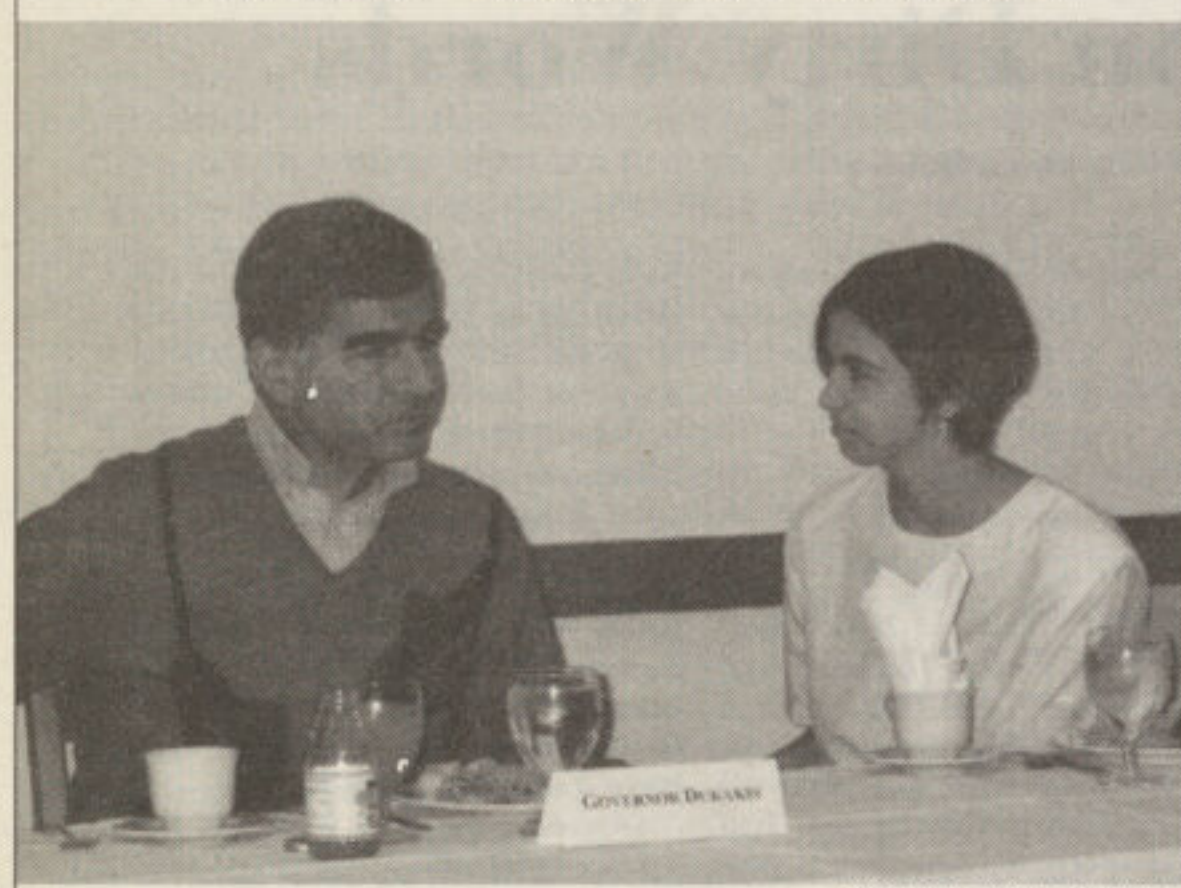




Dukakis Returns to HLS



RECORD Photo/Timothy Kiefer
Mike Dukakis '60 speaks with Erica Grosjean '00 at a lunch with HLS students on Oct. 17. Dukakis, a former Massachusetts governor, now divides his time between teaching appointments at Northeastern and UCLA.

LL.M.s Demand Program Reform

By Glenn Otis Brown

Addressing long-standing concerns over quality-of-life issues and academic policies for international students at HLS, master of laws (LL.M.) candidates this week launched an effort to reform the graduate program.

Student representatives have begun voicing their grievances to HLS administrators through official and unofficial channels.

"Though we've heard many minor complaints about the housing situation, the telephone policies, and the isolation of LL.M.s from the J.D. community, our main concern is with the mandatory course requirements and the maximum limit of credits for the LL.M. program," said Eric Van Gelderen LL.M. '98, a student from the Netherlands and the chair of the Graduate Affairs Committee of the Law School Council (LSC).

On Monday, Van Gelderen e-mailed an informal survey inviting every LL.M. "to complain, make remarks or suggestions about life at Harvard Law School." Responses have addressed a wide range of problems.

"The curriculum of the Legal Writing Workshop needs some improvement," wrote one student. "There is virtually no time to discuss the relevant issues in depth."

"A mouse was actually found and trapped on the third floor of Ames," answered another LL.M., "but the housing office

Please see **LL.M.**, p. 4

HLS Students Head West for Third Year

By Warren Binford

BERKELEY, Calif. — While the genteel luxury of the renovated Langdell Library welcomed most HLS students back to campus, five 3Ls were greeted on their first day of classes by a bullhorn, picket signs, and protesters.

These students were in California as part of an exchange program between HLS and the University of California-Berkeley's Boalt Hall School of Law. The exchange program allows each law school to select five students to complete their third year at the other school.

The activism that welcomed the HLS participants when they arrived at Boalt was inspired by the lack of racial diversity at Berkeley.

There have been classes canceled, student walkouts and sit-

ins, and even arrests outside the Dean's office.

It all stemmed from the Boalt administration's decision last year to discontinue the school's affirmative action program. This fall, only one African-American student enrolled in the 1L class.

"It was disappointing to return to Berkeley and find that the first year class was substantially less diverse than the first year class at Harvard," said Taly Leshem Jolish '98, who enrolled in the exchange program in order to study environmental law at Boalt.

Jolish, who went to Berkeley as an undergraduate and spent a number of years in California's public schools, was accustomed to learning in a diverse community. She remembers her shock upon seeing her classmates on

Please see **CALIFORNIA**, p. 5

HLS To Allow Laptops on Select In-Class Examinations

By Suzanne Carter

Acknowledging students' widespread reliance on computer technology, HLS will permit a limited number of in-class examinations to be written with laptop computers this semester.

The three courses selected for the experiment are: the Torts section taught jointly by Profs. Jonathan Zittrain '94 and Charles Nesson '63, Copyright with Prof. Lloyd Weinreb '62, and Tax with Prof. Alvin Warren.

Registrar Stephen Kane said that the key to the laptop experiment is the Examiner, a secured floppy disk which will preserve certain word processing functions while temporarily disabling most of the computer's other applications.

The Examiner has proved itself effective in the past, stated Kane.

"It's been tested at over forty law schools, and we had a demo of it here over the summer," he said. "Some state bar associations are even thinking of using it for bar exams."

Laptop users will be seated in a separate room so as not to distract students who choose to write their exams by hand.

Some students expressed reservations about the plan.

"Are they going to provide laptops to students who don't have them, or will this service [only] be available to students with laptops?" said Charles Hokanson '98, chair of the Law School Council's Academic Affairs Committee.

Kane said that students would be required to provide their own laptops.

"I don't have the capacity to line up laptops for student use on exams," said Kane. "In the past, when we allowed students to use typewriters for exams, students would bring their own typewriters."

Kane said he thought it might be feasible in the future to hold exams in computer labs. However, he said that a computer-lab arrangement might present its own set of problems.

"My biggest concern with that is that students will walk into the room and not be familiar with the computer," Kane said.

Please see **LAPTOP**, p. 3

Public Interest Planning Stymied by Tardy Report

Ad Hoc Committee's Recommendations Go Unvoiced

By Eddie Grauman

The final report of the faculty Public Interest Committee — scheduled to be released last spring — has still not been completed. The delay appears to be due to the overburdened work schedule of committee chairman Prof. Christopher Edley '78 as well as a general lack of communication among committee members.

"I don't know the status of the committee," said committee member Lisa Dealy, director of summer funding programs and the Low Income Protection Plan (LIPP), when asked about the overdue report.

In May, the RECORD reported that the committee was scheduled to issue its report "in the near future." However, the committee has yet to issue its report and "did not meet over the summer or this term," according to Dealy.

The Public Interest Committee was established by Dean Clark '72 as an ad hoc committee during the 1995-96 school year, said committee member Prof. Philip Heymann '60.

The committee was charged with investigating avenues of support for students committed to public interest work and reporting specific recommendations to Dealy.

The committee was charged with investigating avenues of support for students committed to public interest work and reporting specific recommendations to Dealy.

Please see **PUBLIC**, p. 3

Looking Like Lawyers



RECORD Photo/Lesley Stone
Dressed in dark business suits, two students stand silhouetted against the entry to the Charles Hotel, site of many law firm interviews. On-campus interviews are scheduled to continue through the week of Oct. 27.

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19 Years Ago in the RECORD

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OCTOBER 20, 1978

TWENTY CENTS

HLS Recognition Sought by Gay Rights Group

By J. Ezra Merkin



Betsy Zeldin: Portrait of the artist as a young woman.

3L Finds Artistic Inspiration Where Others See Only Law

By Becky Wesley

Another rejection letter. What can you do besides hurl it angrily into the nearest wastebasket or add it to your Despair File? It would not occur to most of us to turn our rejection letters into part of a collage on the theme of law school life, but that is what third-year law student Betsy Zeldin did with hers, to the delighted discovery of those who visit the art display in the Langdell mezzanine.

Zeldin feels that too many law students turn all their often frustrated energies right back into their textbooks and end up living, breathing, and talking law school. Her alternative is to use her law

school experience as motivation and material for another important interest in her life — art. How does she have time for both? "The key to law school is being organized," is her answer. "I've found that wanting to have time to paint makes me study more efficiently." And on the other hand, "the intellectual stimulation of legal study makes me a more creative painter." For Zeldin, who reads her law assignments on her bed and paints at her desk, the rather unusual combination of being a law student and an artist has provided a full, stimulating lifestyle.

Zeldin began painting seven years ago. While an undergraduate (Continued on Page 8)

A student-organized Committee on Gay Legal Issues will seek formal recognition from the Law School this week. A founding group of 25 students, 17 male and 8 female, have adopted a constitution, selected a faculty advisor, and notified Assistant Dean Stephen Young of their intention to gain standing as an HLS approved organization.

According to spokesman Jose Gomez, 2L, the primary objective of the committee is to participate actively, through legal assistance, in litigation and legislative activities that seek to achieve equal status under the law for homosexuals.

"We are not a social club," said Gomez. "We are a group of gay and non-gay students very concerned about the growing national attack on the civil rights of gay people. We are organizing in order to provide legal assistance to gay legal defense groups, particularly on issues and causes around the Boston area."

The Committee says it is not particularly troubled by the treatment of gay students at HLS. Members of the founding group emphasize that theirs is not an organization of gay students but a vehicle whereby concerned students can devote their attention to perceived violations of civil rights.

Briggs Initiative

One area of concern frequently cited is the proposed amendment to the California constitution on the ballot this November. Known as

(Continued on Page 7)

Faculty Blasts Ban on Dirty Words

By Dave Quinto

The Supreme Court's decision in *F.C.C. v. Pacifica Foundation* has found few admirers among the law school faculty. A New York radio station played a George Carlin monologue satirizing society's attitude toward the seven words he claimed could not be said over the airwaves. (The Court noted the words, 98S.Ct. 3026, at 3041: "shit," "piss," "fuck," "cunt," "cocksucker," "motherfucker," and "tits.") By a 5-4 vote the Court proved him right, finding that the Federal Communications Commission had acted properly in sanctioning the station for playing it at an hour when children were likely to be in the listening audience. Justice John Paul Stevens, writing for the majority, argued "indecent" language need not have prurient appeal and is distinct from "obscene" as defined in *Miller v. California*, and that speech that might otherwise be protected by the First Amendment can be regulated when broadcast.

Professors Alan Dershowitz and Milton Katz are concerned that the decision did not establish a limiting principle. According to Dershowitz, "if you take the illogic to its reasonable conclusion, the result would be massive censorship of an unprincipled nature because everybody wants protection from something. I, for one, would not want my children to hear the fire and brimstone evangelical sermons on Sunday mornings." Katz felt the Court should have found the statute on which the F.C.C. relied for its authority unconstitutional because of its overbreadth and failure to define the limits of impermissible language narrowly.

Time-Slotting OK

Dershowitz believes that time-slotting of broadcasts to restrict certain programs to times when children are not likely to be in the viewing audience is reasonable, but he feels that only things which clearly do damage should be so restricted. He cited "movies which portray violence in a way subject to imitation" as an example, and criticized as "silly" the Court's assumption that the only broadcast intrusion into the home which the law should recognize is "dirty words." He states that there is no culture in our country where those words are not heard: "If one does not hear them in the home, one hears them elsewhere."

Prof. Paul Freund stated that "limited as it is to viewing audience and time of day, it's not a major issue," but Dershowitz, Katz, and HLS faculty member Anthony Lewis all feel that the decision will

have a serious chilling effect on the broadcast industry. Katz feels this is so because the Court's decision does not prevent the F.C.C. from widening the class of speech found "obscene, indecent, or profane" in the future and because the standards found important to the relevant community are not defined. *New York Times* columnist Lewis explains that "people in the broadcasting industry are so afraid of their own shadows that it might have a chilling effect."

Lewis would have preferred the F.C.C. and the Supreme Court never to have addressed the particular case. The Court, he believes, seems to have found a new basis for justifying differential treatment of the broadcast industry within the communications media by holding that "the broadcast media have established a uniquely pervasive presence in the lives of all Americans" because the audience is constantly tuning in and out and cannot be expected to hear prior warnings as to program content. The Court found a further danger in broadcasting's unique accessibility to children.

Brennan Dissent

Justice William Brennan, writing in dissent, argued that the majority opinion misconceived the nature of the privacy interests involved when an individual voluntarily chooses to admit radio communications into his home and ignored the constitutionally protected interests of both those who wish to transmit and those who desire to receive broadcasts that many might find offensive. He argued that "the ability of government, consonant with the Constitution, to shut off discourse solely to protect others from hearing it is . . . dependent upon a showing that substantial privacy interests are being invaded in an essentially intolerable manner."

Brennan also criticized the majority for expressing the "idea that the content of a message and its potential impact on any who might receive it can be divorced from the words that are the vehicle for its expression." Dershowitz and Professor Richard Parker find the idea of content neutrality "impossible." Dershowitz says that McLuhan and Shakespeare have made it clear that the choice of words affects meaning. "Don't bother me," and "fuck off" have different meanings, Dershowitz added.

Gay Legal Issues: A Significant Battlefield

(Continued from Page 1)

The Briggs initiative, the amendment would require local school boards to dismiss any teacher who tended "to encourage, promote, or dispose schoolchildren toward private or public homosexual activity or conduct." The committee sees this as requiring the firing of any teacher who, inside or outside the classroom, advocates or defends rights for gay people. If the amendment passes, the committee will be prepared to join the challenge to its validity under the federal constitution.

The administration has suggested to the group that they join one of the existing student organizations and function as one of their subcommittees. "We're disappointed," says Gomez, "because we consider gay rights to be no less significant a battlefield than, say, Chicano rights. We plan to devote all our energy to protecting the civil rights of gay people. The growing national attack on those rights is a threat to the fundamental rights of everyone, yet the legal community is conspicuously silent on this issue."

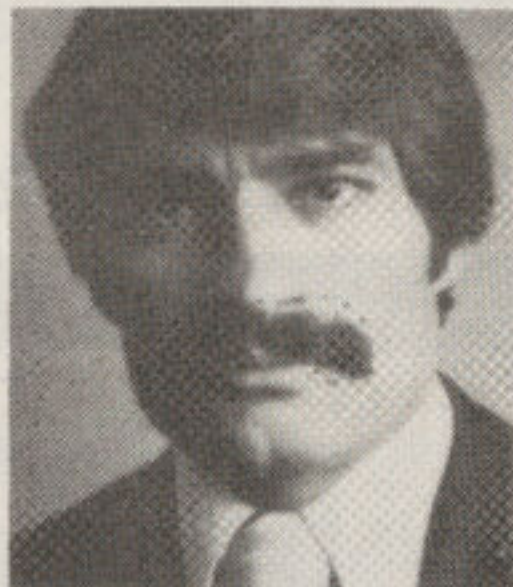
The Committee sees natural allies among other student organizations, particularly the other civil liberties groups. One member justified the formation of the new organization, however, by pointing out that "nothing has ever appeared in the Civil Rights-Civil Liberties Law Review on the gay issue. The constitutional issue is of sufficient magnitude to warrant an independent committee."

The Committee plans to aid current projects which are creating reference libraries in all areas of homosexuality and the law. Prominent among these is discrimination against homosexuals by the military. Gomez worked on one case of a homosexual who was dishonorably discharged from the Army and denied any veterans benefits. Limitations on exercise of First Amendment rights, discrimination in housing and public accommodation, occupational licensing discrimination, custody and visitation rights of gay parents, and challenge of the sodomy laws are other areas of specific interest and planned Committee activity.

Other Law Schools

Gomez represented the Committee at a Gay Rights Under the Law Symposium in San Francisco last month and discussed plans to contact other Boston-area law schools and form a pool of legal assistants available for work on cases and projects in the area. He has experience in organizing new projects. In the past he has worked for the Farm Worker's Union as an administrative assistant to Caesar Chavez, and as an assistant to the governor of California. Last summer he joined the Gay Rights Advocates, a San Francisco law firm, where he worked on many of the projects that the Committee on Gay Legal Issues plans to initiate in Boston.

Gomez claims that the homosexual faces considerable difficulties in protecting his or her rights, "in



Jose Gomez

part because it is difficult to determine the rights gay people have. The legal profession does not have available for its use any systematic presentation of how the law has responded, or needs to respond, to homosexuals."

So far as HLS is concerned, the Committee is trying to convince the Placement Office to amend its non-discrimination clause to include "sexual preference or orientation." New York University and Yale Law Schools have already adopted such provisions (see story, page 6).

"It's nice to have company, believe me," Michael Magness, placement director at N.Y.U., said recently. "If we have four or five major law schools moving on this issue recruiters will start to get a message. Discrimination against gays is absolutely at the forefront of law school placement problems today."



Toga, Toga, Toga!

Story Hall may not be the Delta House of HLS, but don't tell these Story residents. They staged their own version of Roman bacchanalia last Saturday complete with grapes, nectar of the gods and the required attire. The RECORD has also learned that a dead horse was seen in Dean Sack's office.

Laptop Experiment Set for Fall Exams

Continued from **LAPTOP**, p. 1

Typing Gives Some an Unfair Advantage?

Some students said that the speed of typing on a laptop would give laptop users an unfair edge on exams.

"I would think that in the interest of a level playing field that this should not be permitted," said Matthew Liebson '99.

"The fact that many of us can type on a computer faster than we write and that laptops add immensely to editing capabilities would give laptop users a rather unfair advantage over those of us scrawling in bluebooks."

Two years ago, the Law School Council (LSC) conducted speed trials examining the feasibility of using laptops in exams.

"We wanted to see how much of an advantage a proficient computer user had vis-a-vis a handwriter," said LSC Representative Rob Jancu '98.

"As I recall, the advantage is about three times in speed."

Kane said that laptops would offer little comparative advantage to examination takers.

"If you're not organized, cutting and pasting and typing more quickly on a computer isn't going to help," he said.

"And organization itself is nothing if

you don't have basic knowledge of the material," Kane said.

In a 1995-96 decision, LSC underlined the importance of universal student access to laptops should they be used in in-class examinations.

"Until HLS adopts a policy that laptop ownership is mandatory," it read, "the elected student representatives will not issue a recommendation to the Legal Education Committee favoring laptop use on exams."

Current LSC President Dina DeFalco '98, however, said she is optimistic about the plan.

"I'm confident that Registrar Kane is doing everything possible to make this work," she said.

At least one laptop owner in the Nesson/Zittrain course, Cam Hoang '00, has reservations about bringing her laptop to class on exam day.

"I've never used a computer for an exam, so I'm kind of wary," she said. "I'm not big on technology. It's too unpredictable."

Kane agreed that replying to exam questions on a laptop isn't for everyone.

"It's a question of what people are more comfortable with. But more and more students are used to laptops these days," said Kane.

Edley Crucial to Completion of Public Interest Report

Continued from **PUBLIC**, p. 1

tions on this topic to Clark.

The Dean appointed Edley to chair the committee, which is scheduled to dissolve upon the issuance of the report.

"This committee spent almost two years doing a tremendous amount of leg-work," said Office of Public Interest Advising Director Stacy DeBroff. "The Public Interest Committee was tremendously dedicated," she said.

Heymann also noted the committee's hard work in the past. "Edley got the committee working about once a week last year," he said.

Nevertheless, Heymann stressed the importance of bringing closure to the committee's work. "I think it matters a lot that it gets done in the near future," he said. "It has to get done by the end of the fall."

According to Heymann, most of the committee's work has been done — all that remains is for Edley to draw up the final draft and submit it to the committee for final approval.

"Prof. Edley was left with the responsibility of writing the report," said Heymann. "He is still working on it now ... it should be completed some time in the fall," he said. Heymann also added that "there is almost no way to get [the report] done without Edley doing it."

The report's delay may be a result of Edley's significant outside commitments. In particular, Edley is currently serving as a member of the advisory board of President Clinton's Initiative on Race. According to one source, Edley's responsibilities for the advisory board take him to Washington around two to three times per month.

Edley did not respond to numerous attempts to contact him for comment.

Report to Recommend Scholarship Program

The committee report, when published, is expected to include a number of ambitious recommendations for public interest law at HLS. One possible recommendation involves the creation of front-loaded public interest fellowships similar to the Root-Tilden program at NYU, according to committee member DeBroff.

Such a program would provide up front scholarships for a limited number of students who agree to pursue public interest work after graduation with a legal obligation to repay should they accept high-paying jobs. DeBroff also said that there would be a recommendation that OPIA receive additional staffing to handle its workload.

Other issues discussed by the committee include increased public interest course offerings and a faculty mentoring program that would match students and professors who are similarly focused on public interest, according to Dealy.

Heymann described a possible program where students would provide legal services to underrepresented individuals by working with alumni practicing public interest law.

Two of the recommendations originally discussed by the committee — full summer public interest funding and policy changes to LIPP — are already being implemented through other channels, according to Dealy.

Clark has already approved the summer funding increase and the Financial Aid Committee is currently handling the restructuring of LIPP.

Committee's Future Role Questioned

Beyond the simple completion of the report lies the question of whether this ad hoc committee should in fact dissolve after the report's publication.

Heymann believes the committee will have fulfilled its goal of supporting students who want to do public interest work. "The issue [of student public interest work] can get a rest before we go back to it," he said. He did say, however, that a different committee may be required to address "what HLS can do to meet the requirements of justice in terms of representing underrepresented people."

Heymann wants to see a more outward-looking approach which examines the ways in which the Law School can use its prestige and resources to help provide legal services to those who cannot afford them, he said.

DeBroff and Dealy, however, would like to see the committee continue to exist in some manifestation of its current form. "It would be good to have [the committee] as an ongoing forum on public interest issues," said DeBroff. She noted that such a structure could allow for a "quick administrative response" to help avoid unnecessary conflicts between students, faculty, and administrators on public interest issues.

Dealy agreed with DeBroff's endorsement. "In terms of recommendations for change or enhancing our programs, I think the Public Interest Committee is valuable," she said.



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International Students Blast Mandatory Writing Class as Demeaning, Waste of Time

Continued from LL.M., p. 1

hasn't done anything to clean other rooms or to check whether there is a wider infestation."

"There really should have been events organized to encourage greater interaction," a third student wrote. "It's pathetic that LL.M.s are so cut off from others."

Regarding LL.M.-specific problems like the Graduate Program curriculum and orientation for foreign students, Van Gelderen said he intends to deal directly with the Graduate Office staff and administration, headed by Profs. Anne-Marie Slaughter '85 and Joseph Weiler LL.M. '65.

For issues common to the wider law school population — dormitories, financial aid, student life — Van Gelderen plans to pass the results of the informal survey on to Dina DeFalco '98, president of the Law School Council. DeFalco will meet Monday, Oct. 27 with a newly formed body called the Student Concerns Group.

"The group grew out of the Construction Year Task Force [responsible for handling changes brought on by the Langdell restoration] and is meant to be small, informal, and very flexible," said DeFalco. Members include Dean of Students Suzanne Richardson, Associate Dean Todd Rakoff '75, and representatives from the Registrar's office, Building Operations, and Langdell Library, among others.

DeFalco said she plans to incorporate the LL.M. concerns into her presentation Monday, and was optimistic about the meeting.

"It worked very well last year," she said. "It's a great mechanism for meeting directly with a handful of administrators and getting things done quickly."

Italian LL.M. Sends Open Letter to Clark

Apart from these official initiatives, some LL.M.s have taken it upon themselves to contact the administration directly.

Luigi Santosuosso LL.M. '98 this week sent an open letter via e-mail to Dean Clark '72, Professor Slaughter, and the entire LL.M. class.

"The main purpose of this letter was to propose some areas of improvement for the LL.M. program that can be even more appealing for future foreign candidates," wrote Santosuosso.

"The first month of experience at HLS has reinforced the skepticism and doubts that I had" before applying, he wrote. Santosuosso, who is from Italy, went on to critique the LL.M. curriculum as restrictive and "overly American."

"My basic point was that the elective courses are great," said Santosuosso in a telephone interview, "but that it's really a pity that the rigidity of the system does not allow foreign students to shape the schedule to their interests."

Slaughter, who took the helm of the Graduate Program this fall, said she appreciated Santosuosso's input.

"A number of points he makes are certainly valid for many LL.M.s," she said. "David Kennedy [the former director] improved the program tremendously, but there are still areas where we could grow."

"We certainly welcome the feedback," said Slaughter. "It's a great time to look to make changes in the program, with this new administration in place."

Incoming LL.M.s with a law degree from an overseas university, who comprise 136 of the 152 LL.M. candidates this year, are required to take two courses their first semester in the program — Introduction to the American Legal System and a legal writing class. Criticism of the compulsory courses, as well as the current limit of 20 elective credits, has been widespread in the LL.M. community.

"This is just the U.S. approach to common law and the case method," said Godfrey Olebogeng Radijeng LL.M. '98, referring to the American law primer course.

"It's a waste of time for those of us who already come from common-law countries," said Radijeng, who is from Botswana.

"In the past, if you came from a common-law background," said Radijeng, "you could waive this class. This is no longer the case, unfortunately."

Van Gelderen thought that the course should be modified even for students from other legal systems.

"It goes on too long," Van Gelderen said. "If it were more of a crash-course, say a four-week introduction, we'd have more time to dedicate to our elective courses, which are the reason people come here." Van Gelderen cited N.Y.U. Law School's course on American law as a model.

Other students have taken aim at the legal writing workshop, which many consider unnecessary.

"It's really patronizing for people who are actually lawyers already," said one LL.M. student who preferred to remain anonymous.

"It seems almost to be designed for students fresh to the law," agreed Radejeng, "not people who've completed their training."

"It is a scandal," read one response to Van Gelderen's survey, "that subjects like the legal writing workshop are taught by teaching assistants. It seems ridiculous to pay \$25,000 a year on tuition fees in order to get classes from fellow students!"

In his letter, Santosuosso took issue with the maximum credit limit imposed on LL.M.s.

"If one is able to study more courses than the average student," he wrote, "in the end it should be allowed, even encouraged to do so."

Criticisms of the mandatory courses reflect a broader sentiment that HLS falls well short of a truly cosmopolitan perspective on the law.

"The first day of my writing workshop," said one French LL.M., "they told us flat-out that the American way of writing was the best one. They said we may disagree now but we'll realize later how true that is."

"Why should we concentrate on having to write the American method when many of us may never return?" said Radijeng. "Some people think that the law school has a somewhat imperialist approach, like 'let's teach these people the American way so they can take it back to their countries.'"

"Dean Clark keeps saying that Harvard is striving to become more international, but this simply cannot be as long as so many American law courses are required," said Claire Weir LL.M. '98, who is from Glasgow.

LL.M.s Praise Graduate Program Staff

Despite the complaints, several LL.M.s said they are not altogether let down by the HLS experience.

"I don't want people to think we're just complaining about everything," said Van Gelderen. "I think it's fair to say that almost all of us are very pleased with the non-mandatory classes we're in. That's why we're here."

"There's a great variety of courses," said Luigi Malferrari LL.M. '98, an Italian student taking a year away from his Ph.D. program.

"In many other law schools, you could

never get classes on Japanese law or Islamic law. And I really enjoy the contact with people of different backgrounds. Some people are just amazing around here," Malferrari said.

Praise for the Graduate Program staff was virtually unanimous from the students interviewed.

"We have no problems at all with the Graduate Office," said Van Gelderen. "They're always tremendously helpful."

Apart from curriculum changes, Van Gelderen said that LL.M. representatives will focus on promoting interaction between J.D.s and international students and addressing problems with the Harvard telephone billing system.

To help further the former of these ends, the Graduate Forum, a student activities group for international students, will co-sponsor a Halloween party with the Student Activities Council.

DeFalco said she will inform administrators of the telephone issue at Monday's Student Concern Group meeting, though the problem remains unclear.

"Judging from what I've heard and seen, I think I agree with the LL.M.s," said DeFalco. "From what I was told they cannot get the exact rates. The phone company won't give them out."

"Some LL.M.s told me that they were sent a brochure promoting the Harvard system as the cheapest when in fact some other carrier may be less expensive," said DeFalco. "Apparently their first long-distance phone bills were sky-high."

"The same thing happened to J.D.s last year," she said. "Of course, the prices international students are paying are even more cumbersome."

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Boalt Visitors Find HLS Students "Uptight and Worried"

Continued from CALIFORNIA, p. 1

the first day of classes at HLS. She immediately leaned over to the woman next to her and observed, "My God, this place is so white."

Jolish said that when she returned to Berkeley this fall and learned that there were just one African-American, seven Latinos and no Native-Americans in the incoming class at Boalt, she felt compelled to get involved with the "Coalition for a Diverse Faculty and Student Body," a Boalt student group working to support affirmative action programs.

Despite the political drama, the familiar routine of classes and studies continue at Boalt much as they do at HLS, Jolish said.

"Everyone's in a suit and everyone's talking about firms, so it's not really that different," Jolish said.

Jolish said that she misses the public service community at HLS and the "incomparable" services provided by the Office of Public Interest Advising. Boalt offers nothing of the same scope, Jolish said.

Boalt students offer mixed reviews of HLS

The Boalt students attending HLS this year recognize the wealth of services available to them through HLS's extensive career placement program. Joel Erb (Boalt '98), who spent last summer as an associate with a law firm in California, has found his schedule inundated with interviews with firms from New York and Boston as well as opportunities to pursue public-policy work since arriving at HLS this fall.

Although Erb was originally attracted to HLS because of the name recognition and the reputation of the faculty, he has found that many of the benefits of going to HLS are not academic. Autumn in New England, enjoying going out in the

city, and playing on the Law School's soccer team are just a few of the experiences that have made Erb's time at HLS meaningful.

"A lot of people at Harvard are really unhappy and wonder why in the world I would come out here, but I'm having a great time," Erb said. "There is so much to take advantage of personally and academically."

But a majority of the students visiting from Boalt said they liked it better on the West coast.

"Part of what makes Boalt so fantastic is that it's small," said to Sherry Holbrook, Boalt '98, who came to HLS to study negotiations.

"You know everyone in the halls [at Boalt]," Holbrook said. "You know what everyone is doing and what they're interested in. Harvard's so big. It lacks a coherent feeling."

Erb also said that HLS's large size can be a disadvantage.

"I like Boalt because I knew everyone — if not by name, at least by face," Erb said.

Erb said that when he meets a new person at HLS and does not explain that he is an exchange student from Boalt, the person just assumes they have been classmates at HLS all along.

Jolish said Boalt's small classes have a potential downside. "It's nice to be taking a class like Environmental Justice, but it's disappointing that there are only four of us there," he said.

The HLS students at Boalt have also had to adjust socially.

"It's hard to be a first-year in your third year," said Jolish.

Jolish, who has extensive ties to the Bay Area, noted that it is difficult to develop a new community of friends whether one is attending HLS or Boalt this year.

The Boalt students attending HLS

seem to have had an especially difficult time, however. Several students attributed much of their difficulty to a lack of friendliness among the HLS students, whom the Boalt students have found to be surprisingly unhappy.

"I was really surprised to find that so many students at Harvard are so uptight and worried about their future," said Holbrook.

Holbrook said he expected to discover a community of students who, having been accepted to one of the world's top law schools and destined for success, would be relaxed and free to explore intellectual pursuits with a tremendous amount of originality and creativity.

Instead, what she encountered was a group of surprisingly young people rife with anxieties and self-doubt.

"I want to walk around campus and tell everyone, 'You're OK,'" said Holbrook.

Holbrook's own frustration with the social inactivity of her new classmates led her to the LL.M. community at HLS. Holbrook said that among the LL.M.s she has found a wonderful circle of friends who are socially active and intellectually interesting. She said that her LL.M. friends helped her buy furniture for her apartment and get settled in Cambridge — a generosity and openness that reminds her of her friends back at Boalt, she said.

Despite her criticisms of the J.D. community, Holbrook said that she was "impressed" with the "intellectual competence [of the students] in a way I've never seen anywhere else — at least in a doctrinal way."

Holbrook said that many of the shortcomings she has discovered at HLS may be due to the relative youth of most HLS students. The average age of an incoming HLS student is 24, one year younger than the average incoming student at Boalt, according to the Princeton

Review's guide to law schools.

Edouard Garcia '98, who is studying intellectual property and patent law at Boalt this year, echoed Holbrook's assessment of the differences between the schools.

"Most students at Harvard started straight after undergrad, whereas most students [at Boalt] are older so they have a greater variety of experiences," Garcia said.

Garcia said that this difference creates "more mature and in-depth discussions," which is especially advantageous given the much smaller classes offered at Boalt.

Erb took a different view. Recalling that, in his experience at Boalt, "discussions were limited because people would get jumped on" if they said anything politically conservative, Erb says he is grateful to be at Harvard where the discussions are more scholarly and "deal more with the subject matter of the class."

And, ultimately, it was the classes that drew these students to apply to the exchange program in the first place. According to Garcia, Boalt offers "a nice complement to Harvard in terms of courses. There are more IP [Intellectual Property] and commercial business courses."

Garcia said that he is particularly happy that three of his four classes at Boalt are taught by practitioners rather than academics.

"It makes it more interesting. You get more war stories and practical advice and not just the academic perspective," Garcia said.

Other participants in the exchange program said they enjoyed their classes.

"The professors I have had here [at HLS] have been great," said Erb. He cited Prof. Joseph Weiler, who teaches his students not only about the European Union in his course on that subject, but also "how to think as an attorney."

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Briefs

Dornan Blasts Democrats at HLS Forum

Robert K. Dornan, the feisty presidential hopeful and former congressman known as much for his charisma as his staunch conservatism, spoke to an audience of about 60 at the Harvard Law School Forum on Oct. 15.

In his two-hour talk, Dornan harshly criticized Presidents Clinton and Bush, as well as the political system that he claimed banished him from Washington. He blasted U.S. Rep. Loretta Sanchez (D-Calif.), who beat him in his 1996 reelection bid, and blamed ballot-stuffing illegal immigrants for his loss.

"You may be looking at the only Congressman who lost by the vote of people who aren't Americans."

Dornan criticized Sanchez's ethnic identity and accused her of being a carpetbagger.

"She may have a Hispanic name, but she's never dated a Hispanic-American, her husband's an Anglo, and she lives three districts away [from the one she represents,]" Dornan said.

Dornan, who held three different seats — the 27th, 38th and 46th — during his nine terms in Congress, said he would be back in 1999, "with an attitude."

Audience members seemed intrigued by Dornan's unconventionality.

"He's usually characterized as a vitriolic hate-monger," Ken Lee '00 said, "but he's one of the rare politicians with firm convictions and the will to express them."

TV Series about HLS Grad Doesn't Skirt the Issues

A new Fox TV series features Calista Flockhart playing the role of a Harvard Law grad in the title role of "Ally McBeal," on Monday nights at 9.

Boston forms the backdrop for the hour-long drama, in which McBeal excels more at her law career than in her unlucky love life. Flockhart has high hopes for her new character.

"I would hate to make her into some stereotype of a Harvard Law graduate. I would never do that because it would limit her character," she told the Boston Globe.

HLS students might think she won't have to work too hard to shed the Harvard Law stereotype — not when she's striding into the Suffolk County Courthouse in platform sandals and wearing skirts that, according to Globe reporter Lynda Grove, are "the size of a small dish towel."

But Flockhart up-ended the conventional wisdom that TV is always glitzier than real life. She told Grove, "At the law firm I went to in New York, the skirts were even shorter."

Attempted Car Theft at North Hall

An unknown person or persons attempted to steal a car from the parking lot at North Hall on or around Oct. 7, according to a Harvard University Police Department (HUPD) report. According to the report, at about 4:30 p.m. the owner of the car reported that his car had been broken into while it was parked in the lot. The car's ignition had been damaged, indicating that the would-be thief had attempted to start the engine. No suspects were identified, according to the police report.

Ribbon-Cutting to Officially Open New Law Library

While students have been using the new Langdell Library since classes started in early September, the official ribbon-cutting for the \$35 million renovation will take place Saturday, Oct. 25 at 2:30 p.m. at the library's main entrance facing Holmes Field.

The ceremony will be preceded by a panel discussion on virtual libraries at 11:15 a.m. in the Ames Courtroom. Panelists will include HLS professors along with Robert Berring Jr., law librarian for the University of California, Berkeley, and Jerome Rubin of the MIT Media Lab.

Crapo '77 Seeks Idaho Senate Seat

U.S. Rep. Michael Crapo '77 (R-Idaho) announced Oct. 20 that he will seek the U.S. Senate seat of fellow Republican Dirk Kempthorne, who will be running for Idaho's governorship. A former leader of the Idaho Senate, Crapo was first elected to the House in 1992.

Crapo held off his announcement until Kempthorne made his gubernatorial run official.

"We didn't make the decision until there was a decision to make," Crapo said.

Crapo said that if elected to the Senate, he would continue his work of moving power back to the states.

Weerasinghe '77 Named NYC Rockefeller Fellow

The New York City Partnership and Chamber of Commerce named Rohan Weerasinghe '77 as one of 11 David Rockefeller Fellows. The fellowships are awarded to community business and civic leaders who seek to improve city life through job creation, educational reform, affordable housing, and other public-private initiatives.

A partner at Shearman & Sterling specializing in corporate finance, Weerasinghe received an A.B. and an M.B.A. from Harvard in addition to his J.D. Weerasinghe grew up in Sri Lanka.

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Across the Country



News From the East, South and Mid-West

Smoking Ban Challenged on Religious Grounds

PITTSBURGH (AP) — A college student who has adopted the Lakota Indian culture is challenging university rules that prevent him from burning a sage mixture in his dormitory room in a religious ceremony.

Fred Sinkevich, who cannot prove his heritage but nonetheless leads an American Indian student group, has been forbidden from burning sage, cedar, and tobacco in University of Pittsburgh dormitories.

The rules force him to perform private worship in public, drawing stares that make him uncomfortable, he said. He said he wants to make things easier for future American Indian students at the university.

"If I don't keep this going, who will? What's going to happen to the next person like me who comes through here?" he said last week. "The honor of one is the honor of all."

Sinkevich said he does not want to

sue because he wants to show respect for the rules, but he has unsuccessfully taken his case as far as Chancellor Mark Nordenberg to try to change them.

The practice of "smudging" is meant to purify someone's home or assist in prayer, and the smoke is supposed to carry away evil or negative thoughts. Sinkevich called it essential to his religion.

Lakota historians say Sitting Bull burned the sage mix, as did American Indian soldiers in the U.S. military upon their return from the Vietnam War to atone for killing.

"What you'll find many times is the banning of smudging out of ignorance, because people do not understand it," said Wilbur Flying By, a professor of Lakota studies at Standing Rock Community College in Fort Yates, N.D.

Sinkevich carries the ingredients in jumbo freezer bags and mixes them on a

coffee-cup-sized ceramic bowl, where they smolder and generate sweet-smelling smoke.

The university bans all open flames, even incense and candles, in dormitories to prevent fires, said Ken Service, a university spokesman.

"It's very simply a fire safety issue," Service said.

One student accidentally destroyed his room last year after igniting a fistful of incense. He was not hurt and the blaze did not breach a fire wall.

Sinkevich said officials suggested that he burn the sage outdoors or in the lounge of the student union. He said a university-owned apartment — once suggested to him as a place where he could burn sage — was too expensive.

The 21-year-old president of the university's eight-member American Indian student group cannot prove his heritage but intends to live as a Lakota and move someday to the Plains.

"If his grandfather and his grandfather before him had the spirit within him, then he has it too," said Arthur Zimiga, a Lakota lecturer and historian in Rapid

City, S.D.

"Here we have a young man who is looking to better his life, who is performing a ceremony that will make his life better, and what could possibly be wrong with that? There is much evil in the world, and many evil people," Zimiga said.

Sinkevich wears feathers in his hair and moccasins and has been jeered on campus with comments such as, "Go back to the reservation." He and his mother say her maternal grandfather, Manhattan auto mechanic Milton Reichardt, was Lakota.

They say the young Reichardt was sent to a school for American Indian children in Carlisle where he was taught roller-skating and other white pastimes. He was adopted by a white family and later married into a family of restaurateurs.

Sinkevich's maternal grandmother "never, ever talked about it and always denied it," he said. "She wouldn't let him tell us. But we knew it was true. She came from a time when having any Indian in your family was something to be ashamed about."

Sodomy Law Denies Gay Father Custody

HERNANDO, Miss. (AP) — The American Civil Liberties Union has filed an appeal with the Mississippi State Supreme Court on behalf of a parent who was denied custody of a child on the grounds that the parent is gay.

A DeSoto County judge this month denied a request for a change in custody by the father of a 13-year-old Horn Lake boy. None of the parties involved in the case have been identified because the custody case involves a minor.

The father, a gay man who lives in California, asked the court to award him custody, claiming that the child, who lives with his mother, was being exposed to mental and emotional abuse because of the volatile relationship between the mother and her husband.

The child's stepfather was convicted in two incidents of domestic disturbance, once in late 1996 for public drunkenness and malicious intent, according to court records.

The child's father, who lives with another man in California, argued that he could provide the child with a more stable, desirable home life and a more challenging academic environment and that the child had expressed a desire to live with him.

In denying the father custody, Chancery Judge Percy Lynchard cited the father's "moral fitness," and cited Mississippi laws that prohibit sodomy.

Lynchard wrote that the father's homosexuality would constitute a felony if practiced in Mississippi, "the same as it would ... had he openly admitted

and confessed to the ongoing sale or distribution of illegal drugs."

"The court refused to condone, endorse, sanction, or tolerate homosexual activity in any fashion, mode, or manner. To do so would be to turn a blind judicial eye to the statute," the judge said.

Lynchard included testimony from the mother that she had taken steps to improve the family's domestic situation by regular church attendance and by resigning from her second job.

ACLU staff attorney Michael Adams in New York said the case involves an important civil rights issue.

"In most cases involving questions of custody, the court looks at what's in the best interest of the child, but in some instances, the court's visions appear to be clouded by bias against gay and lesbian parents," he said.

Adams said the judge's reference to Mississippi sodomy laws is an example of such bias against homosexuals.

"Those laws prohibit certain acts between any two people, not just homosexuals. The judge asked the father a series of questions about his activities, but he never asked the mother and stepfather about these practices," Adams told the DeSoto Times Today newspaper.

Adams said the ACLU was not using the case to challenge Mississippi sodomy laws, but was focusing on the rights of the father.

"If you're going to apply the law, then apply it equally to everyone. In this case it seems clear that the best interest of the child would be served by transferring custody to the father," he said.

Roe's Lawyer Discusses Landmark Roe v. Wade

BATTLE CREEK, Mich. (AP) — It has been more than 25 years since the U.S. Supreme Court decided a woman has a legal right to an abortion, but every time the country elects a new president, the decision is in jeopardy, the lawyer who won the landmark case says.

Sarah Weddington, the lawyer who represented Jane Roe in the historical Roe v. Wade case participated in the Battle Creek National Women's Conference, which ended Saturday.

When Weddington received a telegram — collect — from the Supreme Court informing her that her side had won in a 7-2 decision, she said she felt gratified and expected that would be the end of it, the Kalamazoo Gazette reported last Saturday.

But now, she said she realizes that each time a president has the opportunity to appoint a Supreme Court justice, the opinions in Roe v. Wade are subject to change.

She said the precariousness of the decision became clear when the split tightened to 6-3, and then 5-4 on subsequent attempts to reverse the decision.

"I felt very strongly that if (George) Bush won a second term and continued to be president and Justice Blackman, who sided with us, retired, Bush would have appointed someone who was against the original decision," Weddington said.

In addition to the changes on the U.S. Supreme Court, individual states are challenging the power and scope of Roe v. Wade. Some have added their own ca-

veats to weaken the original ruling, which is why Weddington said that 25 years after she argued the case, she's still talking about it.

One member of the group in Battle Creek — a woman who identified herself only as a 53-year-old nurse from Kalamazoo — asked Weddington how she felt about the emotional dangers of abortion. The woman said she had an abortion during a time when not all women had access to reputable physicians at licensed facilities.

"I have to live with the fact that I murdered my baby and that it was a child who was able to breath and had brainwaves," she said.

Weddington said she is aware of the emotional trauma some women experience following an abortion. But she said the right to choose is important, especially when anti-abortion factions encourage women in poor circumstances to continue their pregnancies.

Prior to agreeing to represent Roe in a class-action lawsuit on behalf of all the women in Texas who were pregnant or could become pregnant, Weddington was a novice lawyer whose legal experience had been limited to uncontested divorces, wills, and an adoption for her uncle. She said she got the case because she was willing to do it for free.

Though Weddington said her commitment to the issue has not wavered, others involved in the case have changed their minds.

Roe is now totally opposed to abortion and began to work two years ago with Operation Rescue in Texas, Weddington said.

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Laptop Written Exams Need Some Reworking

Ever since Stephen Kane moved into Griswold 100 last year and embarked on his spree as HLS Registrar, the RECORD has been boogie-ing in the bleachers as his most ardent cheerleader. Last semester, we dubbed him the "hardest working administrator at HLS," and for good reason. His reforms have been pro-active, tapping into students' needs — often before they were coherently voiced. Harvesting casual campus grumblings and effecting well-received change are clear evidence of dedication and common sense.

Once upon a time students dutifully lined up in Austin Hall to retrieve their grades from aged proctors. Open weeping from dread or relief was not uncommon. Now, humanely, grade reports are sent out by U.S. Post.

Until recently, students chanted over prayer dolls in hopes of registering for Con Law, Corps and/or Tax. Pre-2L bundling, these over subscribed basic courses eluded too many folks desperate to take them.

Now Kane allows the use of laptop computers in three in-class examinations. This is a keen nod to the technological realities of the day. Student writers, today, think keyboard, cursor, C drive, rather than quill, inkpot, or Bic. The written product that students will be judged by as employed J.D.s will have incorporated the conveniences of Word, WordPerfect, or Lotus Pro. When's the last time you saw a brief written out long hand in a bluebook?

If we're to carry on with the notion that examinations and grades reflect future professional ability, then we must recognize that contemporary writing ability is married to the bells and whistles of the word processor. Exam answers written with computers offer truer representations of student skill.

Will laptops during in-class examinations invite cheating via cut-&-paste with pre-canned answers? Supposedly the Examiner, a secured computer program, will remedy that. Kane quotes statistics in its favor. The Examiner's effectiveness at HLS remains to be seen.

Is it unfair that only students with access to laptops will be able to write exams via computer in the three test classes? Absolutely. Undeniably, word processors offer a tremendous advantage over typewriters and plain ink. Only with computers is there freedom to discombobulate this initial sequence of word flow.

At this experimental stage, there's no need to require universal ownership of a laptop. Every student in the three select classes, however, should be afforded access to a word processor during the in-class examination. Options are subsidized laptop rentals through Harvard Student Agencies or use of various computer labs around campus.

The time for computer-written in-class examinations is nigh. This trial run is a worthy exercise; its active spirit should be commended. But Kane needs to seriously revisit the fairness issue — the only thing that guarantees genuine student unrest around here is perceived grade bias.

— Janie Kim

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—First Amendment, U.S. Constitution

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• Letters •

Clark's Up-Front Funding Supports Public Interest

On behalf of the Student Public Interest Network (SPIN), I am writing to thank Dean Clark for his unprecedented up-front allocation of funds supporting summer public interest jobs.

In previous years, law students wishing to pursue summer jobs in public interest and government faced great uncertainty about the availability of funds until the last possible moment. Although the Law School has funded all of our fellow students over the last few years, the anxiety caused by the chaotic system left much to be desired. Under the old system, economic necessity impinged on the weighing of personal aspirations

when students decided whether or not to pursue a public interest job during the summer.

Clark's allocation of \$275,000 at the beginning of this school year improves the Law School's summer funding system immeasurably. The up-front allocation of funds enables many students like myself to pursue jobs in the public interest with greater certainty that if we are offered a position, we will have funding to support us. The early financial support given by the Law School grants us leave to consider what job we think will best help us become effective advocates and establish a productive career in the law.

For some of us, the definite financial support enables us to do what brought us to Harvard Law School in the first place.

Flush with the good news from Clark's office, students can now approach the Public Interest Auction and the Student Funded Fellowships program with vigor and renewed energy to raise additional funds for public interest work.

We students committed to a career in the broadly-defined public interest commend Clark's action and appreciate his support.

Nicholas Walsh, '00
Political Affairs Chair
Student Public Interest
Network

October 21, 1997

Be Wary of Union-Busting Firms

Each year, a new crop of Harvard students offers its talents to the legal market. In the rush of interviewing and applying, we sometimes do not have time to examine the practices of each firm. We, the members of the Harvard Labor Law Project, urge our fellow students to think twice before working for one of the worst species of employers to recruit on the Harvard campus: the union-busting law firm.

The majority of management-side labor practices provide good counsel to corporate clients and high quality representation when employees are deciding whether to organize for collectively bargaining over their working conditions. Good representation for both parties is important and has gone a long way toward keeping the American economy operating peacefully and cooperatively.

Some firms, however, stand out not for their good

counsel, but for encouraging their clients to use unlawful or unethical tactics to prevent employees from exercising their federal right to make a democratic decision to form a union. Tactics some firms have used include closing factories and plowing under fields where workers have voted for unionization, video surveillance of workers meeting to discuss unionization decisions, "captive audience" meetings where employees are forced to watch anti-union videos, posters in the workplace caricaturing organizers as Adolf Hitler, or firing of workers who show support for organization.

Many of these tactics are unlawful. But because of delays built into the enforcement mechanism, remedies often come years too late to offset the chilling effect these acts have on organizing. Union-busting firms understand this

and are willing to aid and abet employers who operate on, or across, the borders of legality. Consider whether that is the sort of practice that deserves your time and talents.

Over the next two weeks, the Harvard Labor Law Project will be distributing information concerning the improper practices of some management-side labor law firms interviewing on campus. We encourage others with information on inappropriate conduct by law firms in other fields to come forward. We hope you take this information into consideration when you make decisions about where you will start your career.

Thank you,

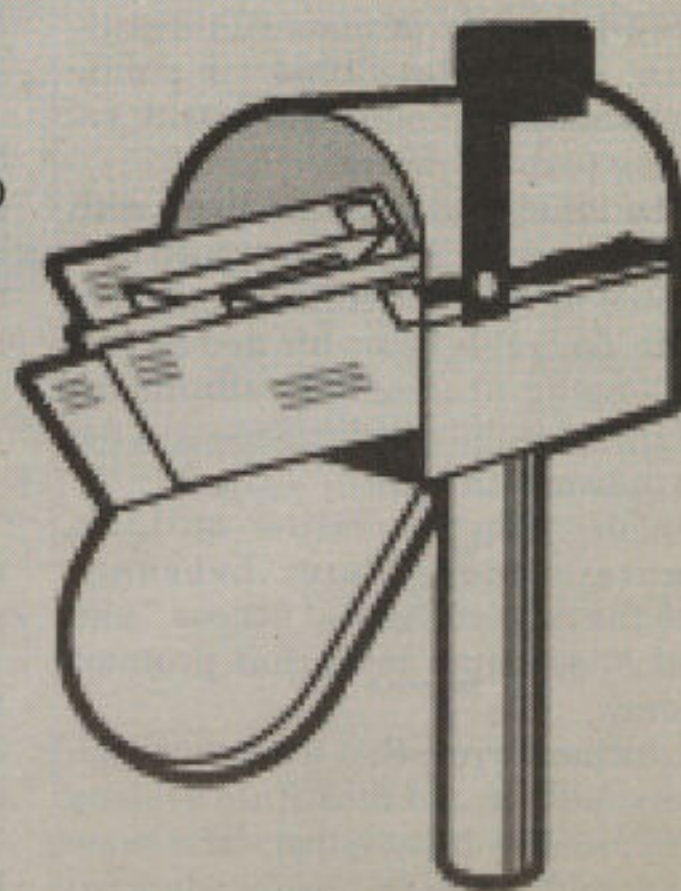
Nick Akers '99
Kent Anker '98
Mike Kalt '99
Pete Keith '99
Kim Thomas '99
Labor Law Project
Executive Committee
October 22, 1997

Send us a letter. We like letters. Feed us letters.
Mmmmm...letters.

Place them in the RECORD
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Or send them to

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FROM WHERE WE STAND

By Gary Bellow '60 and David Kennedy '80

Education for Careers

No sooner do courses get chosen and books purchased than the season of resumé, flyouts, interviews and more interviews is upon us. More than 600 firms, (but less than 20 government and public interest organizations) will have conducted 15,000 interviews over a four-week period at HLS this fall, followed by a week-long shutdown of the entire second- and third-year program to permit off-campus interviews. Out of this process, often stretching over two years, virtually every graduating student will obtain employment, typically at large firms with high pay, but often with far less sense of choice and control than might be expected from such initially successful outcomes. What can we say to each other about this complex, disruptive, tension-creating aspect of life at Harvard Law School?

Our first impulse was to support what seem our current strengths. Surely, we could do more to go beyond simply matching employers with prospective employees. We could enlarge and deepen the counseling dimension of what still remains far too much a "placement" process, enhance opportunities for small firms, public interest programs, and more local government agencies to participate in recruitment visits, exert more influence on the sometimes insensitive ways prospective employers carry out their interviewing and recruitment, and do even more to allay student unease with the inevitable sense of closure and anxiety that often accompanies the job quest experience.

But many efforts along these lines have by now been routinized into our placement system without breaking its isolation from our broader scholarly and pedagogic mission. More of the same seems far from enough. The deeper question is why this important activity remains so separate from our educational program. Many faculty do speak one-on-one with students about their job searches. We do worry about our students' anxieties as job seekers. The school does offer an impressive array of counseling and informational services, particularly about our students' first jobs. But our institutional structure speaks more loudly than these efforts.

Placement is part of our curriculum.

In fact, the curriculum is filled with information about the possibilities for life in the law. It says law and legal education is about general ideas and public policy, about thinking like a lawyer across a professional lifetime, about participating in governance, business, politics — while placement is a personal matter of fit with a preexisting market. It says that our students should feel empowered to rearrange the institutions of our society — except those where lawyers work. In countless ways we communicate a "go along to get along" message about the possibilities for innovation and satisfaction that law work can offer.

As a faculty, we are careful about the information we deliver about courts and legislatures, closely supervising even the earliest phases of advocacy and writing. But we leave an enormous body of information about the profession, law and legal institutions garnered in summer jobs and the early years of employment to be interpreted and communicated solely by other students and administrative colleagues with no involvement by the faculty and seeming indifference by the school to its educational implications. We commit ourselves to maximizing student choice in the initial search for a job, but do not make the profession and careers within it a serious subject of study in ways which would empower our students over a lifetime of practice.

This is not to say that there is not much being offered by the many programs and services the school initiates. But to the extent placement counseling remains separated from the formal curriculum, its message often inconsistent with much of hallway talk — what's foolish, what's savvy, what's in — it is con-

stantly in danger of falling back on reassurance (there are lots of things you can do) and personal support (don't worry, you'll get a job). Our best career services and public interest professionals understand this all too well. But without strong faculty involvement and integration with our teaching and research agendas, even the best administered programs fall short. We would opt for a far more ambitious approach.

Learning from Students and Graduates About Professional Life

A career curriculum should place knowledge about the structures, institutions, politics, and practicalities of professional life at the center of our intellectual work. For starters, the knowledge that could be drawn from our students and graduates each year about job search, transition, and adjustment should no longer remain an untapped resource in the classroom. They are an indispensable component of any serious rethinking of the relationship of our educational efforts to the profession and our graduates' professional careers.

This means more than dedicated alumni returning for informational evening sessions or questionnaires to students about how they liked their summer firm experiences. We need to hear much more about what our students and graduates are experiencing in the world of work and how the institutional arrangements they encounter function. How is legal work evaluated in practice and are our students equipped to make their own judgments on the character and fairness of such evaluations? How does this relate to other evaluations we make, and train students to make, in the classroom?

Can we think about what happens to our students as they are ranked, culled and selected in other than individualist terms? What are the dominant pressures in the early years of law work? Thereafter? How pervasive are class-, gender-, or race-driven conceptions of merit? What roles do supervisors, mentors, colleagues play in on-the-job education and how are their time, energy, and attention allocated? Might we explore together the images of status, entitlement, and disappointment already so unevenly distributed among our students — and can we think about this as more than a set of feelings to be managed each on his or her own?

What HLS Could be Teaching

It is hard to imagine a substantive course which would not be enriched by engaged and critical thinking about the structure and institutions of law practice, if accompanied by a sustained effort to understand, write, and teach about the law as practiced. Done thoughtfully and regularly, with strong resistance to "what I did on my trip to ..." narration, such inquiry would offer an invaluable window on how the profession "teaches" law and lawyering.

We, of course, already undertake such efforts: courses in professional responsibility, research in the law and economics program, occasional initiatives in the clinical program and the program on the legal profession. But we have never mounted a major effort to study, describe and critically evaluate what lawyers and law firms do and the cultures, discourses, and regularities they create, despite the pervasive need for our students to understand these realities. This would mean more than questionnaires about "how things turned out," and thinking about the legal profession less exclusively as a market. We will need to mobilize thinking from a range of disciplines — anthropology, sociology, history, psychology — to understand the cultures of legal practice. To pursue such an undertaking certainly would require new courses, an institutional commitment to empirical inquiry in this area, and a new openness to involving the practicing bar in our educational endeavors. It would also require a shift, within our classrooms, from an almost exclusive focus on judicial and

legislative policy making to the less direct, but enormously influential, lawmaking done by the practicing bar. But it is precisely from such changes, and the debate that might accompany them, that any significant alteration of our current posture toward placement and careers in the profession could emerge.

A Career is More than a Placement

Our placement process overwhelmingly imagines our students as objects to be "placed," when every other academic message we struggle to deliver seeks to situate them as subjects — making policy, interpreting law, managing institutions. In their own careers, as elsewhere, our students must be engaged as potential managers, inventors, re-interpreters, entrepreneurs, capable of altering the environments in which they find themselves over time.

By avoiding the profession as a subject of study and critique, we inevitably legitimate the widely held view that one either accepts the structures of practice as a given or leaves the profession altogether, that something called "law practice" can only be learned in an extremely narrow range of institutional settings, and that no individual can really do anything about the lifestyle demands of practice in those settings.

To unravel these messages would open up many new subjects of inquiry, within and outside the classroom. Similarly, students know far too little about the practices of the firms they are considering and, indeed, changes in the law as a business generally. Should they not be more aware of shifting partner-associate ratios, the changing markets for specialized legal services, the diverse content of compensation systems being introduced into legal work, the factors that are causing firms to dissolve or merge or simply to become dysfunctional? What could an informed career choice mean without such understandings? Students pick up a lot along these lines from gossip at summer jobs — let us bring this learning in from the cold.

Similarly, as an institution we are deeply involved in many of our students' personal finances without addressing issues of money management and personal finance in any serious or academic fashion. With strong faculty support, financial aid could be more than filling out papers and exit interviews — it should provide a context for systematic inquiry into the complex set of choices about lifestyle, savings, and long-term financial management which law school presents, with far more force than college, for many of our students. Like placement, financial aid is more than a set of personal choices — it is part of a broader professional and social culture worthy of sustained inquiry and discussion.

Rethinking what we teach about the public interest

Perhaps most important, a shift toward an academic focus on the profession might cause us to be clearer with ourselves, students, and our graduates that we are educating lawyers for a public profession with public responsibilities. For too long we have treated "public service" commitments as matters of either the clients a lawyer represents or the institution he or she works for.

Much important ground work has already been done in the Office of Public Interest Advising to broaden this perspective.

But only strong and sustained attention by faculty and students can alter our broader, if unintentional, institutional message that those who do not work for the government or non-profit sector are understood by us to be implicated in public service only through pro bono or private charity commitments. This ignores the pervasive policy effects of "ordinary" law practice and insulates the vast majority of practitioners from the public consequences of their actions. The next generation at the bar will be much better



served by a far more flexible and expansive understanding of service and its obligations. We should be working hard with our students to think through alternative modes of understanding the complex problem of seeking social justice from within a highly differentiated and stratified law world.

Reform Requires Structural Change

Like so many other new initiatives, little of what we propose could occur if it depended, as change at Harvard often does, on the voluntary investment of time and energy by a small number of interested administrators and faculty. New courses, surveys, counseling roles require time, resources, and focused leadership. To facilitate such an effort we'd suggest three initial modifications of our existing system:

1. To maximize connections between our academic and placement activities, the entire placement process, including both the Office of Career Services and the Office of Public Interest Advising should be placed under the larger umbrella of the Faculty Chair of the Legal Profession Program. His committee should be given a strong and clear mandate from the faculty to develop modes of integration between our research agenda on law practice, our academic offerings in the area of professional responsibility, and our students' job experiences. At the same time, we should build enhanced efforts at academic inquiry into the legal profession and long term career and financial planning into the Office of Career Services. We should appoint a senior or emeritus faculty member as a career guidance ombudsman — already in place for those seeking a career in law teaching — to focus our thought about the relationship between curriculum and professional advising.

2. We should develop a credit based program, emphasizing study, research, and writing on the profession and drawing on the job experience of our students in at least one of their two summers while in law school. The program should include mid-summer sessions in various locations, taught by a combination of alumni, post graduate fellows, and faculty, which would consider the structure and dynamics of the legal practice environments in which our students are working.

3. Our various career-oriented administrative offices have developed quite different cultures and constituencies, and it would be a mistake to lose the breadth we have achieved. But we should deepen coordination between the Office of Career Services, the Office of Public Interest Advising, the Office of Student Life Counseling and Health Services under a broader umbrella which would focus on relations with the faculty and the curriculum. Only by doing so can we realistically expect to increase participation of public service and government organizations in the recruitment process and reverse the perception among students and faculty that the obligation to pursue the public interest is either the task of the self-selected few or possible and desirable only in a narrow range of institutional settings.

Our students may or may not follow the dictates of the market. Our role as educators is not to steer them but to inform and challenge them to face up to the consequences, for themselves and their society, of the choices they are making. We ought not to abdicate this role because the subject of jobs, pay, and preparation seems mundane or remote from our scholarly concerns. It is, as always, too often we who make them so.

We appreciate, as always, your feedback at bellow@law.harvard.edu or dkennedy@law.harvard.edu.

THESE HALLOWED HALLS

By Kate Arms '98
RECORD Columnist

SOUP! ART!

In "The Search for Signs of Intelligent Life in the Universe," Lily Tomlin finds herself articulating the difference between art and soup to space aliens who do not understand an Andy Warhol painting of a Campbell's tomato soup can. The undergraduates who produced the current plays at the Loeb Drama Center need to learn this distinction. The soup factor came to a pinnacle in the Loeb production of "Groundlings," a student written production whose main premise is the accusation of audience members as accomplices to murder for paying to see theater in which characters are killed. The show was an unfortunate attempt at erudition which turned into "trite thoughts transferred to stage" in the style of "Mystery Science Theater 3000"

meets "Six Characters in Search of an Author." The script was weak, the acting abysmal, and the technical elements cheap and tacky. A disaster from beginning to end, the show's saving grace was that at 55 minutes in length, it was only 53 minutes too long.

Next door, on the main stage, "Macbeth" was too long by almost three hours. Director Monica Henderson made

her first fatal mistake in casting. As the director of a main stage production, she had the opportunity to cast the best actors at Harvard. Instead, she cast her friends, those of her classmates in a Shakespeare class who chose to form a company, the Hyperion Theater Company. Unfortunately, none of them can act, let alone make Shakespeare's text comprehensible.

The worst performance was Pablo Colapinto's Macbeth. From the opening meeting with the witches, Colapinto pre-

The script was weak, the acting abysmal, and the technical elements cheap and tacky.

sented a fretting child with a nervous twitch. Character choices which would have been more appropriate for Hamlet than Macbeth held sway. Mercifully, he could not be heard to butcher Shakespeare's fantastic text because he mumbled and swallowed his words. He was matched by a petulant Lady Macbeth, Edith Bishop, and a repressed and cowardly Macduff, Noah Feinstein.

Although the audience was respectful at the opening, by the time Macbeth decided to kill Duncan, chuckles were being suppressed. As the play progressed, the audience laughed more openly, but not in the places one would expect. The porter, for instance, was not funny, but the witches' apparitions and the killing of Young Siward in Act V drew great bursts of laughter.

The fundamental failing of the production was a lack of passion from beginning to end. Unfortunately, the majestic language of the play requires passion throughout. Lackluster, emotionless acting reveals the absurdity of naturalism when dealing with such poetic forces.

With such disappointing theatrical options, it is good to know there are other options worth exploring. Home to the Department of Visual and Environmental Studies as well as the Harvard Film Archive, the Carpenter Center hosts many provocative events. The latest exhibit in the first floor gallery is a retrospective, "Barbara Norfleet: Ar-

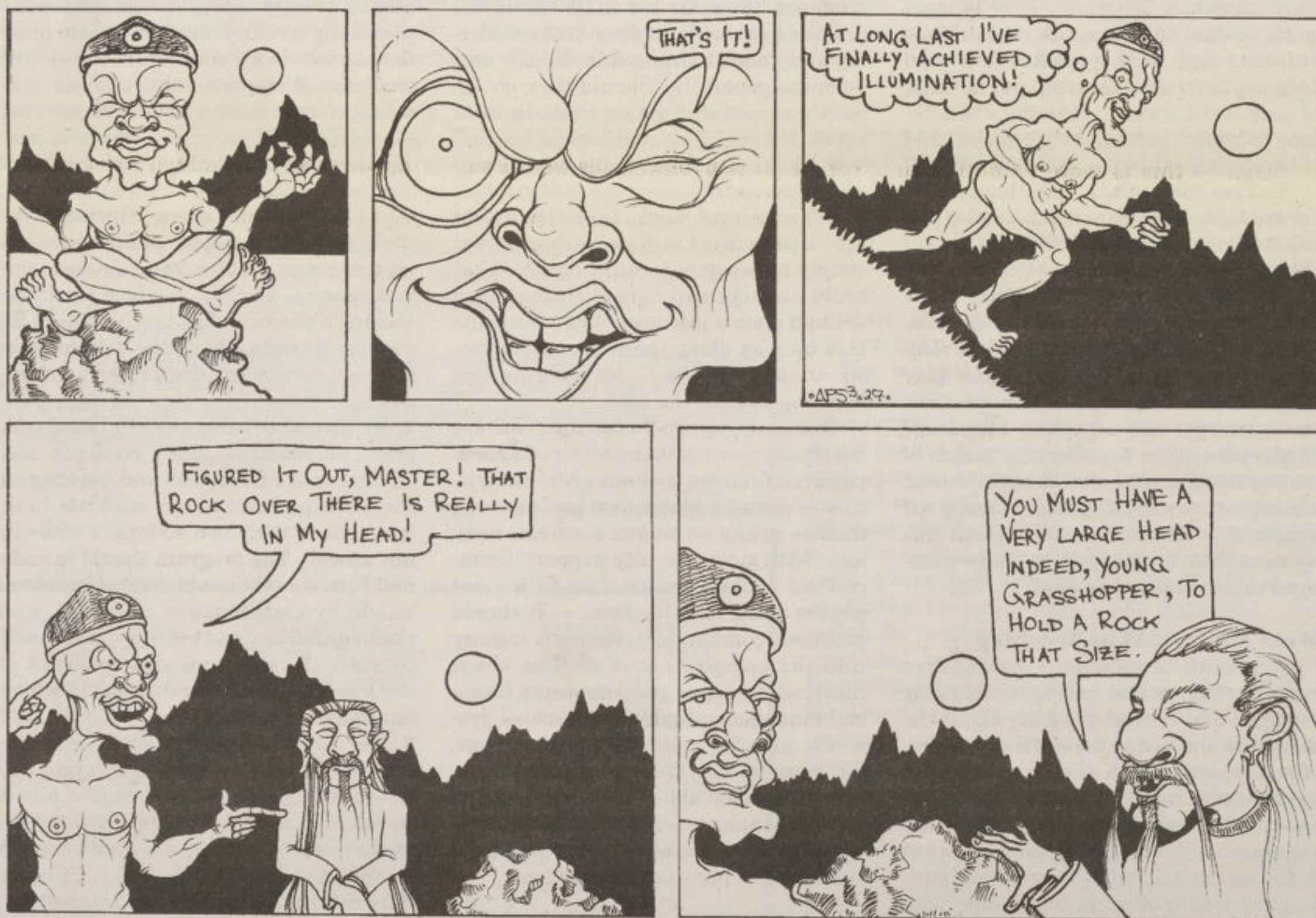


chives and Archetypes." Norfleet is curator of the Harvard Photography Collection and a remarkable photographer in her own right. The retrospective includes selections from her major series.

Entering the exhibit, the first images are of insects arranged in a fantastical manner. The colors are brilliant and the lighting rich. The images are simultaneously fascinating and distancing. The stark photographs evoke images of human behavior as herd creatures, followers, and solitary individuals. Two other series, "Manscape with Beasts," and "Gruesome Dolls," use color and posed elements to present macabre twists on everyday objects. The rest of the exhibit is made up of black-and-white photographs examining the relationships between people and between man and nature. Stark pictures of abandoned nuclear testing sites contrasted with images of the elite classes of society in their country clubs raise questions about man's harshness to his fellow man, and the superficialities of culture in American society. Visually stimulating and intellectually provocative, the Norfleet retrospective is one of the better exhibits to have been at the Carpenter Center recently.

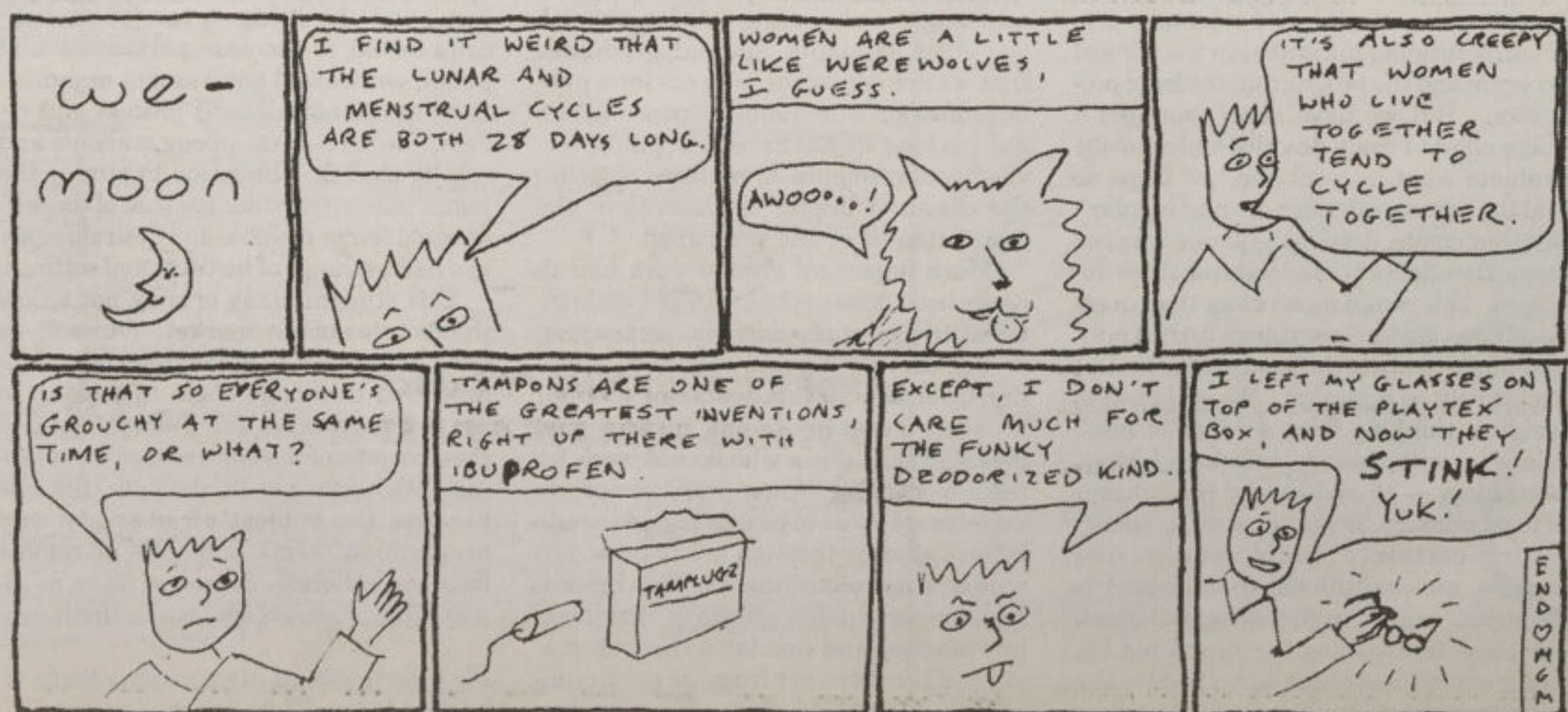
Reasonable Man: One Week in Tibet

By Alfred Steiner



Spike

By Margie McWilliams



The RECORD will not be published for the next two weeks due to Flyout Week. The next issue of the RECORD will be published on Nov. 14.

HAVE A SAFE TRIP

MYSTERIOUS FENNO:

You know who you are, Although no one else does. We think you're for real.

Keep writing and We'll keep it that way. And you'll see the light of day.

- Eds.

IT'S A FRIENDLY AFFAIR

There is, in this mostly Charles-centric world of ours, structured by the campus-Harvard Square commutes between law class and law jobs, law journals and law schmooz, and every other conceivable permutation of law anything, not to mention the innumerable quotidian complexities of just administrating life while having to think all at once of now, of being on panel tomorrow, of this summer, of fly-out week, of two years from now, of making dinner, of making partner, of getting somewhere in life, of being happy, of the big, big picture future — there is still a smaller picture. Life is complicated, to be sure, and at the moment overwhelmingly driven and shaped and drawn on and tantalized and antagonized by things obsessively and inexorably linked to law (even for law school this all is starting not to be normal or good, is the point). But law school life it is also still full of touching stills, of some good visual and visceral moments, of some basic day-to-day human stuff, that just might sort of make you pause and smile if you think about it.

Like the grooming. There is just an extraordinary amount of preening, hair gel, lipstick, face powder, haircuts, and more than the regular amount of shaving happening all at once, right now, and all over campus. Have you looked at yourselves? People are just plain old looking good, cleaning up so nicely, dressing up like you'd never have imagined. It's like a little privileged — even voyeuristic — moment of people at their manicured best, all of us investing that little extra something into maintenance and, by choice or not, sharing it with the rest,

sheepishly conceding that most men and women are really not wholly unfamiliar with the finer art of plastic self-promotion.

Dressing up creates an event or the artificial sense of one, as anti-climactic as the real motive may be. The simple gestures of adorning, enhancing, and highlighting are all at once very personal and very public, and necessarily reveal some sense of self-consciousness. This mutual sense of self-awareness and of intervention, of very deliberate enhancement, creates a much greater than usual aesthetic (to avoid, tisk tisk, saying sexual) tension of awareness of ourselves as aesthetic (good-lookin') beings. It amounts to a kind of forced intimacy — nothing unpleasant, of course — a little dose of healthy tension, a little extra nuance or complexity for the day, a little good fun.

Of similarly good, human, temporal fun is the firm dinner. The firm dinner can be a truly precious moment of light human comedy and sentimental delight. It begins at the end of the interview, or shortly thereafter over the phone, when the very loaded invitation to join the associates for a reception and dinner is proffered. The glow of inclusion is reflexive, instantaneous and completely, in the moment, unquenchable. Because for all you may claim to have ranked the poor third-tier law firm fools low on your lottery totem pole, for all you may claim really not to want them all that much — they want you. And as much as you may claim not to want them, you want them to want you. When they do, it is a most crude form of brute flattery, not to mention just plain kind of nice; nothing wrong

at all with a little feel-good stroke of the ego.

So you accept, of course, with the excuse of free dinner or perhaps very honest and eager interest. The tone of the evening might depend on the setting, on the restaurant, on how hard people are trying, on any of the usual ambiance factors, but mostly it depends on how many of you there are. Numbers, hard and brute, are the most basic quality control, and as soon as they begin to grow, the more may be the merrier, but you're not so jolly, because you're not so special. Still, there you are, and there are necessarily some people who aren't there, so you may as well check out who is, and who, more importantly, as you remember from the peek at the other names on the interview schedule, is not there. So you arrive somewhat anxiously awaiting the turnout, dismayed and heartened in turn as your classmates trickle in, each adding or detracting from the quality of the whole event, your mind continually re-tabulating where the whole affair ranks in objective status. Heart-warming stuff. Then there is the table shake-out, the who is going to sit where and with which attorneys, and the potential risk that wherever you're sitting, they might be having more fun at the next table. In fact, wherever you're sitting at that table, you might be having more fun in another spot, and won't it be fun to see which rotten egg ends up at the end of the table?

The next moment of truth comes when ordering. Of course, if there is no ordering happening — if the mass banquet is catered and you're just choosing



between red and white, salmon and steak, and no control over the leafy greens — then the event is already to some degree, well, disadvantaged (to avoid saying *déclassé*). But no matter, it's still something, and at least

you've avoided the uncomfortable chocolate soufflé moment. You see, for motives of preparation, the soufflé must be ordered before the end of the meal, before you know how long everyone is going to stay, and before you really feel comfortable setting the somewhat presumptuous and perhaps pricey dessert trend. But that is the price of privilege, and if you really had no dessert suffrage beforehand then you'd probably be more than happy with the chocolate fondant set down in front of you and everyone else. But before then, you and everyone else will have been chatting, respecting the tacit requirements of what is presumably the fundamental motive of the commensal event: the getting to know us a little better, the feel for our firm, the attitude of our attorneys, the let's relax and get a feel for what it would be like to be among this happy few (and less few, and less happy few). Indeed, nothing is more odious than those free-loader classmates chatting amongst themselves, as though somehow exempt from the duty to consort cheerily with the people footing the damn bill — what, are they too good for this firm?

But, of course, it's all in good fun, and as soon as it's all over we'll all have a good laugh, and think back to the good times when we'd all get all dressed up and play dinner party.

Fenno

This week: Fenno discovers the answer to a great mystery.

Fenno looked at his watch.

It was 12:01 and no sight of Turow or his goons. Fenno stood on the frozen tundra of Jarvis Field and rubbed his arms and shivered.

"Freaking El Niño," Fenno muttered, warm smoke billowing from his snout.

Workmen were planting fresh flowers in front of the Hark. Ah, smells like alumni weekend, Fenno thought.

"That's it — I've had it," Fenno started walking back to his Ames lair.

"Psst. Hey Fenno. Over here," he heard from the bushes behind the Hark.

Fenno peeked beyond the bushes and could see a hand waving for him to come closer. Just as he reached the edge, a large arm reached out and pulled Fenno through the bushes and inside an open window. The window quickly crashed shut.

"Alright," Fenno snarled, straightening his sleeve and collar, "I've had enough of you, Turow, and your damn goons. Let me out of here."

Fenno pushed past one of the goons. Another blocked the doorway.

"Mr. Fenno, please," Turow said walking towards Fenno and extending his hands. "There is no need for —"

Fenno went black. The next thing he remembered, he was sitting on a chair in the Treasure Room in Langdell, a hot steel lamp burning light in his face and Steve Wagner hovering over him offering an extraordinarily large mug of coffee.

"Alright, leave him alone, Steve," Turow said approaching Fenno. "He's fine, see? He's coming to."

Fenno's head throbbed. Turow leaned in close, casting a shadow over Fenno's bruised face. Fenno flinched.

"Ugh — this is more painful than paintball with Parker," Fenno said.

"What do you want?" Fenno moaned.

"Who brought you here?"

"Objection as to form," one of the goons said. "Uh, but you may answer, boss."

"Fenno, I'm just going to cut to the chase," Turow said. "I want you to meet my boss. He has an important document to show you. Come with me."

Fenno followed Turow and his goons into the Hark. Turow stopped in front of the 2L Hark boxes.

"You know what these are, Fenno?" Turow asked, pointing at the large plastic bins.

"The recycling bins?" Fenno asked.

Turow smiled.

"Show him the document, boss," Turow said.

Fenno looked around. The papers on the surface on one of the recycling bins began to shuffle and several "Bob Clark" memos slid out.

A hand broke the surface of the papers and held a slim, bound booklet.

"Thanks, Jimmy," Turow said.

Fenno jumped back. "What the hell was that?!" Fenno exclaimed.

"I'll explain that in a second. Just look at this."

"Hey — this is the HLS budget!" Fenno said. He flipped through the pages.

"Yeah, those damned editors tried to get a hold of this last year. Old Bobbie gave them a recipe for Mrs. Field's cookies instead."

"Take a look at the section on investments, Fenno."

"Whoa! This school's got some bucks. They've got 17 grand in the bank."

"That's 170 million, Fenno. Now look at the holdings," Turow said.

"I don't get it," Fenno said. "It says something about Belize and then there are a lot of zeros."

"Fenno. Have you ever wondered where your tuition goes?" Turow asked.

Fenno looked blankly.

"I'm just going to give it to you straight, Fenno. Sixty percent of Harvard Law School's endowment is invested in South American rainforest. The school owns Belize and its puppet

regime. It also controls the world's supply of paper."

"Oh, I get it," Fenno said. That's why the school won't recycle and why copy prices doubled this year. They're purposely using extra paper — printing up any old thing they can find. And then throwing it all away."

"Exactly," Turow said. "Now you're catching on."

"That explains all the Dean's memos on SLLR, and the Women's Law Association, and the 12-page memo on why going to a Halloween party dressed as Jol Silversmith would not violate the school's sexual harassment policy."

Turow nodded.

"This explains everything," Fenno said. "It explains why the school doesn't provide free printing in the library anymore. It explains the Adviser."

"What else could?" Turow asked.

Fenno shrugged.

"You've got it, Fenno," Turow said.

"And that's why these bins are nothing more than a soft place for Mr. Hoffa to sleep and remain hidden from Professor Rosenberg."

"They're not recycling bins at all," Fenno said, nodding. "Mr. Hoffa lives in them."

"Right," Turow said.

Now it all made sense to Fenno. He was well aware of Mr. Hoffa's outstand-

ing debt, and the animal viciousness of Comrade Rosenberg.

"Let's go have a drink at the Backbench Pub, Scott," Fenno said. "I'll buy you a Fresh Samantha."

Quote of the Week

"Some mad law professor wrote it and inserted it into Supreme Court records so we could teach it."

Prof. Shapiro, talking about *Balk v. Harris*

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THE VERDICT

The new priesthood. This is how the Devil, played by Al Pacino in Taylor Hackford's movie "The Devil's Advocate," describes the legal profession. If our guild could sink any lower in the eyes of the general populace, this kind of film would push it there. Luckily, we lawyers seem to have bottomed out (crossed fingers) and "The Devil's Advocate" lacks the power to propel itself, much less anything else.

In this tepid work, Keanu Reeves, Florida-based country trial attorney, is tempted by Al Pacino, a.k.a. Satan, to join his mega-powerful New York City law firm. The young lawyer is riding high because of a recent court victory — a case in which he was sure that his client, a school teacher accused of molesting a student, was guilty. His brief moment of doubt is overcome by thoughts of tarnishing his 64 and 0 victory record. Exit ethics. Not guilty. Enter an agent of the Devil.

Like a giant Boeing with seagulls in the engine, the film never really gets off the ground. Par for larger-than-life screen titans, Pacino has ceased to act and simply plays himself on screen. Al Pacino as Al Pacino. A caricature of himself à la Nicholson on off-days. He seems giddy, happy not to be on a live stage. Over-acting would be an understatement. From experience and sheer turns

at bat, Pacino still offers the occasional flash of sublimity, such as the scene in which he redirects the murderous intent of a subway thug. Instead of killing the young lawyer and himself, Satan convinces the tough that he'd be better off killing his wife — who is, at that very moment enjoying a double dose of crack and sodomy with the thug's best friend. But for the most part, Pacino does not shine. Fizzle would be more like it.

Likewise, Reeves is lackluster. In a sense it's less disappointing than Pacino's performance since Reeves hasn't produced a lot of mind-shattering work. The "\$10,000-a-night prostitute" monologue in "Johnny Mnemonic" (directed by John Longo, 1995) would probably be his nearest miss.

Sadly, the story could have made a really interesting film. With questions of ethics, human nature, power and the law, God and the most infamous pink-slip victim of all-time, the Devil, all the elements were there. Faced with almost unavoidable damnation, does the lawyer give in to Satan's tempting offer of ultimate power, or does he turn away and accept his fate as one damned by actions not his own? The young attorney chooses first with his wallet through the ocular of his megalomania, but when the true stakes become apparent he repents. Or

tries to.

For a mere mortal in an American film, the choice would be so simple. But the young lawyer is more than that. His sanctified mother, a born again, Bible-quoting ultra-Christian, never told him about his father. She never told him that she had been to New York on a church trip just before he was born. Never mentioned the sweet-talking busboy who listened to her every concern and gave her a real taste of the city the night before she returned to the swamp. Unsuspectingly, the young mother-to-be had moseyed into the belly of the beast and had no idea of what was going on. At this point the story begins to weave Greek mythology and Biblical tales.

The mother is, as you might guess, a tainted Mary-like figure spliced with a sampling of all those unknowing maidens that Zeus knocked up in the guise of a bull or a shower of gold. She is tricked into birthing the son of Satan via a less-than-immaculate conception, but she still represents the combination of the divine and the mortal, a mix that culminates in a mortal-plus agent, able to walk freely among men, advocating in favor of his greater half. Sort of like half-Hercules, half-Christ.



By Michael Bennett '98
Movie Reviewer

But the lawyer is also part Job. We never see Christ or God in the film (surprise!) but we know he is always there. Maybe not in NYC, but everywhere else. Only here the bet is anted up by Satan, who bears the burden of proof. (Satan: "You can't take my son away." God: "Oh yeah?" Satan: "Yeah!" God: "Oh yeah?" Satan: "Yeah?" God: "We'll see about that." Satan: "You're damned right we'll see about that.")

Anyone who has seen the film probably thinks the last few paragraphs were gratuitous and wasted on shock. They're probably right, but an 800-word limit is an 800-word limit. The most important thing to take away from "Devil's Advocate" is a sense of how literally demonized our chosen profession has become. Scraping bottom. Hemorrhaging even. As if our guild needed further negative press. We need to start thinking about propaganda, people. It is a low day when you and yours are aligned with the Devil himself. To cleanse your palate with a few good lawyers, take in a viewing of "Paths of Glory" (Kubrick, 1957), "Philadelphia" (Jonathan Demme, 1993), and "To Kill A Mockingbird" (Robert Mulligan, 1962). In combination they may make for some temporary relief.

MOLTO BENE

WICKED EUROPEANS!

By Luigi Malferrari LL.M. '98
RECORD Columnist

For the fans of European Integration, coming to the U.S. bears a pleasant surprise. Many Americans use the word "Europe" and "European" in such a natural way that Germans, Spaniards, etc. are given the impression that Europe is much more united than they ever thought. They are enchanted with this idea. After having read all kinds of criticisms about the European Communities and lost all idealism about the European enterprise, their stay in the U.S. is a refreshing boost to their faith in a unified Europe.

But after this glorious moment of europhilic euphoria, they start to think it over. Of course, they love to flirt with the idea of a European culture as suggested by their American friends. But is there really a European culture or is it just the product of the vivid fantasy of the Americans?

The Americans who speak of "Europe" and the "Europeans" have good reason to do so. All Europeans share centuries of common history. Apart from the Greco-Roman civilization and Christianity, which were spread virtually all over Europe, there has

been a continual and intense interchange between the Europeans on every level. Europeans have almost continuously fought against each other. The result of these wars was that the same regions were subject to various political and economic systems over time. Additionally, substantial economic relations — albeit with varying intensities — between the different European nations have existed for centuries. Finally, many European intellectuals have extensively traveled in Europe.

Nevertheless, despite its significance, this common European heritage is certainly not as intense as national ties. Europeans still define themselves according to their nationalities: Italian, Dutch, Danish, etc.

This observation leads us to another fundamental question: to what extent is cultural homogeneity among Europeans a prerequisite for the realization of European Integration? Nowadays, this question is of great significance. The Treaty of Amsterdam was signed on October 2, 1997 with the aim of advancing European integration.

There is obviously no strictly valid answer. Cultural homogeneity is usually important to the cohesion of a state. But to date, European Integration does not aim at the creation of a Pan-European state. In addition, cultural homogeneity is not the only element that can make divided peoples united. Another unifying element consists of economic, social, and political rights and duties. That this element can facilitate the banding together of different peoples is demonstrated by polities like Switzerland and Belgium, which enjoy very little cultural homogeneity.

The unifying function of economic, social, and political rights and duties is of special moment in this context because European integration could never directly pursue cultural integration. Europeans are extremely protective of their national identities. Trying to homogenize the European cultures from above would backfire on European integration. Moreover, and maybe more important, it would be an undoing to flatten the extraordinary cultural diversity existing in Europe.



Diversity, if peaceful, often fosters mutual enrichment and stimulates development in all fields. Europeans, I believe, essentially enjoy this variety and take advantage of it. For example, they can easily communicate in a foreign language, sample different gastronomic delicacies, and study in different academic systems.

After all, European integration, whether loved or hated, has become, due to its great development, a meaningful element of identification for Europeans. In this process the introduction of a single European currency, if successful, will play a tremendously crucial role. In fact, money is not a mere tool for economic transactions. It is also an element of psychological identification of paramount significance. Many Europeans are aware of only certain rights and duties based on European Law, some others are still quite ignorant in this field. But for every European, the Euro-currency, if stable, will be the greatest tangible sign of European integration.

The View From Below

CASTING DOWN THE \$HACKLES

By Neal Higgins '00
RECORD Columnist

Education is meant to liberate you — to free your mind, expand your horizons, open doors previously sealed shut. So why do so many alumni talk of feeling bound and gagged by their law degrees? And why are there second- and third-year students climbing the stairwells of Pound Hall with such trepidation in their step, as if preparing to meet a mortal enemy rather than a potential employer? Is that why they came to Harvard Law?

Many people undoubtedly enjoy working for firms, small or large. But many don't. Roughly 10 percent of each year's graduating class enters the public interest, with another five to 10 percent joining them after clerking for a year or two. Rounding off the group are other alums who work in the private sector immediately upon graduation but move to the public sector a few years down the road. All told, nearly a

fifth of each class will have spent time working in the public interest by the time they're 10 years out of HLS. Whatever Harvard's rap may be on the street, that's comparable to most of the nation's top law schools, including NYU.

The pure numbers leave no doubt that students are interested in public interest work, and Dean Clark's recent grant of \$275,000 to fund summer public interest jobs proves that the administration is beginning to heed the call. By providing a fixed amount at the beginning of the academic year, that grant has taken some of the uncertainty out of the summer funding process. Rather than wasting time and energy frantically trying to cover all their bases lest their funding evaporate, students hoping to work in the public interest over the summer — roughly 200 1Ls and 35 2Ls and 3Ls each year — can now focus their efforts

on raising more money to supplement the funds from the Dean's office.

To that end, 1Ls hoping to receive summer funding from the financial aid office, the public interest auction, and student funded fellowships will now be asked to put in four hours of work on the auction and two hours of work for student funded fellowships. For the reward it reaps, that requirement is hardly a sacrifice. Moreover, even with the administration's support for those hoping to enter the public interest, students should and must bear some of the burden themselves. The redesigned system of summer funding serves that purpose admirably, giving students an incentive to make both the auction and the SFF phonathon as successful as possible: the more everyone raises, the more every-



one receives.

With a new system of summer funding in the works, the next challenge for the administration is re-designing LIPP in response to changes in federal tax law that could provide a windfall. The administration now has the opportunity to do for LIPP what Dean Clark's grant has done for summer funding. Taking advantage of the new law to provide more LIPP funding to more graduates will help realize the goal of allowing all graduates of Harvard Law, regardless of their educational debt and economic circumstances, to enjoy freedom of career choice once they graduate. That, more than anything, will help students to break the shackles many feel dangling around their ankles as they look toward life beyond HLS.

SPORTSGUY

BREAKING THROUGH THE WALL

By Chris Manning '98

Sports Editor

The marathon is one of the most difficult challenges that a human being can endure. While I defer to the Ironman Triathlon (which includes a full marathon as only one of its three stages) and Navy S.E.A.L. training for their pure hellishness, the marathon is brutal in its simplicity, yet unrelenting in its demands on the mind and body.

The race merely requires a person to run, something most of us have been able to do since early childhood. No protective gear, no special equipment, no body checking. Just running, pure and simple.

Simple, huh? Try running 26.2 miles. Better yet, try *driving* 26.2 miles. At legal speeds, it'll take you a half-hour! But on foot, under your own power, it may take you three, four, even five or six hours to finish a course. Think about it: have you ever done *anything* on your feet for even three hours without stopping for rest, a cigarette, a massage?

While I trained for my first marathon, I just reminded myself that the first guy to run a marathon *died* (while running from Marathon, in fact - what a coincidence!). That comforted me somewhat.

And why 26.2 miles? Is that some holdover from ancient times, the distance from Marathon to Athens? No way. In classic imperial tradition, the British put their imprimatur on the race during the 1908 London Olympics when the Queen demanded that the runners begin on the palace lawn before their run to the Olympic stadium. The distance between the two points - 26.2 miles - has held up as the official distance ever since.

Training for a marathon is easy. Here's a sample weekly program:

Monday: Run.

Tuesday: Run some more.

Wednesday: Oh, what the heck. Run!

Thursday: Run fast.

Friday: Run slow.

Saturday: Day off.

Sunday: Run far.

Seriously, though, part of training for a marathon is the "long run." Most of us think a long run is 3-5 miles, but that distance is virtually useless by itself to train for a marathon. Jeff Galloway, legendary marathoner, suggests that one run the long run only once every other week, increasing the distance by 2 miles each time until one is running 26-28 miles. In other words, to run a marathon, one should train by running *farther* than marathon distance. Sounds absurd, doesn't it? But long runs are supposed to be at a much slower pace than race pace (as if that helps much). Even so, a runner learns to compensate both mentally and physically for running longer distances, making the body into a fuel-efficient machine and the mind less susceptible to hitting "the Wall."

Varying the mix of long runs is speedwork, usually alternating every other week with the long run. This isn't

the temperature threatens to break 70 degrees, the marathoner seeks temperatures in the 50s and low 60s. Over such a long distance, the body has a tendency to want to overheat, and cool temperatures help to regulate internal temperature properly.

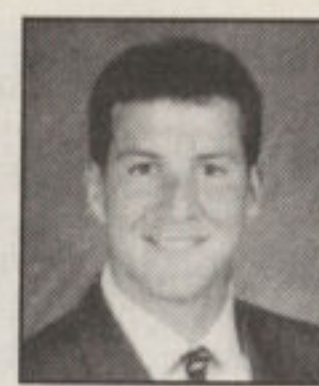
As far as spectator sports go, marathons don't make many top 10 lists. Watching a marathon just sounds silly if you're not related to one of the participants. You're thinking, "Just as I find a great location, I'll see the leaders approach. Then, once I'm done fumbling with my camera, they'll be gone." In reality, though, watching a marathon is a pretty amazing experience. It's exciting to see the elite runners, but it's equally amazing to see the everyday runners as well. It's truly humbling to watch so many people - old, young, fat, skinny - run by at such a fast clip. And believe me, as a runner, the cheers of the crowd are what help keep you going when you're feeling tapped out.

Here's a list of my favorite marathons:

Marine Corps Marathon, Washington, D.C. (October): A gorgeous run that winds around the Pentagon, through the monuments and the National Mall, then back to Virginia for a final run to the Iwo Jima Memorial. The Marines treat everyone equally, no favorites - a mentality that lured

Oprah Winfrey to Washington to run her first marathon. Runners should watch out for Haines Point, 3 miles of isolated peninsula around miles 19-22. More runners complain of hitting the Wall here than at any other point on the course.

New York Marathon, New York, NY (November): The largest marathon in the world also boasts "The World's Longest Urinal" (some call it the East River)! The size of the field (over 20,000 annually since 1991) tends to scare many runners away. Believe me, it's claustrophobic enough in a smaller race, but this is ridiculous. Still, the course through the five boroughs is really cool. The prize



money lures the world's best, and that alone makes it worth watching.

Maui Marathon, Maui, HI (March): Worth going for the location alone, so be sure to plan plenty of pre- and post-race time here. The run winds through the valley in the heart

of the island, then bends around the West Maui Mountains (filmed as the mountains in *Jurassic Park*) and along the resort coastline of Lahaina and Kannapali. Not nearly as hot as the Ironman's run through the big island's lava fields, but it can be quite warm on Maui in March, so plan accordingly.

Boston Marathon, Boston, MA (April): The most esteemed name in marathon racing. Newcomers to Beantown can go out and see the finish line on Boylston Street, which remains painted year-round. While you're there, just remember, the starting line is 26.2 miles due west in Hopkinton. Wind speed and direction play a crucial role, given the straight-line nature of the course. The Heartbreak Hill (or Hills, depending on which runner you talk to) is world-famous, but any vantage point along this course is a great one - it's truly amazing to see 26.2 miles of humanity lining the route. It's always great to go and see classmates running in the race, too.

San Francisco Marathon, San Francisco, CA (July): Anyone who knows anything about Bay Area geography knows this race just sounds evil. The distance is bad alone without adding those hills to the mix. Still, though, the temperate year-round climate helps to balance things out somewhat, and runners love the race.

For those of you brave enough to train for a marathon, good luck. And to comfort you during those tough days of running, just remember this: no feeling is quite as pure as the joy you feel knowing that you have transported yourself across 26.2 miles of this great earth under your own power. Happy running!

SPORTSGUY notes that a runner's high is cheap and legal.

Watching a marathon is a pretty amazing experience ... It's truly humbling to watch so many people - old, young, fat, skinny - run by at such a fast clip.

sprinting, mind you, but shorter, faster-paced runs of anywhere from 4 to 10 miles. Runners have different regimens for speedwork, some opting to run intervals (alternating between slow jogs and race-pace running), others choosing to maintain a steady, yet fast pace. The remainder of the training week is your own, but many coaches recommend runners take these days slow, using them for recovery, not building muscle or cardiovascular capacity.

Ideal temperatures for a marathon are much lower than those the casual runner would like. Where the weekend warrior balks at the idea of running when

BOOK REVIEW

THIRD EDITION OF "INSIDER'S GUIDE" IGNORES HEARTLAND

By Tanya D. Marsh '00

Guest Columnist

Ah, fall in Cambridge. The leaves glimmer in a million brilliant shades, the Charles River teems with rowers, and campus overflows with anxious law students trying to plan their lives, or at least next summer.

"The Insider's Guide to the Law Firms" was conceived at this time of year, five years ago, by two Harvard 3Ls frustrated with the search for the perfect law firm. "All these firms look alike," Sheila Malkani '92 remembers complaining to a classmate. "I'm sick of hearing about 'collegial' firm atmospheres."

Malkani and her original co-editor Michael Walsh '92 set out to create a book that would demystify the job search. Concentrating on 198 firms in 12 cities, they conducted extensive interviews with law students and permanent associates about firm culture, work atmospheres, practice areas, treatment of women and minorities, and other firm characteristics which allow readers to make more informed choices.

The three- to four-page treatments effectively convey a sense of the firms and, at the very least, give students a basis for asking good questions at interviews. Statistics on partnership tracks and family benefits can be found in a number of sources, but not many have

such detailed descriptions of associate training programs and firm social events.

The third edition of the Insider's Guide was released this summer. Additional interviews and firm questionnaires update some information from the second edition, but the substance is largely the same. No firms were added or subtracted from earlier editions. If you already have a copy of the second edition, there is no compelling reason to

"I'm sick of hearing about 'collegial' firm atmospheres."

shell out another \$30; just be sure to check one of the three copies at Langdell to confirm names, addresses and telephone numbers.

This book provides answers to all the right questions, which compounded my disappointment when I noticed that "The Insider's Guide" suffers from a conceit common to national publications - it focuses on the two coasts and largely ignores the "fly-overs." The big exception is, as always, Chicago. This is good

news for those who are primarily interested in the New York and DC markets since those cities are featured heavily in the book. Those seeking jobs in Boston, Chicago, Los Angeles, Philadelphia, and San Francisco will also find a nice variety of firms. Atlanta, Baltimore, Dallas, Houston, and Pittsburgh are also included, with five to seven firms each.

The process by which the authors chose which cities and firms to include goes unexplained. Where is Denver? Kansas City? Phoenix? For the fourth edition, may I suggest that they tackle either the fifteen largest cities or the 200 largest (or most prominent) law firms in the country? Either of these criteria would even out the geographic bias and increase the number of people to whom the book is relevant.

The book's authors are merely reflecting the interests of law students, relentlessly pursuing the big salaries in the East Coast markets. It is understandable that \$90,000 starting salaries and the glitz of the Big Apple could appeal to law students who are tired of loans and macaroni and cheese. But as a recent study by the National Association



of Law Placement reveals, the best way to pay off a mountain of law school debt is to seek a job in the Heartland.

Where does an average first-year associate's salary translate into the highest standard of living? It's Indianapolis, where a media starting salary of \$54,000 provides 143 percent of the buying power of an average first-year associate in New York City, struggling to get by on \$85,000.

Other great deals? Check out Atlanta, Houston, Chicago, Dallas, Cleveland, Minneapolis, and St. Louis. Definitely steer clear of California, where starting salaries translate into an even lower standard of living than in New York. San Diego is the worst deal. A median starting salary there equals only 76 percent of New York's buying power.

Perhaps some enterprising Harvard law student, frustrated with the lack of information about the cities that got left behind, will apply the winning formula of "The Insider's Guide" to the rest of the country.

In the meantime, any student still interested in the featured markets would be wise to invest in a copy of "The Insider's Guide to the Law Firms." Now on sale in your local Law Coop.

The Listening Room

By Darren "Huggy Bear" Fried '99
Music Reviewer

MISTLE THRUSH ARE BETTER THAN OPIUM

Mistle Thrush
super refraction
★★★★

The members of Mistle Thrush must sit around wondering what they're still doing working day jobs when they should be tearing it up on tour. Although the band remains at the edge of mainstream exposure, garnering good press and some airplay, take a couple of listens to *super refraction* and you've got to believe that this is a band that should be out there revving their dune buggy over the wreckage of the pop music landscape. Shimmering guitars, fresh melodies, a tight rhythm section, and Valerie Forgione's languid, honeydripping voice form the basis for the 11 nearly perfectly constructed pop songs that make this an extremely impressive second album from the Boston-based band.

The first track, "Stupid Song," sucks you in with a funky beat laid down by drummer Todd Demma and a ready-to-sample bass riff by Ruben Layman. What keeps you listening is the twin guitar work of Matthew Kattman and Scott Patalano — one provides the chords that drive the song and the other the atmospheric effects — as they both

play nicely against Forgione's vocals. It's a combination that works well throughout the individual songs of the CD, and has an even greater overall effect. Listening to *super refraction* on a Sunday afternoon with a good Stoli buzz is the perfect recipe for an opium-like easy chair trance (but in a good way). If dream pop makes you all nostalgic, put on "It's All Like Today" and you'll be thinking back to junior high and all those games of seven minutes in heaven you used to play. Or listen to "51 pegasi: rocketship v. 2" and maybe that hazy senior summer will seem a little closer. As the ethereal vocals and helicopter rotor guitars

through the day. Great songs and a good groove don't hurt, so it seems as if Mistle Thrush are poised to break out.

If there are any complaints about the album, they would have to do with the occasional tendency to veer too far off into Cranberries or Tanya Donnelly territory. Although every band hates to be compared with other bands, even the good ones, sometimes it's unavoidable. In the scheme of things it's a minor point, and the fact that everything else is so solid makes it easy to overlook. They shouldn't have to worry about those day jobs too much longer. Note: Mistle Thrush will be playing this Saturday (25th) at Bill's Bar on Lansdowne Street.

—♦—
BITS 'N' PIECES: Hole are holed up in a recording studio in L.A. working on the follow-up to their

breakthrough album *Live Through This*, with Courtney Love pal and *Smashing Pumpkins* leader Billy Corgan executive producing. The rest of the band, most notably guitarist Eric Erlandson, have always been pissed about the perception that Hole is simply Courtney Love and three backup bozos, and her transformation to a media darling/serious actress only made things worse. Hopefully they can harness that tension and use Corgan's studio skills to remind



everyone why Hole would have been famous even if Courtney had never met Kurt Cobain ... What's going on with *Alice In Chains*' lead vocalist Layne Staley? In and out of rehab for years while he's been battling his heroin addiction, the band couldn't

even tour in support of their last, self-titled, album. The fact that it sucked compared to *Dirt* and *Jar of Flies* probably didn't help. Now there are rumors that Staley is missing, and that neither A.I.C. nor his side band *Mad Season* can find him. Let's hope he's not dead. He's cool ... If you're looking for something heavier than *Mistle Thrush* this Saturday, *Motley Crue* returns to the Worcester Centrum with Nikki Sixx's favorite band, *Cheap Trick*, opening. In case you missed it, Vince Neil, the Crue's original singer, is back in the band after a five-year hiatus. If you never liked them, their latest album, *Generation Swine*, probably won't change your mind, but if you were a fan back in the day, you'll be surprised to hear that the '90s techno-garage production they came up with is their best work since 1985's *Theatre of Pain*. They've always been amazing live, and Cheap Trick set the standard for live records in the '70s with *Live at Budokkan*, so break out your spandex and have some fun ... *The Pixies*' remix, retread, rarities compilation is out in the stores now. Keep beating that dead horse, boys and girls ... Coming soon, the Doors tribute album featuring *Snoop Doggy Dogg* ... Next week, the new *Duran Duran*.

This is a band that should be out there revving their dune buggy over the wreckage of the pop music landscape.

"OFF THE RECORD"

By Eric Johnson '00
RECORD Columnist

IT'S NEVER TOO LATE TO DO BETTER ON THE LSAT!

Still suffering feelings of inadequacy about your LSAT score? Hey, who couldn't use a little boost? Remember, your fellow Harvardians are not as easily impressed as your parents and high school gym teacher.

And here's the best part: You don't even have to take the test again! This is part of a whole new test-taking strategy that I am developing. My slogan is:

The LSAT: Don't Prepare, Repair! That's correct! Switch your focus from what you do *before* the test to what you do *after* the test! No matter how well you did on the LSAT, you see, your score can be made vastly more impressive through the judicious use of a few well-placed excuses. Quick quiz: Who got the more impressive results on the LSAT?

a) Joe Bloggs scored a 166.

b) Beth Bloggs — after never having looked at a test-prep book — drank a case of Keystone Light and got 20 minutes of sleep the night before the test and was awakened by her boyfriend calling to

break up with her, after which she scored a 159, even though she really wanted to go to business school at the time and didn't really care how well she did.

Beth Bloggs by a mile and smile! (Burp.) That's a future senator there! You may ask, "Okay, but is this fair?"

Yes it is—and here's why: The actual question-and-bubbletron portion of the LSAT is an extremely poor predictor of your success in law school and your legal career. Ordering colored beads on a necklace according to rules such as "Ev-

ery green bead must be next to an orange bead," is a skill which—believe it or not—is entirely useless in the world of law. On the other hand, your ability to embellish stories, hide mistakes and pull facts straight out of the thin air is not only highly indicative of your potential, it's practically essential to your mere survival in the legal profession!

The LSAT, in fact, stands for "Law School Admissions Test," because it tests whether or not you are naive enough to admit that you worked hard to prepare for the test and still didn't do as well as you would've liked.

I know what you're all saying, "But I was asked to order colored beads on necklaces for three months straight at the law firm I worked at over the summer."

Whoops! If you didn't immediately work up some story about your vicious bead-specific carpal tunnel

syndrome, then you didn't pass the test. If you were really working it, you would have cut off the circulation at your wrists until your hands swelled up blue, and then staggered into your supervising attorney's office and threw up on his shoes. They love that stuff.

"Okay, smarty pants," you're saying, "So if you know so much, how well did you do on the LSAT?"

As a matter of fact, after dealing with the traumatization having been beaten with No. 2 pencils and green and orange beads throughout my childhood ...



Your score can be made vastly more impressive through the judicious use of a few well-placed excuses.

Pull my Finger!
I dare you!

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MADNESS WITH METHOD

By Darren Schlanger '00
RECORD Columnist

UNEMPLOYED ICONOCLAST SEEKS WORK

Today, many ambitious people espouse the notion that a career-minded fellow has a mere three professional choices to pursue that offer a modicum of financial security and social prestige: Lawyer, Doctor, Investment Banker. A student of history would know that this was not always the case; indeed, once an individual could secure a surfeit of respectable and financially rewarding sinecures outside the limited scope of those professions. This underscores my dilemma: the job I am best suited for no longer exists in any viable capacity, rendering me limited in my choice of profession, (doctors smell like the pucks that disinfect Port Authority urinals and investment bankers have single-handedly destroyed the creative impulse for introspection in our society).

You see, I want to become a professional iconoclast and market demand has virtually disappeared. There are no job openings in the paper, no grad schools, no iconoclast temp agencies. There are a few listings for 'demagogue' and two positions in the Sunday paper for 'rabble-rousers', but I am not sure the Nation of Islam will accept me (my grades aren't very good).

It wasn't always like this. Once a fecund iconoclast market existed. The first professional iconoclast of record (or legend) was Abraham, the Old Testament progenitor who smashed all of his father's idols in a fit of monotheistic rage, the Biblical hero who eschewed the indigenous polytheistic practices in favor of a more complicated and as yet unresolved proposition ascribing the totality of existence to one supreme being. He set the stage for professional iconoclasm, although he had a better remuneration scheme, having direct deposit to heaven

and all, while most can only hope for Citibank.

For millennia after Abe, iconoclasts smashed many rigidly held social beliefs and metaphysical norms; Protestants challenged the pomp and circumstance of Catholicism, civil rights activists attacked the acceptability of American racism, women emancipators deflated the penis icon as a dominant social metaphor. The iconoclast movement once accumulated such a following that an iconoclast actually ran for president of the United States, but he accidentally smashed himself in a bi-polar fit of iconoclastic schizophrenia.

Recently, however, all the iconoclast industry patrons have closed their coffers. On a comprehensive level, society at large has shifted its focus away from challenging purposeless social norms, and instead has increasingly turned its attention to money, status, and an overall indifference to theoretical reevaluation. Today we like icons; we put them in banks, drive them to work, send our children to them, continuously reconfirm their power and entrench society's dependence on them. Simultaneously, the sectors of society that sustained my fellow practitioners have withdrawn their protective aegis as accepted traditions became so obviously irrelevant and bereft of any sacredness that no iconoclasm was necessary.

In the past, an iconoclast could always rely on certain persistent mainstream icons to smash when apathetic times forced a general market closing. Religion once provided the most bounteous market; now, no self-respecting iconoclasts would waste their time deconstructing religion because it so obviously lacks any cosmic significance as an absolute sys-

tem and is thus too easy, and with the preponderance of differing religious approaches there exist no broadly accepted religious tropes even to denounce.

Politics was another fertile social subcategory rife with icons for the smashing. Now, political institutions' intrinsic absurdity in the social scheme has undermined the need to raze established political standards. This is because those inclined to enter or entrenched within the political sphere possess only naked ambition and delusions of grandeur as their core motivations. They might assuage their insecurities by proclaiming their munificent concern for effecting social progress their tantamount goal, but at their core lies a self-serving will to power, denuded of any altruism.

A generation mesmerized by C-SPAN, Tom Clancy novels, and Time magazine's Man of the Year award. Each wants to be uniquely regarded with awe by future generations of American sycophants, but if each of them is 'one in a million' in the political sphere, aren't there 34 people just like them? These people (you might recognize many of them from your classes) have divorced politics from any underlying philosophy, a guided direction, an ideology based on resolute myths or icons. Thus, few political icons remain to smash. Two-party system, campaign finance, Ted Kennedy (actually, he's already smashed). No, no one is interested in hiring an iconoclast to smash icons that have eroded all by themselves.

But I refuse to renounce my destiny just because the climate isn't conducive. Hordes of absurdly held beliefs still require me to undermine their sacredness



and esteemed regard. Hire me to eliminate that silly Boston curfew, where bars must close by 1 a.m.. I would willingly smash such an inane puritanical institution, even for free. My first pro-bono iconoclasm. Another icon I would destroy is business school. As a concept or as an actual institution of

study. Eliminate it completely. At the Head of the Charles race this weekend, astute observers would have noticed that the Harvard Business School boat was paddled by oars emblazoned with dollar signs. Yes, dollar signs. Even those of you who don't find a graduate school principled exclusively on making money reprehensible, at the very least couch your goals in less repugnant trappings. An abacus, a ticker tape machine perhaps. But a dollar sign? Down with business school. Also, no more Cliff Notes, tough guys from inner-city Long Island, Long Island in general, the show Friends, Dick Clark, the Ivy League, country music, berets, me, virgins, and lots of other icons, but I mustn't exceed my column word allotment.

I will continue to strive toward iconoclastic perfection. I will change the social infrastructure until we accept some universal icons like in the good old days, so I can then come along and smash them. You need criminals to have cops, you need icons to have iconoclasts. Better yet, let's achieve a symbiotic relationship where some of you pursue careers that further the ludicrous myths and icons that already exist in our culture, or perhaps create new and innovative ones, and then hire me to smash them. Then we would all be happy. At least until I smash the happiness icon.

A Trip to Gaza

By Lesley Stone '99
Guest Columnist

ISRAELIS, PALESTINIANS MUST SEE PAST HATE

Ibrahim and I sat at a plastic table on the beach, and the Mediterranean

Sea crept in and out a few feet away from us. When the wind blew, I tried to hide my grimaces at the smell of the raw sewage pumped into the sea from the nearby refugee camp. Ibrahim ordered a soda and I hot tea with mint, although it was almost 90 degrees outside. When the waiter left, I asked Ibrahim what the bad news was. He looked sad beyond words when he handed me an e-mail from an official at the UN agency where he works. It said something close to this:

Ibrahim — I am sorry to tell you that you have been denied a permit to go to the wedding for "security reasons." Because the trip isn't for work, there is nothing more that we can do.

Ibrahim is a Palestinian living in Ashati refugee camp on the Gaza Strip. He had bought a plane ticket to England to attend his friend's wedding. Although Ibrahim is in his thirties, the ten-day trip was to be his first time out of Gaza, the first time he would see an airplane, the first

Israeli authorities.

He had applied three months prior for a permit to cross the border between Gaza and Israel to go to the airport in Tel Aviv. As usual, four days before he was scheduled to leave, the Israeli authorities still hadn't issued or denied his permit. He pulled a few strings through work to get a reply three days before he tried to cross the border, with the above e-mail message as the result.

The worst thing about being denied the permit for "security reasons" is that that is all the information you get (no one talks about due process). Ibrahim is not an Islamic fundamentalist. A man of

one of the most gentle people I had ever met, stating emphatically that he had no record with the Israeli authorities. I had trouble understanding what security risk this man posed. Staring into the sea, he explained calmly to me that he shouldn't have gotten his hopes up, that living in Gaza, he should have learned not to expect anything. He told me that God must be Jewish.

This is the hole of hate and fear that both sides have dug themselves into. In spite of their best efforts to control Palestinian movement, Israel has been

unable to prevent terrorist attacks on civilian populations. I watched the reporting of the July 30, 1997 suicide bombings in the conference room of the Palestinian Centre for Human Rights (in Gaza) where I was an intern with the Human Rights Program. Seeing bloody bodies and confusion, ambulances, and anger, I could not imagine living under the constant fear of being blown up, or watching my sister's body carried away on the six o'clock news.

Clearly, the Israeli government has an obligation to its citizens to do something to protect them. But it is a dangerous thing to put people in a position where they have nothing to lose. The Israeli policies of closing the Occupied

Territories (controlling the borders in terms of imports, exports, and the movement of people) cripple the economy. Poverty and unemployment are endemic, and the living conditions in the refugee camps reflect this. But just as clearly, the permit requirement and strict

closure of the West Bank and Gaza Strip did not keep the people in Jerusalem safe.

The people of Israel deserve to be able to walk around their streets and ride buses and lead lives without the constant threat of suicide bombings. The people of the Occupied Territories deserve to live normal lives as well — to have self-governance, the chance to develop their economy, and freedom of movement.

Ibrahim is well-connected, and after a few frantic days of calling in favors, he managed to get a permit to leave through the Rafah border crossing into Egypt. It cut his trip short, and cost him several hundred dollars to change the flight. But he was lucky. He saw London Bridge and rain during the summer.

I hope that the leaders of the region will be able to take strides toward a real peace in their negotiations. I hope that the people of the area will be able to treat each other like people, begin to see past the years of hate, and start to build secure lives. Having been to Gaza, maybe I should have learned not to expect so much.

Joe Zogby, Director of the Palestine Peace Project, a non-profit organization that brings American lawyers and law students to the West Bank to work with Palestinian legal institutions, will be discussing his work on October 27 in Lewis Center 3 at 4:10 p.m. Contact the Human Rights Program to find out about opportunities to work in the human rights field during the summer.



Child stands alone on Gaza street.

RECORD Photo/Lesley Stone

deep faith, he converted to Christianity years ago, through the Baptist mission in Gaza. Sitting across from him, his strong arms and chest to make up for his lame leg (afflicted by polio in childhood),

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Interviews will be held on November 14 at The Charles Hotel

Interested students should forward a cover letter and résumé by October 31, 1997 to:

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