



This band was really smokin'

Marijuana Law Protest Draws Over 50,000

By Dean Leckie

On Saturday, Sept. 20, between 50,000 and 60,000 people descended on Boston Common to protest marijuana laws, listen to music, and, to use the phrase popularized by Prof. Charles Nesson '63, "smoke a J."

The 8th Annual Freedom Rally, organized by the Massachusetts Cannabis Reform Coalition, better known as Mass

Cann/NORML, carried the theme "Sixty Years of Lies." The theme marks the 60th anniversary of the Marijuana Tax Act of 1937, which the National Organization for the Reform of Marijuana Laws (NORML) claims was based on "propaganda and misinformation."

Started in 1990 by a dozen citizens who gathered at the U.S.S. Constitution in Charlestown, the

Please see *POT*, p. 9

Fried to Undergo Surgery to Replace Damaged Heart Valve

Parker Substitutes for Constitutional Law Professor

By Seth Persily

HLS Professor and Massachusetts Supreme Court Justice Charles Fried checked into the hospital on the evening of Friday, Sept. 19 after complaining of chest pain. As of 5:00 p.m., Wednesday, Sept. 24, Fried was undergoing heart valve replacement surgery. The surgery was expected to last eight hours.

Fried's recovery had been estimated, pre-operation, to take three to four weeks.

Fried, 62, had known for some time that he had an infected heart valve. He was originally scheduled to undergo the procedure in mid-November. Fried's complaints of discomfort, however, led doctors to deem the surgery more pressing.

Those familiar with Fried are optimistic about the outcome of the surgery. "As far as I know, it's not an unusual case," said Dean Todd Rakoff '75.

Prof. Richard Parker '70, who is already teaching a double load this semester, will fill in for Fried's Constitutional Law class while Fried recuperates.

In order to fit Parker's schedule, the class needed to be rescheduled from 5:00 pm to 7:00

pm on Tuesday and Wednesday nights. Students who cannot make the adjustments to their schedule will be given the option to drop the class.

Parker was informed by the Dean's office Wednesday, Sept. 17, that Fried would need surgery. At that time it was thought that the surgery would take place during the last three weeks of the semester.

However, students were not informed until class time on Monday, Sept. 22, when Fried was already hospitalized.

No substantial student input was involved in determining which professor would replace Fried or to what time period

class would be moved.

The mood of the class seemed to be one of genuine concern for Fried's well-being.

"We feel a great deal of concern for Prof. Fried and wish him a healthy recovery," said Suzanne Peña '99.

"I think it's really sad," said both Craig Turk '98 and James Lin '98.

Turk bemoaned the temporary absence of a tremendous teaching

talent. "He's a really good professor. With Fried, I felt I was learning a lot," he said. "It's especially sad since I had to jump through hoops to get into this class."

Please see *FRIED*, p. 4



Prof. Fried

Bone Marrow Drive Stirs Controversy

By Alex Rao

This past week the Cammy Lee Leukemia Foundation held a bone marrow typing drive in Loker Commons, Memorial Hall, to register bone marrow donors and to find a possible donor for Alan Kou. Kou, a Harvard College '85 alumnus, is looking for a suitable donor of Asian ancestry to provide a transplant that may cure his advancing leukemia.

Due to the disproportionately low number of Asian and other minority donors compared to Caucasian donors, the drive provided blood sample typing to

people of color at no cost. This policy has raised questions about possible discrimination.

Jol Silversmith '98, President of the HLS Civil Liberties Union, argues that such a policy violates Harvard's non-discrimination policy.

"It is hard to imagine a more blatant act of racial discrimination," comments Silversmith.

James Chang, a volunteer at the marrow drive, responds that "there is no arguing there's a need and they [afflicted people of color] are dying." He further argues that any subsidized typing of Caucasians may prove re-

Please see *MARROW*, p. 4

LSC Elections Rescheduled

On-Time Candidate Questions Extension of Deadline

By Glenn Otis Brown

Due to an initial lackluster turnout of candidates, the Independent Election Committee (IEC) postponed Law School Council (LSC) elections by one week.

The decision was made, explained LSC Treasurer Dan Fridman '99, "to give more

people a chance to enter the elections process. Traditionally it's been harder to motivate upperclassmen to participate. One-Ls benefit from the extension also by having more time to decide whether to enter."

The IEC's decision was questioned by Jol Silversmith '99, who had filed as a candidate before the original deadline.

"[O]n the record all I will say

is this is not how the IEC conducted elections in 1996-97 (and, to the best of my knowledge, how elections were conducted previously); if a race was uncompetitive or did not have

Please see *LSC*, p. 8

SLLR Angered by Anonymous Posters

By RECORD Staff

The former president of the Society for Law, Life & Religion (SLLR) urged administrators to respond to an anonymous flyer he called an "extreme example of intolerance and outright hatred."

The flyers, posted by a fictitious group calling itself the "HLS Society for Law, Loathing and Hate" suggested Jewish students could extricate themselves from their religion and walk "[t]o the gas chambers."

The flyer appeared on campus Tuesday night. The posters

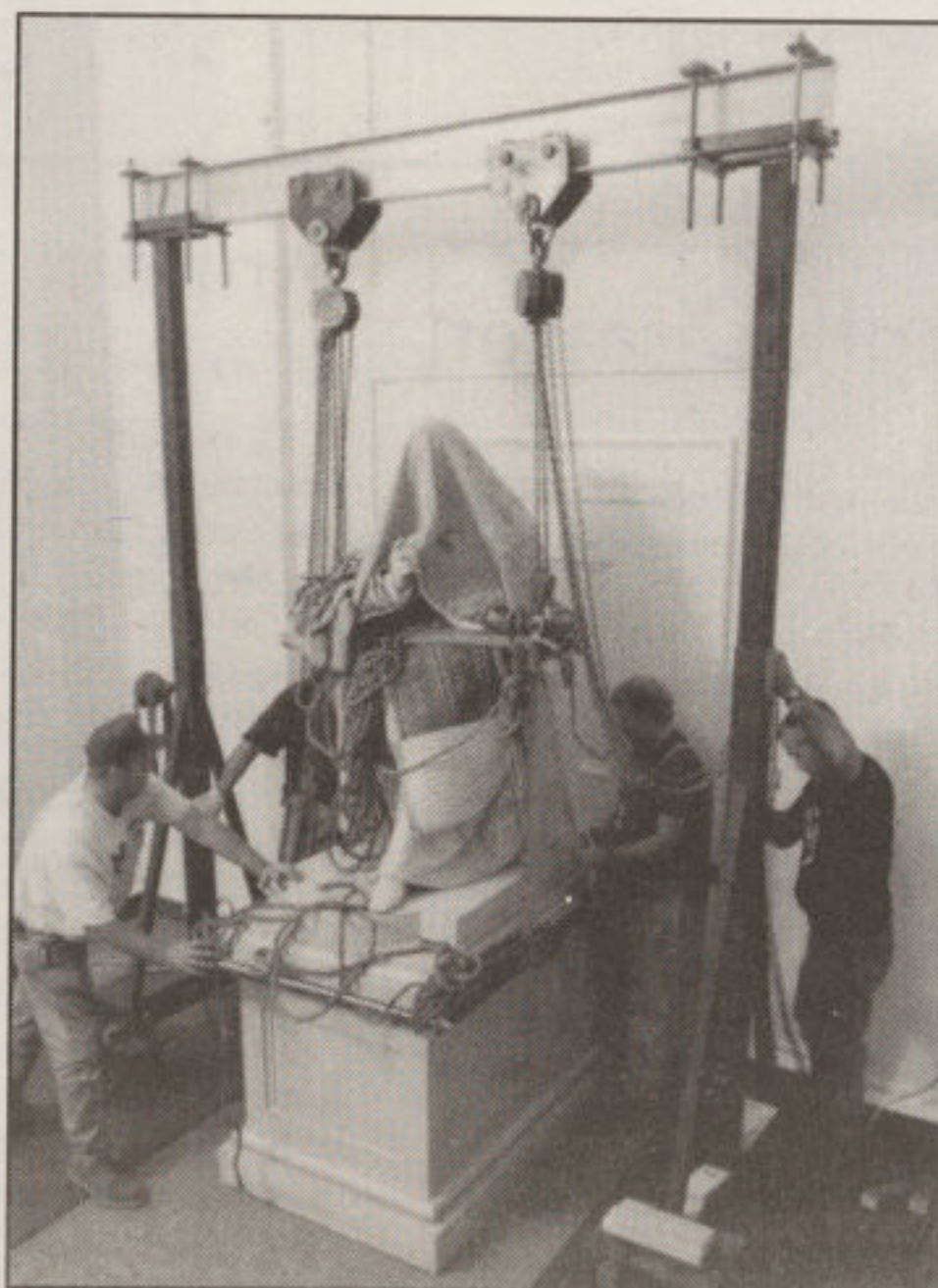
apparently were designed to mock SLLR posters advertising "National Coming Out of Homosexuality Day."

SLLR's poster stated, "For those struggling with homosexuality, there is hope in the truth. You can walk away."

The fictitious posters stated, "For those struggling with Judaism [sic] there is hope in the truth. You can walk away. (To the gas chambers.)"

The posters stated that the advertised event was open to the entire Harvard community, "[e]xcept ... the Jewish-looking

Please see *POSTERS*, p. 4



RECORD Photo/James McCormick

The uncovered Story

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Movie Review, Comics,
Renno usurps Kaplan's gig,
and other surprises.

29 Years Ago in the RECORD



America's Oldest Law School Newspaper

VOL. 47 NO. 2

CIRCULATION: OVER 12,500

SEPTEMBER 26, 1968

Black Awareness and Black Unity Surging Forward at Law School

By Jack Tate

Harvard Law School, traditionally a bastion of "color blindness," is in the fall of 1968 a center of black awareness and black unity.



Radical Group Started

By Lawrence Gartner

Change was the name of the game Monday night as Law School radicals gathered in Langdell North to suggest and discuss various programs to revolutionize the Law School and outside society.

The meeting, organized mainly by two second-year students, Jerry Billow and Mike Haroz, attempted to gather law students in-

(Continued on Page 12)

More black students, black professors, black-oriented seminars and courses and general black awareness—these are the demands of both white and black students. The faculty and administration are rapidly responding.

Two administration officials, perhaps prejudiced by their present positions, rate Harvard Law as first in the nation in its ability to attract and hold black students and in its many seminars and courses that have recently been made relevant to the problems of race relations. But both acknowledged that the Law School is in the early stages of its attempt to eliminate present problems and inequities.

Before 1963 the average class had one black student. Today 78 American black students and four from Africa are receiving training here. The total of 82 represents about five percent of the student body. Nationally, 11 per cent of the population is black, yet only one per cent of the country's lawyers are Negro.

(Continued on Page 6)

BLACK STUDENT ADMISSION RECORD

	1 per class
Before 1963	3
1963	12
1964	16
1965	21
1966	28
1967	35*
1968	

*The 1968 first year class was expanded by about 10 per cent to a total of 600.

The Beef Stroganoff Disaster

Law students who think they court disaster by eating in Harkness Commons may take comfort in the fact that the Law School's faculty, administration, and staff may not be so safe either.

An ingredient in the beef stroganoff served last Tuesday in the staff dining room laid low several professors, an administrator, a secretary, and even a 2L.

Probable culprit for the reaction to the stroganoff was an onion soup used as a base

which contained a common seasoning, monosodium glutamate.

Those who suffered included William L. Bruce, secretary of the Law School, Professors Lloyd L. Weinreb, Alan M. Dershowitz (who was forced to cancel a class), and Charles Fried. Also affected were Alan A. Stone, lecturer in psychiatry and psychoanalysis, Janie Biddinger, a secretary, and James Ditmar, 2L.

(Continued on Page 9)

Stroganoff . . .

(Continued from Page 4)

They suffered an allergic reaction which caused a tingling sensation in the face and on the scalp, hives, pounding of the heart, and other symptoms. Not all suffered the same reactions.

The onion soup used in the stroganoff was a good brand, according to Mr. Bruce, and the problem wasn't one of age or spoilage.

However, he told the food service to send the soup back to its makers and get a refund.

Radicals Gather . . .

(Continued from Page 1)

interested in reform to throw out ideas, and split off into smaller groups to work on specific projects.

The tone of the meeting of about 100 people, mostly 1L's and mostly white, was set in opening remarks by Billow, who said that the law school was an institution mainly designed to turn out "a highly skilled legal technician who functions very capably as a manager and problem-solver of corporate America." These corporations, Billow said, "are the institutions which buy our bodies."

Billow said that students must gain power at the Law School because that's the only way change will occur. "It would be nice if

One Radical Asks: Why Private Property?

the Harvard faculty suddenly came to see its function as a servant of society. But this is fantasy."

Haroz also said, in introductory remarks, that the students must take the initiative in reform. "It's hard to get the faculty and administration to do anything to shake up the law school."

The student-faculty committee, Haroz said, becomes only a student advisory committee on important matters, citing his understanding that on last year's law school policy on readmitting students affected by the draft, the faculty on the committee would not make a decision, but waited for the faculty meeting on the matter.

Many of those at the meeting called for changes in the school curriculum.

It was suggested that students seek discussion of matters of importance to them.

"In property," said one, "I never understood why there should be private property, and that was never discussed."

There were also demands for student participation on all faculty committees and for credit for extra-curricular projects of community services such as Community Legal Assistance Office.

Also a major topic for projects was activity with the draft and defense of radical students arrested in demonstrations. One suggestion was forming a National Lawyers' Guild unit to defend radicals in the same way one was formed at Columbia University.

In response to the question of what a first year student could do, Haroz answered they could do such things as draft counseling, gathering data and interviewing witnesses for trials.

Other suggestions were cards listing rights for those arrested and a handbook for soldiers delineating their rights under military law.

Professor Roger Fisher suggested writing a pamphlet to advise draft boards on how they could and should use their discretionary powers.

Another general meeting of the group will be held sometime next week. There will also be a dance to raise money for the Committee for Legal Research on the Draft, on Friday, Oct. 4, from 8 p.m. to midnight in Memorial Hall. Playing will be the Ill Wind and Cloud. Admission will be \$1.50.

'World of Law' Series Offers Glimpse Into Legal Careers

By Alyssa Caples

Every Tuesday evening from now until the end of the semester, the Office of Student Life Counseling in cooperation with OPIA will be hosting the World of Law information series.

For 17 years, the Office of Student Life Counseling has been bringing to campus HLS alumni and other prominent lawyers to speak about their jobs. The goal of the series is to expose students, especially 1Ls, to the vast array of career options open to law school graduates.

"We want to make it clear to students at the outset that there's a wider range of avenues available than just the large firms," said Mark Byers, director of the Office of Student Life Counseling. "Only 12 percent of the country's lawyers work in firms with over 100 lawyers, but there is a tendency here to focus narrowly on the big firms."

In her introduction at this past Tuesday's forum, Alexa Shabecoff, co-director of OPIA, said, "This is one of the greatest opportunities you'll have to hear from practicing attorneys about what their jobs are like, what they like about them, and how you can get to do what they're doing."

The panel discussions involve a twenty minute discussion by each of the panelists about what their jobs entail, followed by a question and answer session. Topics range from personal anecdotes about favorite past cases to a detailed description of a merger and acquisition project from start to finish. Information both about the practice of law and the guest speakers is also distributed to students.

Lawyers on the panels often have a broad range of experience levels. The first two panels on corporate law had

both partners from the law firm of Weil, Gotshal & Manges, as well as second year and mid-level associates.

The Nonprofit/Advocacy panel from this week consisted exclusively of directors from various non-profit organizations like the Asian American Legal Defense Fund and the Office on Environmental Justice. One of the participants, director of the Lesbian and Gay Youth Project, Peter Cicchino '92, was a recent HLS graduate.

This mixture of experience levels provides students with an opportunity to hear what kind of careers and lifestyles they can expect both immediately after graduation and what the long-term possibilities in these various fields are.

Many students seem to find them helpful.

"I really think the panels are a good idea. I didn't really know what corporate lawyers did before I went to the panels. Although it is a big time commitment to go every Tuesday for two hours, I think that they give me an important first glance at a lot of different areas in the law, and I think I'll continue to go to them throughout the semester," said Theresa Allen '00.

In addition to the evening panel discussions, students also have the opportunity to meet with the speakers in a more intimate setting over dinner. Each week, several students get to eat dinner with the panelists and discuss their careers with them on a more personal level.

"I think the dinners are a nice addition to the panel discussions," said Carol Hsu '00. "Speaking one on one with lawyers from a particular field can really be helpful if you have an interest in that area."

In the upcoming weeks, topics for panels will include Government, Criminal Law, and International Law.

Williams '82 Stabs Wife, Commits Suicide

Florida Attorney Faced Criminal Fraud Charges

By RECORD Staff

Mario A.E. Williams '82 stabbed his wife and then killed himself by blowing up his Miami-area house on Sept. 16, according to a Knight-Ridder report published in the Tampa Tribune. Williams was in bankruptcy and facing criminal fraud charges.

Metro-Dade police got a 911 "domestic violence" call shortly after 5:00 a.m. Minutes later, officers pounded on the door of the home.

"A hysterical boy answered the door and screamed, 'My mommy and daddy are fighting!' Police grabbed him and took him to safety," the Tribune quoted police spokesman Pat Brickman as saying.

Moments before, Brickman said, the boy's mother, Maud Williams, 40, had fled the house. She had been stabbed repeatedly and was bleeding profusely. She later was hospitalized in stable condition.

Police evacuated five children, ages 9 months to about 12 years, the maid, and one dog from the house. One of the children was in a wheelchair.

As the officers were taking out the last of the children, an explosion shook the back of the house.

"The door just flew off. ... They fled for their lives," Brickman said.

Rescue crews then went in to find Williams badly burned in the master bedroom. They brought him out to a backyard patio and tried unsuccessfully to revive him.

Investigators determined Williams had lighted a pool of fuel in the bedroom. The blast ripped a gaping hole through

the ceiling and roof, leaving insulation and bare, black wood everywhere. It tore apart a hallway and adjoining bathroom.

Williams, 40, practiced corporate law until he resigned last year from the Florida Bar. According to the 1993 HLS Alumni Directory, Williams worked for the Miami law firm Koenigsberg and Williams.

Prosecutors accused him of fraud and grand theft after he allegedly solicited a \$45,000 fee from a woman. Williams allegedly said her father was the target of a federal investigation which wasn't true.

Williams declared bankruptcy in January. His criminal trial had been set for Nov. 24 in Dade County Circuit Court.

Williams, who was born in Costa Rica, graduated from City College of New York in 1979. Williams was active in the Black Law Students Association and the Civil Rights - Civil Liberties Law Review during his years at HLS.

In 1990, Williams's nomination to the Bayfront Park Management Trust made news as opponents alleged that Williams (who is of black-Hispanic heritage) was not "black enough."

Miami's Commissioner Miller Dawkins eventually revoked the nomination in light of the controversy over Williams's ancestry.

Williams wrote about the episode in a guest column for The Miami Herald.

"I remember Mario as a visionary with a unique ability to bridge the gaps between the Hispanic and African communities," Ira Katz, executive director of the Bayfront Park Management Trust, was quoted by the Tribune as saying.

READ CHRIS "EVERETT" MANNING.

or he'll sick Jim Rome on you.

See page 19

Debuting this week:

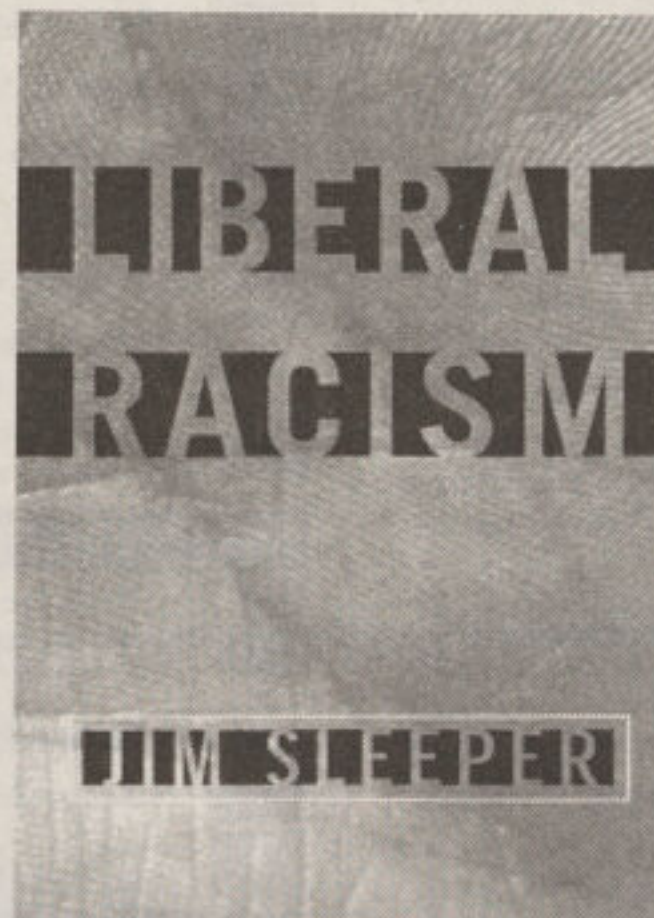
Paul Gowder
William Hall
Neal Higgins
Darren Schlanger

The RECORD welcomes the newest crop of columnists

Blame it on Fenno

"Jim Sleeper's provocative confrontation with liberal ideology is no defense of the conservative approach to race. Rather, he challenges liberals, who once fought to help America to rise above color, to get back to their abandoned program of a transracial civic faith. Read *Liberal Racism* and then, if you dare, take a long look in the mirror."

---Prof. C. Eric Lincoln, Duke University; author of *The Black Muslims in America* and *The Black Church in the African-American Experience*



"Jim Sleeper has written an important book ... His essays on black identity and what he contends is our lost civic culture are particularly strong, especially the chapter focusing on Harvard Law School Prof. Randall Kennedy and Boston University Economist Glenn Loury, two of the most thoughtful and intriguing black intellectuals in the nation ..."

---Don Wycliff, editorial page editor, *Chicago Tribune*

"If race is a concept with dubious biological and philosophical foundations, why continue to validate it? Why not argue instead, as Sleeper has done, for a more nuanced accommodation and celebration of ethnic differences within our society and abandon the theoretical construct of race and its destructive corollary, racism?"

---Prof. Mary Lefkowitz, Wellesley College, author of *Not Out of Africa*



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CLU President Claims Marrow Drive Discriminates

Continued from MARROW, p. 1

dundant due to their large representation in registries.

As of July 31, 1997, out of the 2.8 million who are currently registered as bone marrow donors, over 1.6 million are Caucasian, subsequently the chances of a Caucasian finding a donor is approximately 80-90%. Only 156,000 registrants are of Asian or Pacific Islander ancestry, resulting in a 50% or lower probability of finding a donor. Kuo has been searching unsuccessfully for a donor for the past two years, and must find a donor in the month of September.

"I can certainly understand why a bone marrow typing drive might focus on registering people who are likely to match a person in need. But the National Marrow Donor Registry exists to help all Americans, and Harvard and its student organizations are forbidden to discriminate on the basis of race," responds Silversmith.

The current HLS notice on discrimination provides that "Harvard Law School does not discriminate against any person on the basis of race, color, creed, national or ethnic origin . . . in admission to, access to, treatment in, or employment in its programs or activities."

The National Marrow Donor Program funded the drive at Loker Commons.

NMDP receives funding from the federal government through the Health Resources and Services Administration. NMDP can provide free typing for people of color because the Department of Navy provided a grant with the express purpose of increasing minority registration.

Andrea Carter, public relations spokesperson for the NMDP, asserts that their policy is "certainly not discrimination by any means." She adds that the purpose of NMDP is to make donors available on the registry, and that this policy furthers the purpose.

When done in bulk, as in most drives, each typing costs fifty to seventy-five dollars, much less than the three hundred dollars that a private doctor would charge.

Sometimes bone marrow matching requires a correlation of ancestry or race due to the chemistry of bone marrow. Tissue type is determined by six antigens in the blood. All six must match for a transplant to proceed. Some antigens are exclusive to certain ethnic and racial groups while others are common to many groups.

In Kuo's case, five antigens occur with some frequency among non-Asians, but the rare sixth antigen can be found only in Asians.

Furthermore, even if these six antigens match, the donee's body will accept a transplant with fewer complications if

other antigens match, thus a matching family member is optimal. Since the occurrence of these general antigens also group by race or ethnicity, the need for matches in certain groups is heightened.

A bone marrow transplant may be used to alleviate leukemia, aplastic anemia and sixty other fatal diseases. These diseases strike randomly across racial and ethnic lines.

Administration Will Respond to Postering

Continued from POSTERS, p. 1

kid. Or you Black and Asian guys. . . All non-Aryans will be required to present proof of non-mongrel ancestry for at least four generations. Bring your own rope."

The bottom of the fictitious posters contained the message, "Hate is not 'defending the sanctity of human life.'"

"The flyers are the most extreme example of intolerance and outright hatred that I have ever seen on a university campus," ex-president of SLLR Charles Hokanson '98 wrote in a letter to Dean Clark '72.

"I am sure that you will agree that this flyer not only violates HLS policy against anonymous flyering but also

cultivates a climate of fear and hatred."

SLLR President Brian Burt '98, organizer of the "National Coming Out of Homosexuality Day" event, said that he put up the SLLR posters on Monday night. Burt said that on Tuesday morning he discovered the majority of his posters had been ripped down, and that others had been defaced.

Burt found the anonymous posters on Wednesday morning.

Mike Chmura, director of the HLS News Office, said that the School's administration had not yet decided how to respond to the incident. He said that the School would take action by the morning of Thursday, September 25.

"The administration is very concerned," said Chmura. "They are taking this very seriously."

Fried Set for Surgery

Continued from FRIED, p. 1

Lin was also disappointed in light of the great effort it took to get into Fried's Con Law section. "I tried twice last year to get into this class. After one lottery, I was first on the wait list, but I still didn't get in," said Lin.

Others in the class expressed anxiety over the time change, and more than a few seemed upset with the way the administration handled the situation.

"Our entire class feels extremely inconvenienced by the time change, and at the same time . . . People are generally mumbling that there are a lot of receptions for firms right now. Its going to alter people's interview schedules, and people are concerned about the impact that it would have," Peña said.

Peña said that most students were a "bit disappointed with the way that HLS failed to consult the students about the change in time and professor before making a decision . . . People are more dissatisfied with the way that the administration handled the change and failed to consult the students."

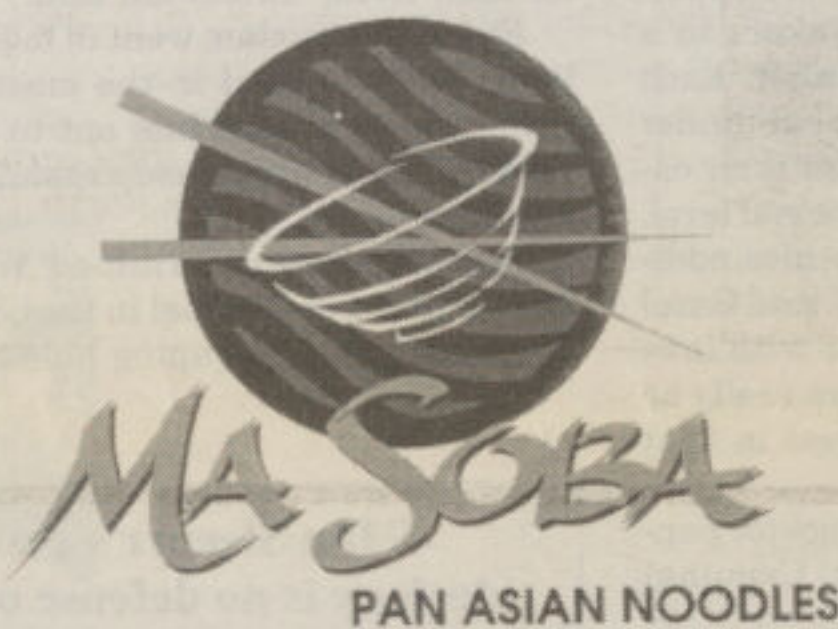
Many students in the class seemed confident that Parker would do a good job substituting for Fried.

"It's nice of him to take over on such short notice. Doing triple load is pretty intense," said Lin.

"Parker's got a different style [from Fried] but is probably equally educational."

In addition to his duties at HLS, Fried sits on the Massachusetts Supreme Judicial Court, where he has been a justice since August 30, 1995. Despite his heavy duties on the Supreme Court, he has continued to teach at least one section of Constitutional Law every year.

"He's a really valuable member of the faculty and an extremely highly regarded teacher, and we hope that he recovers quickly and is back teaching before the end of the semester," said Dean Rakoff.



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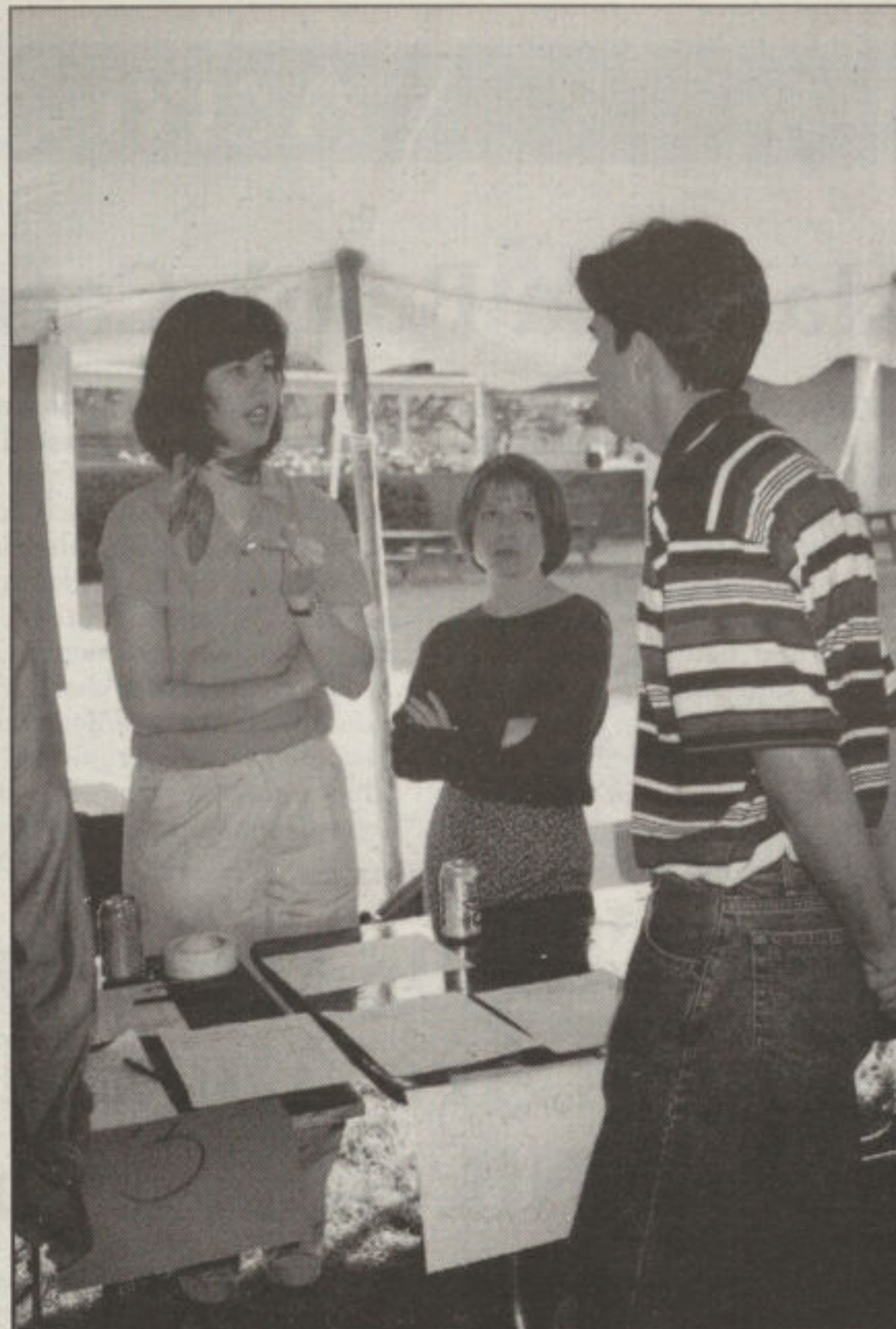
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Students besiege Jarvis Field in search of extra-curricular activities at Harvard Law School's annual Student Organizations Fair.

Clockwise from top left: the Learned Hand Jugglers, Catholic Law Students, and Children and Family Rights Project.

— Photos by Carol Bell.

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Across the Country

Oklahoma Bomb Case: Murder Charge Less Risky

NORMAN, Okla. (AP) — A prosecutor in the Oklahoma City bombing case says Timothy McVeigh and Terry Nichols were charged with murder because of concern that new anti-terrorism laws might not holdup on appeal.

"The fact is that the terrorism statutes were brand new," U.S. Attorney Patrick Ryan said Monday at the University of Oklahoma School of Law.

"Rather than taking a chance with just the terrorism statutes that really fit this crime best, we chose to file the

eight murder counts, because they ... have been repeatedly tested by the Supreme Court."

McVeigh was convicted June 2 on 11 federal charges and sentenced to die for the April 19, 1995, attack that killed 168 people. Nichols's trial on the same charges begins next Monday.

The eight murder charges name individual federal law enforcement officers who died in the explosion. The three other counts are more general conspiracy and weapons-related charges created by

recent anti-terrorism legislation.

Because murder is not usually a federal crime, federal authorities could not charge murder in the other deaths.

Ryan was appointed U.S. Attorney just 19 days after the bombing. He had been in civil practice for years. Since his appointment, Ryan has spent nearly all of his time on the case, much of it meeting with the families of victims.

Among his tasks during McVeigh's trial was preparing witnesses to testify during the emotionally wrenching penalty phase.

"To call the experience excruciating would be an understatement," Ryan said. "The tension and drama of that courtroom was more powerful than any experience of my life. All of the jurors were visibly moved."

Ryan himself was moved to tears in the courtroom at least once, prompting Nichols's defense attorneys to seek his removal from the prosecution team.

Ryan is expected to take a lower-profile role in the Nichols trial, participating mostly in jury selection and the penalty phase should Nichols be convicted.

Meanwhile, a judge withdrew from the sentencing of bombing trial witness Michael Fortier on Sept. 22 because of partiality concerns.

U.S. District Judge David Russell of Denver stepped down after reviewing a 1995 federal appeals court ruling barring Oklahoma judges from handling the case against McVeigh. Apparently thinking the ruling may apply to him, Russell removed himself "on the grounds that my impartiality might reasonably be questioned."

Fortier pleaded guilty in August 1995 to conspiring with McVeigh to take stolen guns from Kansas to Arizona in December 1994. He also pleaded guilty to lying to FBI agents when he told them McVeigh was innocent and to failing to warn anyone of the bomb plot.

Fortier, who testified against McVeigh, will not be sentenced until after Nichols's trial. Fortier faces up to 23 years in prison but is expected to get only two to three because of his cooperation.

Russell's replacement will be chosen by the 10th U.S. Circuit Court of Appeals.

Study Claims Chinese Workers Are Abused Making Nikes, Reeboks

NEW YORK (AP) — Subcontractors making shoes in China for Nike and Reebok use workers as young as 13 who earn as little as 10 cents an hour toiling up to 17 hours daily in enforced silence, independent observers charge.

The motive of the two American companies is: "Where in the world can we find the cheapest labor — even if it's in the most repressed circumstances?" said Medea Benjamin of Global Exchange, a watchdog group that provided a study of the Chinese factories to The Associated Press.

Nike has used human rights activist Andrew Young to "whitewash" abusive working conditions not only in China, but also in Vietnam and Indonesia, said Ms. Benjamin, co-director of the private, nonprofit San Francisco-based group, which has an office in New York.

Young insists he saw no sweatshop conditions when he toured plants making Nike shoes. The company said the report was erroneous and Reebok said it monitors work records at the plants making its shoes.

Nike, the world's No. 1 athletic shoe manufacturer, has been accused by human rights groups of running overseas sweatshops. Clothing makers also have come under fire for conditions at factories elsewhere in Asia.

Global Exchange is acting for two human rights organizations in Hong Kong that interviewed scores of workers from four major sports shoe subcontractors in China's southern Pearl River Delta. The factories, which employ at least 80,000 people, were monitored in 1995 and again in June and July 1997.

The subcontractors at all four sites are violating not only "the most basic tenets of Chinese labor law, they're also flagrantly violating (Nike's and Reebok's) own codes of conduct," which the companies formulated to regulate their practices overseas, Chan Ka Wai, assistant director of Hong Kong Christian Industrial Committee, said Saturday.

The 30-year-old private, nonprofit group wrote the report with Hong Kong-based Asia Monitor Resource Centre. The two groups are funded by church groups and private donations worldwide, Chan said.

At the Wellco plant in Dongguan County, owned by a Korean subcontractor for Nike, people as young as 13 reportedly were doing sewing, handwork and cutting, workers said.

Chinese labor law says no child under 16 may work in a factory, according to the report.

The researchers said that at Wellco, talking during work was not allowed, with violators fined \$1.20 to \$3.60.

At the nearby Taiwanese-owned Nority plant that makes Reebok shoes, workers were paid only \$1.20 to \$1.45 a day, in violation of the Dongguan minimum wage requirement of about \$1.90 for an eight-hour day, the study said.

And Nority employees routinely worked 12 hours a day, six or seven days a week, the human rights groups said. Besides the regular hours, they reportedly put in two to five hours of forced overtime, in violation of Chinese law mandating a 44-hour week. Anyone who refused overtime could be fined, docked an entire day's pay or even fired, the report said.

The biggest of the four plants is Yue Yuen Industrial Holdings Co. Ltd. in Dongguan, which employs up to 60,000 workers, most of them women 18 to 22 years old, making both Nike and Reebok products.

The study said Yue Yuen did not provide social security benefits, medical insurance or bereavement leave, although they are mandatory by law.

Nike condemned the study as "erroneous."

The study "incorrectly states the wages earned by workers, (and) makes irresponsible accusations about worker health and safety," said Dusty Kidd, director of labor practices for the company.

After Nike first came under criticism last year, the Oregon-based company hired Young, former U.S. ambassador to the United Nations, to help monitor its factories in Asia.

"I didn't see sweatshops, or hostile conditions," he said last week, about five months after checking the Chinese factories during a tour that also included Nike plants in Vietnam and Indonesia.

In China, "I saw crowded dorms," he said in a telephone interview, "but the workers were eating at least two meals a day on the job, and making what I was told were subsistence wages within those cultures."

Young, a civil rights leader and one time mayor of Atlanta, said he had made "no attempt to whitewash the situation, nor did Nike."

"I didn't say that there were no violations, but I didn't see systematic abuses," he said. "Nike was trying to avoid the problems. And I helped them realize these are questions that can't be avoided."

Reebok said the China plants making its shoes are not "Reebok factories."

However, Doug Cahn, director of the company's Human Rights Program, said "any violations are unacceptable to us and we demand that factories take corrective action if the charges are found to be true."

Purdue Affirmative Action Director Claims Discrimination

LAFAYETTE, Ind. (AP) — The director of Purdue University's affirmative action program is suing the university, alleging that it discriminated against him because he is a black male.

James L. Bell filed the complaint Aug. 28 with the Equal Employment Opportunity Commission and the Indiana Civil Rights Commission. He also filed a grievance with the university.

His complaint alleges that Purdue discriminated against him, "because of my race, black, and gender, male."

In the complaint, Bell, 39, alleges that he has been singled out for recommending disciplinary action against two staff members following a November 1996 incident in which racial language was used.

Bell's complaint alleges that, since about Dec. 1, 1996, he has been subjected to harassment, "unwarranted background checks," performance evaluations, written warnings, and has been denied comparable pay increases.

He has been director of the affirmative action program since 1994.

Purdue spokesman Joe Bennett said Friday, "The only thing I can say about it is if he has a complaint with the EEOC, that process will take its course, and they'll determine if it has merit."

Bennett said Bell has also filed a formal — and similar — grievance with the

university. That grievance is being handled through the university's personnel office, whose director, Charlene Hayes, has brought in two external consultants to investigate the matter, Bennett said.

The consultants are Kenneth White, director of civil rights for the city of Minneapolis, and a former senior affirmative action administrator at the University of Minnesota; and Risa Lieberwitz, associate professor of labor law at Cornell University.

Discrimination charges coming from an affirmative action official are rare enough, but Bell — one of the few high-ranking minority administrators at Purdue — makes his charge on the heels of another racial controversy: the termination of diversity director Myra Mason after she had submitted a lukewarm report on Purdue's racial climate. Mason was later rehired in a different office.

"We hate to see allegations like this coming from anybody," Hayes said. "And certainly in this case — we're talking about the vice president of human relations and the director of Affirmative Action — it's particularly unfortunate."

Hayes said the university's investigation should be completed by mid-October.

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Briefs

Frampton '69 Hired As Gore Defense Attorney

Vice President Al Gore has hired George T. Frampton '69 as one of two defense attorneys handling investigations of questionable fundraising in the 1996 election.

Gore's decision to hire Frampton and Nashville attorney Jim Neal reflects growing concern that a special prosecutor might be named to the case.

Frampton, 53, served as an Assistant Secretary of the Interior during Clinton's first term. Prior to joining the Clinton Administration he served as president of the Wilderness Society.

Frampton clerked for U.S. Supreme Court Justice Harry A. Blackmun '32 after graduating from HLS. Following his clerkship, he was recruited by Prof. Archibald Cox '37 to join the Watergate prosecution team. He co-authored "Stone-wall: The Real Story of the Watergate Prosecution," a 1977 book about Watergate.

Frampton graduated from Yale in 1965 and the London School of Economics in 1966. While at HLS he was a member of the Law Review and the Civil Rights-Civil Liberties Research Committee.

The White House Counsel's office represents Gore only in his official capacity. If Gore faces charges of personal wrongdoing, he is required to defend himself.

According to an Associated Press report, an official close to Gore, speaking on condition of anonymity, said Gore's position will not change: Gore says he did no wrong.

Gore acknowledged in March he had made phone solicitations to 48 donors from his White House office. Federal law prohibits federal officials from making fundraising solicitations on government property.

Backpack Robbery Attempt at Langdell

An unknown individual attempted to snatch a woman's backpack while she was at Langdell, according to a Harvard University Police Department report. The attempted robbery was reported to the police shortly before 5:00 p.m. on Friday, September 19. The would-be robber was unarmed, according to the report.

Former U.S. Assistant Attorney General for Civil Rights Named Lecturer on Law

Deval Patrick '82, former U.S. Assistant Attorney General for Civil Rights, has been named Lecturer on Law at HLS. Patrick will teach a course entitled "Government Lawyer: Civil Rights" during the Spring 1998 semester.

Patrick's areas of expertise include employment, disability, fair-lending, and other civil rights law.

During his tenure as an Assistant Attorney General under President Clinton, Patrick headed up the agency responsible for enforcing federal laws prohibiting discrimination based upon race, gender, disability, ethnicity, and religion, supervising litigation in the federal courts, and helping to develop federal policy in the area of civil rights.

Patrick's governmental experience also includes playing a leading role in uncovering and combatting discrimination in lending policies. He helped to bring about a change in the way banks underwrite and price loans.

Patrick has also served as director on the board of the NAACP Legal Defense and Education Fund and as a member of its Executive Committee. Patrick is currently a partner in the Boston law firm of Day, Berry & Howard, practicing in employment litigation, civil rights, government investigations, fair lending, and commercial litigation law.

Patrick graduated *cum laude* from Harvard College in 1978 and received a J.D. from HLS in 1982. During his time at HLS, Patrick was president of the Legal Aid Bureau and recipient of the George S. Leisure Award for Excellence in Advocacy. Patrick clerked for the Honorable Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit.

Tae-hui Kim '98 Receives First Asian Pacific American Alumni/ae Committee Summer Public Interest Fellowship

The first ever Summer Public Interest Fellowship from the Asian Pacific American Alumni/ae Committee of the Harvard Law School Association has been awarded to Tae-hui Kim '98.

The fellowship, designed to encourage law students to pursue public interest work and provide legal assistance to Asian Pacific American communities, is open to any HLS student committed to working on legal projects involving the Asian Pacific American community.

The fellowship enabled Kim to work at the Asian Outreach Program of the Greater Boston Legal Services, where her focus was on employment-related litigation projects affecting Asian immigrant workers. In particular, Kim focused on issues of wage and hour violations, racial and immigration-related discrimination, and unemployment compensation.

In addition to her work at the Asian Outreach Program, Kim was involved in community outreach efforts in conjunction with the Chinese Progressive Association in Boston, staffing weekly legal clinics at CPA and helping to organize educational seminars on workers' rights and recent legislation.

Kim also worked on legislative advocacy projects, including bills to extend workplace protections to contingent workers, and community organizing around the issue. These efforts, coordinated with the Campaign on Contingent Work, have resulted in a class action lawsuit against Woolworth's Corporation for age discrimination.

Kim graduated *cum laude* from Harvard-Radcliffe Colleges in 1993, with a concentration in government. While an undergraduate, Kim was a co-founder of a Korean history and folk arts group and co-director for a refugee youth term-time enrichment program.

On-Line Class Registration In Planning Stages, Says Kane

Continued from LSC, p. 1

sufficient candidates, the candidates who had filed were automatically elected," Silversmith wrote in an e-mail message.

However, Silversmith said that as a candidate and as a former IEC member he believed he should not pass judgment on the current IEC's decisions.

In response to Silversmith's complaints, Fridman said, "All the seats (on LSC) need to be filled. It's better to have a full council than having insufficient elections to fill all openings."

Originally slated for the week of September 22, the voting will now take place Tuesday, September 30, and Wednesday, October 1, at the Student Service Center from 10 a.m. to 2 p.m.

Members of the IEC, the entity that conducts LSC and class marshal elections, attribute the poor showing less to lack of interest than to the hectic pace of the first weeks of class.

"People were still settling in and needed a few more days to prepare for the campaign," said committee chair Jane Ann Bardin '99.

Candidates will vie for eight 1L positions (two from each of the four sections), 18 at-large spots for 2Ls and 3Ls (nine per class), four LL.M. seats, and one place each for S.J.D. and ITP representatives. Eager campaigners began decking the Hark with posters earlier this week. Election results will be announced next week.

LSC, a student government organization, "serves as a liaison between students and faculty ... to bring together the many voices that comprise HLS," according to the group's literature. Through its five standing committees — Facilities and Services, Academic Affairs, Programming and Public Services, Graduate Student Affairs, and Rules and Procedures — LSC seeks to improve

student life at HLS, specifically through helping to shape academic and administrative policy.

"Our main focus over the last few years has been reforming the registration process," said Dina DeFalco '98, LSC President. "We've worked closely with Stephen Kane, the registrar, and he's done wonders." DeFalco points to the new "bundling" policy for 2L core classes — taxation, constitutional law, and corporations — as a recent innovation. "People were graduating without having taken one or two of these classes," says DeFalco, "and this 1L-style packaging should increase the chances that 2Ls will get their first or second choices."

Kane hopes to build on these advances by moving registration to an electronic format. "We're trying to eliminate the current arena-style registration by getting everything web-based," explained Kane. Although currently in the research and planning stages, the new system may encompass everything from adds and drops to grade notification to waiting lists for courses, processes generally viewed by students as unacceptably slow and inconvenient as currently administered. "We're working with the Council to make the best decision for the Law School," says Kane.

Among LSC's other goals, the possible renovation of Hemenway Gymnasium and increased cooperation with the Student Activities Committee (SAC) rank near the top. "There's not a whole lot of interaction between the various HLS student groups," says DeFalco, "and many of the resources of the law school go unused as a result." DeFalco expects SAC's and LSC's respective social and administrative roles will complement each other as the groups strive to foster communication between themselves and among the various HLS student organizations.

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POLLARD: LET THE PUBLIC JUDGE

By Aharon J. Friedman '00
Guest Columnist

Jonathan Jay Pollard, convicted of spying for Israel, has been sitting in jail for 12 years now. What should really disturb Americans is that we still don't know why he has been sitting there for so long.

Pollard entered into a plea bargain agreement under which he pled guilty in exchange for the understanding that the government would not ask for a life sentence. Shortly before he sentenced Pollard, Judge Audrey Robinson received a lengthy memo from Secretary of Defense Caspar Weinberger containing his assessment of the damage Pollard had caused. It was based on that memo that Robinson sentenced Pollard to life in prison.

There are many troubling aspects to the case which have caused Americans as diverse as Pat Robertson and Carol Mosley Braun to call for Pollard's freedom. For one, Pollard's sentence was disproportionately harsh compared to others sentenced for spying for allies (an average of four to five years imprisonment).

Another is that the Court of Appeals criticized the prosecution because Weinberger's memo implied that Pollard had committed treason, something with which he wasn't even charged. Pollard was accused of a less serious count of espionage, not treason. He spied for Israel, not an enemy of the U.S., but for a country with strategic ties to the U.S. at the highest levels. That doesn't make it right, but it makes it far less serious

than treason.

But what should really bother Americans is that Pollard did not get a real chance to evaluate the evidence upon which he was sentenced because Weinberger's memo was classified and kept secret. Pollard's lawyers did not get sufficient time before sentencing to have the opportunity to challenge it adequately.

Twelve years later, we have still not been able to see the memo which put Pollard away for life. It is hard to believe

he is sentenced is arbitrarily labeled as classified? How are we to know that the government is keeping the memo secret for reasons of national security and not because it feels that revealing its contents would help Pollard?

"My mind closed at age six and never reopened on the issues of politics and economics," Caspar Weinberger joked when he appeared Tuesday as part



After the luncheon, I followed up, using some advice from my Criminal Law professor, Alan Dershowitz: "There are many, including a former head of the CIA who believe that the memo exaggerated the extent of the damage Pollard caused. Even the

prosecutor in the case, Joseph diGenova, said that it should be declassified."

"I am not the type of person who will discuss classified material," Weinberger responded.

"It is fifteen years old," I said. "Shouldn't the memo be declassified?"

"Yes," he answered.

"The memo should be declassified?" I asked again.

"Yes," he said.

It is hard to believe that it is necessary for the government to keep that memo classified if even Caspar Weinberger, the memo's author and one of Pollard's most bitter opponents, believes that it should be declassified. The evidence against Pollard ought to be put into the open where it can be contested, and reveal whether Pollard received a "comparatively light sentence," as Weinberger claims (Aldrich Ames received similar punishment while Michael Schwartz who spied for Saudia Arabia was not even prosecuted) — or if his punishment is, in the words of Appellate Judge Stephan Williams, a "fundamental miscarriage of justice."

There are many troubling aspects to the case which have caused Americans as diverse as Pat Robertson and Carol Mosley Braun to call for Pollard's freedom.

that there are vital national security interests that can be compromised by declassifying Weinberger's memo so many years later. Surely they cannot outweigh Pollard's right to challenge the evidence against him.

How just is our system of justice if somebody can sit in jail forever without our ever knowing what it is that he is accused of because the evidence upon which

of Harvard Law School's Distinguished Alumni Series. Apparently, the Jonathan Pollard case is one of those issues. In response to a question, Weinberger would neither back off from his contention that Pollard committed treason against the United States nor explain how Pollard, was guilty of "levying war against them, or, in adhering to their Enemies, giving them Aid and Comfort."

Thousands Rally Where the Grass is Greener

Continued from POT, p. 1

rally has grown into an event that has drawn a crowd of over 50,000 protesters in each of the last three years.

"The goal of the rally is to make people wake up and come out of the closet," said Steven Epstein, a Boston attorney and one of the rally organizers. NORML estimates that 70 million Americans have smoked marijuana at some time in their lives. "The Common borders affluent Beacon Hill and plenty of people who live there have smoked pot. It didn't rot their brains. They still make their payments and live on Beacon Hill," Epstein said.

While Mass Cann/NORML has achieved astounding success in recent years, holding the rally is a constant battle.

"We have trouble with our permit applications every year," said Epstein. This year, the City of Boston tried to reduce the allowable number of food and drink vendors from last year's 20 to 10. Mass Cann/NORML's attorney, John Swomley, said that "the city was trying to withhold food and water from the event, forcing protesters to leave the rally if they were thirsty or hungry."

Superior Court Judge John C. Cratsley agreed, and granted a preliminary injunction against the city. Judge Cratsley, a part-time HLS lecturer, cited the "tortured history of [Mass Cann/NORML's] efforts to obtain their permit," and ruled that hindering their ability to serve food and drink to those who attend would irreparably harm free speech and association. Even with 20 vendors, lines stretched 30 and 40 people long.

A RECORD reporter conducted an informal poll of the attendees and found that most attendees were over 18, a little less than half of those over 18 voted, an overwhelming majority did not support total drug legalization, and an overwhelming majority did support total marijuana legalization. A small number did not support complete marijuana legalization but did support its legalization for medical uses.

Reasons people gave for attending the rally were as varied as the attendees. The crowd consisted mostly of young adults, but also included families, small children, elderly, and an occasional perplexed tourist. Most cited reasons such as the music, people, atmosphere, and the chance

to smoke marijuana.

HLS students were divided in their opinions on legalization.

"I find it unfortunate that so many in our society choose to ingest drugs, including marijuana, despite the proven dangers of doing so. Legalizing marijuana is exactly what American families do not need, considering that just about all forms of drug use have been dramatically escalating during the Clinton presidency," said Charles Hokanson '98.

Alex Boldizar '99, who attended the rally, said he supported legalization.

"America is the laughing stock of the free world because of its attitudes towards sex and drugs," Boldizar said.

To enter the eight-acre area reserved for the rally, attendees were subjected to a bag search by police officers.

"We don't mind them checking bags," Epstein said. "This is an alcohol-free event."

The rally certainly was not a cannabis-free event, however. Attendees wore it, ate it, and, yes, smoked it. Mass Cann/NORML considers marijuana use to be a form of social protest. The Boston police took a different view, arresting approxi-

mately 150 people for drug possession.

Not all officers were antagonistic to the protesters, however. "You would be surprised how many officers think they should just go ahead and legalize it," said one Boston police officer patrolling close to the mosh pit, who would identify himself only as "Officer Dilligaf."

The marijuana issue in the United States and attitudes toward it are in a state of flux. Former Gov. William Weld's '70 support for the medical use of marijuana cost him an ambassadorship. Yet Bill Clinton managed to win the presidency after announcing on national television that he would inhale if he had the chance to smoke marijuana again.

The rally served as a platform for other groups to get their message out. Well-known groups such as the ACLU, the Libertarian Party, and the Green Party had booths alongside more obscure groups such as the church of Euthanasia, a church whose only commandment is "Thou shalt not procreate."

There were also plenty of vendors hawking everything from clothing made from hemp to flavored hemp seeds to Christmas ornaments.

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Don't Forget Faculty Diversity

A suspicion, recently dormant, is once again sneaking its way through the Law School. Not that this notion was ever quashed into smithereens. But in these curiously faddish times when liberals puff cigars in smug self-congratulation, oh-so bored with political correctness, once cherished assumptions now wear the tired patina of irrelevance.

But we should not be so fickle. Let us not abandon worthy postulates. Let's confess: *ethnicity still matters.*

"Ethnicity," here, conveniently encompasses race, tribe, cultural background, gender, sexual orientation, religion: all the macro categories that ground an identity. These may be artificial constructs and their objective validity debated; however, they undeniably permeate the contemporary life, coloring how we see each other and see ourselves.

"Ethnicity" seems especially relevant in the business of lawyering which relies so much on interpretation and subjectivity. Last week's RECORD reprinted (and unfortunately slightly mutilated — see letters to the editor) an op-ed by Prof. Dershowitz where the author describes how his Jewish heritage influences his life and particularly his career.

"I think Jewishly. I teach and practice law Jewishly ... I consult Jewish sources ... because I value their wisdom. They provide a world view that reflects an ancient tradition of which I am a part," he writes.

This summer, Howard Law School almost wooed Prof. Ogletree away from HLS. Part of Howard's lure was its strength in areas of the law inextricably tied to its legacy as a historically black institution: areas of the law traditionally less nurtured at predominantly white law schools.

In a RECORD interview, Ogletree noted that while many top schools claim distinguished alumni, "Howard people ... have had a tremendous impact ... on civil rights, criminal justice, and public interest law."

Given this dynamic between lawyering and "ethnicity," it seems wise to embrace diversity in the legal profession and legal education as a desirable, even necessary, aim. To neglect this is to deprive the law of crucial perspectives and attitudes.

There is an appreciable amount of student diversity at HLS, but the faculty remains woefully monochrome. All tenured and tenure-track profs. are white and/or male, the vast majority being both. None are openly gay.

This fact is a slap in the face, especially to women of color at HLS. The collective message this sends out is: "We have made a place for you here at our prestigious, venerable institution ... to pay lip service to affirmative action; to shine our liberal, beneficent intentions all over you; to bear our burden of power nobly and with great magnanimity ... but we are not fully invested in your development as lawyers nor as members of our community. Gaze upon the countenance of your professors, your role models and mentors, and remember that your status here is little better than that of a half-welcome guest."

The "ethnic" homogeneity of the faculty also does a larger disservice to the overall student body. It quietly nourishes the vicious hoax that white male heterosexuality is the standard; all else is measured as an unfortunate deviation from this norm, allowable only in controlled quantities.

Old battles waged over increased faculty diversity have recently burned down to wet mulch. This editorial letter is not a call to arms. Neither does it discount the capabilities of any individual faculty member. It is more of a gentle reminder to the Entrance Committee regarding decisions soon to be made. A diverse faculty will enhance legal education in ways that a homogeneous faculty, no matter how well-intentioned, cannot.

— Janie Kim

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

—First Amendment, US Constitution

• Letters •

Love Like an Episcopalian

As Freud once said, sometimes a typographical error is just a typographical error. In your reprint of my article last week, you have me quoting a sociologist as saying, "Jews

love like Episcopalians but vote like Puerto Ricans." The actual quotation was, "Jews live like Episcopalians but..." I am sure that Episcopalians love in a manner

worthy of emulation, but that was not the point being made in the quotation.

Prof. Alan M. Dershowitz
September 23, 1997

Offended By Campus Flyers

I write this letter to register concern over this week's anonymous posting of flyers around the campus expressing hate-filled messages, such as the following: "For those struggling with Judaism there is hope in the Truth. You Can Walk Away. (To the gas chambers.)" The flyers claim to be posted by the HLS Society for Law, Loathing & Hate. The flyers are a thinly-veiled response to flyers posted earlier in the week by the HLS Society for Law, Life and Religion, a recognized student organization, that advertise an event on October 10 promoting the National Coming Out of Homosexuality Day and express the view that it is possible to leave a homosexual lifestyle.

The flyers are the most ex-

treme example of intolerance and outright hatred that I have ever seen on a university campus. I am sure that you will agree that this flyer not only violates HLS policy against anonymous flyer-ing but cultivates a climate of fear and hatred that would be simply unacceptable from immature junior high students, much less members of this community of higher learning. As a member of the Law School's residential staff, I am particularly concerned about the repressive effects such hate-filled anonymous speech could have in classrooms, dorms, and the campus in general if students and staff are intimidated from articulating viewpoints found to be con-

troversial by opponents who can not be directly addressed.

I strongly urge Dean Clark and the HLS administration to respond promptly to this unacceptable and sad occurrence. At a minimum, I request that the administration send each student and staff member a letter: (1) explicitly informing the HLS community of the school's guidelines regarding anonymous, hateful incidents of this kind; (2) detailing the range of possible disciplinary actions that the Law School may take in response to such incidents; and (3) summarizing the Law School's plan for responding to this incident.

Charles R. Hokanson, Jr.
J.D./M.P.P. '98
September 24, 1997

The Bell Tolls for Hemenway

Well, we've been here for a few weeks and you know what that means — time to start complaining! Today's subject of disenchantment is the pitiful state of the Law School's athletic facility — Hemenway Gymnasium. Now there's something to be said for a gym with character — like the one in the Rocky movies — but Hemenway is really horrendous. The downstairs weight room reminds me of a nuclear fallout shelter, and the upstairs room is filled with universal machines that were state of the art during the Ford administration. And what's

with the racquetball courts? They're really nice — but does anyone play racquetball anymore?

You may argue that there are other athletic facilities for law students to use. But the two nicest facilities affiliated with Harvard are off-limits to law students — namely, the B-school's gym and the QRAC (Quadrangle Recreational Athletic Center). A law school student's "best" alternative is the mediocre MAC, which we share with all the other undergraduate and graduate students at the

university.

We deserve better than Hemenway. The Law School should ante up a piece of our gazillion dollar endowment to build a state of the art facility just for us. That way we too can brag that we have "the best facilities of any school (graduate or undergraduate) in the world," as was written in The Harbus, 9/22/97.

Okay, enough whining for now. By the way, thanks for the new library ...

Michael Arlein '00
September 21, 1997

What About the Second "L"?

[In "An LL.M. Experience," Sept. 19, 1997] Luigi Malferrari, an LL.M. here at Harvard, wrote for the RECORD a very nice article, at least in my opinion, about his impression of other LL.M.s and J.D.s. When I read the first paragraph of the article, I said to myself "aha" — he just wrote what I wanted to. However, it seemed that he has not gone through what I have; lucky him! We LL.M. students feel so PROUD when a J.D. — and especially a 1L — asks us what we are doing here. We all of course say loudly that we are LL.M. students.

Why do we feel so? Well, simply, we feel so for two reasons: first, we are all sure that we can talk and keep talking about this LL.M. degree; second, it is (for some, including myself) the only subject that is under our control without worrying about how good our English is!

That was true until I met that 1L J.D. in the Disruption Center. She asked me the most famous question: are you a 1L? I said, "No, I got my first degree of law long ago. I am an LL.M."

And she said, "What's that?"

I, of course, felt the relief,

and the "aha" came on again. I started telling her the long story about that degree and that it stands for Master of Laws. Actually, I went further by talking about the other graduate degrees. [I explained] to her that S.J.D. means Doctoral of Science, and that it is the highest degree you can get in law, like a Ph.D.

Unfortunately, this girl seemed smart enough to ask the most difficult question. This made me disappointed. I felt so not because I could not answer, nor because of my language, but because of the second "L."

She said, "Now I know that the first L means law and the M stands for Master, but what about the second L?"

Yes guys, I thought I knew what LL.M. means, but in fact I didn't. I am sure that you LL.M. guys (or at least most of you) know what the second "L" does stand for.

To make a long story short, I decided to do some research. I first went back to the graduate studies bulletin. But, guess what? There was nothing about this damn second "L." I said to myself, "What about the largest law

library in the world?"

Then another "aha" came up. It came when I and the others out there did not find the second "L."

Are you disappointed, guys? Well, I did not give up. And I found it! Where? Come and ask me. Here is the answer dear smart girl and all of you LL.M.s — here's why it is called an LL.M. and why there aren't any periods between the LLs:

"LL.M. is latin for Legum Magister, signifying Master of Laws. In latin abbreviations, the plural form of a word is indicated by doubling the letter — hence 'LL.' is short for Laws. The word 'legum' is the possessive plural form of the latin word 'lex,' which means specific laws. When used in plural, it signifies a specific body of laws, as opposed to the general collective concept embodied in the word 'Jus,' from which the word 'Juris' and our modern English word 'Justice' derives. In the feminine, i.e. for a female student, the expression is Legum Magistra."

*I mean it. Come and ask for the source.

Talal Al-Emadi LL.M. '98
September 22, 1997

Send us a letter!

Place them in the RECORD box next to the 1L Hark Boxes, or send them to:

Harvard Law RECORD
Harvard Law School
Cambridge, MA 02138

or e-mail us at RECORD@law.harvard.edu



FROM WHERE WE STAND

By Gary Bellow '60 and David Kennedy '80

Faculty Governance Part I: Academic Policy



At HLS, internal governance structures are largely informal and obscure. If this year is like the last, we can expect a series of disconnected initiatives on academic policy to bubble up from the student body, from various faculty committees, or from the administration. Our institutional agenda will be a random one. Students and faculty will be selected to serve on committees without any sense of mandate, responsibility, or constituency. Some faculty, staff, and students will work intensely on specific initiatives and be vaguely or acutely disappointed in the result. Some duly appointed committees will never meet — others will meet constantly. Outside the appointments area, most faculty meetings, with or without students, will be unengaged and unfocused, oscillating between enthusiastic general reports on particular activities and inconclusive consideration of specific issues that rarely point toward any particular direction for the school. If students as a body become engaged in a particular issue of academic policy, we can expect intense ad hoc school-wide meetings alongside numerous disconnected private discussions in the offices of the Dean, various administrative officers and faculty.

Over time, this mode of governance contributes to the difficulties we identified in our last column: lack of sustained attention to internal questions of academic policy, disaggregation of the law school community, a growing deference to administrative control, and a lack of open debate and intellectual engagement by students, staff, and faculty in the affairs of the school. Most of us now take it for granted that the ethos of enervation which pervades our governance process is a given rather than something which we as faculty members, students, or administrators could change. As more academic issues implicate financial or staffing constraints, deliberation will drift further from implementation, and responsibility for decisions will be even more difficult to locate.

This isn't a crisis — we'll muddle through as we have. As a financially secure nonprofit with a settled market position, we can survive dysfunctional governance and leave most substantive issues facing the school adrift for long periods. In our view, however, we have for too long treated internal governance as a way to make problems disappear. Whatever our views about our curriculum and teaching, our relationship to the legal profession, or the technocratic turn in legal education, our institutional practices and accommodations need to be looked at again, if we are ever to engage issues of academic policy in a serious way.

The solution is neither more meetings nor the by now ritualized grumbling that demobilization and disengagement have somehow been imposed on us. The size, diversity and complexity of the school's programs inevitably cause many issues once routinely debated to be resolved administratively. In our view, HLS is now too complex and heterogeneous to reject strong administrative leadership.

But this reality need not mean a disengaged faculty and disconnected student body, nor an institutional agenda adrift among outside constituencies. We reject the standard defenses of our dysfunctional governance system — that faculty are not interested, that everything is better decided by experts anyway, that deferring issues is better than battling about them, that today's students care too much about careers and grades to be effective partners in making academic policy choices, that the point of governance is to free the Dean for external affairs and fundraising by reducing opportunities for conflict.

Nor do we believe that we can simply reset the balance between our various governance structures, arriving at some modified mean as a corrective to our felt

sense of drift. Rather, we need to reinvent our governance system for a more complex moment in the school's development. What this requires is a concerted effort to create a climate of shared responsibility, openness, and debate and a sharp articulation of areas of deliberative competence and directions for leadership along the following lines:

1. We need to structure deliberation to produce outcomes. The experience of serving on a faculty committee, for students and faculty, is now largely that nothing much will happen and that expended energy is rarely rewarded with either results or recognition. The problem lies not with the selection of persons to serve, although a brief glance at the Dean's current committee list reveals that a few colleagues shoulder a disproportionate burden and have, one imagines, correspondingly disproportionate influence. Having both been committee chairmen for some time, it seems clear that the problem is not the "mix" of faculty on most committees. Committees which are composed of only one faculty cliqué can be as easily enervated as those whose composition reflects the range of political positions on the faculty, just as committees with student members can as easily contribute to the culture of student disengagement as those without.

The difficulty arises because our committee structure operates in an almost perfect vacuum. Committees have no particular mandate and rarely report to either the faculty or the student body. Although nominally committees of a faculty "whole," there is no established process for effectively delegating, reporting, or deliberating about committee action, other than in sporadic and foreshortened debate about very specific proposals. Putting together a committee list, even without express mandates, expresses a vision of the school's direction. We would come a long way if we could articulate the vision which leads to selection of committee members and chairmen, if the committee list were presented to the faculty for discussion and approval, and if chairmen were expected to articulate their own agendas, issues in need of attention, choices about which they feel the need for guidance, at the start of the year.

All committees now operate in an atmosphere which presupposes lack of confidence in the faculty or the student body as deliberative bodies. Long-term service is rare and most committees either have no written policies or their records are not open to faculty and student scrutiny. As a result, academic policy is made ad hoc and out of sight, by committees or staff which lack institutional histories and are too easily manipulated by strong administrators or faculty barons.

Only niche projects, usually associated with a strong chairman or administrative director, can flourish, disconnected from any general academic deliberation or policy, in such an environment. Like others with niche market commitments, the two of us have both benefitted from the desuetude of our governance structures to build and/or manage new graduate and clinical programs. But this is no way to run a law school.

2. We need to take seriously engaging students in the governance of the school. Students who participate in the school's academic policy process often work extremely hard and make real contributions to the work of the committees on which they serve. Nevertheless, except where individual students participate in considering isolated cases or proposals, it must be admitted that for the faculty and administration, student participation, however helpful, has almost never been conceptualized as deliberative. The oscillation between isolated student reps on small committees and large ad hoc meetings at moments of crisis (generally

in the late spring) has only frustrated

meaningful participation by students in academic policy making. It would not be too strong to call our student strategy one of management rather than dialog.

Although nominally selected by the elected law school council, there is no ongoing relationship between student representatives and a constituency. The issues taken up in committees tend to be fragmented, disconnected from any general direction or policy which could be debated. Information is no more available to student reps than to faculty about ongoing committee practices, decisions and directions, or about administrative constraints and budgets. Since the academic policy machinery in which student reps take part lacks both mandates and agendas, and focuses on individual cases or ad hoc reforms rather than development of alternatives for deliberation, there is very little a student rep could "report" back.

At the same time, the conception that a given student represents "students" is simply out of touch with the heterogeneity of our student body. It could only work if the student body is treated either as an inert mass to be informed or a market of opinions to be canvassed.

Whether we can readily improve on this situation remains to be seen. From the faculty and administration, what is important is that student participation in law school governance be dealt with in an honest, realistic, and hardheaded way and not as a necessary evil or a gloss on an already dysfunctional process. We want to thank the students who wrote in so thoughtfully about the school after our first column and invite interested student organizations and individuals to help us formulate and propose concrete modes of engagement.

3. We need to pay much more attention to agenda setting and access to information in restructuring our governance structures. In our view, reform would ultimately require less rather than more faculty time devoted to administration. The days when informal committees could manage the affairs of the school are simply over. The issues are too complex, the constituencies too heterogeneous. Structuring meaningful deliberation and ensuring an academic voice in administration are consequently far more difficult. We propose a radical change in our governance structures — neither more meetings and committees nor more administration, but a different conception of what committees, faculty and students are to do. What is needed now is serious consideration of what issues are to be decided by whom with what degree of scrutiny and in what time frame. We would begin with reforms like the following:

Agenda setting. Some issues, like appointments, are appropriate for unfettered faculty debate, and we leave them for our next essay. Others can be left entirely to committee and administrative decision subject only to reports and the possibility of review. Most issues of academic policy, however, are better addressed in focused sessions, well prepared by a committee or the administration to produce a faculty deliberation which can decide in a timely fashion. Very different preparation and action is needed to select and order issues for school-wide review. How different our situation would be were we to expect that over a five or six year period a series of policy issues — placement, admissions, curriculum — would be systematically addressed. In faculty discussions we need less show-and-tell and more focused development of alternatives to generate an atmosphere where deliberations produce outcomes. We must be ready to vote and move on, allowing a culture of decision making and

accountability for consequences to grow.

Transparency. Committees should operate with written records open to interested members of the community. The faculty's substantive agenda should be known in advance and available for discussion throughout the community. We should encourage student and faculty committee members to initiate informal open meetings to discuss upcoming issues. Committee reports could encourage debate among students and faculty about our direction, rather than either simply informing or placing specific issues before the faculty for decision. Not every committee report needs to be debated or discussed, nor should every report end in a recommendation. But the alternative need not be simply public relations. Our habit of putting foreign policy first leads us to treat one another as one more room full of strangers for whom to put on a show.

The budgetary and administrative constraints within which academic policy is to be made and implemented should be known. The current budgetary process functions to discipline departments and control expenditure, but does not provide any realistic information to the community, including those administering ongoing programs and setting policy, about the administrative setting for their work. Administrative arrangements with particular programs should be open and available for debate. As ever more decisions connected to academic policy involve finance and staff, the result is an ethos of administrative necessity which disenfranchises faculty and students, while leaving administrators without real partners in developing or implementing academic policy.

4. We need institutional leadership to carry out any effective restructured governance system. It would take engaged academic leadership to focus on agenda setting, time management, and transparency in the sense we suggest. Someone would need to take responsibility for these issues both within the administration and in the faculty. A "rules" committee, an Associate Dean for Administration and Finance, the Dean, all would be appropriate. We will not make progress on issues of academic policy without leadership which takes seriously the need to develop alternatives and set direction in a focused and deliberative fashion. We should also encourage administrators to take an interest in academic affairs, to present directions and choices, to argue for alternatives, to be specific about the background constraints they see. Students should be part of these discussions, not only in the committee format, but in broader forums designed to encourage long-term engagement. Like the faculty, students must experience their deliberation as one which can, at least sometimes, create outcomes and lead to implementation.

An institutional culture cannot be changed in a single year. But we will only reverse our disaggregation and build strong long-term academic policy once we begin to experiment with governance structures suited to the administrative complexity and academic heterogeneity of our institution. We should begin this year with an agenda of issues which could be debated and allocated to committees or appropriate administrators with a mandate to develop alternatives which can focus broad discussion and reach closure within prescribed time frames. The best way to travel a long distance is to begin.

As usual, we put this forward to stimulate debate about our institutional culture. We look forward to your response — at dkennedy@law.harvard.edu or bellow@law.harvard.edu.

Next column: Governance Part II: The Appointments Process.

THESE HALLOWED HALLS

By Kate Arms '98

Guest Columnist

NEW ADDITIONS

There are two new additions to the cultural scene at Harvard — the BosTix booth scheduled to open in October and the new Sol LeWit wall drawing in the Sackler Museum Lobby. Both are interesting, but neither quite seems to hit its mark cleanly.

The BosTix booth promises to be a connection to the performing arts culture of greater Boston. Whether it will live up to this promise remains to be seen. Located in the arcade in the Holyoke Center, the booth will sell advance tickets to shows at Boston's major theaters and half-price tickets on the day of the performance. In addition, all tickets which are available at the Sanders Theatre box office will also be sold at the BosTix booth. All tickets will be subject to a \$1-\$3 service charge. Probably the most useful element of this service from a student's perspective is the half price tickets, as full price tickets for downtown events are not likely to fit into a student budget.

With respect to the tickets available at Sanders Theatre, making them available at a location in the Holyoke arcade makes sense, but the addition of a service charge does not. Sanders Theatre is too close to Holyoke for any real added convenience for Harvard students, especially HLS students. For events at Sand-

ers which often go for \$15-\$35 per ticket, the service charge hurts, while adding a \$1 service charge to a \$3-\$5 ticket for a student-produced show is merely ridiculous.

If the BosTix booth sees enough business to stick around, there will be convenient access to half-price tickets for major events in Boston. That business won't come from students. The question is, will it come from anyone?

If the BosTix booth sees enough business to stick around, there will be convenient access to half-price tickets for major events in Boston.

It's always frustrating to see a great idea not quite work. While the BosTix booth may prove to be such an idea, the Sol LeWit wall drawing has already proved it is.

Sol LeWit is an internationally acclaimed painter and print-maker. He may be most famous for his wall draw-

ings. These tend to be solid blocks of color installed according to precise instructions created by LeWit.

Harvard commissioned an original wall drawing from LeWit which was installed in the lobby of the Sackler Museum in August. The drawing fills four walls and extends down the stairs to the basement. Straight lines



sense of grandeur and an upward lift.

Descending the stairs, on the other hand, becomes a claustrophobic descent into darkness. The corner in the stairs has a womb-like quality, as neither the light from the lobby nor the light from

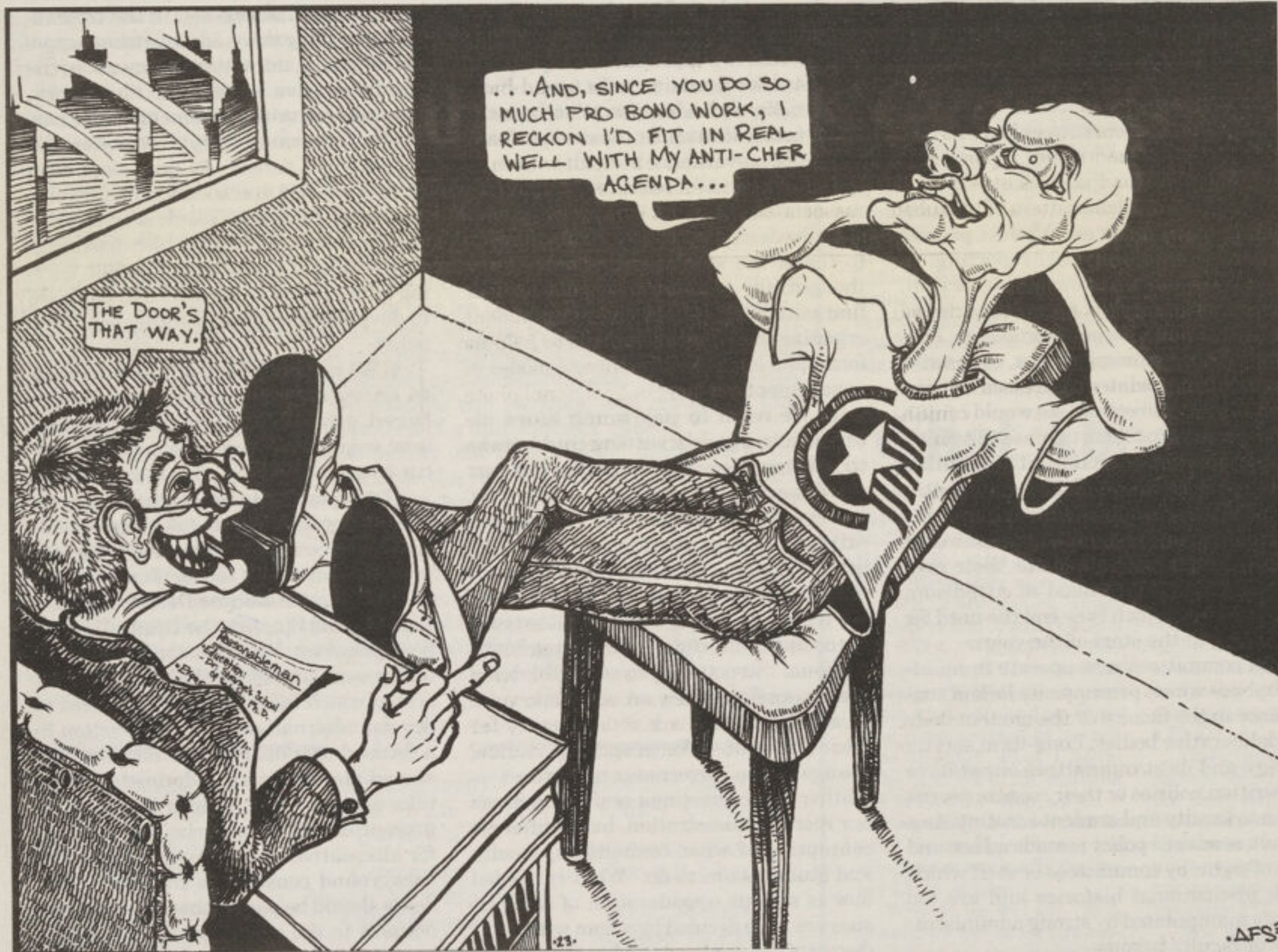
the hall downstairs provides sufficient illumination to brighten the deep colors.

It is almost a fantastic installation. The weakness of the drawing is its lack of relationship to the rest of the building. The walls up the stairs to the exhibition galleries are painted in pale yellow and purple with an orange column visible from the lobby. These colors clash with the vivid hues of LeWit's drawing. Downstairs, the bottom of the painting appears almost superfluous on one wall of the hall outside a set of clearly institutional white doors.

If you are going to the Sackler to visit one of the other exhibits, take some time to observe this wall drawing, which strangely enough is not identified by any sort of plaque in the lobby. In many ways, it is characteristic of LeWit's work and it does have some power. But, it's not worth a trip to the Sackler merely to view the new Sol LeWit.

Reasonable Man Goes Back to School

By Alfred Steiner



Spike

By Margie McWilliams



Didn't make the Ballet?

Write for the RECORD

call 495-4418

Renno

Renno sat staring at the computer screen, dazed, blinded, numb, practically drunk with anticipation of the task at hand: to print out a final version of her resumé. She was no Fenno, Renno, and she had been fine-tuning the strategically self-promotional, articulate, concise, visually balanced, and — no doubt — inimitable oeuvre for days on end. Renno knew she had neared the end; she was down to the final decisions, the last spacing problems, the ultimate margin debate, down to the last bottle of her caffeinated water six-pack and she wasn't sure she could go on.

Renno's head pounded from caffeine withdrawal and the ever-present worry about her future, about the big picture, about the do's and don'ts of interviewing, about the New York legal market, about splitting with a D.C. office, about her shot at the besieged San Francisco firms, about global opportunities, about missing out on the small firm experience, about investment banking versus the law firm, about joining consulting and leaving the herd behind, and especially about the bubble sheets, about screwing up the damn bubble sheets. I'm not going to let the lottery get the better of me, Renno thought, reaching instinctively for a can of Jolt. She chugged. "I'm gonna beat those bubble sheets!" yelled Renno aloud at the 1997 Employee Directory.

No thoughts of gin, of whiskey, of foreskins or of J's crossed Renno's mind — no, she had a lot of other priorities to think about, Renno. It was all about prioritizing in this system, Renno had learned over time and experience, and

there was no doubt that Renno had things in order on her To Do list. But right now, she couldn't decide whether the Times 10 point font wasn't just too damn small, and whether all those active verbs didn't sound a little much: Renno drafted, Renno researched, Renno analyzed and supervised, Renno interned, Renno managed, and Renno led, and, very significantly, Renno had also studied, worked and assisted, not to mention collaborated, compiled, and conducted any number of things — research, experiments, stuff.

What else could she say? Renno had done it all, and inquiring employers needed to know. Damn that glut of education and experience, the honors, the proof of leadership qualities and good interpersonal skills; how was Renno going to fit it all?!? She would have to put it in 9 point, and she would definitely have to choose her paper carefully: a good watermarked, 32 pound, heavyweight sheet in a 100% cotton natural white fiber — nothing too glaring, nothing too textured — you know, just something to reassure employers that they were dealing with a quality candidate who was all that *and* found time to paper shop. Renno didn't mess around.

But Renno knew that this was only the beginning of the search, that still more daunting tasks lay ahead in Finding the Dream Job. But Renno wouldn't be cowed. She had confidence, she had prioritized, and she was going to exploit her resources to the max. She had started with the job fair, of course, to which she had worn casual attire and an absent expression, and avoided shaking hands as much as possible. It was hard — they reached out and grabbed

ya and just shook away introducing themselves before Renno knew it, compelling her to feign compelling curiosity and come up with a compelling question rapidly (what if they happened to remember Renno during the interview process? you never knew) — but that wasn't the point: Renno was just there to get literature, some mini-quiches, and run; she had no resumé to waste on these people, her paper was expensive and her time was limited.

And Renno was smarter than that anyway. She was ahead of the game, ahead of the firms, ahead of the Adviser reminders and the Career Services newsletter — she was in and out of that

achievement — her leadership qualities, and her interpersonal skills — she could count on the solid prospect of receiving an offer.

Renno, you see, had done her homework. She wasn't the type to leave her Dream Job up to chance. She knew herself, listened to the advice of others, made her own decisions, read everything in sight, explored all available technology — and was planning on networking like mad, as soon as she got the damn bubble sheets in. She had started with the interview schedule and narrowed her choices down to New York firms; already that cut to the chase. Renno didn't mess around. She checked

out the firm profiles on file, made an appointment with June (she went straight to the top, Renno did) and the current alumnae in residence, grilled Paula about job search hand-outs, studied the student reviews of their summer programs, devoured the insider's guide to law firms, downloaded the Web pages of her top ten choices for each day of each week of interviewing, did a Westlaw directory of

firms search (a few essential key words — international, corporate, New York — and already Renno was zoning in, cutting out, prioritizing, prioritizing), attended the receptions, the cocktails, the panels, the presentations — because Renno knew what she wanted, but she also knew better than not to keep her options open, because after all, what if she did want to join consulting and leave the herd behind? Renno was going to be prepared.

But Renno still hadn't gotten to the damn bubble sheets, let alone her reading. Because Renno was all that *and* she went to class.

Renno was just there to get literature, some mini-quiches, and run; she had no resumé to waste on these people, her paper was expensive and her time was limited.

plush job fair before they could even ask Renno if she wanted a napkin, let alone some peanut sauce for her chicken satay. Renno already had a good idea that she was looking for a leading international law firm that handled complex cases and business transactions, that was experiencing explosive growth, and which could offer some extraordinary opportunities for a young lawyer like Renno to gain broad-based experience in numerous practice areas in a collegial atmosphere where, as a summer associate, she could become an integral part of a team of partners and associates and, after demonstrating her

Fenno

Fenno's spirits were sinking deeper than Marv Albert's incisors.

"Allegedly," Fenno muttered.

"Good, Fenno," said the editor.

Fenno had just returned from an afternoon spent between Harvard and Porter Squares. It was Monday, and Dunkin' Donuts was celebrating the retirement of June Thompson by giving away free coffee and make-up applicators.

Fenno's head still throbbed. And his mascara was running.

Fenno was slithering about the news room, waving a copy of the front page proof.

"You're not really going to run this, are you?" Fenno said, flapping the page in the face of the managing editor.

"Go see the boss," the editor said, never lifting his head from his copy of the New York Post. "I'm trying to find a good title for Dershowitz's litter."

Fenno crawled over to the editor-in-chief.

"What the hell are you trying to do to me, kid?" he said pointing at the front page photo.

There on the upper left corner, a bit hard to see but plainly visible if you were looking for it, was Fenno, standing on a make-shift stage with a huge NORML banner in the background.

"What are you trying to do, ruin my reputation?" Fenno said. "I mean, first you start putting dirty words randomly in my column, then the veiled references to professors doing God-knows-what. And now this?"

"I don't have time for this, Fenno," the editor said.

"If people see this, it will mean the end of me," Fenno said. "Important people read the RECORD, you know. If

people think I support the legalization of cannabis, out the window goes the cushy ambassador job; the speeches at the National Rifle Association convention; the awkward, yet strangely fulfilling, friendship with Charlie Nesson."

"Watch the Nesson jokes," the editor said. "And don't even think about joking about Fried."

"You don't understand," Fenno pleaded, "I wasn't even in the Square for the pot rally. I thought there was a Pat Buchanan 2000 rally going on and I figured there was just a pretty big counter-protest."

"I don't want to hear it, Fenno," the editor said. "We can't change the photo. It's the only one we have that doesn't show an HLS student smoking a J."

"Edit it. Blot me out — like you did that time you superimposed Dean Clark's face on the Klan rally in Newton."

"That would be misrepresenting the

truth," the editor said.

"Here, use this photo instead," Fenno said.

"That's the World of Law panel photo. Now, leave me alone, Fenno!"

"But they're all a bunch of pinko, hash-smoking, draft-dodging —"

"No!"

"I want to write a letter to the editor explaining myself," Fenno said, sitting down at one of the state-of-the-art Mac Classics.

"Sorry. No anonymous letters. RECORD policy," the editor said.

Fenno was steaming mad. He scampered out of the news room and crawled back down into his lair. He was hotter than Marv Albert learning there wouldn't be a third person joining the fun.

"Allegedly," the editor screamed.

But all the editor heard back from Fenno was this:

"Yessssssssssssssss!"

Quote of the Week

"I am sure that Episcopalians love in a manner worthy of emulation ..."

— Prof. Alan Dershowitz, clarifying a typographical error which appeared in last week's RECORD

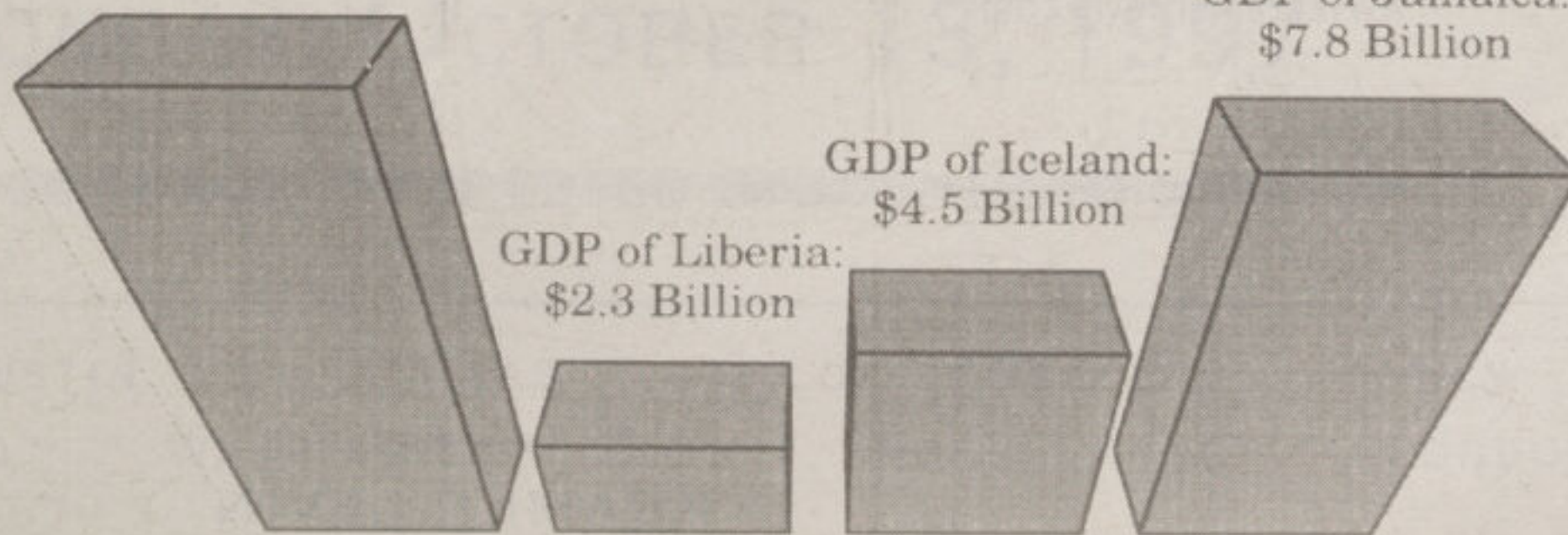
And They Can't Afford to Renovate Hemenway?

Harvard's Endowment:
\$9 Billion

GDP of Jamaica:
\$7.8 Billion

GDP of Iceland:
\$4.5 Billion

GDP of Liberia:
\$2.3 Billion



Sources: Boston Globe; The 1997 World Almanac and Book of Facts

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TONGUE IMPLANTED FIRMLY IN CHEEK

By William Hall '98

Guest Columnist

A GOOD CUPPA JOE

Coffee used to be the province of the blue-collar American. It was the beverage (made black with no sugar, of course) that construction workers took to the worksite in a steel thermos. It was the libation the factory worker scarfed on his mid-morning coffee-and-Marlboro break (served, usually, in a styrofoam cup with a bit of non-dairy creamer). It was the bit of liquid pleasure the trucker enjoyed at a rest stop (dispensed, no doubt, from one of those ubiquitous automated machines that squirts java into dixie cups covered with playing card symbols).

Unfortunately, the luscious grog made from a mysterious South American bean was ripped from its provincial homeland in Working America and imported into Yuppieville. Coffee shops became "coffee bars." Donut-and-joe joints began calling themselves "café-bakeries." People began drinking the stuff in shot glasses ("espresso"), with slimy foamed milk ("cappuccino"), and — worst of all — cold, with bizarre flavorings like kiwi and passion fruit ("flavored iced coffee").

Nobody, to date, has been able to conclusively determine how the American Yuppie was able to steal the cuppa joe from the Average Joe. Many theories abound to explain the phenomenon; my personal favorite is the "Nordstrom theory." Since the chain's founding in Seattle over 100 years ago, Nordstrom has, according to the theory, been slipping an addictive substance (heroin? crack cocaine?) into the java served in its coffee shops.

Once people had the spiked coffee at Nordstrom, they came back again ... and again ... and again. Visitors to Seattle shopped the popular store, drank the coffee,

and got hooked. When these tourists returned to their homes elsewhere in America, they demanded that Nordstrom open stores in local malls so they could easily get their heroin/crack. The Nordstrom chain expanded all over America, with coffee shops in its stores serving spiked coffee. Competitors emerged and opened their own drugged-coffee outlets. The coffee craze began.

This explanation, to me, seems the most logical and rational explanation for the explosive growth of coffee popularity in the yuppie community.

Theories aside, there is a stark reality facing the blue-collar American: it's much harder to get a good cuppa joe than it used to be. Therefore, as a law school student who has never worked a labor-intensive 9-to-5 job in his life and enjoys listening to Abba, I have taken it upon myself to create the following Real Man's Guide to a Cuppa Joe™.

Why? Because there is an art, an elegant beauty, to the perfect cuppa joe. Black as the pupils in a pretty girl's eyes, brisk as a breeze off of ocean water, jarringly hot as a Santa Ana wind, a good cup of coffee should be simple and uncomplicated. Putting mint chocolate syrup and foamed milk into coffee turns an item of elemental magnificence into an overpriced cup of cocoa.

1. At Home

You can't control what restaurants have on their menus, nor whether a coffee shop chooses to spike their brew with addictive substances (besides caffeine, of course). The best way to deal with this problem is to remember one universal truth: *you can do almost anything better at home, by yourself.* (There is, of course,

one big exception to this rule.)

First, you need to get yourself one of those old steel perk coffeemakers that were popular in the 1950s. Make your coffee the way the diners do — it'll taste better. You can probably find one of these jobbies at a local garage sale.

A Mr. Coffee-type drip machine will do in a pinch. Kill yourself before getting one of those Italian-designed, Taiwanese-made espresso makers.

Next, you need to get your coffee the way God intended: in a can. Buying beans and grinding them yourself is not only a waste of time, but will also not provide the necessary metallic hint of flavor that is critical for kick-ass java.

Avoid those expensive coffees. Folgers and Maxwell House are acceptable, but the rule with coffee is: *the cheaper you go, the better the taste.* Try Yuban, Sweet Life, and Gold Medallion (named for Al Sharpton?). The best joe is made from No Frills brand java, the Olympia/Schlitz of canned coffees. And try to get a can that's a bit rusty, to bolster that metallic flavor. Yum-a-rama.

2. Away From Home

a) Starbucks. You cannot get a good cup of coffee at Starbucks. Not only that, you are subsidizing the enemy. Stay away. Any joint that has canisters of non-fat milk available for "lightening" your coffee ... well ... sucks.

b) Dunkin' Donuts. My late grandfather, a true Working Guy (he was a welder), once created a hierarchy of the World's Best Coffees. According to him, Dunkin' coffee was the second-best coffee in the world. (The best was found at



Mickey's Donut Land on Route 18 in East Brunswick, New Jersey.)

Unfortunately, a lot has changed in the 14 years since my grandpa passed away. For instance, Dunkin' Donuts now serves flavored coffees. These

are a capitulation to the Starbucks crowd, in my opinion, but the French Vanilla and Hazelnut can be welcome changes on an occasional basis.

Getting a good coffee at Dunkin' is still possible. Get a *plain* coffee, either black or light with two sugars. Then get a chocolate or jelly doughnut and retire to one of those beautifully-appointed plastic booths.

And avoid Coffee Coolattas as strenuously as Larry King shuns his ex-wives.

c) Diners. All *real* diners serve good coffee. Stay away, though, from those brand-new yuppie "nostalgia" diners; you know, the kind of places that serve meatloaf with baby carrots and tortellini salad on the side. Places like that are an offensive affront to Real Americans and are yet another way of subsidizing the enemy.

Our nation began drinking coffee in a spirit of revolution — as a gesture of contempt aimed at a corrupt European king. Drinking java in a "European" way at Starbucks is, bluntly, unpatriotic. Scores of our ancestors have died in war to secure our right to gulp overcooked, acidic, metallic, bitter coffee that isn't laced with foofy syrups and hints of nutmeg. Remember and honor them today by downing a good cuppa joe. And, if that task proves impossible, be thankful — at least they haven't yuppified Slurpees yet.

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THE VERDICT

By Michael Bennett '98
Movie Reviewer

ON THE D-L AND HUSH-HUSH

James Ellroy is a tall, boisterous man. The shape of his face, the set of his eyes, and the agreement between his hair and forehead make him a Hitler doppelganger from the neck up. If he is to be believed, before he wrote his novels, beginning with "The Blue Dalia" and presently capped by "L.A. CONFIDENTIAL," he used to sell and use drugs, steal televisions, and break into homes to smell women's panties. A history half perfect for his chosen genre, the hard-boiled detective novel. Like the most notorious American contributors to the oeuvre, Ellroy has tasted one side of the law extensively.

Dashiell Hammett was a Pinkerton, the enigmatic Edgar Allen Poe passed as a pederast and opium fan extraordinaire, and Spillane is rumored to have delved into private detection practice. (The intellectual Raymond Chandler, by far the most stylish of the classic detective writers this country has produced, was forced to draw on his imagination more than the others due to his slight experience with the law until he was branded a Communist sympathizer. According to Ellroy, Chandler is "incredibly P.C. for the '50s.") However, unlike the others, Ellroy has compensated for the historical one-sidedness of the private dick writers in a twisted kind of way.

His passion for the criminal element was born when his mother was murdered. In a rather self-revealing reading/question & answer session over "L.A. Confidential" the book, followed by a sneak preview of the film, Ellroy made

it clear that at the time of his mother's killing he hated her. Undeterred by his childhood feelings toward her, Ellroy developed an obsession for the murder and devoted himself to solving the case. The identity of the killer remains a mystery. But Ellroy, having "exorcised" his mother's spirit, is doing just fine.

Strangely enough considering the usual whining about a book projected to the big screen ("... the book was so much better... why'd they make this !#@%... I wish I'd never seen this film, yada,

usually supplementing one another and compensating for weak acting or poor directing. But in the case of "L.A. Confidential," not only is the plot severely packed and the history necessary for any kind of real contextualizing, the acting is good-to-great, the directing is laudable, the camera work superbly recreates post-WWII L.A. splendidly, and even the music is near perfect. Any of these attributes alone, or coupled

with one other, would be fine, but the multi-level massive attack of the film is a little disorienting. Sort of like being interviewed by two partners at once: kinky, yet wasteful.

Watching the film invokes feelings in me similar to the gut reaction I got the first time I heard "Kind of Blue," the tremendous jazz-blues album by Miles Davis, John Coltrane, Julian "Cannonball" Adderly, Paul Chambers, Bill Evans, James Cobb, and Wynton Kelly.

Although it can be argued this recording is the greatest American music ever laid to wax, it's actually a rather absurd effort. For most people that have ever given any attempt to learning a musical instrument, it's difficult to accept that so many masterplayers (every man that was listed is understated by this title) could exist at the same time, much less record a virtually flawless, mystical album mostly comprised of single takes in a matter of days. This type of thing should defy some cosmic law. But it doesn't. And we get "Kind of Blue" and, though milder in absurdity and less disconcerting, "L.A. Confidential."



It has too many moving parts. Too many things to look at. It's a bloody, seven car pile-up that you pass at 55 m.p.h. It's as if you used a search engine to find webpages concerned with "computers" and found that there were 150,763 sites.

Like Mueslix, some of it's just indigestible. This, of course, is an overstatement. "L.A. Confidential" is a beautiful piece of work. But it has to be eaten with a baby spoon to be fully appreciated. The two hour and change theatre-style presentation is more like delivery par twelve gauge shotgun in your mouth.

On the day of the sneak preview, the Los Angeles Police Department was issued semi-automatic M-16 rifles from the Defense Department, an investigation of corruption in the Boston Police Department was just warming up, and the summer's plunger incident was still fresh enough in collective memory to warrant a re-heating by the film. Its images, when they were allowed to rise to the surface of the film, seemed to linger in the mind well after they had left the screen. This only served to blur the film further. To give a little context to what's been said so far, "L.A. Confidential" can be seen as the cinematic and philosophical opposite of "Eraserhead," David Lynch's surreal debut feature film, simultaneously an offering to the jealous god of eyes that is American cinema and its praying, voyeuristic children, we viewers. "L.A. Confidential" is wordy, biblical, Hebraic. Eraserhead is imagery, paganish, Egyptian.

See it once, read the book, read L.A. history, see it again.

The two hour and change theatre-style presentation is more like delivery par twelve gauge shotgun in your mouth.

yada, yada..."), this film's biggest and only real problem is its staunch literalness. It doesn't exist to be seen. It's goal is to be read. Infinitely serpentine at times, the film turns and twists in calculated spasms so quickly, has so many characters whose dimensions are greater than or equal to three, obsesses about Los Angeles history, and surreptitiously (or maybe not) places its sticky fingers on several hot current events so as it to make it too... too dense. It subjugates its images, as powerful as they are, and stresses its bookish qualities instead.

Brownian-motion plot turns and dense history lessons are fine for a film,

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FOOD FOR THOUGHT

By Paul Gowder '00
Guest Columnist

THE CLUELESS LOT MARCHES ON

For an old school, it's a pleasant surprise to see there's still a lot of life in this place. Granted, those of us in our first year don't get to do much, but that's only fair. They have to find some way of keeping us from quitting after our first case. As a naïve little 1L, I thought it would be all study, study, study, and maybe the occasional waxing of a 3L's car.

Sure, the pecking order is clear. As 1Ls, we get to take classes. On the journals, we get to sub-cite. On the clinical programs, we get to watch. We do, however, get to look for summer jobs: in November. 1Ls across the campus are the butts of jokes and the victims of "orientation" sessions. Altogether, we're a pretty clueless lot, and we like it that way.

Upperclassmen take heart. There is still hope for the 1Ls who walk among you. We're already learning how to support the basic necessities of life here at HLS. Take the food ("please?"). At a meeting of one of the ubiquitous student organizations, I was involved in a conversation about the free food. Personally, I think someone should start an Italian-American student organization, and hold daily dinner meetings.

"The topic of today's discussion will be lasagna. Should there be increased government regulation of the beef and cheese industries?" On second thought, that organization would probably flop. I haven't seen many Italians on campus, and we unfortunate people of other heritage can't make the stuff properly.

Even the cafeterias in the Hark support our student organizations. During the first week, when we had no alternative, the food up there was delicious. Now that we have student organizations feeding us in a valiant attempt to get somebody to sub-cite their journals and carry their 3L books, the only edible food in all of Harkness Commons is the pizza. Speaking of pizza, they forgot ours in the Human Rights Journal meeting. Good thing too, since somebody (it may have

nuts are quite good though: I ate four this morning, mostly some form of chocolate, for only a few dollars. Speaking of chocolate, just in case anybody hasn't yet noticed, Bertucci's Pizza down in Harvard Square sells a chocolate torta for about \$3.50. That should just about make up the budget savings we get from the donuts. In other news, the Hemenway Gym opened recently.



In the Hark's defense, it really is better than the food I ate when I was an undergraduate and lived at home. One of my mother's many creative accomplishments in my youth was the famous "Cajun brownie." To this day, I get hungry whenever I hear a smoke detector. My mother's going to have a con-
 ception when she sees this, so I'll be living on Harkness food for a long time.

As 1Ls, we're also learning about room to go with the board. Somebody on the RECORD — who's name I already forgot — is already giving you guys the low-down on Gropius, but, just for you guys living in Hastings, Wyeth, North, and (heaven forbid) off-campus, just a few points to remember. Ok, I'll give you 10:

1. It's not a prison; it just looks like one from the outside and inside.
2. It has neither fireplaces nor private bathrooms.

3. Did I mention the appalling lack of valet service?
4. A special city ordinance keeps it standing.
5. There's nothing Cambridge can do. One of the fringe benefits of being Harvard Law School is not having to fear the occasional lawsuit.
6. Bulldozers make good fait accompli.
7. We'd help. I've never driven a crane before, but I could learn.
8. The Office of Public Interest Advising would probably fund the project.
9. The city law is probably an unreasonable restriction of free (architectural) expression, and certainly runs contrary to the important public policy of allowing universities to use their property in any way they want (wouldn't want to threaten academic freedom). It also flies against the much more important public policy of community beautification.
10. "If you try and stop us we'll move the law school to Connecticut."

That last point will probably not make me very popular. Oh well. It's mostly 1Ls who live in Gropius anyway, and we need somebody to take our part. We're really a nice group of students. According to the first RECORD of the year, we're quite diverse. As an afterthought, the youngest student isn't 19 as the article claimed; the youngest student is 18. I should know, since it's me. Thanks for noticing. That's all right, though, I'm a 1L, part of the great unwashed, and proud of it. Hopefully, through the RECORD, you upperclass types will remember how things looked when you were LRA bait, too. And next time, don't forget the pizza.

Can man live by pizza alone? That sounds like something Garfield might ask, and nowhere would it be more relevant than here at HLS.

been my mother) insisted humans can only eat so much and live.

Can man live by pizza alone? That sounds like something Garfield might ask, and nowhere would it be more relevant than here at HLS. The pizza upstairs is wonderful. I grew up on L.A. pizza, so any pie with less than a pint of grease feels like gourmet. The pizza at Three Aces tastes just like home.

For some reason, the pizza downstairs, at the "Hark Box," isn't quite the same quality. Whenever I eat that, I'm eerily reminded of mothballs. The do-

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MADNESS WITH METHOD

By Darren Schlanger '00
Guest Columnist

LOST: ONE BRAIN. PLEASE RETURN

Hi. Just using this forum to place a very high profile lost-and-found advertisement in order to inform the public that I am a first-year LIT (Lawyer in Training, Litigator in Training, Lost in Torts?) at Harvard Law School, and I seem to have lost my mind. If anyone has seen my brain (it's the gray one with the convolutions and it usually responds to the name "Arturo"), please drop it off in my Hark box, Section 3, somewhere near the bottom (it's the overfilled one because my depth perception has been pretty off since eating those veggie wraps at the Orientation lunch, and I constantly take the wrong person's mail ... oh, I guess that invitation for the Mormon Couples Journal of Legislation and Resume Filling wasn't intended for me). Most people leave only their heart in San Francisco, but after I left the Bay Area to enroll at the Law School, I seem to have left all my rational and cognitive faculties at the intersection of 14th and Market.

Even this basic premise reveals my fundamental logical ineptitude, for one of you astute lawyers out there will query, "Hey, how can you conceive of thoughts without a brain? ... aha, you do have a brain and your first paragraph was misleading and relied on a false premise." Of course, I might respond with a lengthy discourse on the multitude of literary techniques to which hyperbole belongs, but I know better than to tell a lawyer how to write.

I realized that I had misplaced my brain almost immediately as I came to law school. I had anticipated a steady acclimation process, characterized by a

torpid week of socializing and cohabiting, followed by touchy-feely classes with teacher introductions, group discussions, maybe a show-and-tell here and nap time there. (Actually, from the looks of my notes it would appear that contracts class does regress to a pre-kindergarten lec-

I realized that I had misplaced my brain almost immediately as I came to law school.

ture on finger painting). Instead, my initial contact with my fellow law students so shocked me that I believe the initial aplomb to be the primary cause of my brain's disappearance. Everyone I met had already purchased the books for their classes, at least half of them had finished the reading for the first week, and two of them had already graduated within the first week. Nine out of ten had a detailed guideline to how the next twenty-five years of their lives would develop, and that was only because the rare exception just hadn't decided where to hang his JD diploma in his office.

I tried to ignore this alarming development by assuaging my angst-plagued psyche that I would do just fine in spite of my classmates. But then to make matters worse my mind bailed on me: in the first class I was called on I followed my initial re-

sponse of bathing the professor in drool, with a siren-like wail so fierce that he instructed my neighbors to tie him to the mast of the classroom until we sailed past this blubbery fool. My next lecture fared slightly better, for at the very least

I was able to enunciate whole words with even a wee bit of syntax, but it actually occurred to me later that I merely quoted the lyrics from Bonanza three times to my professor (and the theme song from Bonanza doesn't even have lyrics).

My problems worsened. In the next week, I did what people without brains or even really small, vestigial ones do: use the little knowledge they have to profess expertise. A little knowledge in the hands of the cerebrally challenged can be as dangerous



that big, gangly hook ripped through their mouth). After one week in law school, every student quotes statutes and court decisions with an air of expertise consistent with thirty years of courtroom experience. For example, I got in a huge fight

with a buddy of mine who eventually called me an asshole. My response: "Hey man, that's not really making a valid accusation, failure to state a claim, rule 12(b)(6), so there." In another episode, I go to a bar and am making pretty efficacious small talk (only a law student uses the word "efficacious" in relation to getting play), when I hear myself actually pronounce the line: "So, you want to go to my place and make a nudum pactum?" As you can tell, it's gotten pretty bad. I even dream in Latin now.

I hope that I rediscover my mind. I haven't been able to read non-law-related books without it. I can't tell jokes, except legal ones (What do you call a liability based on breakfast negligence? A pop tort). God help me. I really used to do wonderful things with my mind. We had an excellent working arrangement, except of course during sex when my mind always insisted on flooding my neurons with images that ruined the effect I was attempting to achieve. Hour-of-Power turned Two-Minute-Drill. So, please, help me if you can. Return my mind if you find it. Or if not, tell me how those of you sans-minds manage on a day-to-day basis. Are there support groups? Law journals? Anything to recover my brain, or at least help me forget I ever owned one.

A little knowledge in the hands of the cerebrally challenged can be as dangerous as being the last piece of herring at a Jewish wedding.

as being the last piece of herring at a Jewish wedding (and the herring thought it couldn't get any worse when

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The View From Below

By Neal Higgins '00
Guest Columnist

FACING THE MUSIC

If "fifty thou a year will buy a lotta beer," to quote the Timbuk3 lyric a high school classmate wrote in my senior yearbook, imagine how much \$73,000 can buy. Hell, for only \$275 you can wet your whistle for ten months at Lincoln's Inn. And judging by the number of red "LI" stickers dotting the 1L Hark boxes, tapping kegs seems to be a popular pastime.

Unfortunately, there's more to life than beer. I know that may strike some of my fellow 1Ls as sacrilege. I had a hard time getting the words past my own lips. But if I've learned anything from my passing encounters with the Real World, it's that there are some sacrifices worth making to pursue a career that you truly enjoy. If that means a low-paying job working in public interest, beer may just be one of them — along with that first 325i, the mansion in Westchester, maybe even the villa in Tuscany. On the other hand, if a high-flying career at D.C.'s largest firm is more your speed, you might end up facing an entirely different set of nightmares: ridiculous hours, clients you abhor, a coronary on the sixteenth fairway at age 43.

How, at our tender age, can we make such stark decisions? Let me propose a

guiding principle: if you're going to devote 10, 12, even 18 hours a day to your career, do something you enjoy as an end in and of itself. For me that means a career in international public law, for my neighbor it may mean prosecuting white-collar criminals, and for the woman up-

we're suddenly allowed to ask ourselves why we chose to mortgage our futures — and in some cases our parents', spouses', and childrens' futures — to attend what is arguably the most prestigious law school in the world.

I don't know about you, but I started thinking about my future in the law well before signing that first promissory note. Before I committed myself to the kind of debt that most of us carry, I wanted to have a pretty good idea why. And to be frank, I don't see why I should apologize for already thinking about next summer. In fact, I would consider myself remiss if I didn't, and I would encourage other 1Ls to do the same. Yes, Virginia, it's time to face the music.

Maybe this all sounds a little premature, even pollyanna-ish. But maybe not. When I walked into the RECORD office for the open house and flipped through a copy of last year's final issue, the first thing that caught my eye was a pull quote on the inside of the back page (that is, after all, what a good pull quote is supposed to do). It read, "The tragedy is that so many of us come in with big dreams of public interest work and leave crushed. Despite the best ef-



forts of OPIA and SPIN, the pull toward the private sector is almost magnetic."

Towards the end of my senior year in college I edited an op-ed piece with a sentence that was disturbingly similar. That time the author was a graduating senior entreating all of her friends who had devoted their undergraduate years to public service to forego the outrageous salaries offered by Wall Street banks and top-dollar management consulting firms. Yesterday I went to a meeting for prospective public interest section representatives and heard from some of the older 1Ls, people who had spent three or four years as management consultants and investment bankers before deciding that their hearts just weren't in it. All of them knew why they came to law school. How many other 1Ls can say the same?

Harvard Law School is not and should not be merely the next ring to grasp, another notch in the bedpost, "a cesspool of undirected ambition," as a classmate put it. None of us can predict the future with such clairvoyance as to know precisely where we'll be in three years' time, but isn't \$120,000 worth at least a rough idea? Maybe the third week of classes is the time to think about it. It's certainly better than waking up 10 years from now to find that your monthly loan payments are the least depressing reminder of your life in the law.

Harvard Law School is not and should not be merely the next ring to grasp, another notch in the bedpost, "a cesspool of undirected ambition," as a classmate put it.

stairs it may mean making partner at one of Wall Street's most prestigious firms. At this point it doesn't so much matter what it is that makes you happy, just that you have a rough idea what it might be.

As I type this I can already hear the Placement Office calling to remind me that 1Ls aren't supposed to even think about their futures in the law until after November 1, the magic date after which

SPORTSGUY

By Chris Manning '98
Sports Editor

GOOD GAMES GONE BAD

Let's say you're a coach in the National Football League. You know that in today's NFL, your team has to play a full 60 minutes to win. If your defense takes a break, all of a sudden you've let up six points. If your offense takes a break, you turn the ball over. But even when your offense and defense work well enough to put you in a position to win the game, there's still your special teams. It doesn't matter if you're on the other team's 1-yard line, if your line can't contain the defensive surge, if your long-snapper can't snap the ball seven yards, if your holder can't control the snap, or if your kicker can't kick the ball high and straight, your team won't be able to make a game-winning field goal.

So you spend plenty of time each week working on field goals. You scout the other team's kick-blocking schemes, you have your kicker practice from all sorts of unusual distances and angles, you pipe in crowd noise, all in an effort to sharpen your field goal unit's skills when the pressure's on. Your field goal team will never miss a game-winning kick for lack of preparation.

Back to reality. All NFL coaches do this too. So why have field goal units been so poor in game-winning situations this season?

Some of the more notable cases in point:

Eagles vs. Packers, 9/8: On Monday Night Football, Packers kicker Ryan Longwell misses the game-winning field goal from 28 yards with 11 seconds left, giving the Eagles the win, 10-9. Interesting fact: Longwell had never attempted a game-winning field goal in *high school, college, or the NFL*. Memo to Packers scouts: hey guys, time to start updating your resumés! Eagles 10, Packers 9.

Giants vs. Ravens, 9/14: Giants kicker Brad Daluiso missed two 41-yard field goal attempts, including a game-winner, and had one of his extra-point attempts blocked by Raven Rob Burnett. Ravens 24, Giants 23.

Cowboys vs. Eagles, 9/15: Eagles kicker Chris Boniol, one of the league's premier kickers, prepared to kick a game-winning 22-yard field goal with

seconds remaining against his former team on Monday Night Football. Little did he know that holder Tommy Hutton was a ticking time bomb, an accident waiting to happen, for he had never held for a game-winning field goal attempt in *high school, college, or the NFL*. Who's scouting for these teams, the Three Stooges? True to form, Hutton bobbled the snap, failing to place it on the ground in time for Boniol to kick it. Hutton futilely attempted to run the ball in himself, but fumbled the ball into the Cowboys' hands. Even Deion Sanders said, "Somebody better check that holder's locker. It might be filled with money." Cowboys 21, Eagles 20.

Patriots vs. Jets, 9/14: After pulling off an incredible comeback at Foxboro Stadium, the Jets recovered a Patriot fumble deep in Patriot's territory with time running out and the score tied, 24-24. Out trots Jets kicker John Hall, who had never before kicked a game-winning field goal (hear that music playing?). You guessed it — this kick was *bad*. I mean, *really bad*. Even if it hadn't been blocked by Patriot Mike Jones, this knuckleball would've missed the goalposts by 30 yards (which on a 30-yard field goal is no mean feat). But it was blocked, sending the game into overtime. Patriots 27, Jets 24 (OT).

Jets vs. Raiders, 9/21: Raiders kicker Cole Ford, who had earlier missed three of his four field goal attempts and one of his extra-point attempts, had his fifth (and mercifully final) offering blocked by Jet Corwin Brown. Ray Mickens picked up the loose ball and sprinted 72 yards for the game-winning touchdown. Jets win, 23-22.

Jaguars vs. Steelers, 9/23: Again on Monday Night Football (the MNF jinx is in full effect this season), Pittsburgh kicker Norm Johnson had the chance to win the game, as he prepared to kick a 40-yard field goal with six seconds to play, Steelers trailing 23-21. Unfortunately for Johnson, Pittsburgh's long-snapper sputtered a low line-drive snap to holder Mike Tomczak. It would have been a great 3-and-2 pitch to Ken Griffey, Jr., but that snap was so down-and-in that Tomczak

was lucky to have even gotten control of it. Johnson hesitated, but actually managed to get his foot into the ball. At this point, however, the Jaguars were doing their best jailbreak impression, and Jaguar Clyde Simmons easily blocked the kick. Chris Hudson then picked up the football and returned it 58 yards for a game-ending touchdown. Makes you wonder whether Pittsburgh's long-snapper had ever snapped for a game-winning field goal. Jaguars win, 30-21.

Turning to the HLSFL, where we don't have field goals, five teams remain unbeaten after this past Sunday's action. The Freshies continued their dominance, defeating Lovers Not Fighters, 28-6, and Law & Order, 20-13. "We're good," said Dave "Fresh Daddy D" Rothenberg '98. Happy Gilmores QB Matt "Dumb and" Dummermuth '99 exploded in a 41-6 victory over Law & Order. "Boom," said Dummermuth. Stormin' Mormons blew out the Inn Zone. Delta House utilized the multidimensional attack of Brent "Rutger" Schlotthauer '98 and Steve "Hello" Mudder '98 to down Whiplash, 52-14, and L.C. United, 28-12.

In the first brutality match of the sea-



son, Cruel & Unusual Punishment lived up to their name, violating the Eighth (and possibly the Fourth, Fifth, Sixth, Seventh, and Fourteenth) Amendment — future capital defenders: be sure to preserve your record for appeal — in their demolition of Whiplash,

52-6. Sounds great, until I realized that Cruel & Unusual Punishment fielded six players for the entire game against Whiplash's five (one short). Now, I would understand playing six-on-five until you had a comfortable lead, but 52-6? That's just wrong.

Game of the Week: Delta House vs. Happy Gilmores, Sunday at 2:00 p.m. Two strong offenses go on display in this match-up, and defensive egos are already flaring. "I'm just waiting to run back every one of Steve Mudder's weak offerings," said Gilmore Raj "Lemon Meringue" Pai '99. "Don't even think of throwing the ball my way," said Delt Shelly "Quit Calling Me Skippy, Dammit" Hirshtritt '98. It's a must-see.

SPORTSGUY would like to thank Sports Illustrated for its insightful prediction in the Florida-Tennessee game ("Peyton Manning: Gator-Bait Again?"). Get your own material, guys.

STANDINGS (AS OF 9/23/97)

Eastern Division						
	W	L	I	PF	PA	Div.
Freshies	4	0	0	110	49	3-0-0
Stormin' Mormons	2	0	0	62	22	2-0-0
Capital Punishment	1	1	0	52	28	1-0-0
Rookies	1	1	0	34	42	0-0-0
Lovers Not Fighters	2	3	0	69	95	1-3-0
Penal Battalion	1	2	0	76	79	1-1-0
Inn Zone	0	2	0	6	61	0-2-0
Western Division						
	W	L	I	PF	PA	Div.
Delta House	4	0	0	149	56	3-0-0
Cruel & Unusual Punishment	3	0	1	97	38	3-0-1
Happy Gilmores	3	0	1	82	25	3-0-1
Who's Your Daddy	1	2	0	35	27	1-2-0
Whiplash	1	4	0	60	166	1-2-0
L.C. United	0	4	0	43	102	0-4-0
Law & Order	0	4	0	32	117	0-3-0

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