago In Record

This article was written by Kenneth G. Weinberg, LL.B. '48, and appeared in the January 8, 1947 issue of the RECORD. Its foresightedness is now apparent.

I recently had occasion to visit a university in upstate New York and while there I chanced to meet an old acquaintance whom I hadn't seen since before the war. When he learned that I was attending Harvard Law School he insisted that I sit in on one of his classes with him since he too was in law school. My friend had been married only a few weeks and, by a happy coincidence, his wife was also in law school and, in fact, taking the same courses. We attended a morning class and though I had soon forgotten anything the professor said, I doubt if I shall ever forget the touching scene of my friend and his wife, with love in their eyes and corporation law in their notebooks.

However, lately I have begun to have grave doubts about the whole situation. I am beginning to see snares and pitfalls along the path of Mr. and Mrs. Law Student and I am almost convinced that Harvard Law School has acted wisely in refusing to recognize women as completely sui juris. The damn thing has been preying

on my mind so much recently that I have finally resolved all my doubts into the form of a short one-act play which attempts to reveal some of the horrible consequences that await those who choose a mate on the basis of what she got in Judicial Remedies.

For the time being let us suppose that this foresighted article had never been written (I'm wide open, I know, but if you're a gentleman you won't say anything) and in a moment of weakness, Harvard Law School has decided to admit women. Several years have elapsed and it has now become quite stylish for husband and wife to enroll together and attend the same classes. In fact, the admissions committee is seriously considering accepting applications only in pairs.

But we are concerned here with the home life of Mr. and Mrs. I. De S. At curtain rise Mrs. I. De S. (73 average, Board of Student Advisers) and Mr. I. De S. (61 average, Hastings Hall Poker Club) are seated at the breakfast table. Things haven't been going too well with the I. De Ss and in the few minutes they have left before starting for class we find them staring glumly at each other in an atmosphere of frayed nerves and burnt toast.

Mr. I. De S.: What's the matter? You look even worse than usual this morning.

Mrs. I. De S.: Small wonder. That horrible man was around pounding on the door with a hatchet again last night and when I stuck my head out the window he took a few more swings at me. Really, darling, I think you should do something about it.

Mr.: Now, now dear, don't be a spoilsport—after all, there was no harm done.

Mrs.: Just the same it makes me nervous. What do you think I should wear to class today?

Mr.: Why don't you wear your green suit? You look sexy enough in that.

Mrs.: Oh darling, you know I can't wear my green suit today—our equity book is blue.

Mr.: Suit yourself. And speaking of books, will you kindly tell me what in hell this bill for a copy of the Revised Code of the Territory of Alaska was doing in the mail this morning? Mrs.: Oh dear, I forget to tell you—the other day I was just browsing around the Green and I happened to see this

Dean Reveals New Policy; Women To Attend Next Fall

Dean Erwin N. Griswold announced on Sunday night that qualified women applicants will be admitted to the Law School in the fall of 1950. Thus next September, the Law School will close out its 133 year history as an all male school.

The fact that a change would take place in the admission policy of the Law School was rumored last year, and at several other times. Final approval for the change was made by the Governing Boards at the request of the Law School Faculty. By its decision Harvard drops out of the small group of schools that have in the past refused to admit women.

The full implication of the change in Harvard's policy remain to be considered. The number of women that will be admitted, where they will live, and other similar problems have not yet been settled. As in the case of men, only women who have degrees from accredited colleges will be eligible to apply for admission.

Although women have not previously been admitted as students, a woman Soia Mentschikoff, was a Visiting Professor of Law from 1947 to 1949. The Law School is not the only branch of Harvard University giving increased recognition of the fact that women are here to stay. In 1948, Helen Maud Cam, Professor of History at Harvard and Radcliffe, was the first woman ever to join the Harvard faculty as a full Professor.

Aside from the Law School, women have been students in other branches of the University since 1920. Of Harvard University's 90,000 alumni, about 1,350 are women who have studied in the various graduate schools. Last June the first women to go through Harvard Medical School received their degrees.

In commenting on the important

(Continued on Page three)

Honor Groups List New Membership

A total of 68 present second and third year students have been named members of the three honor societies. Of this number, 24 second year and 11 third year students have been named editors of the *Law Review*, seven second and two third year students have been named to the Board of Student Advisers. The Legal Aid Bureau has taken 19 second year members, and five new third year members.

The second year men named editors of the *Law Review* are: Frederick R. Adler (B'klyn '48) of Brooklyn, N. Y.; Jerome C. Byrne (Aquinas '48) of Grand Rapids, Mich.; George F. Crawford (Penn '48) of Kansas City, Mo.; Jerome P. Facher (Penn State '46) of Wilkes-Barre, Pa.; Benjamin C. Fisher (Ill. '48) of Washington, D. C.; George B. Gelman (Rutgers '48) of Pompton Lakes, N. J.; Howard A. Heffron (Columbia '48) of Brooklyn, N. Y.; Frederick W. Hickman (Harvard '48) of Sioux City, Iowa; Norman L. Hoberman (Hamilton '48) of Brooklyn, N. Y.; Fred Hudson, Jr. (Texas '46) of Center, Texas; Robert L. Jordan (Penn State '48) of Reading, Pa.; Sherwin Kamin (C.C.N.Y. '48) of New York, N. Y.; James T. Lynn (Western Reserve '48) of Euclid, Ohio; Powell McHenry (Cincinnati '48) of Cincinnati, Ohio; Robert E. Moore (U.

Mass E-Mail Lists Terminated After Abuse

continued from E-Mail, page 1

dents, mass e-mailing was not only an annoyance, it was "intrusive" — "an invasion of privacy."

In contrast, another student corresponded through the e-mail, "This has NOTHING to do with 'privacy rights.' Rather, it is an issue of 'power.' Right now I have the power ... to harass and annoy at my pleasure."

Yet another student noted, "I get the feeling from the nasty tone of the anti-group mail messages that the senders feel that Harvard Law is in danger of being overrun by community spirit and of becoming overly social."

The explosion of mass e-mailing last week also generated discussions about the practicality of e-mail verses traditional paper notices.

One student commented, "I've never spent more than a maximum of a few minutes sorting through unwanted e-mail ... I've missed information posted in the Hark and feel organizations issuing brief e-mail as backup aren't imposing an outrageous burden on those uninterested."

In a similar vein, another student noted, "I think ... that I would greatly prefer to get an e-mail than have a tree killed so

that my Hark box can be stuffed."

In stark contrast with these views, Eric Stock '98 felt that "at least with my Hark box I know that somebody feels that this message is important enough to warrant the killing of two trees and an hour and a half of his or her time."

Scott Moss '98 agreed. "The Advisor exists ... so any student group can reach the whole campus with no annoying junk mail, no tree killing, and no computer system clogging."

Sulkin said she never anticipated general use of the e-mail lists would create "such an outcry." Sulkin supported the existence of a mass mailing list, but stressed the importance of preventing inappropriate content.

"The question is not whether such a list should exist. The question is who should be able to mail to the list," Sulkin said.

According to Richardson, one possible solution that the administration is exploring is starting a "bulletin-board service," or a "news-group," where messages may be posted on-line. "This way, students can post messages without forcing other students to read what they regard as 'junk mail,'" Richardson said.

Prof. Charles Nesson '63 said he supported the idea of a bulletin board service.

Nesson said that allowing student access to mass mailing lists is a bad idea because of the problems that occur when "one message becomes five-hundred."

The problem, known as "spamming," occurs when a person or organization sends unsolicited messages to large lists of recipients. The internet version of bulk-mail, "spamming," is especially a problem with unsolicited mail because the receiver cannot easily remove himself from the mailing list.

"There are other ways of getting messages out [that better target specific groups]," said Nesson. "We can set up a bulletin board to accomplish the same thing and it is much less subject to abuse."

Vik described yet another alternative: the creation of a "listserv" through which "students would have an option to voluntarily subscribe to the list if they wanted to be included." Vik also pointed out that "anyone who wants to have their own account may get an outside account — this is analogous to having your phone number unlisted. And in fact, some students have done that already."

As the memo sent out on Wednesday indicated, as of Monday morning there is no longer a list of all students available for mass e-mailing. "The reaction has been that this is not the way students want to

communicate and the lists have been removed," Sulkin said.

"I think part of the problem is that the technology is still new and it's not clear what the boundaries are in using it. So if not anything, this event was a good signal to the administration that they have to come up with some policies," said Chip Nierlich, president of the Law School Council.

What those policies might be still remains a question as the Administration and ITS continue with their investigation of the forgery and explore options of providing other forms of on-line communications. Coleman stressed that "if there is a demand for a particular option, then the Administration would like to know that."

Sulkin said she was spending time sorting through the mail sent by students and has been attending weekly BSA meetings to determine "what students desire when it comes to communication."

In the meantime, Harvard Law School's short-lived cyberspace fiasco has proven that HLS students are not yet ready to take on advanced technology, at least not until a more controlled forum can be provided. Until then, students may create their own e-mail lists, or resort to the more traditional but time-tested method: paper notices.

Gorelick: Reconsider Law Firm Practice

continued from Gorelick, page 1

trying to select career paths, the follow-up question-and-answer period revealed an acute interest in the workings of the Justice Department. The speaker fielded questions on issues ranging from what concerns she would emphasize if she were attorney general to the portrayal of the crime issue in political campaigns to the need for coordination of work between the FBI and the Department of Alcohol, Tobacco and Firearms. She spoke with surprising candor.

Yet when James Williamson, a self-described former HLS employee, demanded to know information regarding the Justice Department's investiga-

tion of police brutality in Philadelphia, Gorelick drew the line. "I cannot comment on a pending investigation," she explained. "There are privacy rights involved; this could jeopardize the investigation." Gorelick explained that although press-leaks had occurred regarding the investigation, the Justice Department had no official statement at this time and never comments on pending cases. Williamson, who claimed to be "working on the case," repeatedly questioned the speaker on police brutality, a Pennsylvania death penalty conviction, and the controversial transfer of FBI files to the White House.

Another issue that interested the audience was how Gorelick was selected for the post of Deputy Attorney General.

Her answer: "Serendipity."

"I didn't just send my name in hoping to get appointed," she observed. "Somehow my name turned up on the final list... At the beginning of the [Clinton] Administration four years ago, thousands of people sent in resumes hoping to obtain high government positions. They found a warehouse full of resumes a year later."

Despite her modesty, however, Gorelick holds impressive credentials. She worked from 1975 to 1979 and from 1980 to 1993 with the Washington, D.C. firm of Miller, Cassidy, Larocca & Lewin. From 1992 to 1993 she was President of the 760,000-member D.C. bar. Her prior government service includes a stint as General Counsel for the Department of

Defense and as Assistant to the Secretary and Counselor to the Deputy Secretary of Energy. She has also served in the past as a trial advocacy instructor at HLS and as a pre-law tutor and Teaching Fellow in Government at the Kennedy School. The Woman's Bar Association named her Woman Lawyer of the Year in 1993.

Gorelick also included a few comments on her sponsor, the HLS Forum.

"When I was a [student], I didn't go to Forum events. I was thinking recently about an organization that sponsors [speaking engagements] by me and Don King — I hope it's not the hair." Gorelick can rest assured that prospect is unlikely, as the next Forum speaker will be former New York mayor Ed Koch.

HERE ARE 45 REASONS WHY THOUSANDS OF LAW SCHOOL GRADUATES ARE TAKING WEST BAR REVIEW

"I'll feel comfortable recommending West Bar Review to my friends."

Graduate, SUNY at Buffalo Law School

The West software was "Incredible."

Graduate, Albany Law School

"I will be recommending West to every 3rd year student I know!"

Graduate, Duquesne Law School

"West Bar Review is a great course."

Graduate, Univ. of Texas School of Law

Michael Suprunowicz on the New York EPTL was "very clear and knowledgeable. Time went by quickly."

Graduate, WNEC School of Law

"John Moye is the King!"

Graduate, WNEC School of Law

"It was obvious that Prof. Ira Robbins knew what the Pennsylvania bar examiners were looking for."

Graduate, Widener School of Law

The WestWare Multistate Software is "terrific. The software gives immediate feedback, substantive info and times you. It's excellent!"

Graduate, Univ. of Pennsylvania Law School

Phil Prygoski was "excellent. Wow!"

Graduate, DePaul College of Law

"Overall [West is] an excellent review course. I would recommend it to other students."

Graduate, John Marshall Law School

"David, Kandi, and Jaimie were wonderful with encouragement and tips."

Graduate, Suffolk Law School

"The Illinois writing lectures were phenomenal."

Graduate, DePaul College of Law

"Wow. I hated Con Law until [Prof. Prygoski's] lecture! Great lecture. I am very optimistic on this part of the MBE."

Graduate, Chicago-Kent Law School

He was funny and very black letter law."

Graduate, Chicago-Kent Law School

"WESTWeek is a great idea."

Graduate, Cornell Law School

"I enjoyed about all the live lectures. I thought the accessibility to the teachers at the breaks and after class was very helpful."

Graduate, Case Western Law School

"I am very happy I chose West over [another bar review course] and would not change that decision."

Graduate, New England School of Law

"Thanks for coming into the bar review business!"

Graduate, SMU School of Law

"Thank goodness Property actually makes sense now."

Graduate, NYU Law School

Stan Chess on Torts was "very straightforward and helpful!"

Graduate, Chicago-Kent Law School

Judge Dana Levitz's lecture was an "outstanding presentation. Concise - clear - animated, and good examples."

Graduate, NYU Law School

Prof. Carlisle's CPLR Workshop "focused on tested areas and made New York Practice understandable."

Graduate, Syracuse Law School

"West is clearly a far better course [than another bar review]."

Graduate, NYU Law School

"Moye is a god."

Graduate, Loyola Law School - L.A.

"WESTWeek was the best."

Graduate, DePaul College of Law

"BarPassers was great and the exams were harder than [those of another bar review course]. Good job!"

Graduate, Dickinson School of Law

"A clearly superior product."

Graduate, Northeastern U. School of Law

"Format of the written materials was great - professional in appearance and user friendly. The content of the written materials is great."

Graduate, Widener School of Law

Judge Dana Levitz: "That's Entertainment!"

Graduate, Harvard Law School

"Gerry Beyer was excellent. I thought the outline really let me listen and understand."

Graduate, Boston U. School of Law

"West is clearly a far better course, particularly with WESTWeek."

Graduate, NYU Law School

The New York wills lecturer "took a very confusing area of law and made it easily understandable!"

Graduate, Duquesne College of Law

"The whole WESTWeek experience was wonderful. All the lecturers were superb!"

Graduate, Hamline Law School

"The West reference attorney who graded my exams was extremely helpful. She even attached some research in response to a question I raised."

Graduate, Univ. of Minnesota Law School

"Mary Cheh is an excellent lecturer! Clear, concise - made a year of hell seem very simple."

Graduate, Duquesne College of Law School

"Where were you when I was a first-year student?!"

Graduate, Nova Law Center

"Moye and Guzman were phenomenal."

Graduate, Hofstra Law School

"The written materials are excellent. They put things into an organized fashion without being complicated. Written in everyday language."

Graduate, New England School of Law

"Mark Ricca on Real Property was excellent. An engaging speaker who helped clarify the concepts. His handout was fantastic."

Graduate, Suffolk Law School

"Arthur Miller made me feel like I was at home, sitting in my chair, and watching Court TV."

Graduate, St. Louis U. Law School

"I'm thrilled I made the right choice" by taking West Bar Review

Graduate, Northeastern U. School of Law

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BRIEFS



UHS Forced to Pay \$775,000 in a Settlement for Violations

Harvard will pay to the federal government \$775,000 in a settlement for violations of the Controlled Substances Act by the University Health Services Pharmacy. The settlement represents the second largest monetary amount paid in the nation under the Act.

In a press release, the U.S. Attorney's office for the District of Massachusetts cited "lax security and improper pharmacy practices, ... persistent discrepancies between the pharmacy's inventory documents and physical counts, ... improper distribution of controlled drugs by the Pharmacy to unregistered Harvard locations ... and improper handling of outdated controlled drugs" as the charges leveled against UHS.

In response, James H. Rowe, Harvard's vice president for Government, Community and Public Affairs, said that the settlement agreement was not an admission of guilt. Rather, the \$775,000 amount was paid to "resolve the investigation."

Furthermore, UHS Director David S. Rosenthal, said that the investigation in no way implicated UHS' treatment of patient's health or safety.

The investigation began when the University reported a fired UHS employee's misconduct in stealing codeine-based cough medicine for his own consumption. This allegation led to a wider review of the Pharmacy's operation procedures.

Harvard has hired a new Pharmacy director, restructured the Pharmacy's operations and hired new pharmacists in the aftermath of the settlement.

— from the *Crimson*

Hillary Clinton to Speak at Kennedy School

First Lady Hillary Clinton will speak at the Kennedy School for the Institute of Politics on Friday at 2 p.m.

A lottery, which drew 2,000 applicants, was held on Monday for the event. The large number of lottery participants will mean that fewer than half of those applying will actually be able to witness the first lady in person. The lottery was divided into five pools: undergraduates, graduate students, Kennedy School students, Kennedy School faculty/staff and University faculty/staff. Following standard operating protocol for large events, the tickets will be distributed proportionately between the pools, based on the size of each pool.

Some students protested the handling of the event, arguing that an event of this magnitude lacked sufficient publicity.

For those not selected in the lottery, organizers have arranged for broadcasting over the Internet and live broadcasts in various campus locations, such as the Sanders Theater, Science Center D and the Kennedy School's Wiener Auditorium.

The results of the lottery will be disclosed on Wednesday.

— from the *Crimson*

LSC Announces Election Results

Law School Council (LSC) Independent Election Commission Chair Jol Silversmith announced this week the final results for LSC elections. Elected as 1L section representatives: Aaron Maurer and Jennifer Yates (Section I); Lydia Fan and Joseph Scully (Section II); Betsy Rosenblatt and MiMi Lindsey (Section III); and Raj Pai and Christiana Ajalat (Section IV).

2Ls elected were: Nathan Meisgeier, Naim Bulbulia, Trent Taylor, Darren Mungerson, Rich Chen, Brian Salsberg, David Lee and Michael Simons.

LL.M.s/S.J.D.s elected were: Roberto Brazao Gomes, David Lammy and Leonardo Raznovich.

At-large candidates elected were: Dan Fridman '99, Lizzie Da Trindade-Asher '99, Puri Poonam LL.M. and Jason Young '99.

The 3L candidates and the I.T.P. candidate were automatically elected.

Job Interviews Back on Track After Internet Mix-Up

Interview schedules for week two were voided Monday after a scheduling mistake left students who signed up over the Internet with no interviews.

"Everything is fine. We have new schedules printed up," said N. June Thompson, director of Career Services. Thompson said employees at the office worked into the night on Saturday to correct the error. Employers were notified of the changes by fax and Fed Ex over the weekend and on Monday.

Originally, because of the mix-up, students who signed up the old-fashioned way — by bubble sheet — were surprised to find that they had done substantially better in scheduling interviews for week two than for week one. The reason was because students who signed up over the internet received no interview slots at all.

A notice was placed outside Hark boxes over the weekend notifying students of the mix-up. By Monday, interview preferences were reprocessed and new schedules were available by noon on Monday.

Thompson expressed regret for the error. "We know how concerned people were, and we appreciate people giving us the time to take care of it And it's not going to happen again," she said.

THIS WEEK IN LEGAL NEWS

Oklahoma City Bombing Defendants Seek Separate Trials

By Hal Poret

After receiving a 77-page government brief on the Oklahoma City bombing case last week, U.S. District Court Judge Richard Matsch must determine whether bombing defendants, Timothy McVeigh and Terry Nichols, should be tried together or separately.

McVeigh and Nichols are accused of conspiring to bomb the Alfred P. Murrah Federal Building in downtown Oklahoma City. The explosion, which was created by an enormous fertilizer bomb in a rented truck on April 19th of last year, resulted in 168 deaths and more than 500 injuries.

Prosecutors argue in their brief that jointly indicted co-conspirators are almost always tried together. The cost of conducting two trials, the similarity of the evidence to be presented against each defendant, and the potential trauma to the bombing witnesses and survivors of "repeatedly reliving a crime and its aftermath" are thought to justify a single trial.

On the other side, defense attorneys for both McVeigh and Nichols insist that separate trials are constitutionally necessary to avoid problems inherent in joint trials.

Of particular concern to Nichols' attorney is that the overwhelming evidence of McVeigh's involvement in the bombing will unfairly prejudice Nichols if both defendants are tried together. Nichols' attorney, Michael Tiger, asserts that Nichols took no part in actually carrying out the bombing and that the additional evidence of McVeigh's actions will "spillover" to affect the jury's judgment of Nichols.

Prosecutors insist that since Nichols is accused of being involved in "virtually every key step of the conspiracy," including acquiring the bomb components, helping to finance the bombing and helping to construct the bomb, he would suffer no undue prejudice from being tried with McVeigh. "While McVeigh alone is alleged to have rented and delivered the Ryder truck to Oklahoma City, his acts in doing so are an essential part of the case against Nichols whether this case is one trial or two," prosecutors wrote.

Probably the greatest obstacle to a joint trial is that the government intends to introduce evidence of statements made by Nichols to the FBI two days after the bombing. After turning himself in to the authorities, Nichols admitted that he and McVeigh were in downtown Oklahoma City three days before the bombing; although this confession is admissible against Nichols, the judge ruled in August that it cannot be offered as evidence against McVeigh. The judge must now decide whether this problem requires separate trials or whether to allow the evidence in a single trial and instruct the jury to consider the evidence only with regards to Nichols' guilt.

The issue over Nichols' confession stems from the combined effect of the Supreme Court's interpretation of the Fifth Amendment's right against self-incrimination and the Sixth Amendment's Confrontation Clause, which guarantees a criminal defendant the right to confront all witnesses against him. In a joint trial, if defendant A decides to assert his Fifth Amendment right not to testify, then he cannot be cross-examined about his incriminating statements by defendant B's attorney. For instance, in this case, McVeigh will have no opportunity to challenge Nichols' statements through cross-examination because Nichols will not take the witness stand. In 1968, in *Bruton v. United States*, the Supreme Court held that such a situation violates the Sixth Amendment by depriving McVeigh of the right to "confront" a witness who has made a statement against him.

To avoid the expense and administrative headache of conducting separate trials whenever a so-called "Bruton" problem arises, courts have created innovations to protect the confrontation rights of defendants without severing their cases. Most notably, in 1987, in *Richardson v. Marsh*, the Supreme Court held that the admission of a non-testifying defendant's confession did not violate his co-defendant's right under the confrontation clause if the confession is redacted to eliminate any reference to the co-defendant and if the jury is instructed not to use the confession in any way against the co-defendant. Adopting a similar rationale, prosecutors argue that McVeigh's rights can be protected by instructing the jury to only consider Nichols' confession as evidence against Nichols. In their brief, prosecutors rely on the traditional legal presumption that juries are capable of following a judge's limiting instructions. However, McVeigh's attorneys strongly contend that this idea is a "myth" and that jurors are unable to "compartmentalize their thinking." McVeigh's attorneys insist that severance is necessary because no jury could reasonably be expected to ignore evidence that McVeigh was in Oklahoma City when judging McVeigh's guilt or innocence.

Such issues over how to try co-conspirators raise serious questions about our criminal justice system's presumptions about juries. On the one hand, the federal rules of evidence express great concern about the inability of the human mind to handle evidence in a rational or non-emotional way. Accordingly, evidence that normally would be admissible can be excluded if the court believes that its "prejudicial value" would outweigh its "probative value." For instance, Nichols argues that the evidence of McVeigh's active participation in the bombing would inflame the jury and unduly impact their decision more than it would actually shed light on Nichols' guilt.

On the other hand, courts generally rely on the questionable presumption that such problems can be "cured" by instructing the jury to only consider evidence in a certain way or against certain persons. Is it realistic to think that twelve human beings could hear incriminating evidence regarding McVeigh's and Nichols' involvement in the death of 168 people but discipline their minds to only weigh it against Nichols?

Law scholars of psychology have demonstrated the unlikelihood that juries are able to follow such instructions. On the contrary, studies have strongly suggested that juries actually weigh evidence even more heavily when they hear it but are told not to consider it.

Judge Matsch will rule on the issue of a joint trial this week after a hearing in Denver. If the court rules that Nichols' confession cannot be introduced in a joint trial, the prosecution will almost certainly agree to separate trials rather than lose the confession as evidence against Nichols.

Correction

Last week the RECORD erroneously reported that, along with Anne-Marie Slaughter '85, Prof. Paul Weiler '65 will replace Prof. David Kennedy '80 as Graduate Program Director. Prof. Joe Weiler, not Paul Weiler, is replacing Kennedy. The RECORD regrets the error.

SPORTSGUY

Enjoying the Salad Days on Tip's Course



By Todd Stillerman '97

Sports Editor

These are the salad days of law school, to be sure. Taking full advantage of his third year of law school, the SPORTSGUY ventured beyond the beloved sod of Webster Field and onto lush fairways this week. Nestled snugly between Huron Avenue and the VFW lodge, the Thomas J. O'Neill Golf Course in Fresh Pond quickly makes one forget the unsightly architecture of the Law School campus. Named for the former House Speaker (who gained an undying love for the game on this very course), Tip's Course is a nine-hole retreat from the concrete jungle. With grassy fairways and a surprising number of trees, it is likely to be the largest patch of green this side of the Boston Common. No better place exists for a Thursday morning retreat from classes.

The SPORTSGUY, still an amateur on the links, played a round with fellow classmates Andy "Double-Eagle" Kincheloe '97 and Tony "One-Putt" Falzone '97. Stepping up to the fourth tee down a cool eleven shots, the SPORTSGUY quickly realized why he is Harvard's preeminent sports journalist, not sports hero. On the sixth tee, One-Putt offered sage advice: "Remember, a flute without holes is not a flute, a donut without holes is a Danish." SPORTSGUY reached the green in six. Approaching the eighth tee, One-Putt mentioned something about the harmless squirrel; SPORTSGUY five-putted. After chipping in on the ninth to enter the clubhouse at seventy-nine, the SPORTSGUY had begun to wonder if golf was really less stressful than law school.

Controversy continued to plague the HLS Football League this week, as a rogue team captain announced a major sponsorship deal. Dave Rothenberg '98, team captain of Freshies, defied league officials by inking an endorsement contract with soft drink manufacturer Coca-Cola. Long known for their wild tie-dyed jerseys, the Freshies will lend the team name to a new line of "Fruitopia" juice drinks and fashion merchandise. HLSFL Commissioner Chris Manning '98, visibly upset by the announcement, reminded the sports media that an exclusive deal with Sodexo makes Hark Box Coffee the league's official beverage. "The league attempts to market itself through collective endorsement deals," bemoaned Manning. "We'll probably have to settle this in court."

The Sodexo-HLSFL partnership began last year when Great Danes quarterback Chris Niewoehner '98 astutely made the connection between Hark Box java and the dirt on Webster Field. In last year's championship game, the offensive line of the Learned Hands squad caught the "Minnesota Boy Wonder" in the pocket and brutally buried his head in the turf. Struggling to his feet with a mouthful of sod, Niewoehner noted, "Hey, this tastes like Colombian Supremo!" Sodexo responded with a two-year deal and a new line of drinks with names like "End Zone Gristle" and "Charles River Silt." Then-commissioner Dave Koontz '96 hailed the deal as an affirmation of the league's tough-guy image: "We like our coffee like our football - brutal and earthy."

Rothenberg, making no apologies, explained that he "had to do what was best for Freshies. We don't think associating ourselves with a substandard caffeine product advances our message. Coca-Cola much better understands our needs, and we're proud to carry the Fruitopia name."

More tumult caused by the HLSFL: plans to construct the long-awaited retractable dome over Webster Field have led to near-riots by residents of Hastings Dormitory. Already plagued by noise from the Langdell Hall renovations, Hastings residents fear the noise from construction might disturb their beauty sleep, despite the six blocks that separate the dorm from the construction project.

Posse Comitatus (5-1) crashed the gate at the Fortress of Solitude this week by dropping the Sons of Jor-El, 26-20, in a game highlighted by spectacular plays. Posse quarterback-extraordinaire Juan Zarate '97 showed he can play both ways with a 90-yard interception return for touchdown. On the ensuing kickoff, Bob McCarter '97 evened the damage by returning the kick for a Sons touchdown. Posse defender Jeff Hawkins '97 provided the final margin by picking off an errant pass for an 80-yard score. "Defense and special teams - that wins championships," quipped Zarate in a post-game interview. The win moves Posse Comitatus into first place in the Rockne Division.

The Lombardi Division remains a two-team race between Freshies and Sensitive 90s Men, both 4-0. Running their patented "West Coast" offense, the men in neon pastels scorched Who's Your Daddy 43-20, then edged the Great Danes 31-22. The 90s Men became the first team this year to register an 80-point day, dispatching Forrest Krump 42-19 and walloping Chupacabras 40-6. The two meet Sunday at 1 p.m.

Finally, as the SPORTSGUY is ready to get acquainted with his sofa this week for the baseball playoffs, here's a hearty wish for an Atlanta Braves-New York Yankees World Series. What could better represent the apocalyptic battle for control of the universe between Good and Evil? Atlanta features humble, gentleman warriors like Fred McGriff, Greg Maddux, and Chipper Jones, while the Yankees suit up arrogant, hostile barbarians like Darryl Strawberry, Wade Boggs, and Paul O'Neill. Atlanta is a sunny, friendly city that welcomed the world for the Olympic Games, while New York is a busy, antagonistic cesspool that frightens children. Surely a four-game sweep by the Georgia Peaches would prove that justice is alive on Earth. Enjoy the playoffs!

HLS Football League Standings

Rockne Division

Sons of Jor-El	5-1
Posse Comitatus	5-1
Great Danes	5-3
Chupacabras	4-4
Happy Gilmores	3-5
Blitzed & Bombed	1-7
Illegal Motion	0-5

Lombardi Division

Freshies	4-0
Sensitive 90s Men	4-0
Stormin' Mormons	3-3
Blur	2-2
Who's Your Daddy?	2-4
Forrest Krump	1-4

FOOD O R A M A

Pho Pasteur

By Jamie Metzl '97

Guest Columnist



The central market in the sleepy town of Dalat in the Vietnamese highlands is a shrine to gastronomic delight. A sprawl of vendors with baskets filled to the brim with magnificent strawberries, blackberries, apples, oranges, potatoes, carrots, beets, cucumbers and nearly every fruit and vegetable imaginable spread through the open-air hall and out onto the adjoining streets.

Each item is worthy of its own admiration. The purple eggplants shine in their brilliance. Stacked one atop the other, the mangoes tempt the visitor with their subtle aroma. Thanks to Continental Frequent Flyer Miles, I had arrived at this shrine and wandered through the market in wonder. The steps leading up to the second floor seemed almost to ascend to heaven.

Above the quiet energy of the market, the second floor contained an array of about 50 food stalls, each fashioning a different dish from the magnificent ingredients below. I lost myself in taste and smell, shamelessly trying everything available in my three hour lap around the hall. The generous use of fresh herbs, particularly cilantro and mint, the magical flavorings of caramelized sugar and fish sauce, the hints of French influence, and the absolutely perfect ingredients made me think that I had died and gone to heaven. I waddled out of the market feeling that I had learned at least something about Vietnamese food.

When I returned to Boston, I wondered if I would ever reach such heights again. I tried a number of different restaurants. Pho Pasteur, a Vietnamese restaurant at 137 Brighton Avenue in Allston, is as close as I have come.

The restaurant bustles with the even mix of its Asian and non-Asian clientele. Lots of Vietnamese people are usually there, always a good sign. When we arrived, there was only a few minutes' wait before we were seated. The waitress brought us the menu with almost 200 different items to choose from.

We began by sampling a few different appetizers. We tried two different types of fresh spring rolls, both of which were delicious. Unlike Chinese egg rolls, Vietnamese spring rolls (*Goi Cuon*) are served fresh, not fried. Bean sprouts, mint, basil, rice noodles and a choice of chicken, shrimp or pork are rolled into rice paper and served with a peanut dipping sauce topped with peanuts, mint, carrot and scallions. The rolls were a perfect consistency - soft enough to melt in your mouth yet not so gooey to dissolve. The different textures and flavors seemed perfectly harmonious. We tried both the chicken and the shrimp rolls, although I preferred the consistency and freshness of the former.

We also tried the fried spring rolls (*Cha Gio*), which are made of rice paper tightly wrapped around a mixture of pork, chicken, carrots, onion, rice vermicelli, and mushrooms. The fried outside was crisp, the inside soft. The tastes were accented perfectly by the omnipresent Vietnamese sauce *Nuoc Mam*, made of sugar, vinegar, garlic, chili and carrot and jicama shavings. The only disappointing appetizer was the *Goi Ga*, or Vietnamese chicken salad made with shredded cabbage, carrots, chicken, red pepper, mint, basil and peanuts. Unlike other *Goi Ga* I have eaten, this seemed to go too heavy on the cabbage at the expense of the other flavors, making it somewhat bland.

Our next course was soup. The soup comes with either a chicken stock (*Pho Ga*) or beef stock (*Pho Bo*) base. We chose the chicken and were rewarded with a huge bowl of soup filled with silky noodles and soft, shredded pieces of chicken. The essence of the flavor, however, came from the dominance of fresh cilantro and mint, which made an ordinary bowl of soup into something special.

Of the three entrees we tried, the clear winner was the *Banh Hoi Bo Hoac Nuang*, or, more simply, make-your-own-dumplings. The waitress brought us a stack of dried rice paper, a bowl of hot water and a plate with sliced grilled chicken, mint, lettuce and steamed vermicelli. She showed us how to dip the rice paper in the water to soften it and then add a small piece of each of the items on the plate before wrapping the package up and dipping it in *Nuoc Mam*. The result bordered on the sublime, even if our rolls never matched the aesthetics of hers. The other two entrees - chicken stir fried with ginger and scallions in a caramelized sugar fish sauce, and shrimp, scallops, and squid stir fried with mixed vegetables - were both very good. They might have been great if we weren't comparing them with the delights which had come before.

We finished our meal with an almost spiritual sense of contentment. The different subtle flavors had drawn us in and we now basked in their afterglow. As we sat, the owner of the restaurant, Duyen Le, came over to speak with us. He told us he had been in the United States for nine years. It turns out that before coming to America, Mr. Le had been a vegetable trader in the Dalat market.

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Tale of Two Blunders

While June Thompson and the staff at Career Services were showing HLS how to solve a problem quickly and painlessly, Suzanne Richardson, Sandra Coleman and Susan Vik were providing a perfect demonstration of how to bungle your way onto the front page of the RECORD.

Thompson dealt with the internet sign-up mistake as soon as the problem became apparent and communicated the problem to students clearly and frankly. Students understood the situation and the method of solving the problem and the job interview process never missed a beat.

By contrast, administrators handling the e-mail fiasco failed to take charge of a chaotic situation and never bothered to communicate or collect feedback. It is ironic that administrators sat and watched rules infractions take place over a communications network, but never thought of posting a message themselves explaining the rules.

Further, Richardson and Vik were not forthright about admitting that the lists were always unsecured. Richardson and Vik look silly blaming a student for the problems. As it turned out, the student was not responsible for what happened. Because the lists were unsecured, their general use was bound to happen sooner or later.

Now administrators are talking about a listserv or newsgroup to replace the mass e-mail lists, and finally plan to seek student input. If they hadn't been so quick to pull the plug, they may have found that the mass e-mail lists were not such a bad thing after all, and that, after a few weeks of adjustment, the lists could have become a useful way of "building community," as one student put it.

If students are punished for using phony addresses, then we should not worry about overuse. There is a cost to posting too much. Peer pressure is enough to stop it.

When the dust settles from the e-mail fiasco, it will become clear that the infractions which occurred were not of Kasnerian proportions, and we will instead be left to ponder why administrators waited so long to take action, and how inept they were to knowingly use unsecured lists if they thought mass communication is problematic.

We should give the e-mail lists a second chance. HLS can certainly use more communication, especially simple, cheap and environmentally-friendly forms — that aren't limited to administrative and faculty announcements.

This issue is the last for our production manager, Karin Kysilka. Karin has been making the RECORD look good for about a year now, and, although things ordinarily change quickly around here, we're sad to see her leave so soon. Good luck, Karin, and thanks.

—Friedman

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—First Amendment, US Constitution

• Letters •

Serotta's Attacks Ring Hollow

I agree with Judd Serotta ("Character and the Presidency," Sept. 27) that the result of the upcoming Presidential election should depend on character; that is why I support wholeheartedly President Clinton's re-election. Serotta ticks off a laundry list of the President's alleged wrongdoings and compares them with rather sentimental descriptions of past presidents, but his warnings that the President's substantial lead in the polls heralds America's moral decay ring hollow. Perhaps if the President were a figurehead, much like the Queen of England, with no real effect on government policy and little direct influence on the lives of Americans, I would understand better Serotta's position.

I respect Senator Dole's longevity and legislative acumen, and commend his service in World War II over fifty years ago. But not all of us will meet Bob Dole, discuss with him these accomplishments, and

benefit directly from his experience. He is running for President, to serve 250 million people, few of whom will find comfort in his past when they want hope for their future. For this task, Bob Dole's character is seriously lacking.

Character is not bowing down to conservative extremists who revile constitutional protections for those unlike them; character is not abandoning one's long-held theory of fiscal policy to boost one's political appeal; character is not allowing the gun lobby to dictate government policy on crime and safety; character is not being in the tobacco industry's pocket (and saying that milk is as addictive as nicotine!); character is not opposing the Family and Medical Leave Act, which enables workers to take unpaid leave to care for a newborn or sick family member. For the Americans who want leadership and vision for the future, Bob Dole's "character" is cold comfort.

Rather, character is risking political capital to make

tough budgetary choices while preserving our values; character is standing up for a woman's right to choose what happens to her body rather than giving that choice to government officials; character is fighting for a decent wage and health care plan for working people rather than focusing on putting more and more money in the pockets of the rich; character is bringing diverse people together rather than using tensions for political gain; character is preserving our natural resources and not selling them to the highest bidder; character is encouraging peace around the world.

This, Mr. Serotta, is the character that Bill Clinton possesses and that which Bob Dole lacks. This is what Americans want and deserve in a President. America's "moral compass" is far from being lost or decayed; on November 5th, it points toward President Bill Clinton.

Andrew C. Byrnes '97
October 1, 1996

Downeaster Rails Against Stereotypes

Having grown up in Caribou, Maine, a town adjacent to the Presque Isle Carla Halperin describes as "regressive" in her Sept. 27, 1996 piece, I feel compelled to respond to her characteristic generalizations. Although I too decry the horrors of domestic violence, I can assure you that it is no more "widely prevalent" in Northern Maine than anywhere else. Given the fact that "every man has the presumptive right to beat his wife for any reason," it seems odd, especially given that I am related to and know "everyone," that not once during my 18 years there did I ever witness domestic violence. Although I am certain it

occurs, I take offense to Halperin's description of the typical Aroostook County male as a shotgun-toting, mobile-home dwelling incestuous bully who beats his companion at will with impunity, just as Halperin likely would take offense if I characterized her hometown of Amherst, MA, as a haven for tall, red-haired, male-bashing liberals with a tendency to exaggerate.

Further, rural dwellers do not object to being told "how to run things" by outsiders. Rather, they object to denigration of the place they choose to call home. Commenting on the "crazy weather," the need for a snow shovel in June, and the fact that people consider Bangor a "major metropolitan

area" will not endear you to the locals. Anyone exhibiting such open condescension, coupled with an attitude that those choosing to live in such a place couldn't possibly know any better and could benefit from divine intervention, deserves to be called a "twit." Didn't your mother ever teach you to take your shoes off when you enter someone's home? Or did you just assume that your gross generalizations were beyond reproach because "abusive husbands and boyfriends" from "rural and regressive" areas simply do not attend Harvard Law School?

Steven Weatherhead '97
September 30, 1996

THE REASONABLE WOMAN

There's More to Saying "I Do" Than Meets the Aisle: The Name Dilemma



By Kimberly Dempsey '98

Guest Columnist

To hyphenate or not to hyphenate? To keep your name, take his name, or add his name? These are questions pondered by many people contemplating marriage. Unfortunately the "many people" in this scenario means only the female population. The "name dilemma" is a burden that American society has placed solely upon women.

As an engaged woman myself, I have heard, voluntarily and involuntarily, many opinions about the name dilemma. I was born and raised in Las Vegas, Nevada. (I must take this moment to inform all non-natives of Nevada that the vowels are pronounced exactly like they are pronounced in Nebraska, Alabama, and Alaska). Surprisingly, the Las Vegas "culture" beyond the Strip and Fremont Street is extremely conservative and dated. Phrases like "women's work" and "barefoot and pregnant" are accompanied by chuckles, not lawsuits. I grew up brainwashed to believe that if I loved a man enough to marry him, the least I could do is take his name. It hurts just to say it now.

Upon returning to Las Vegas after four years of college in the Northeast, I was called a "flaming liberal" because I was in favor of keeping my name in some fashion upon marriage. Instead of seeing that decision as one celebrating myself and my own identity, people responded with, "Well, your Dad will be happy to have the Dempsey name continued since he has no sons." So a man's feelings upstage a woman's, and an independent woman is seen as a proxy for a man, in this case a non-existent son.

The United States has a lot to be proud of, but we lag behind in valuing the importance of heritage. There is so much meaning in a name. It is often possible to determine from an individual's last name the particular country in which she was born or the racial group to which she belongs. But the last name in the United States draws only half the picture. My name tells people that my father is Irish. People are left in the dark, however, about my mother's contribution. Just imagine how much more people would know about me if my name was Kimberly Jean Santangelo Dempsey. There are cultures which do this very thing, that is to recognize the mother's as well as the father's last name in the child's name. Perhaps it is time for the United States to swallow its pride and learn a few things from these other cultures. Adopting this name construction

The name dilemma has the potential for creating gaping schisms in relationships.

would be an easy solution to the name dilemma.

In addition to pride in heritage, there are other reasons why it is difficult (and for some, impossible) to part with one's name. As it is interviewing season, many hours have been spent working and re-working the resume. For those of us who are still single, each of those accomplishments we so proudly describe on that expansive one sheet of paper were accomplished in our single lives. Our names, not our faces, attach to each item. The diplomas we will so prominently display on our walls will contain our single name. We HLS students are supposed to have special imaginative and analytical skills. I ask every man to put those skills to use and imagine how he would feel if he was expected to change his name after a quarter of a century of living, accomplishing, and being known as someone of a different name.

Luckily, I have a fiancé who understands the tremendous forfeiture that accompanies the giving up of one's name. He has seen the various symbols of my success on which I am represented as "Kimberly Dempsey." He understands that I have a tremendous history as Kimberly Dempsey. He does not suffer from having a shallow ego, a symptom of which is the belief that love requires my taking his name. When I discuss my fiancé's feelings on the topic with others, a response that sometimes follows is, "He will let you keep your name?" Disgusting! Women need no permission to experience a "luxury" that men take completely for granted; women deserve just as much as men to be called the same name from birth until death. People who respond in that myopic way truly make me sick. These are usually the same people who call women who share these ideas "femi-nazis." I suppose we cannot expect much from people who challenge or attempt to dismiss a point-of-view by attaching to its proponents a visceral and loathsome label.

The name dilemma has the potential for creating gaping schisms in relationships, and not just those relationships between engaged or married men and women. Over the summer I had lunch with two female lawyer friends. One woman, Jennifer Andrews, kept her own name (no hyphenation or addition), and the other woman, Michelle, took her husband's name. They did not know this of each other until we were all together at lunch one day. Jennifer was telling a story about her husband accidentally being called "Mr. Andrews" at a law firm function. Her husband is an important executive at a gigantic corporation and was rather irritated. He felt stripped of a part of his identity when he was deprived of his own last name.

Through this accident, however, he came to realize how his wife felt when she was called "Mrs. Jenkins" at his company's parties. Jennifer was amused, as was I, but Michelle was a bit shocked. Michelle was immediately asking what they would do if they had children. Jennifer said that (before "the accident") her husband was irked about her keeping her name. Jennifer asked him for one good reason why she should take his name. He said, "For the sake of the children." She rebutted, "Then take my name."

This story ends on a happy note, though. A friendship was not destroyed but, rather, strengthened. The greatest part of that lunch for me was seeing two women, with differing views, respecting the other while remaining steadfast to her own feelings. I was in the company of two strong women, both of whom I am proud to say are my friends.

Every woman must decide for herself how she will handle the name dilemma should she marry. I simply hope that the decision is a truly personal one.

Watch Your Language!



By Renée Kaplan '99

Record Columnist

Acronyms are the most particular, and certainly the easiest to assimilate of the various specialized lingo of law school: this past weekend, 1Ls attended PLAP, TAP and BWAP training (they rhyme and all, it's a mnemonic thing) and started subciting for JOLT and JOL and other such journals. Acronyms are just quicker and more fun: they give you a spunky onomatopoeic punch, not to mention that little frisson of inclusion. The acquisition of all the professional terms seems to come about a bit less instinctively: prejudgment relief (the last bathroom before you reach the pearly gates), adverse possession (being roped into buying something you really didn't want), garnishment (Martha Stewart's final touch to the veggie platter) — they all sound like they should mean something else, more literal, or just more intuitive. And of course there's the Latin: *prima facie* (when you wake up in the morning, before putting your make-up on), *ex post* (when you've switched to Kellogg's brand Raisin Bran), in personam (or can I just callam upam?). Not to mention all the research jargon: bluebooking, shepardizing, boolean search (doesn't that sound like what you do in the bathroom as you stagger in, groping around, after one too many scorpion bowls?). Still, professional jargon — legal lingo — doesn't really demand any great cognitive leap to understand; just a little immersion and practice.

Far more confounding than the new words or the new terms (or the dead languages) of law school, is the very notion of how we conceive of language itself; how we now understand and use the actual word and notion of "language." Before law school, we spoke languages, and heard them; now we look for language, and we look at language. Some languages we understood and spoke perfectly, others we could intuit and approximate; now we dissect language, and make language. Language was articulated but intangible; now it is printed and incontrovertible. Before verbalizing language, we thought it; before externalizing words, the thoughts — the essential and immaterial stuff of language — were internal. Now we talk about explicit language, and make proposals of real language, of solid words. Those strange new technical terms of legalese don't necessarily make intuitive sense (tortfeasor, tort and feisor, feisor: perhaps from the verb to fease, he

The risk as we zone in on "language," and burrow and deconstruct, is that we really do come to believe that the discrete linguistic structures count more than the sum of themselves...

or she who makes or brings about, like a donutfeisor, a jokefeisor, in fact anything you can fease, I can fease better) but they still constitute language as we once knew it: they are a set of words with ascribed meanings, to be used in a phrase, to express some greater concept.

But the "language" that we talk about at law school seems to have substance and body, rather than significance or ascribed meaning: we don't interpret language, we look for it, and find it, and point to it. The expression "finding language" is like the expressions "having issues" and "being OK with it" — mild, user-friendly euphemisms for complicated, yucky things that we don't like to talk about, but that we're supposed to learn to discuss in our modern times of empathy. "Using language" might be when you feel that cussing urge coming on again, or it could mean the unfortunate and uncontrollable habit of maligning others: yeah, he does use language something awful, but it's understandable — he has issues — so I think most people are OK with it. But the concept of "finding language" is actually quite literal; it doesn't act as the metaphor for anything else — it really does mean to send us on a hunt for solid, real, explicit words; for all-determinative "ifs" and "shalls" and "wills" and "ors." It sends us searching for those legal bolts and cogs, for language in its absolute (findable and look-at-able) expressions, so real and explicit they practically are material, and thus undeniable: physical evidence.

We put conjunctions and pronouns and single verbs on the stand, like physical witnesses to truth. These discrete grammatical structures are what we call "language" in law school. And we find ourselves citing the "language" — pointing to these individual witnesses to present themselves as structural testimony to interpretation — rather than citing an idea, a phrase or a work. We find ourselves "going through the language," like some navigable space, or some body of viscous liquid. We scour the text for crucial and loaded "language," for those grammatical gold chunks in the riverbed of the opinion, for the hunks of linguistic cookie dough in the vanilla ice cream of the rule — for the most solid hunk of word-stuff whose significance is so undebatable, so physical, that interpretation necessarily, finally, stops there: resolved. There, it's that "language": that's the bottom line, that's the word that clinched the interpretation, that's the "language" that determined the verdict. That hunk of word-stuff, buddy — that gemstone of a conjunction, that incontrovertibly conditional verb — means twenty to life for you.

We hold up our particle-trophies and our prized-pronouns like the *afikomom* at Passover or the loot from an Easter-egg hunt: the physical evidence of a successful search, the proof of a conclusive interpretation (it's "and," not "or" — where do you see room for procedural discretion!? — and you'll note the use of "unless" — we love absolute boundaries). The risk as we zone in on "language," and burrow and deconstruct, is that we really do come to believe that the discrete linguistic structures count more than the sum of themselves, more than the phrase and the greater concept. It's easy to forget, as we chip away at our opinions and statutes and rules, that the "language" used in each case is ... English.

Ad Hominem

By Stuart Rees and Bill Zimmerman

1952 DEAN GRISWOLD BEGINS THE "GREAT EXPERIMENT"



I WONDER . . . HOW LONG CAN HLS SURVIVE BASED ON ITS REPUTATION, WHILE IGNORING BASIC STUDENT NEEDS LIKE DECENT LIVING (GROPIUS), ESSENTIAL CLASSES (LEGAL PROFESSION, 2L BASIC COURSES), AND A COMPETITIVE STUDENT/FACULTY RATIO?

1996 DEAN CLARK

STILL GOING



Reasonable Man Strikes Again

By Alfred Steiner and Scott Selby



Over the Line

By Stuart Rees and Bill Zimmerman

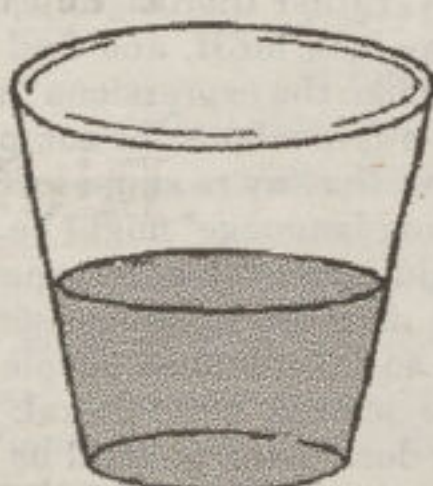
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THE GLASS IS HALF FULL.

PESSIMIST



THE GLASS IS HALF EMPTY.

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CALENDAR

By Colin Meeder

This week, I move to a less talk, more music format.

Tonight (10/3), **Groove Collective** bring their improvised street funk - courtesy of their very own hands, minds, and instruments - to the House of Blues (491-BLUE). More mannered, very likely, will be the only occasionally fiery guitar fusion of the **John Scofield Quintet** tonight and Friday at Regattabar (661-5000). For guaranteed ferocity on the same night, check out the immortal **Lydia Lunch** at the Middle East (497-0576), where she'll be performing confrontational spoken word pieces opening, unjustly enough, for the critics' darlings **Blonde Redhead**. The **Lune** start things off.

Friday (10/4) is a big night. For earnest Canadians, there's the **Tragically Hip** playing at the Avalon (262-2424) with **Van Allen Belt**. Then there's the **Aquarium Rescue Unit** at Mama Kin (536-2100), who were at least amusing when Col. Bruce Hampton was fronting the band, but who now exist only to give show-off overplaying bassists someone to emulate. **Gibb Droll** will open. **Zeni Geva** will be crushing heads, sonically speaking, at the Middle East along with **Michael Mancini**, **Vitamade**, and **Champale**. If you like to watch weird guys talking, you're in luck: there's the frighteningly funny **Steven Wright** at the Orpheum (423-NEXT), and the just plain frightening **Spalding Gray** starts a three night stand at the Emerson Majestic Theatre (482-6661).

What ever will the indie rockers do on Saturday (10/5) night? Go with the ever tasty **Sebadoh** at Avalon, with **Steve Westfield** opening, or the slightly more obscure and therefore infinitely more hip **Scrawl**, for whom **Quivver** and the **Technical Jed** will open at the Middle East? The truly independent will check out **Marshall Crenshaw**, who knows from pop, at Mama Kin.

How can you tell if the RECORD's proof readers have any brains in their heads? They won't add an unwanted n to **Jonatha Brooke**'s first name. She brings her **Story**, Somerville's greatest gift to the folk scene, to the Paradise (562-8800) on Sunday (10/6). Those of you who must attend Monday morning classes with a splitting headache, but can't stomach alcohol, can't miss the **Jimi Hendrix Electric Guitar Competition** at Mama Kin. Those who prefer politically aware Mexican-American Elvis impersonators (don't we all?) will spend Sunday night at Johnny D's with **El Vez**.

If there were justice in the world, the **Los Lobos** concert at Avalon on Monday (10/7) would have sold out within minutes of tickets going on sale. Take advantage of the world's injustice, and you'll see one of the finest rock bands of this or any other era at work. Opening is **Nil Lara**.

You might know him as the guy who read silly poems about his penis and Martin Scorsese with King Missile, but now **John S. Hall** reads his silly poems without a band. Anti-folker **Roger Manning** opens for him at Mama Kin on Tuesday (10/8).

Wednesday's good too, but I'm running out of room: **Ferron** at Avalon, **Foghat** at Mama Kin, **National Song & Dance Ensemble of Tibet** at Symphony Hall.

Coming up: **Smashing Pumpkins**, **Chris Isaak**, **Michael Hedges**. See ya.

Quote of the Week

"It's so wrong that it's delicious."

-Prof. Gerry Frug to his contracts class on the famous "sea-sickness" decision *Mills v. Wyman*.

Invasion of the Body-Snatchers

By Alexander Boldizar '98

Last week I sat in the RECORD office wondering what I should write in this week's column. Take a little Harvard, add some sex, maybe a little religion or philosophy, mix it up...Nah, it's been done. So I asked my editor "Hey, what should I write my column about?"

"Pick a fight with someone," everyone in the room answered.

"Read the coming issue and find a target," someone said.

OK. I read last week's issue and sure enough a jerk jumped out and grabbed me by the nose. His name was Paul Boldizar. He wrote a news story on the graduate program. Actually he just looked like he wrote it. In fact, it was little RECORD body-snatchers who run around editing news, changing everyone's name to "Paul," adding seven paragraphs, and changing the tone and even the sex of the sources.

Sometimes I try to figure out the motivation of the body-snatchers, but just when I think I have a theory I get stuck on trying to figure out how renaming professors "Paul" is sensational. One of the sources, Outi, managed to save her name from being changed, but only at the expense of her tone and sex. She happens to live in the same house I do so I was very surprised to find out she was a "he." Several times. The author, this Paul Boldizar, also lives in my house so he should have known better.

Bending and blending of gender, at least, I can understand. Why not? Unlike renaming people "Paul" there are many philosophical reasons to change one's gender, and even more to deconstruct the he/she dichotomy. They range from the structural, to the feminist, to the religious...Hey, I just figured out what renaming professors "Paul," needlessly sensationalizing news stories without the consent of their author, and changing gender have in common.

Remember Paul? The one whose name used to be Saul. He was jumped by the body-snatchers on the way to Damascus and had a sudden conversion.

Question: is he going to blaspheme again?

No. I'm just going to re-ask the question philosopher Juha Varto, and perhaps many others, have asked before me, "Could it be that in transsexuals are to be found the



best understanders of Christian philosophy?" This is a philosophy which concludes that the mind and the body are two separate things: "I, me, myself, the experiencing subject, the wholeness of living integrity [is] separate from the actual body to which one has been confined." It is a dualism in which the soul is from God and eternal, and the body is a strange "it," a container, a grave which just confuses the soul's life, seduces

to evil, and generally causes harm."

When Saul the hedon was changed to Paulus the Apostle (later becoming St. Paul) he spoke of the strangeness of the body he had been trapped in, a body (a text) which bore his name but which he barely recognized; a body which was being beaten by a policeman whom Mae West chastised by saying, "Don't hit him, inside he is a woman!"

Seen by itself, the Saulus/Paulus change could also be seen as an ethical choice rather than an imposed transformation, as could gender-bending. But the decision to rewrite an author's text without consulting him or his sources, inserting several errors in the process, cannot be seen as ethical, and leaves only one possibility: aliens. Body-snatchers.

Body-snatching would be much more difficult, and changing genders pointless, in the absence of a divorce of mind and body. The Jewish and Christian God created a humanity satisfied with two sexes and then split off this body, whether male or female, from a mind which does not function in such a boolean manner. Everybody's mind is some mix of male and female; yet we live in a culture which determines sex by what lies under the skirt. Marx argued long ago that the "alienation of the human person of his experience creates an uncontrollable belief in cultural constructions ... [and] the socially produced imagination finally beats one's own experiences." The gender-benders have stuck to this social construction (few try to change to a blended or totally different gender) because

the body has become a suit of clothes which, according to the contemporary fashion, doesn't fit. So it is tailored to conform to the moral and behavioural codes of the majority. Unfortunately, the post operation transsexuals often end up discovering that even the new sex is not the right one, but few have the strength to forget biological support and take the step to transgenderedness. At least, however, they change the by-line.

According to Juha Varto, "The convincing speeches of philosophers and the shivering no-nonsense of the biologists have not helped much here: in every fat woman lives a small girl, every ugly person is beautiful inside and everyone confused of his gender is in the wrong body."

I am not confused by my gender, but I am confused by why the body-snatchers changed Outi's, and why they added Prof. Joe Weiler to a news story which didn't speak of him in any way, and then changed his name to Prof.

Paul Weiler. Most of all, I'm confused about why they edited my body, which I had not yet split from my mind and to which I have an attachment. Even transsexuals are first alienated from their original bodies slowly, indirectly and then separated only consensually. Mine was snatched away unbeknownst to me, and a better one was installed in its place. One of the reasons I've been turning to journal-

ism, why writing for the RECORD is keeping me spiritually sane, is because there is so much body-snatching going on in law, and at the Law School. Nor is it uncommon for the author of a journal article to barely recognize her own piece. Yet even the legal body-snatchers maintain a certain subtlety and discretion ...

So if someone who looks like me, bearing my name (though perhaps changed to "Paul"), ever asks you for a quote for a news story: DON'T GIVE IT. Because it will likely not be I, but some new and improved version. I will be lying wherever all the other cut off parts lie after the Christians, gender-changers, and editors are done with them.

OK. I read last week's issue and sure enough a jerk jumped out and grabbed me by the nose. His name was Paul Boldizar.

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Fenno sat with Skippy, his lil' 11 pal, on the cement stoop outside of the Hark. The effete New York crowd who usually hang there had fled in terror and disgust on seeing Fenno approach; his reputation and odor preceded him. Fenno was teaching Skippy to smoke cigars; Skippy wasn't doing too well, and was looking a bit green.

"Oh, Mr. Fenno," asked Skippy, coughing, "are you sure this is how all those supermodels do it? They look so cool, and I feel so sick!"

"Hell, Skippy," said Fenno kindly, "they're so strung out on heroin they'd look cool if their ankles were being gnawed off by rabid beavers. Now, once more, and breathe deep."

At just that moment, several 2L's ran by, their suits so blue and conservative that their gender was even less apparent than Skippy's. "Cravath, Cravath!" they cried, "Jones Day! Ropes Gray!" They were gone as soon as they arrived, leaving only the faintest whiff of desperation in the air behind them. Skippy looked dejected, and flung its H. Uppmann to the floor.

"Damn it all, Mr. Fenno," said Skippy, "I'll never be as sophisticated as those 2L's! I'll never get a job at a big firm! I'm a failure!" Skippy started sobbing.

"You'd better cry, Skippy," said Fenno, "You know how much that cigar cost?"

"You're making fun of me, Fenno," whined Skippy.

"You're damn right, Skippy," said Fenno, sternly. "You envy them?" Fenno gestured in the general direction in which the 2L's had run. Writing samples and falsified transcripts floated in the breeze in their wake.

"Golly gee, Fenno, I sure do!" said Skippy. "They look so...so...professional!" "They look like corpses," said Fenno,

"fresh from the embalmer, their cold dead flesh stuffed neatly into dark suits for burial, their hair greased back, cut short, and nicely combed, their make up so subtle and lifelike."

"Yuk!" exclaimed Skippy. "But they're not dead, Mr. Fenno, they're ever so alive with potential! They're going to work for great big firms, and that's the greatest thing any lawyer can ever do for society."

"The greatest thing any lawyer can do for society," said Fenno, "is to become a sheep farmer and keep his damn mouth shut. Big firms are inefficient, decrepit dinosaurs, living parasitically off of larger, more inefficient, more decrepit, and more malevolent dinosaurs. Besides, they never take summer associates to strip bars anymore."

"But I heard the money's really good," asserted Skippy, as much as Skippy was capable of assertion, "and the work's really interesting."

"Interesting? There's a word," said Fenno. "Demeaning's another one. So's mind-destroying. And although some of these firms pay \$90,000 a year, that actually works out to about \$5.98 an hour. And no tips, either."

"Well, gosh, Mr. Fenno," said Skippy, "I'm confused! If these firms are so bad, why do so many of us want to work there?"

"Ah, my child," said Fenno with a smile, "at last you've asked the right question. Do I eat food from the Hark?"

"Not that I've seen"

"Do I ever, ever, under any circumstances, drink tap water?" asked Fenno, seriously.

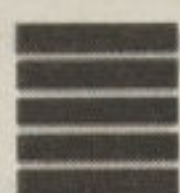
"No, Fenno," said Skippy, "you only drink booze."

"And I am free from this irrational desire to sell my mind and body to the evil necromancers at the big law firms, no?"

"Yes."

"Draw your own conclusion, my dear," smiled Fenno.

"I think I'd like another cigar now, Mr. Fenno," said Skippy, gravely.



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Financial Aid Loan Component Rises

continued from *Loan*, page 1

the process" of determining financial aid packages, Donahue said.

"The thing that has changed is that the grant budget has gone up as a result of the success of the campaign," she said.

Curll echoed Donahue's statement. "What's unusual is the three years we didn't have to raise the base loan ... And that was a result of the capital campaign," she said.

With the campaign finished, the jump in giving has ended; this year's financial aid budget reflects this return to normal giving levels, Curll said.

Curll said Harvard's base loan, and its financial aid system more broadly, compare well with those of other law schools. New York University Law School's base loan, for example, is \$26,000, Curll said. And unlike other schools, Harvard awards only need-based aid and does not use tuition to pay for financial aid.

"We use for financial aid only money that is endowed and annual giving," Curll said. "We'd have to raise tuition for all students in order to provide more aid for needy students."

Michael Francis '97, one of three students who sit on the Financial Aid Committee, said after much discussion about the base loan level, students on the committee saw the increase as necessary. "Concerns were raised by the three students on the committee. There was a lot of debate and discussion. Students on the panel all came to the conclusion that this had to be done," Francis said.

Like Curll, Francis said the committee's goal is to keep the base loan as low as possible.

"Nobody wants to raise the base loan," he said. "Discussions had been going on for at least the two years that I have sat on the committee whether the base loan should increase. Our base loan has always been among the lowest of the [top law schools]."

Perla Ni '98, another student on the Financial Aid Committee, shared Francis' sentiment. She called the decision to raise the base loan, "pretty much a mechanical calculation."

"There wasn't much fudge room," Ni said.

Students may have noticed a couple other changes from last year in their financial aid packages. Included in this year's higher base loan is a \$1000 Harvard loan for second and third year students. Whereas in the 1994-95 and 1995-96 school years 99 students got Harvard loans, this year the number will rise "above the 300 level," Donahue said.

"Traditionally we have reserved the Harvard Law School loan accounts for international students because they of course cannot get government loans. This year I thought, wouldn't it be great if we could throw in the Harvard loan for all returning students," she said.

This Harvard loan, with its fixed eight percent interest rate, was meant to "stretch institutional and federal financing out" to help students rely less on private borrowing, Donahue said.

Donahue said students could choose not to accept the Harvard loan. One alternative is a MEFA — Massachusetts Educational Financing Authority — loan that carries a 7.65 percent interest rate.

"If students want to use MEFA, that's fine. MEFA is a good program," Donahue said. She did note a few drawbacks of MEFA, including a 3.75 percent origination fee and relative inflexibility compared to Harvard loans.

Another change in this year's aid packages was a decrease in the federally-funded Perkins loan from \$2000 to \$1500. Donahue said Harvard can do nothing about the Perkins loan — which, with its five percent interest rate, Donahue called a "great loan" — since federal funding for the program has been cut.

"The Perkins loan program is in trouble," she said. "If we're lucky in an election year, the government will authorize capital spending on the program." But long term prospects are poor, she said.

Ni said she realized students might have concerns about their financial aid packages. "We are thinking about having an open forum next week for students to discuss concerns about financial aid," she said. Student representatives and staff members from the financial aid office will attend.

Urban Vogue

By Vik Arora '98 and Christina Ho '98

Guest Columnists

To start off their new fall season, Vik and Christina present a dramatic masterpiece, in one act. No flash photography please.

Characters (in no particular order):

Chicago — a person from Chicago
NY — a person from New York City
DC — a person from Washington, D.C.
Boston — a person from Boston
LA — a person from hell
Chorus
Zeus

Scene: Five persons sitting in a coffeeshop (who knows why) discussing the relative chicness of the major cities, something every law student should think about when choosing a firm.

Props: Coffee.

Chorus (questioning the premise of Vik and Christina's column): What do the fashion virtues of any city matter? We lawyers are all doomed to dress in lockstep, whatever the milieu.

LA: Yes, but at least you shouldn't have to suffer ocular trauma when gazing outside the prison, I mean office, windows.

Chicago: Hear, hear. Suffering should be banned; especially the sort caused by fashion crimes. Just last week, on Michigan Avenue, I was assaulted by a most offending ensemble, lifted straight from Pretty Woman. My optic lobe is still bruised from the sight. My ville can be so uncivil. Don't the natives know that to don a polka-dot summer dress is to create scandal!

NY: Daah-ling, what rubbish — just envision aubergine dots on teal crepe-de-chine. What could be more divine! Trapped in the Windbag City, you can't be expected to know the latest. Not everyone has the Big Apple advantage.

DC: Blow your smoke some other direction, New York.

Chorus (interrupting): Ew, smoke.

DC (continuing): I challenge you to specify your alleged advantage — perhaps it owes merely to the city's size? With a population of millions, someone wearing a bridesmaid's dress is guaranteed to look better than at least one other sad soul!

NY: Even if you hate to admit it, New York is the unquestioned Mecca of North American fashion.

Boston: First principles were meant to be questioned. And the answer to the question? New England. The pretense of the fashion world simply passes us by. The anomaly of Newbury internationalism notwithstanding, Boston is really about slurping clam chowder at the Union Oyster House, armored in full-body long-johns, an L.L. Bean

Throw a dart at the map, and go to the firm with the highest starting salary.

turtleneck, topped by heather-gray sweater, accented by a hunter Patagonia pull-over, all over Abercrombie khakis layered under quilted, elastic-waist denims and ending in Timberland mountain boots, protected by Wellingtons which are themselves encased in sling-back rubber galoshes. And wait until I describe the winter collection.

LA: Desist — my gorge rises at the thought. We take your point about Boston, where suffocation is style. But my friend, I must impress upon you, polar fleece, as declared in a brilliant Record column last year, is simply not presentable. Your rhapsody on Boston "style," though assuredly accurate, is no worthy pitch for an aspiring HLS grad. My advice? Trash the New England wear and hop on a plane to beautiful L.A. Our glittering sights take the cake and our druglords take American Express, but our fashion critics won't take stuffy senses of style.

Boston to DC: With the ever-present smog obscuring visibility, who can see their clothes?

LA (clearing throat): Superlatives are the only adjectives that properly describe the style of L.A. dwellers. Their skimpy clothes are the skimpiest. Their black clothes are the blackest. Their shades are the shadiest.

DC: And that's precisely the trouble with L.A. Excess and style contradict, a lesson fully comprehended in DC, where quiet taste wins the day. Soft-hued silk shells under well-cut suit lines. Kempt coifs, gently alluding to Jennifer Aniston, figure-flattering knits for the night-life.

NY: Quiet taste, my pedicured foot. More like dull lack thereof.

Chicago: Never a truer word spoken. As the haven for politicians and lobbyists, DC has stagnated in the swamp of paisley ties and navy suits. One would think with red tape being native to the region, some local designer would have used this home grown textile to put together a delicious little number. . .

DC: This coming from you, Chicago? We all know that your meteorological nickname stems from your politicians, not your off-season breezes. DC blends what's vogue on the New York avenues (cleansed of urban riff-raff) with the refinement of the South, and seasons it all with an international zing.

Boston: So for the fashion world this means a parade of Armani and Mizrahi headlined by a float bearing Delta Burke in a pink taffeta catsuit. Quelle horror! And why stroke NY's ego, already threadbare from the caresses of so-many misguided sycophants? Their avenues have nothing on the one-way cowpaths of Beantown. And for those who don't appreciate the functional beauty of outdoorswear, a classier Boston can be glimpsed through the forests of Eddie Bauer-type would-be-mountaineers. Par example, I myself wear only Calvin and Donna.

Chicago: Surely you overstate the case. Calvin and Donna rank one class rung beyond the sweaty grasp of the young professionals brimming from your colleges and over-running your Commons, and we all know how these parvenus practically mummify themselves in Ann Taylor and Banana Republic.

Boston gets bitchy and decides that Chicago must die. DC realizes it will never be Gotham City, and decides to submit to NY's every whim. Disgusted at the sight of DC in a dog collar licking NY's boots, LA begins shrieking "L.A. Woman" and extolling the virtues of the underworld. Riot ensues.

Chorus (amidst the ugliness): This public debate has yielded no general principles. We abandon it and turn to you, O Zeus, imploring you to advise us on how to choose among the different firms and their host cities.

Zeus: Throw a dart at the map, and go to the firm with the highest starting salary.

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