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Gore Discusses Environment, Technology at Kennedy School

By Glenn Otis Brown

Shying from discussion of China to address global warming and the "technological revolution," Vice President Al Gore inaugurated the Belfer Center for Science of International Affairs (BCSIA) at the Kennedy School of Government on Friday, October 31.

In the keynote speech of a two-day symposium on science and world affairs, Gore heralded "a basic change in the relationship between man and earth" and outlined his theories of how policy makers should respond to this challenge.

"We have a process of change in the world today that is unprecedented and difficult to describe without tripping over clichés," said Gore.

Gore likened the transformation of the world order, driven by information technology and a population boom,

to the violent processes of "open systems" in thermodynamics. "When there is a dramatic

change occurs in two steps," said Gore, "First, there's a breakdown of the old pattern. Next, there's a spontaneous reorganization at a new level of complexity."

In international affairs as in scientific systems, said Gore, "the age-old patterns are now different."

Gore pointed to the exponential growth of the Internet, progress in the human genome project, and environmental changes as manifestations of this "new era," and said that they "will challenge human civilization just as profoundly as nuclear weapons challenged the globe in the last half-century."

"But before we deal with the problems coming over the horizon," said Gore, "we have to deal with the problems we've inherited over the last quarter-century."

"The most difficult and complex of these is global warming," he said. "We are filling up the atmosphere with chemicals that changed the relationship between the earth and the sun... in that fashion warming the earth's atmosphere and changing the climate patterns of the world."

Indulging his penchant for visual aids, Gore presented a

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RECORD Photo/James McCormick
Vice President Gore speaks at the Kennedy School

increase of energy flowing through the system a process of

China Leader Hints at Tiananmen 'Mistakes'

By Timothy Kiefer

In a Nov. 1 speech at Memorial Hall, President Jiang Zemin of the People's Republic of China stressed his goals of reforming his country's economy, developing a "socialist democracy," and improving relations with the United States.

After delivering his prepared remarks, Jiang responded to two pre-approved questions and one "unrehearsed" audience query, including one as to why the Chinese government ordered tanks into Tiananmen Square in June 1989.

Jiang didn't directly address the Tiananmen Square issue in his answer, but did say that "we may have shortcomings and even make some mistakes in our work."

The Chinese Communist Party has acknowledged mistakes in the past, such as the Cultural Revolution, which cost millions of lives and caused huge setbacks in China's economic development.

But the party hasn't expressed regret for the Tiananmen crackdown on student protesters, saying that its actions June 4, 1989,

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RECORD Photo/Chris Bauman
Protesters call for Tibetan independence outside Memorial Hall, site of Chinese President Jiang Zemin's speech.



RECORD Photo/Lesley Stone
Reunion weekend dampened by inclement weather

Rain Forces Langdell Rededication Indoors

By Sarah G. Vincent

Langdell Library was rededicated Saturday, Oct. 25 by Dean Clark '72 in the Ropes Gray Room, Pound Hall, the same building which held the library's holdings during renovation. Despite the grey, drizzly skies over Reunion Weekend, which forced the rededication ceremony indoors, 700 plus alumni attended the ribbon cutting ceremony.

Clark commented on the appropriateness of the ceremony's location change. "We have the ribbon that's at the metaphysical or metaphorical entrance to Langdell here so we don't have to cut it out in the rain," said Clark.

"Listen. This is fate. This room where we're now having lunch was occupied all last academic year by our emergency

temporary library. God has spoken and told us to come back to the house that originally housed us," he said.

Clark moderated the dedication which featured a panel of speakers directly responsible for the renovations.

Neil Rudenstine, President of Harvard University, and other speakers involved in the campaign for funding of the renovations spoke at the ceremony. Rudenstine was especially pleased with the added features of Langdell.

"We need spaces that can inspire us without intimidating us," said Rudenstine. He classified the library as "an indispensable resource," utilizing Langdell's words, and as a new symbolic temple to celebrate the aspirations and ideals of the twenty-first century.

The new library has transformed the space into a sprawling technology and legal study center for both students and faculty. Langdell now houses 1.5

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Directories Arrive Six Weeks Into Class

RECORD Staff

The Harvard Law School Student Directory was made available on Oct. 20, six weeks after the first day of class. Although the time lag drew criticism from students inconvenienced by the lack of a directory, administration officials said that it came out on schedule.

"I was just wondering why it took them so long. I mean, they obviously had all the information," said Teresa Ou '99, echoing the sentiments of a number of students who said they were inconvenienced by the lack of a directory.

"I called information for people's phone numbers, but they didn't even have it. The only way I could get people's phone numbers was to e-mail them and ask them to send it to me," said Jeremy Levin '99.

But administrators said that six weeks is not an inordinate amount of time to wait for a phone directory, emphasizing that the directory has come out

about the same time each year.

"The delivery date is consistent from year to year," said Sandy Margolin, Production Coordinator for the Publication Center.

According to Assistant Registrar Mark Slawson, the information for the Student Directory comes from the forms that students fill out during registration period. The Registrar's office enters this information into their computers, puts it on file and gives it to the publications center.

From there, the Publication Center scans in all advertisements, lays out and designs the directory, and then sends it out to be printed. Once it is sent to be printed, it normally takes 5-10 business days to receive the final product.

This year, the Registrar's office handed the file over to the Publications Center on September 22. The directory was then sent to be printed on October 6, and received back on October 16.

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39 Years Ago in the RECORD



Harvard Law Record

America's Oldest Law School Newspaper

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CAMBRIDGE, MASS., WEDNESDAY, NOVEMBER 26, 1958

TEN CENTS

Defenders Enter Courts; Vote to Accept Women

The Supreme Judicial Court of Massachusetts has announced a ruling that will permit, for the first time, third year members of the Harvard Voluntary Defenders to practice before any district court of the Commonwealth. Previously this right was limited to second and third year students in the Legal Aid Bureau.

The Harvard Voluntary Defenders is an adjunct of the Boston Voluntary Defenders Committee, a charitable organization which provides free legal counsel to indigent defendants in criminal prosecutions. Until this ruling by the Massachusetts Court, the work of the Harvard group had been restricted to interviewing defendants awaiting criminal proceedings; investigating the law and facts of these particular cases, and aiding in the trial of such cases in the district courts of Metropolitan Boston.

The Defenders are now instituting a new program for providing assistance to persons under sentence in Massachusetts prisons who seek post conviction relief. This work, which will be done under the joint supervision of the United Prison Association of Massachusetts and the Boston Voluntary Defenders Committee, will consist of an interview with the prisoner requesting aid, the preparation of a memorandum on questions of law raised by his case, and a recommendation as to further possible courses of action.

If judicial proceedings are to be instituted, counsel from the Harvard Defenders will assist the attorney of record (either a member of the Boston Voluntary Defenders Committee or a lawyer selected by the United Prison Association from its volunteer panel) in the presentation of the case through its final disposition.

The text of the ruling handed down on October 28 is as follows:

Rule 11 — Legal Aid to Indigent Criminal Defendants
A senior student in an accredited law school in the Commonwealth with

(See DEFENDERS on page 3)

Jackson Heads Dorm Council

James W. Jackson, 3L of Winnetka, Ill., Rudolph V. Lutter, 2L of Philadelphia, John J. Moss, 3L of New York City, and Warren H. Greene, Jr., 2L of Bronxville, N. Y., were elected president, vice president, secretary, and treasurer, respectively, of the Dormitory Council at its meeting in the Gray Room of Holmes Hall, Tuesday Evening, November 18.

Their terms of office expire in February and span vacancies created by the non-dormitory residence this academic year of the former president, Jerome L. Sussman, 3L of Brooklyn; secretary, Robert L. Brenner, 2L of Minneapolis, Minn.; and treasurer, Leslie A. Todd, 3L of New York City, and by the elevation of Mr. Jackson from the vice presidency to the presidency.

A proposed amendment to the Dormitory Association Constitution which would have made the three former officers full legal officers in addition to their honorary status, conferred in recognition of their past services at a recent Council meeting, secured only ten of the fifteen affirmative votes required for a two-thirds majority of the twenty-two member Council, and failed of passage.

Winner

The Sacks Club, represented by oralists Ansel B. Chaplin of Truro, Mass., and Joseph L. Steinberg of Passaic, N. J., defeated the Kent Club, represented by oralists Edward S. Davis of Brookfield Center, Conn., and Charles C. Humpstone of New York City in the first semi-final argument of this year's Ames Competition on Tuesday evening, November 18.

The Sacks Club represented the Commonwealth in a murder case, *Commonwealth of Ames v. Bates*.

Few Negroes Enter Law School

Two Negroes are among the almost 1600 students studying at the Law School for an LL.B. degree. Two more Negroes are graduate students here.

The figures (unofficial, since no official separate records are kept for Negroes) are never very large (4 undergraduates last year), but this year the total is smaller than usual.

The reason that so few Negroes attend the Law School, according to Vice Dean Livingston Hall, is probably because so few apply for admission. The reason for this, he explained, is that a smaller percentage of the Negro population in the country attend college and receive the college degree necessary to qualify them for admission to the Law School than is true for the population as a whole. This, he suggested, is due to largely economic circumstances.

Negroes who have attended the Law School, he continued, have fared academically, on the average, no better nor worse than their fellow students.

One of the most outstanding Negro graduates of the Law School is William Henry Hastie, LL.B. '30, S.J.D. '33, former dean of the Howard University School of Law in Washington, D. C. (1939-46), Governor of the Virgin Islands (1946-49), and a judge of the United States Court of Appeals for the Third Circuit since 1949.

Bull & Bear

Paul C. Cabot, treasurer of Harvard University, a partner of State Street Research and Management Co., and director of several leading corporations, including J. P. Morgan and Co., Continental Can Co., and Ford Motor Company, will address the Bull and Bear Club tomorrow at 1:40 p.m. in the Harkness Commons Meeting Room.



William W. Goodrich

Goodrich to Give 1st Dunn Lecture

William W. Goodrich, Assistant General Counsel of the Food and Drug Division of the Department of Health, Education and Welfare, will give the first annual Charles Wesley Dunn Lecture, in the Ames Courtroom, on Wednesday evening, December 3, at 8 p.m. Mr. Goodrich will speak on "The Administrative Process, Exemplified by the Pure Food and Drug Act."

This lectureship was established by the American Pharmaceutical Manufacturers Association, in honor of Charles Wesley Dunn on the occasion of his retirement as General Counsel for the Association in 1958. The program will be presented under the sponsorship of the Student Bar Association.

Mr. Goodrich is an authority on Food and Drug law, having joined the Food and Drug Administration in 1939, shortly after graduation from the University of Texas Law School. He has been with the Food and Drug Administration since that time, except for a wartime tour with the Navy, and has witnessed the transfer of the division to the newly created Department of Health, Education, and Welfare. Mr. Goodrich assumed his present duties as Assistant General Counsel in 1952.

"There is no charge for admission, and all interested persons are invited," Student Bar President George A. Page, Jr., 3L of La Grange, Illinois, announced today.

Is Military Draft Necessary? Present Act Expires in 1959

The fund for the Republic recently issued one in a series of Occasional Papers on the role of government in the Free Society, entitled THE UNIVERSAL MILITARY OBLIGATION. It was written by John Graham, a member of the District of Columbia bar.

On November 6 the Record published a portion of that Paper. The following is its conclusion:

by
JOHN GRAHAM

THE MANDATORY drilling reserve requirement imposed by the Reserve Forces Act of 1955 upon all men separated from active duty did not begin to produce any reservists until August of 1957. At that time the two-year inductees taken in after the passage of the act (those on active duty when the act was passed were not subject to its terms) began being separated; they faced two additional years (originally three, but the April, 1957, administrative changes had reduced the active reserve period by one year) of forty-eight weekly night-time meetings and two weeks of summer field training each year. The influx into the reserves was not immediate because, under the terms of the law, each man was entitled to choose between a reserve unit or the National Guard. The Army (the only service

separating inductees) allowed sixty days in which to make the choice; if a man took no action, he was then subject to assignment to whatever local reserve unit had vacancies. There were relief provisions for those whose civilian occupations (traveling salesmen, for example) made reserve attendance at a given time and place a particular hardship; these were to be assigned to "control groups," with the same liability to recall as the Ready (drilling) Reservists and a summer training requirement, but with no weekly drilling obligation.

This was the system contemplated under the law as it was originally enacted, but the situation in the fall of 1957 indicated that the obligatory reserve requirement might be repealed unofficially by the Army's failure to enforce it. By that time the realization had been growing that it was most improbable that any future war, nuclear or conventional, would ever call for maximum mobilization of infantry and armored divisions, as in 1917 and 1942. Moreover, if we did attempt to mobilize on such a scale, we would have difficulty transporting the thirty-seven infantry and armored reserve divisions planned under the 1955 act and would be extremely vulnerable to nuclear attack at rail centers and ports. The dispersion of men and

Tunnel Nears Completion; Noisy Work Is Deferred

Lagoon Blue, Jasper Green, Cinnabar, and Pepper Gray Satin ceramic tile in an old-fashioned size specially made for the Law School are being laid in the final stages of work on the tunnel connecting Austin Hall and Harkness Commons by way of Langdell Hall, with a side passage leading to the International Legal Studies building. Louis A. Toepfer, Secretary of the Law School, expects the tunnel to be in operation shortly after the first of the year.

Mr. Toepfer explains that it has been necessary to revise the original estimate of the time of completion because remaining structural modifications require noisy cutting work which would disturb classes. Arrangements have been made with the general contractor to suspend the final noisy work until the Christmas recess when it can be completed without disrupting classes.

In discussing the tunnel, Mr. Toepfer explains, in a slightly defensive tone, that at least one *raison d'être* is an eminently practical one. Central heating and air conditioning facilities in Langdell Hall were to be connected to the new International Legal Studies building. To do this it was necessary to excavate for a considerable distance along the west side of Langdell Hall to provide a tunnel which would carry Langdell utility facilities to the new building. For a relatively small increase in expense, the Secretary states, it was possible to build a pedestrian tunnel on top of the one carrying the utilities. This explains why part of the new addition is what Mr. Toepfer describes as "the only tunnel in the world with windows."

Once this was conceived of, by a simple extension of logic, concrete and ceramic tile, the Langdell tunnel was connected at one end to Harkness Commons and on the other end to Austin Hall. The result is a dry and well-lighted, meandering thoroughfare from the graduate center dormitories and dining hall to all of the main buildings in the Law School complex.

Some unforeseen difficulties slowed the early construction of the tunnel. At the north end, steam pipes and utility lines from Harkness Commons were found at unexpected places and had to be rerouted. On the south end of the tunnel near Austin Hall, a layer of peat required more extensive

(See TUNNEL on page 3)



Students to go Underground

Ames Semi-Final Is Tax Case

On Monday evening at 8 p.m. the Holmes Club and the Griswold Law Club will vie in the second semi-final argument in this year's Ames Competition. Oralists for the Holmes Club are Joseph H. Head, Jr., of Cincinnati, and J. Wallace Hopkins, Jr., of Cambridge. Oralists for the Griswold Law Club are Thomas C. Clarke of Yonkers, N. Y., and Frank H. Finch of Urbana, Ill.

The case to be argued is *Commissioner of Internal Revenue v. Lester V. Anderpont*. The Commissioner is appealing from a Tax Court decision in favor of the defendant-appellee, Anderpont.

Anderpont's daughter, Jacqueline, a neurotic, possesses a support decree, entered by default, against her father. This decree, however, was obtained in a French court, which acquired personal jurisdiction over Anderpont while he was in France trying to persuade his daughter to come home to Boston. He never made any payments under the decree.

Jacqueline later wrote her grandmother that she intended to bring suit against her father in a United States court. So the grandmother set up a 20 year trust to provide her granddaughter with \$5,000 per year, in consideration for which Jacqueline agreed not to press any further charges against her father, who knew nothing of the agreement.

It is that part of the income from this trust which is being paid to Jacqueline that the Commissioner is trying to tax to her father. The major issue is whether the payment of this income to Jacqueline discharged a legal obligation of the taxpayer. The Tax Court ruled in favor of the taxpayer on the ground that the French judgment was not enforceable under Massachusetts law and, therefore, the taxpayer was under no legal duty to support his daughter.

R. Ammi Cutter, LL.B. '25, a member of the Supreme Judicial Court of

(See AMES on page 3)

South African to Speak

W. C. duPlessis, ambassador to the United States from South Africa, will address the Harvard Law School Forum on Friday evening, December 5, at 8:30 p.m. in the New Lecture Hall. The subject of his speech will be "South African Racial Policy," and a panel discussion will follow his main address. Dean Erwin N. Griswold, who visited South Africa last summer as an observer of the celebrated treason trial then in progress there, will participate in the program.

Tickets may be purchased at the door or at the Forum offices at 23 Everett Street.

(See DRAFT on page 4)

Gore Predicts Onset of Brave New Technological Era

Continued from GORE, p. 1

graph plotting levels of atmospheric carbon dioxide alongside global temperature changes over thousands of years. The jagged lines ran parallel, reflecting a causal correlation, according to Gore.

"The levels of carbon dioxide are predicted to go up more now than in our history and in the 50 million years of life on this earth," said Gore. He then unfolded the chart to a height well over his head, showing a dramatic upward turn in the graphs and eliciting concerned groans and sighs from some audience members.

"These changes are already starting to happen and we must act now," said Gore. He claimed that the Clinton administration is taking measures to check global warming and other environmental issues.

"At the upcoming environment confer-

ence in Kyoto," said Gore, "we're calling for a dramatic increase in the dedication of time, energy, and resources to new technology which will provide the same standards of living without the levels of carbon dioxide emissions."

Gore compared the United States' role in the environmental debate to its status in the post-World War II order.

"In the aftermath of the Cold War we're seeing a process very similar to that of the mid-forties — new institutions, new treaties, new arrangements are forming. The United States of America must provide the leadership now as it did then."

"We ought to pay our U.N. dues. We ought to be responsible members of international organizations. We ought to have a discussion about how the U.S. can play a leading role on these issues," said Gore.

The Vice President also expressed con-

cern over what he called "the population explosion."

"We're adding the population of China to the planet every ten years," said Gore. He cited studies predicting that the world will host over nine billion people, four billion more than today, in the next 40 to 50 years.

"Many people often hear 'abortion' when I talk about this," said Gore. "I never said the word 'abortion.' Abortion has nothing to do with it whatsoever. It's about saving the lives of children and increasing child survival rates."

"But we have to deal with poverty, we have to deal with social equity, and make sure that women are empowered and that health care is accessible," he said. "We know that when knowledge and technology that facilitate family planning are ubiquitously available, the population rate drops."

Though on the eve of Chinese premier Jiang Zemin's visit to Harvard, Gore's address made no mention of Sino-American relations. Only when the floor opened for questions was China discussed, as audience members eagerly probed Gore on the issue.

In response to a question on Taiwan and the U.S. "one China" policy, Gore described the administration as "encouraging a resumption of the cross-strait dialogue and, of course, a peaceful resolution of the entire manner."

Asked what question he would pose to Jiang Zemin were he a student at the College today, Gore initially quipped that he had already had several opportunities to speak with Jiang that week. As the audience's nervous laughter died, though, Gore became more solemn and remained silent several seconds before bringing much of the audience to its feet with his response.

"I would say: remember back to when you were a student during the Japanese

occupation of Shanghai, and you felt that your freedom was suppressed to the point where you felt that you couldn't express what was on your heart," Gore said softly.

"Can you draw upon that personal experience to understand the feeling of students of that same age today in China who may disagree with the policies today espoused by the Chinese government and who do not have the freedom to say what's on their hearts?"

Though often characterized in the media as deliberate and monotonous, Gore seemed unusually jovial and at ease, peppering his speech with self-deprecating jokes and humorous pop-culture references.

"I see that the Institute of Politics [an undergraduate organization which invites political speakers to campus] has spent much time on the study of the Presidency," said Gore, mocking injured feelings, "but not the Vice Presidency."

Regarding global warming and his recent trip to Glacier Park, Gore said, "I saw the melting of the glacier right before my eyes. Within 30 years, that place will be known as the Park Formerly Known as Glacier, with all due respect to the Artist Formerly known as Prince."

Gore's speech kicked off two days of discussion on national security and technology, including talks by Senator Richard Lugar of Indiana, Senator Sam Nunn of Georgia, Senator Pete Domenici of New Mexico, former National Security Advisor Brent Scowcroft, and State Department Spokesman Nicholas Burns.

The event marked the re-endowment and refurbishing of the Center for Science and International Affairs, renamed the Belfer Center after Robert Belfer '58 and Renée Belfer, who donated \$7.5 million to the Kennedy School in May 1997.



Pro-Jiang and anti-China demonstrators share grounds outside the Kennedy School

Protesters Greet Chinese President Jiang Zemin

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were for the sake of national stability. On that date, the army gunned down democracy protesters who had gathered in Beijing, killing hundreds, and by some estimates thousands, of people.

During Jiang's speech, about 5,000 pro- and anti-Jiang demonstrators faced off outside Memorial Hall. Pro-Beijing demonstrators waved American and Chinese Communist flags, while anti-Jiang protesters shouted into loudspeakers and carried signs demanding freedom for Tibet and greater respect for human rights.

Jiang acknowledged the protesters in his response to one of the questions.

"Although I am already 71 years old, my ears still work very well, so when I was delivering my speech, I did hear the sound from the loudspeakers outside," Jiang said. "However, I believe the only approach for me is to speak even louder than it."

Among the anti-Jiang protesters was human-rights activist and Chinese labor-camp survivor Harry Wu, who spoke from the steps of Memorial Church shortly after Jiang had concluded his speech. Wu spoke to a crowd huddled under umbrellas, shielding the protesters from rain and leaves blown by a strong autumn wind.

"I see the leaves falling down. It's like Jiang Zemin and his party, falling down," Wu said.

Kexin Zhao '99, who immigrated to the United States at age 11 but still retains her Chinese citizenship, said that Jiang's speech "changed my impression of him. He was very lively."

Zhao said that the Chinese govern-

ment "should definitely pay more attention to human rights, but there are ways to do it more productively than open confrontation." She said that economic growth and the development of the legal system were likely to be more effective forces for change.

David Pan '00, a U.S. citizen who was born in Taiwan, also expressed doubt about the usefulness of the demonstrations.

"People here don't know the scope of the whole issue," Pan said. "People are quick to judge without having the full data."

Jiang's visit marked the first time that a top Chinese leader had given a speech at Harvard. But Jiang pointed out in his speech that he had first visited Harvard fourteen years before, when he was the head of the electronic industrial ministry.

"I highly appreciate the motto on the gates of your university," Jiang said. "It reads, 'Enter to grow in wisdom' and 'Depart to serve better thy country and thy kind.'"

Jiang's visit to the U.S. led to further agreement between the U.S. and Chinese governments on cooperation in the field of law.

In a joint statement issued after Jiang met with President Clinton on Oct. 29, the two nations agreed to establish "a joint liaison group to pursue cooperative activities" in the field of law.

According to the joint statement, such cooperative activities may include exchanges of legal experts, training of judges and lawyers, and sharing of ideas about legal assistance.

The Associated Press contributed to this article.

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Alumni Wowed by Library Renovations

Continued from **LANGDELL**, p. 1

million items, including 99 public computer terminals, 1158 data ports and other wiring to support student computers.

"Langdell could not possibly have foreseen [the electronic volumes]," said Rudenstine.

In addition, the Reading Room has returned to its past beauty by removing bookshelves that covered the windows, restoring the original raised ceiling, adding chandeliers, refinishing the space with softer chairs and refinished tables, and expanding study spaces with new carrels and study rooms. These renovations cost \$35 million, and \$28.9 million was raised by the Law School Campaign. Clark was pleased that the costs were not shifted "on the backs of the poor student" as in prior campaigns when tuition was raised and class sizes were compromised to compensate for the costs of renovations.

John Cogan '52, chairman of the Harvard Law School Campaign, was responsible for raising the funds from alumni since 1982. Cogan praised the

95 percent of faculty members who donated funds to the campaign.

He viewed the fulfillment of the Campaign's goal as a "great symbol of renewal, on a new threshold...a step into the 21st century." Cogan felt that the success of this campaign was especially renowned when viewed in the light of other academic institutions' attempts to raise funds for library.

Prof. Andrew Kaufman '52, the Charles Stebbins Fairchild Professor of Law, gathered faculty members, students, staff and architects to collaborate on the renovation's design plans since 1982.

"Harvard Law School is not an easy client, and I thank our architects for their ability to listen hard to what we wanted and then to design what we needed," he said. Kaufman was pleased by the beauty of the building, but emphasized the library's purpose as a repository of information for students.

Kaufman compared the dreams of dramatic literature with the momentous fulfilled plans for renovation. "Although we have all been driven in from our muddy field," said Kaufman, "and I am

a poor substitute for Henry V or Shakespeare, as well, it is my lot to speak for those happy few, that band of brothers and sisters that have labored not for 582 years although at times it seemed that way, but since 1982 to fulfill our dream which stands out there in the midst."

The alumni were delighted by the renovation and immediately after the

ceremony went to the library.

Murray S. Freeman '52, an arbitrator attending his 45th reunion, stated, "To see the school prosper in this intellectual way is particularly satisfying to me. It was very impressive."

Some were overwhelmed by the enormous changes. One alum said, "I'm just trying to orient myself and figure out where everything was before."

Put Directories On-Line Sooner, Says Student

Continued from **DIRECTORIES**, p. 1

Asked about the time lag, Margolin stated, "It's not the only job we do and it needs to fit into our publication schedule and the printer's publication schedule."

Margolin stated that the Publications Center completed the project in the time allotted for the task. "We didn't deliver late from our point of

view and it didn't take overly long from our point of view."

Nevertheless, some students wondered why the administration could not devise a faster way of publishing students' numbers, such as making the information available on-line.

Said Jim Brennan '99, "One would think they could get us a student directory as soon as they could get us our first bill."



top: The "new" Langdell after its year-long renovation.

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top: An alumnus puzzles over Langdell's computerized catalog system during a tour of the new library.



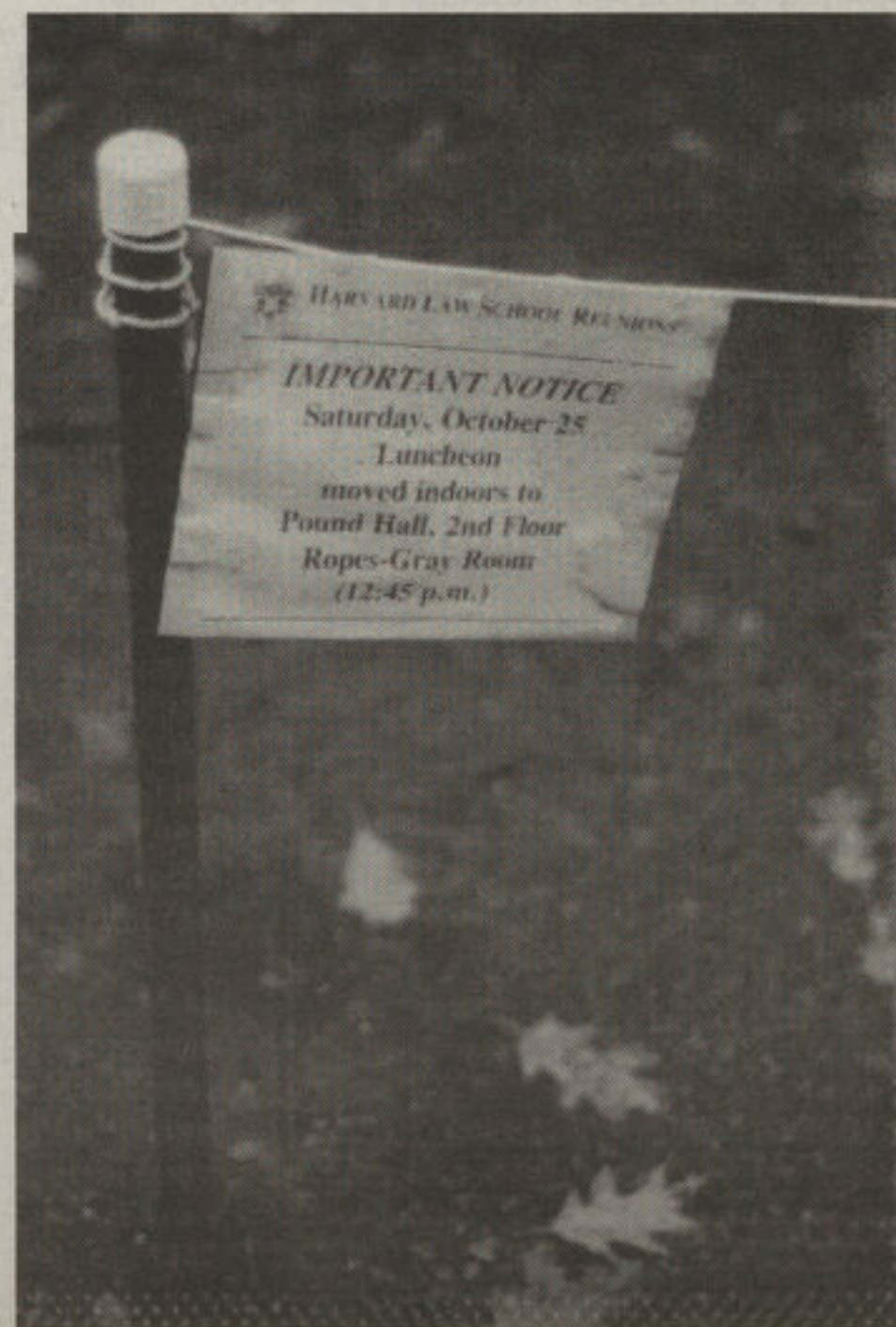
center: Dean Clark '72 (at right holding paper) prepares to speak.

bottom: A plastic-encased sign announces that a luncheon is moved indoors. The weekend was marked by typical Cambridge weather—gray skies and steady rain.

bottom: Alumni hold up numbered cards for the official reunion photo. The numbers were later matched to names.



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Briefs

Graduate Student Dies in Apparent Suicide

Computer science graduate student Hailei Ge died after falling from the fourth floor of Pierce Hall in an apparent suicide on Nov. 5 at about 2 p.m. The first-year student from Beijing was unconscious with critical head trauma when being transported to Beth Israel Deaconess Hospital, where he was pronounced dead at 7:45 p.m.

While there were no eyewitnesses to the fall, Joshua Cohen, a junior at Harvard College, was on his way to class with two other students when he heard a crash. Cohen found Ge lying on his side on a paved walkway.

"It didn't look like he was breathing. I elevated his head, and he coughed up a lot of blood," Cohen said.

According to Albert Gold, associate dean of the Division of Engineering and Applied Sciences, another student was studying about 10 feet away from Ge, when he heard Ge open a window in the Gordon McKay Library in Pierce Hall. After the student returned to his studies, he heard a noise, looked up, and Ge had disappeared.

The next day about 70 graduate students, professors and staff gathered at an open meeting held by the Computer Science Division. Participants discussed their own experiences with Ge, and the stresses experienced by international students.

Jian Liu, a first-year graduate student who lived on the same floor as Ge at Child Hall in Gropius Complex, said that the first-year stress seemed to hit Ge harder than other students.

"He was very sensitive. He cared too much about some of the [academic] things that happened to him," Liu said that Ge did not, however, give any indication that he was suicidal, saying that he was always smiling and talking with other students.

Greanias '73 Loses Bid for Mayor of Houston

George Greanias '73 lost his bid to become mayor of Houston, after garnering 17 percent of the vote in the Nov. 4 election. Lee Brown, who led eight candidates with 42 percent of the vote will face a runoff election in December with Rob Mósbacher who received 29 percent at the polls.

Greanias had served as a member of the city council for six years, and city controller for eight years. As a progressive candidate, he appeared unable to galvanize the black and Hispanic vote, which went overwhelmingly to minority candidates. Texas political watchers also said he was unable to raise large amounts of money like his leading rivals.

Lewis '81 Named U.S. Attorney for D.C.

President Clinton announced his nomination Monday of Wilma Lewis '81 for the United States Attorney for the District of Columbia.

Each of the United States' 94 federal judicial districts has a presidentially appointed U.S. Attorney, who has the principal responsibility for the prosecution of federal crimes, as well as serving as counsel for civil suits to which the United States is a party. If confirmed by the Senate, Lewis would be the chief attorney for the D.C. District.

A native of St. Thomas in the U.S. Virgin Islands, Lewis has been Inspector General for the Department of the Interior since April 1995. She is an adjunct faculty member at the George Washington University National Law Center in D.C.

Tasty Closes; Reincarnated as Leo's Late Shift

The Tasty, the venerable greasy spoon haunt in Harvard Square, served a final cup of coffee Sunday, Nov. 2 at 6 a.m. before closing the doors to its 2 JFK St. location permanently.

Cambridge Savings Bank, owner of the building that houses the Tasty, forced out tenants — including the Tasty — to allow for major renovations which began the day after the Tasty vacated the premises.

The Tasty was Harvard Square's oldest restaurant. The neon sign in the window read, "Est. 1916," and never went out at this 24 hour-a-day diner whose typical fare — cheeseburger, fries, and vanilla Coke — could be had for just a few dollars.

Devoted patrons mourned the Tasty's departure. "I'm heartbroken that the Tasty is closing," said Sarmonica Jones, 27, who partook of the Tasty's bacon, egg, and cheese sandwich every morning before work.

Determined to keep the Tasty's flame alive in Harvard Square, Stephanie Avis Haddad, owner of the Tasty, has devised a space-sharing arrangement with Leo's Place, 35 JFK St. The combined restaurant now operates 24 hours a day: the Tasty's team covers the late shift from 6 p.m. to 6 a.m.; Leo's management continues to run the other twelve hours.

HLS Student Attacked, Bicycle Stolen

Two adolescent males pushed an HLS student down and ran off with his bicycle Tuesday, Oct. 28, according to a Harvard University Police Department report. The robbery occurred on the grounds of Peabody Terrace at about 4:30 p.m. The victim reported that the perpetrators were not armed and appeared to be between 12 and 14 years of age. A search of the area for suspects by Harvard University Police proved negative; no suspects were apprehended.

Simian Says...

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RSVP by Friday, November 14 to Jennifer Smith at 574-4072 (or email at jsmith@goulstorrs.com).

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News From New York and Puerto Rico

Names of NY State Parolees on Internet

ALBANY, N.Y. (AP)—The names of inmates soon to be eligible for parole from New York state prisons for violent offenses are available on the Internet.

A New York City-based crime victim's advocacy group, Take Back New York, is posting the information which it is getting for free from the state Department of Correctional Services.

In addition to inmates' names and parole eligibility dates, inmates' current prisons are listed as well as the chief offense they were convicted of, the county they committed that crime in and the minimum length of their sentences. Inmates are broken down by the violent offenses they committed—arson, assault, burglary, kidnapping, manslaughter, murder, rape, robbery, sexual abuse and sodomy.

The site describes the New York state Division of Parole and whom citizens should contact with comments on inmates eligible for freedom.

"Usually with the criminal justice system, criminals kind of fall off the radar screen," Take Back New York founder Joe Diamond said. "With their names on the Internet, we can keep a constant spotlight on them and when they are coming up for parole the public can voice an opinion."

The Internet site can be accessed at www.parolewatch.org.

Data about upcoming parole dates has always been public information in New York state, but it has not been available before on the Internet. Diamond said the first data his group has posted is about inmates eligible for parole in April 1998.

"The reason we picked April was to do an effective effort at informing the parole board (about an inmate) you need several months," Diamond said.

Ron Kuby, a New York City defense lawyer, derided the website as "www.rotin jail.com."

"In theory, we put people in prison to rehabilitate them and parole is a reward for rehabilitation," Kuby, a protege of the late William Kunstler, said. "Somebody puts his time to good use, maintains a good record, reforms himself... and then a bunch of idiots who know nothing about him except for his crime inundate the parole board with e-mail."

"Some people should be paroled and others probably should not be, but this system is designed to sabotage the work of the parole board."

About 20,000 inmates are paroled from state prison each year and about 10,000 are turned down. Customarily, inmates are held for at least two more years when they are turned down for parole.

Just over half the state's 69,000 inmates are serving time for violent crimes.

Tom Grant, a spokesman for the Division of Parole, said parole boards will not be unfairly influenced by people responding to information in Diamond's website.

"People probably said that when telephones were introduced," Grant said. "We get information about parole matters in many ways, by phone, by letter, by Fed Ex, by telegram. This is just one more way to gather information about an inmate."

Currently, the division does not have the capability of receiving electronic mail but a system is being developed, Grant said.

New Jersey is the only other state where the names of potential parolees are posted on the Internet, Diamond said.

He has big plans for his website. In addition to making more information available about some prisoners' crimes, such as press clippings, Diamond said he wants to expand it nationwide.

Lesbian Minister Turns in Self for Violating Sex Law

SAN JUAN, Puerto Rico (AP)—A lesbian minister turned herself in to Puerto Rican justice officials. Her crime: violating a law banning homosexual sex.

Rev. Margarita Sanchez De Leon got the desired response Tuesday when prosecutors told her they weren't empowered to press charges.

Sanchez, along with other gay rights activists, is urging the government to amend the criminal code to remove a law they say discriminates against homosexuals, but which it has no intention of enforcing.

"The state has demonstrated its hypocrisy," charged Sanchez, a pastor at Christ the Savior Community Church in San Juan. "Now it has to assume the responsibility to revoke the law."

The debate comes as Puerto Rican legislators review a controversial proposal to ban homosexual marriages in this U.S. commonwealth. The law passed in the lower house last week, despite heated protests from gay rights groups. It was tabled in the Senate Monday, with conservative religious groups vowing to see

it passed before the end of the year.

Critics argue the proposal is discriminatory and unnecessary, since the law already defines marriage as occurring between individuals of the opposite sex.

But supporters say the government needs to make its opposition to homosexual unions clear due to recent court rulings that may lead Hawaii to legalize same-sex marriages.

At least 17 states have passed laws banning same-sex marriages, and others are considering them in reaction to the Hawaii court decisions.

In an island where many people belong either to the Roman Catholic Church or evangelical denominations, it's not uncommon for religious groups to influence legislative decisions. Evangelical minister Jorge Raschke proposed the ban on gay marriages during a mass religious rally outside the Capitol earlier this year.

Recently, gay rights groups have fought back, staging their own march in San Juan last month. Seventeen gay and civil rights groups signed Sanchez' statement on Tuesday.

Critic of Mother Theresa Draws Protesters, Hecklers, Laughs

ROCHESTER, N.Y. (AP)—The author of a book critical of Mother Teresa expected the hecklers and the protesters—but he also drew a few chuckles.

Christopher Hitchens, speaking Friday at the Hubbell Auditorium of the University of Rochester, evoked both anger and laughter as he used humor to defend his controversial position about the revered nun.

Besides the 500 people who listened to his talk, another 75 to 100 protested outside with candles, rosary beads and signs that read "U of R, Shame on You" and "Christopher Hitchens, What Have You Done for the Poor?"

In his book, "The Missionary Position: Mother Teresa in Theory and Practice,"

Hitchens portrays the founder of the Missionaries of Charity as a crafty user of public relations.

Hitchens, a contributing editor with Vanity Fair and a columnist for The Nation magazine, said Mother Teresa's "damage-control instincts were finely tuned" to defend western businesses. He said her response to forgive the Union Carbide 1984 gas leak in Bhopal, India that killed more than 2,000 a good example.

As hecklers disrupted his talk and a video, an elderly man told Hitchens, "You're a good con man. You should do something better with your life."

Drawing laughter, Hitchens said, "At this moment I agree with you."

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Harvard Law RECORD

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Fast and Loose With the Facts

The Harvard Labor Law Project recently put up posters around campus urging students not to work for what it calls "union-busting" law firms. One of the posters put up by the Labor Law Project bore the headline "Posner takes union-buster to task." The poster then quoted Seventh Circuit Court of Appeals Judge Richard Posner in support of the Labor Law Project's assertion that Chicago-based Seyfarth, Shaw, Fairweather and Geraldson is a union-busting law firm.

In large type, with italics added by the Labor Law Project, the poster quoted Posner as follows: "*(Seyfarth Shaw's) arguments ... fall far below professional standards of advocacy in this circuit. We do not tolerate blunderbuss appeals loaded with frivolous scattershot that wastes our time and appellees' money.*"

The poster provides a case citation for the quote: 38 F.3d 909, 918 (7th Cir. 1994). A look at the case, *Rice v. Nova Biomedical Corp.*, shows that the Labor Law Project did quote Posner accurately. However, the case itself has absolutely nothing to do with Seyfarth, Shaw's supposed union-busting, or labor unions at all. Indeed, the case does not even mention labor unions.

Instead, *Rice* is about a former employee who sued his former employer and former supervisor regarding his termination. No labor union was a party to the suit, and there is no indication that the plaintiff was a member of a labor union while employed at Nova. Indeed, it seems that the plaintiff would probably have been a member of management: the case states that the plaintiff "supervis[ed] field service representatives all over the country" while at Nova.

Seyfarth, Shaw, the defendants' counsel, was not the only target of Judge Posner's criticism. Posner also reprimanded Seyfarth, Shaw's opponent, writing that "Rice was skating on the thinnest of legal ice in bringing this suit," and that the plaintiff's case was "a rather poor excuse for a lawsuit."

Posner's criticism of the defendants quoted by the Labor Law Project came in the final two paragraphs of the opinion, where Posner discussed "two peripheral points." Those issues were the amount of a sanction for a Rule 11 violation and the awarding of costs to the plaintiff — not Seyfarth, Shaw's supposed "union-busting" activities.

One of the issues in *Rice* was defamation, which seems rather appropriate given the way in which the Labor Law Project has tarred a major law firm as a "union buster" through a misleading quotation. To quote Judge Posner out of context one more time, the Labor Law Project's "arguments ... fall far below the standards of advocacy" expected from students at Harvard Law School.

— Timothy Kiefer

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• Letters •

Homosexuality is Not a Choice

I condemn the tearing down of the posters of the HLS Society for Law, Life and Religion (SLLR) (RECORD, October 3). I also hope that Dean Clark's view of the lamentably anonymous parody that replaced the SLLR posters as having a "derogatory message" wasn't a reason for his threat to discipline those who posted the parody.

The Dean can, of course, have and express his own views. But if he did so in such a way as to make it appear that his distaste had anything to do with the threat of discipline, the HLS Civil Liberties Union had reason to criticize his departure from the basic principle of content neutrality.

Since you didn't give the full context of the Dean's message, readers can't be sure.

That said, where does the SLLR get its idea that homosexuality is some sort of voluntary choice? For me, my heterosexuality is about as voluntary as the sun coming up in the morning. Why should we heterosexuals think that homosexuals' "choice" of orientation is any more voluntary than ours? If I were "struggling with [hetero]sexuality," could I "walk away?" Given heterosexually transmitted diseases, infidelity, and unwanted pregnancies, is heterosexuality any less a "self-destructive behavior"

than homosexuality?

SLLR President Brian Burt's statements read just as plausibly if you flip the sexual orientation. Except that he frowns on homosexuality, how is heterosexuality less "like a drug addiction"? Can't "a number of problems ... attach themselves to participation in [hetero]sexuality"? At least I can join him in "not saying that homosexuality is wrong" — any more or less than heterosexuality. But if so, why the SLLR posters in the first place, aimed against homosexuality alone?

Tom Rowe '70
Elvin R. Latty Professor of Law
Duke Law School
October 23, 1997

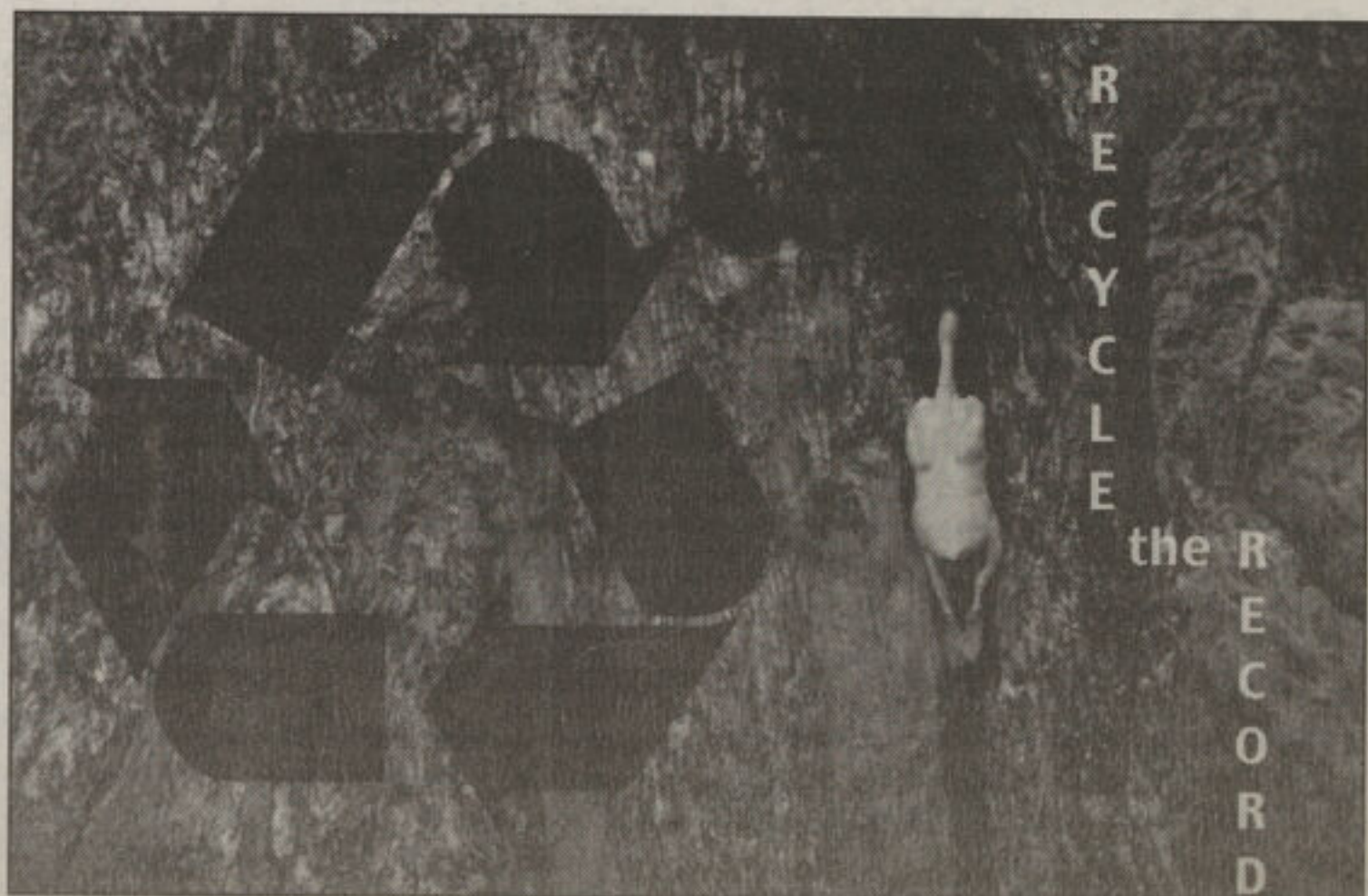
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than
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*Don't tell the large metal woman, though.



By Robert H. Mnookin '68 and Drew Tulumello '96

Turning Litigation into an Opportunity

The recent settlement by Digital and Intel of their contentious and high-stakes patent infringement suits illustrates an important but frequently overlooked dimension of legal dispute-resolution: lawsuits represent *opportunities*, as well as a time for battle. In many cases, firms engaged in commercial disputes can create value by putting unrelated but differently valued issues on the table. In so doing, they expand the pie—or, as economists say, create efficiencies—converting what appears to be a zero-sum bargaining game into one that produces a surplus of joint-gains for both parties.

Most lawyers and clients who have filed a lawsuit have reconciled themselves with the possibility of a protracted and expensive fight in court. For this reason, they understandably focus quite narrowly on improving their litigation position, by retaining first-class legal talent (sometimes hiring multiple firms), by publicly committing to fight hard and to expend large amounts of resources, and by engaging in scorched-earth discovery tactics. All of these moves take place at what might be called the "net expected outcome" table—the negotiating table at which the parties work very hard both to improve their position vis-à-vis the opportunities and risks of litigation and to shape their counterpart's perception of the likely or "net expected" outcome at trial.

In the Digital-Intel dispute, we saw many such moves: Digital filed suit without advance notice to Intel in Worcester, Massachusetts, capitalizing on the element of surprise and hoping to find a sympathetic jury pool in a town conveniently located near their headquarters; Intel filed a counter-suit and suggested it would not renew the companies' long-term supply contract for Pentium chips. And each publicly warned the other of its will to fight to the end.

But in Digital-Intel, the parties reached an agreement that Intel's chief operating officer called "win-win." How? By playing at a second "table" which disputing lawyers and clients tend to ignore: the interest-based table. At this table, the litigants explore the reasons driving the dispute, as well as possible value-creating trades involving the parties' respective resources and capabilities, even those resources which are unrelated to the legal issues at stake in the dispute. Playing at this "table" is critical because litigants often have interests that the formal legal system cannot address, or which it can address, but inefficiently, as court-ordered remedies are blunt instruments.

No court, for example, could have ordered Intel to purchase Digital's semiconductor facility or to provide discounts on a broad class of Pentium chips, nor ordered Digital to transfer StrongARM

technology to Intel and to agree to adapt its Unix system to the new Merced chip under production by Hewlett-Packard and Intel. In short, no court could have

fashioned an agreement that gave something to both parties. That type of customization is only possible when lawyers and clients negotiate at the interest-based table, as Digital and Intel did.

There are many reasons why lawyers choose not to play at this interest-based table: the legal culture of assertiveness and of zero-sum mindsets predisposes lawyers to conceive of their role as gladiators whose sole mission is to improve the prospects at the net-expected outcome table; the lawyer must have a good working relationship with his client and a rich understanding of the client's interests and the resources the client has to trade; or, for a variety of strategic reasons, the other side might not be willing to play along. Moreover, legal disputes vary tremendously by context, and such "second table" opportunities to create value do not always exist. An insurance company and plaintiff injured in a car accident have little to trade, for example, since they have no ongoing relationship,



and neither generally has any intangible nor non-monetary interests.

But the Digital-Intel settlement reveals that lawyers engaged in dispute-resolution negotiations should explore the possibility for creating value at the interest-based table simultaneously with their efforts to improve their position at the net expected outcome table. In our research, we have found that in resolving disputes involving matters as varied as long-term supply contracts, partnership break-ups, and franchiser-franchisee agreements, parties may leave substantial value on the table if they fail to sit at the interest-based table. Exploring such "second table" interests won't be successful every time, but Digital-Intel shows that the payoff is often worth the effort.

Robert H. Mnookin is the Samuel Williston Professor of Law and Director of the Harvard Program on Negotiation; Drew Tulumello is a Senior Fellow at the Harvard Negotiation Research Project. The ideas expressed here are part of an on-going project exploring how lawyers can create value in negotiation.

THEATRE REVIEW

By Tanya D. Marsh '00

Tricks of Language, Love Adorn Drama Society's Fall Production

On Monday morning, the Hark will be full of people exclaiming Squeegie! and Bellissimo! instead of speaking John Cleese. Law students will be discussing Faulkner and Hamlet with the enthusiasm of undergrads. The HLS Drama Society will be responsible for this cultural renaissance, inspired by the imagination of playwright David Ives. In "All in the Timing," the manipulation of language takes center stage in an unusual collection of conversations.

The fall production of the HLS Drama Society features an ensemble cast in a series of Ives' one-act plays.

Producer Ali Harnisch '98 and Director Ron Lee Meyers '98 picked out a perfect set of plays for this group of actors and the HLS audience. Witty and intelligent, the spotlight is always on the dialogue.

"All in the Timing" concentrates on the patterns and rhythms of love and language. Have you ever had a conversation where you wish you could take back every sentence? In "Sure Thing," Ron Meyers and Kate Arms have many opportunities to make a first great impression. John Boyer,

Beau Sefton, and Ann Lipton discover their metaphysical location in "Philadelphia." The best part of "Universal

Witty and intelligent, the spotlight is always on the dialogue.

Language" is that after a while, you forget that Brian Silverman is spouting gibberish and begin to believe, as Kate Arms does, in the healing power of Unamundo.

"Words, Words, Words" features Ann Lipton, Mikhail Zeldovich, and Brian Silverman as chimpanzees trapped in a room of tire swings, typewriters, and murder plots straight out of Shakespeare. In "English Made Simple," Cat Dale and Jamal Simmons confront the hidden meanings of first

encounters and the possibilities of bliss versus a dead end. The final play, "Foreplay," puts a whole new spin on miniature golf. Did you know the world was once covered with a race of dwarfs?

The production of "All in the Timing" is obviously a labor of love for the cast and crew. They should be proud of the final result.

While every cast member is solid, there are a few standouts. Brian Silverman, a gift from the Kennedy School, is a natural actor. I don't know if I was more impressed with his ability to curl his feet and hop like a chimp or impeccably deliver 20 minutes of dialogue in Unamundo.

"All in the Timing" is scheduled for three performances: Nov. 13, 14, and 15. The play begins at 8:00pm in the Ropes-Gray room in Pound Hall. Tickets are \$5 and are on sale in the Hark.

The production is a treat for anyone who enjoys the power of language—and what self-respecting law student doesn't?



HARVARD LAW SCHOOL DRAMA SOCIETY

presents

All in the Timing

by DAVID IVES

November 13, 14, 15
8:00 p.m.
Ropes Gray Room
Harvard Law School

Director
RON LEE MEYERS

Producer
ALI HARNISCH

Tickets 5 Dollars



Photo courtesy of HLS Drama Society

RECORD contributor Tanya Marsh sneaked a peek at the HLS Drama Society's fall production. "Witty and intelligent," she acclaimed, "... every cast member is solid." The show will inspire a "cultural renaissance" at the Law School, predicted Marsh. Tickets still available—grab 'em while you can.

THESE HALLOWED HALLS

By Kate Arms '98
RECORD Columnist

AMERICAN MYTHS

What is America? What should America be? These are questions posed not only by lawyers and policy makers, but also by artists and museum curators: questions resonating currently on the Harvard campus. Looking backwards for answers, "Rome and New York: A Continuity of Cities," an exhibit in the Strauss gallery of the Fogg Art Museum Nov. 1 through Jan. 4 explores the historical, sociological, and mythological connections and resonances between ancient Rome and contemporary New York. Across campus, on the main stage of the Loeb Drama Center, "Angels in America Part One: Millennium Approaches" looks back to the recent past and forward to the millennium.

"Rome and New York" was curated by the students in a Fine Arts seminar. Like the student-curated Joseph Beuys display, this one is a collection of images around a theme rather than a unified

exhibit. Ancient Rome and modern New York have both been considered the ideal city by some and the epitome of moral decay by others. Both aspects have been explored in this exhibit, often displaying a print of Rome next to a print of New

age and the medium of the superimposed drawing connote the graffiti art which covers so many subway trains. A commentary on New York City, poverty, disempowerment, and the role of art, this simple image resonates on many levels.

The exhibit space itself is interrupted by a working art space which will be used as an AIDS clinic on Nov. 30 and Dec. 1, World AIDS Day. At first glance, this location seems particularly bizarre, but on further reflection there is meaning to even this odd juxtaposition of exhibits. In recent political discussions,

comparisons have been made between the fall of Rome and the fall of contemporary civilization due to increased tolerance for homosexuality. Located amid this exhibit which explores the central mythological cities of the two compared civilizations, the clinic is a voice of hope



and compassion.

On the other side of Harvard Square, AIDS, art, and New York are very much a part of "Angels in America Part One: Millennium Approaches" by Tony Kushner. "Angels" is a morality play for the contemporary age.

Questions about Justice, Faith, Compassion, Hope, and Death are posed by the play. As is appropriate in a pluralistic society and for a politically engaged theatrical experience, these questions are not answered, but merely posed and reflected upon. Present throughout the play is a sub-theme of professional ethics in a legal context.

Director Leah Altman chose to bring these questions closer to the audience by using a thrust space rather than the more traditional proscenium setting. The set consists of three interlocking platforms with floor space extending into the audience. For many directors, thrust spaces can prove to be difficult as the multiple angles of audience vision must all be considered. Altman says, however, that this was easily overcome during the rehearsal period. The more difficult challenge was keeping scene changes quick as the off-stage space is some distance from the acting space on the floor.

"Angels" is a play with special effects including the Book of Life appearing momentarily as a vision of the divinity to come created under the guidance of Technical Director Mark Penney '99.

Performances of "Angels in America" are November 12, 13, 14, and 15 at 8:00 at the Loeb Drama Center. Tickets are \$5 for Harvard students. A portion of the proceeds from the November 12 and 13 performances will benefit a local AIDS charity. For ticket information call the Loeb Box Office at 547-8300.

Ancient Rome and modern New York have both been considered the ideal city by some and the epitome of moral decay by others.

York showing similarities in the mythological roles played by both cities.

Many of the images are from tourist enticement packages, advertising, or maps. One particularly interesting image is a map of the New York subway system drawn in wide marker. The im-

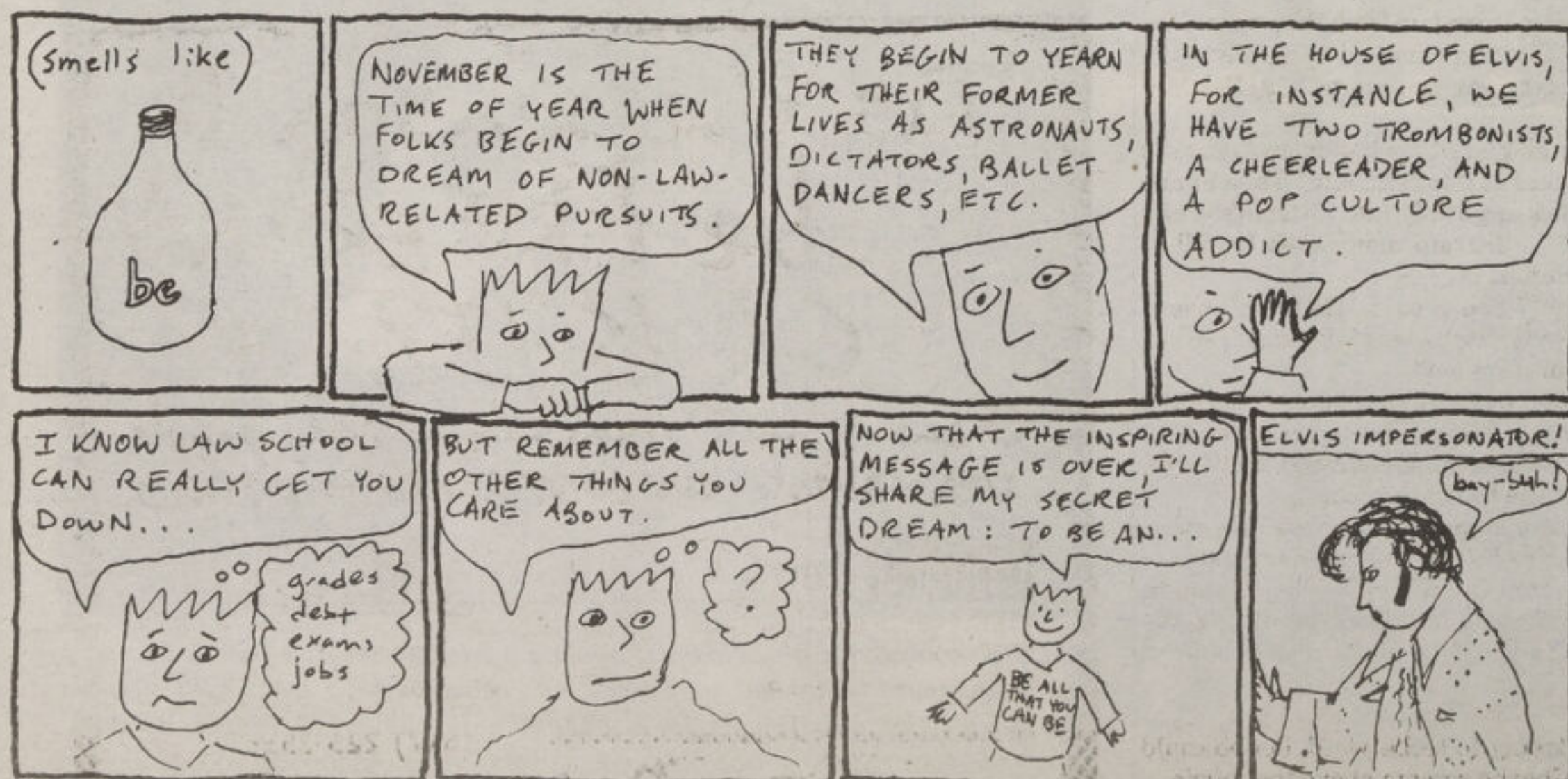
Reasonable Man Extinguishes Some Cases

By Alfred Steiner



Spike

By Margie McWilliams



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Musings and Vagaries

By Renée Kaplan '99

Staff Columnist

SLEEPING BEAUTY AND THE SEVEN ASSOCIATES

When I was very young, too young, my father began teaching me how to shake hands. He taught me repeatedly, insisting on teaching me again each one of the innumerable times we practiced shaking hands, because I never got it right: too limp, too timid, disingenuous, detached. Extend your arm confidently, make solid eye contact, squeeze firmly. Leave me alone, dad. We practiced a great deal, for many many years, the same game. It was annoying. I am grateful. I am grateful, because boy, have those tips come in handy, boy, has there ever been the opportunity to shake with assurance, to smile broadly, to deliver many a real borderline knuckle-cruncher, to make a first and final, lasting impression of self-assurance, good cheer, good sportsmanship, good relations, good instincts, good times, good quality, good fellowship, good work, and generally enterprising good spirits—in brief, those charged moments of contact with the interviewer (so brief and just two), your big moments, the moments when you can say it all in the jaunty slant of your shoulders and the genuine parting of your lips and honest showing of teeth, in the pressure of the squeeze and the control of the shake, the moment to communicate the perfectly unassuming and perfectly confident conviction that the offer is theirs to make the unfortunate mistake of not offering to you. It's a big moment, the handshake.

It seems as though we're mostly here to interview them and not vice versa because we go to Harvard and what more, really, is there to know about us?

Of course, it's a big moment fly-out week, and just so many handshakes in just one week. So many different firms, young attorneys, partners, offices, and file- and pile-loaded desks, so many chairs, and offers to sit, so much concern about thirst and preferences of liquid therewith to quench (got any ice-cold Yoo-hoo in that fridge down the hall Mister Partner-my-man? cuz right now luke-warm coffee is not quite the liquid pick-me-up that's gonna get me through a bunch more of you and people on the way to becoming you). So much concern about whether we have any questions for them,

So much tuning out and glazing over, lining up of the next round of vaguely linked and appropriately probing queries, so much fixing of eye contact and facial expression on auto-pilot before wandering into some farther reaches of the mind, or checking out the kiddies in the picture frames, evaluating the quality of the office furniture, the climate control, and the general plushness of the carpet (if you couldn't stretch out and have yourself a quality cat-nap on that carpet, then you might want to think



when the real triumph of the successful handshake occurs, when out of the sense of yourself as a paralyzed and over-padded Michelin man of insensible fluff, there somehow automatically extends a solid self-assured arm, you somehow remember to thank your interviewer for his or her time and for so graciously answering your questions, and there somehow forms a credibly pleasing smile of goodbye-and-hasn't-this-been-invigorating-for-us-both; solid training, law school.

It is a bit of a surreal and trance-like state, something—at the end of the firm visit, at the end of the day, after countless purportedly half-hour but actually forty-minute interviews, a heavy lunch, and the prospect of another polite firm function later that evening—something that made you want to follow your broad smile of introduction and your current and last interviewer's polite query of how-are-you with a brief intonation, in Bono's falsetto, of "I feeee-al numb." But that wouldn't have been appropriate, though it certainly would have been gratifying. Instead, you made it through, carried your pathetic foam-rubber self back to Harvard Central Hotel somewhere in midtown and, unable to recall your name, your function in life or in that city, what you had done with your day and how you got back to the hotel, yet mysteriously remembering still how to undress, you tore off your suit, lay yourself supine on the bed and, remote control in hand with thumb poised over the power button, you instantaneously fell into the deep, dark, black, bludgeoning slumber of large boulders. For it had been a long day in the big city.

twice about their offer). So many directors of legal personnel, recruiting staffers, escorts and low-level associates with whom to lunch, indeed, so many lunches, cocktails, dinners and drinks—seared tuna, steamed bass, chocolate pyramids in creme anglaise, foie gras on croutons, filet mignon, smoked salmon canapes, warm pear torte, radicchio, endive'n'romaine, purée de chestnut squash, grilled swordfish, and caramelized key lime à la mode. Buuurp.

There is a certain preternatural quality to the state of brain-deadness that ensues from the interviews, a kind of blurring behind the eyes and muffling of the hearing, the vague physical sense of one's brain having expanded beyond functional capacity, of having arrived at an almost complete stasis of the senses: sodden oversaturation. Of course, this is

anything they can tell us about the firm, anything else we want to know, anything we haven't asked yet, any other questions we might have, they'd be glad to answer them, so here, take their card and feel free to call them if we do possibly and beyond all semantic probability come up with any more permutations of the same questions, because it seems as though we're mostly here to interview them and not vice versa because we go to Harvard and what more, really, is there to know about us?

Water splashed from Charlie's mug as he danced.

"Who's going to join me?" he yelled.

Students started standing on tables. Fenno rubbed his eyes.

"I want you to realize that you can cross whatever boundaries you think you

have set for yourself—that you can go really far out and still come back," Nesson said, smiling and writhing.

Fenno turned from the door and walked towards his Ames lair. His heart beat wildly and he felt warm inside. He quickened his pace.

Quote of the Week

"God has spoken to us and told us to come back to the house that originally housed us."

—Dean Clark '72, on the rainy weather that forced the library rededication ceremony to move indoors to the room that housed the temporary library last year.

Fenno

Fenno struggled to open his eyes, squinting into a blue light. There were students all around him and an overhead projector was casting an eerie glow across the room. "Where am I?" Fenno mumbled.

"Prof. Murray's Evidence class," said the girl next to him.

"What time is it?"

"Six a.m." She frowned at Fenno. "Tuesday."

Slowly Fenno's memory started coming back to him. He remembered stumbling into Con Law the Monday after fly-out week. Not wanting to lose his momentum, he brought a bottle of tequila and quarter ounce of Hawaiian skunk bud with him to his back-bench haunt. Everything after that was a blank.

"Where'd you leave off?" asked the girl.

"Fried."

"Who's that with?"

"Parker." Fenno squinted at the overhead projection but the slides flashed on so fast he couldn't focus. Actually, Fenno couldn't focus on anything at law school after a week and a half of boozing and schmoozing. Fancy hotels, four-course lunches, escort services... Fenno had learned to ask recruiters where the firm planned to take him for lunch early on so he could cancel before wasting any time.

The fly-outs had been a nice end to a month of hard work. Fenno had spent all of October in the Charles Hotel, and had the Law School not canceled classes for the month, Fenno might not have been able to survive.

But as it was, Fenno had been able to focus full time on trying to get dates with female interviewers and callbacks from the men.

He'd had no success with the women,

but that was the story of his life. He'd gotten 43 callbacks out of 67 interviews with the men and felt pretty good about that. It was easy when you followed the three classic interview rules: be yourself, be relaxed, and lie.

Now it was just a matter of deciding where to go when. Fenno was thinking Miami next weekend, ski vacation in Denver the weekend after that. Would the firms have paid for open airplane tickets if they'd actually wanted Fenno to interview on a specific day? Fenno thought not.

Sure he'd heard his classmates talk about using the week to rack up frequent flyer miles, but they were just amateurs. Fenno had thirty round-trip tickets left to show for the week.

Fenno reached into his Hark box and pulled out a RECORD survey. Where did he lose his virginity? Fenno pulled out his pen. "Petting zoo in Milwaukee," he scrawled.

Suggestions to improve the Hark? Fenno chewed on the tip of his Parker. "Replace Seattle's Best Coffee Cart with Milwaukee's Best Beer Cart," Fenno scribbled.

Fenno looked up from the paper. Professor Zittrain came running down the Hark corridor screaming, "911! EMS! ATF!"

Fenno placed his hands on Zittrain's shoulders as if to calm him. Then Fenno put his knee firmly into Zittrain's groin.

"Eon," Zittrain moaned as he fell to the ground.

"Eon?" Fenno said. He hadn't heard those funky techno sounds since Carter's inauguration party.

Fenno listened closely and heard the music. He followed them to Hauser 102. Then he looked through the small window at the top of the door.

Fenno could not believe his eyes. There was Billion Dollar Charlie, star of "Down and Out With Charlie Nesson in Boston and Cambridge," standing on the table and writhing like Mr. Roboto in seizure.

"What am I trying to teach you? What am I trying to teach you?" Fenno could hear Charlie scream above the music.

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I SING THE RUDY ELECTRIC

By Aharon Friedman '00
RECORD Columnist

It is really easy for people who have been living up here in Cambridge to snicker at Rudolph Giuliani's reelection as mayor of the City of New York. Perhaps his unconventional way of doing things doesn't sit well with people sitting high up in Harvard's ivory towers. His rough edge certainly does not sit as well up here as the demeanor of more polite and laid-back politicians, such as the city's previous mayor, David Dinkins.

New York City has seen, under the leadership of Giuliani, a dramatic reduction in the crime rate. This has been particularly true of more serious crimes such as murder.

Oh, but I forget. There are sociological reasons for the drop in crime. Crime has been falling all over the nation. This is because of a drop in the number of young men in the age group most likely to commit crimes. Crime rates swing back and forth. There is really not anything anybody can do about crime. The drop in crime in New York City has absolutely nothing to do with Rudy Giuliani. It was due to these sociological factors and nothing else.

I can't believe that anybody actually believes that. But then again, maybe I haven't been at Harvard (and away from New York City) long enough.

Back in New York City, however, the streets are remarkably safer. A walk

along 42nd Street to the Port Authority Bus Terminal reveals the change that has taken over the city. Many of the smut shops are still there, but the area is in the process of being cleaned up.

Did the number of youths in the age group who are sociologically more likely to commit murder go down by a factor of two? Why has there been such a huge reduction in crime? Well, maybe a large part of the credit actually has to go to the new policies and attitudes of the police under Giuliani's direction.

For starters, the police no longer feel handcuffed like they did under the last mayor. The police feel that they have the freedom to go after those who break the law. Giuliani gives his cops the benefit of the doubt. He doesn't jump to the conclusion that the cops are automatically at fault unless proven right. He has also sent out the message that the police will not tolerate the breaking of the law under any circumstances.

The new policies Giuliani put in place have the police going after people for even minor violations of the law. Often, the people the police pick up for minor things, like turnstile hopping in the subways, turn out to be wanted for much more serious crimes. That is one way the police have been able to get dangerous criminals off the streets.

Though Giuliani has let the cops do

their jobs, he has also stood up to them when necessary. Another part of the reason for the effectiveness of the police has been the consolidation of the police department. The NYC police force had previously been divided into three totally separate commands. The transit and housing police forces were each separate from the rest of the force. Previous mayors were afraid to take on the police unions which insisted on preserving the system. Giuliani wasn't, and the police department has been all the more effective because of it.

This all has been in huge contrast to the previous administration in New York City which went by some very different principles: one of which seemed to be that police officers should always be assumed to be at fault unless proven right.

Former mayor David Dinkins, everybody says, is a really nice person. Rudy Giuliani, on the other hand, seems to have this mean edge to him. He says all these things which aren't very nice or polite. But there is a time for being nice and a time for showing a rough edge.

Giuliani's style may be best exemplified by his decision to throw Yasir Arafat out of a Lincoln Center concert. The Israelis might feel it is necessary to negotiate with him, Giuliani later explained,



but that doesn't mean that I have to invite a murderer and a terrorist to a social event.

Dinkins responded to the police shooting of a drug dealer in Washington Heights by automatically assuming that the police officer was wrong. He went to comfort the family of the slain drug dealer while denigrating the cop whose life was on the line as he shot the guy in self-defense. It often seemed as if the criminals ruled the streets. Sometimes that was more than figuratively true.

But for all the improvement, the crime problem, fueled by illegal drugs, is still out of control in New York. The challenge for Giuliani in his next term will be to launch a massive effort against the drug epidemic which has so plagued the city. Giuliani has promised a combination of more law enforcement and more drug prevention and treatment programs instead of one to the exclusion of the other. Illegal drugs may be the answer to the world's problems on Murphy Brown but they play a key role in causing and perpetuating many of the problems on the streets of New York. Aggressively fighting crime and drugs won't win Rudy any praise from ivy-covered towers, but he sure is making New York a better place to live.

CARPE POLLO

By Jake Zimmerman '00
RECORD Columnist

TALKING THE CASH COW TALK

So there I was, minding my own business, trying to eat my dim sum in peace. It seemed like a good day for dining on wacky little unidentifiable balls of food. Lunch was looking good. But, unfortunately for my stomach, I had made a terrible, fateful mistake.

I was dining at a table full of 2Ls.

In advance, I didn't figure that this would be a problem. Hey, I'm a man of the world, right? After two months of law school, I know an express contract from an implied contract and a *quasi in rem* from a *chile con queso*. (I don't, of course, know what a tort is, but that's okay. Professor Rosenberg assures me that they're nothing but crap, and I make a habit of slavishly agreeing with everything he says.) In short, I was confident that I was prepared for whatever legal conversation was about to take place.

But I had failed to account for one crucial fact. It seems that the only thing on a 2L's mind these days is that most exciting of subjects: interviews, interviews, and more interviews I'll refrain from speculating as to what this says about the caliber of a 2L's mind. But suffice it to say that I've had more varied conversations with my cat.

Now, don't get me wrong, I've got nothing against conversations about the finer points of interviewing with big-ass blood-sucking firms. This easily ranks up there with my other favorite conversational topics, such as how best to remove unsightly nose hair, why Lyndon LaRouche will be the next President, and who will be the first person to break the world record for continuous gargling. It's just that the roughly 19,000 hours of interview-talk I had to sit through (this is a conservative estimate) would inspire anyone to consider finding more aggressive uses for their chopsticks.

If I were a lesser person, I would probably use the rest of these column inches

to exorcise my former conversational partners. But I'm far too sweet and kind to do that to such nice (if perhaps a bit money-grubbing) people. Besides, I need all the friends I can get. So, rather than take the negative, backward-looking view, it's time to be pro-active and look to the future. (This, I'm told, is one of the seven habits of highly-effective columnists.)

[Interviewing] ... ranks up there with my other favorite conversational topics, such as how best to remove unsightly nose hair, why Lyndon LaRouche will be the next President, and who will be the first person to break the world record for continuous gargling.

Consider the sad truth, fellow 1L: you, too, will be a 2L some day. Perhaps not right away (especially if you happen to be, say, me), but sooner or later you'll be in the same boring-dialogue boat. So the challenge is simple: what can be done now to ensure that you will never be forced to endure the torture of constant interview conversations during your 2L year?

The answer is surprisingly straightforward: make yourself so unattractive to firms that no one will even dream of interviewing you. This accomplishes two important goals. First, it will deprive you of all conversation fodder on the interview subject. Second, it will cause your friends to be self-conscious about their own success, leaving them completely unwilling to talk about their interviews for fear of embarrassing you.

It's a brilliant strategy (if I do say so myself), but it does suffer from one tiny problem: that whole Harvard-name-on-the-resumé thing. Clearly, it will require

substantial effort to make yourself completely unwanted. You've got to think outside the box on this one, and have a "can-do" attitude. (As you can tell, I'm hip to the management lingo.) With that in mind, here are a few suggestions:

1. Affect a ridiculously snotty attitude. Your résumé should proclaim that you attend "Hah-Vuhd, the only true law school in the nation." When speaking to prospective employers, use an obviously-fake Kennedy accent, and demand that they send you peeled grapes before you consider working for them.
2. Abandon your entire wardrobe in favor of a giant chicken suit. For nice occasions and interviews, compliment it with a lovely feather boa. When asked, say that it's a "memento from Auntie Cock-a-doodle." Then proceed to make loud clucking noises until physically forced to stop.
3. Eat an all-garlic diet. Walk up to



everyone you meet and, at a distance of no more than 2 inches from their face, tell them that their breath smells. Then offer them orange-flavored Tic Tacs to solve the problem.

4. Carry a box full of slugs with you everywhere you go.

Accuse everyone you meet of "threatening my poor little sluggies." Periodically, begin screaming about how no one cares about your pets, and then throw the slugs at everyone within arm's reach.

5. Keep a loaded cap gun with you at all times. If anyone speaks to you without being spoken to, shoot at them wildly and then run away while screaming "Have a little fire, Scarecrow!"

6. Write for the Harvard Law RECORD. (Note: this strategy should only be used as an absolute last resort. I mean, this is an important matter, but you don't want to lose your dignity if at all possible.)

Hope this has been helpful. As always, I'm here for you. That's just the kind of special friend I am. Now get to work. You never know when you may be called upon to eat little fish balls and talk about your future, so be prepared. Your dim sum experience need never be so agonizing as mine was. Assuming, that is, that you stay away from the stuff which claims to be "Chinese broccoli." Trust me on this one.

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The Listening Room

By Darren "Huggy Bear" Fried '99

RECORD Columnist

TWO AND THE RAGGED TIGER

Duran Duran
Medazzaland

April 11, 1984, the Meadowlands in New Jersey. My pip-squeak friends and I were way the hell up in the nosebleeds, seemingly about a mile from the stage, but not really caring. We were 11 years old, it was our first concert, and there were no parents around to stop us from bumming cigarettes from the dude next to us.

The crowd seemed to be made up of endless waves of teenage girls, and the collective shriek they gave off when Duran Duran finally took the stage was deafening. The first song and a half were lost before the soundman finally pumped up the p.a. loud enough to be heard over the high pitched roar, a roar which would grow with every utterance of Simon Le Bon's and every swivel of John Taylor's bass.

The band was at their peak then; as the quintessential '80s band they had single-handedly turned MTV into a cultural force, set the fashion and musical trends for every band from Haircut 100 to Thompson Twins, and were the pioneers in exploring the previously undiscovered link between supermodels and musicians. More important was that they made entire albums of classic New Wave

and didn't just blow their creativity on the radio hits like "Save a Prayer" or "The Reflex," but produced LPs that went nine or ten cuts deep, with songs like "The Seventh Stranger" and "New Religion" worlds above your average pop filler. "The Chauffeur," arguably one of the top five songs of all time (at least if I'm making the argument), wasn't even released as a single.

Ahhh, but that kind of magic never lasts, does it? Side projects like The Power Station and Arcadia helped to quicken the exits of Andy and Roger Taylor, but there was still enough of that crazy, wild success to take them through good (but not great) albums such as Notorious and Big Thing. After sputtering along for much of the '90s, including their dreadful version of Melle Mel's classic "White Lines," they finally made a comeback with the so-called Wedding Album ("Ordinary World," "Come Undone"), and an appearance on the soundtrack of The Saint, although their pop ballad seemed woefully out of place amid Orbital, Moby, et al.

But the recent news that John Taylor had left the band seemed to signal that Duran Duran had had one last moment of incandescence before burning out. Yet with the release of Medazzaland, the band has once again proved their critics wrong, releasing their most complete album since Seven and the Ragged Tiger.

Combining elements of electronica, traditional Indian music, straight ahead techno, and their own brand of dance pop, Duran Duran sounds, dare we say it, cutting edge and vital for the first time in a long time. Nick Rhodes seems to finally have spent more time practicing his synthesizer than putting on his makeup, and his production, along with bandmate Warren Cuccurullo really shines. The programming and looping on songs such as "Be My Icon" and "Medazzaland" is creative and original, and sounds fully integrated in the band's sound, not just some pathetic attempt to sound modern, which could have been a real danger in this situation.

The three years it took to make the record is reflected in the quality of the songwriting, which is a big improvement over the Wedding Album, if not quite up to the standards of Rio. "Electric Barbarella," named for the Jane Fonda movie whose villain gave the band its name, is a lively, thumping dance song, probably their best since "I Don't Want Your Love," and you'll be humming its hook long after the album's over. "Who Do You Think You Are?" starts out with a plaintive John Lennon feel, subtle in ways that Oasis can only dream about, before turning into a nice little power pop ballad.

It helps that Simon Le Bon is brave enough to sound wimpy at times, as long as his basic honesty also breaks through. Although the band might deny it, the lyrics on "Buried in the Sand" can only be taken as a direct statement to the departed Taylor(s?):

"Can't say, that I was surprised/when you broke the ties/they were hanging by a thread/but now I've realized/it couldn't be the same/'cause everything has changed ..."



Either way, the song has a hypnotic effect, with its eerie sample of Ustad Sultan Khan and the wiggly Faith No More bass lick. Similarly, the aforementioned "Be My Icon" has a dark, chunky guitar riff to go along with its themes of fame and obsession that can

be read as references to the band, Princess Diana (if we look to the CD booklet's pictographs for clues) and those general psycho relationships that seem to come with the rockstar home kit.

Assuming the persona of the obsessed fan, Le Bon sings:

"How many hours/have I stared at my face in the mirror.../Now is the time to come out of the shadows/No need to be scared/You're gonna be so happy/I built you a shrine/Now you can be my icon ..."

Perhaps we can also take it as a little self-reflection on the part of a former '80s icon who not only had to deal with the obsessive fans and general madness that went with such unchecked fame, but also the unbelievable sense of loss when it all went away. Unlike many who have fallen from such a height, Duran Duran seem to have reclaimed their own lives, restating themselves as creative musicians as well as a viable band still able to achieve a level of success that most bands would kill for.

On the back cover of Medazzaland is a portrait similar to the Nagel painting on the cover of Rio. Here, however, the painting is scratched and defaced, although the beautiful smile and blue eyes are still easy to see. Like the woman in the Nagel, Duran Duran is somewhat worse for wear; time has certainly taken its toll and the elements have not been as kind as they might have been. But if the analogy holds true, their essence—the charisma and talent that took them so far, so fast—is still present, enabling them to thrive, and not just survive.

MOLTO BENE

By Luigi Malferrari LL.M. '98

RECORD Columnist

STAY IN WEEK

For the vast majority of LL.M.s, the fly-out week has been more like a "stay-in" week. With very few exceptions, they did not receive any callback interviews. Therefore, most just stayed in Cambridge or returned home to check up on their spouse, partner, or lovers.

Most LL.M.s have tried hard to convince themselves that having a quiet week is actually pretty good. "So I can catch up with studying and sleeping," they said. But in fact, they are jealous of their J.D. friends who were flown to New York, D. C., Chicago, or even London.

The explanation for this repressed envy is twofold. On one hand, many LL.M.s are not only students but also tourists here. Therefore, they would have loved to go sightseeing at the expense of the interviewing law firms. Leaving Gropius and the Hark and landing in a five-star hotel in sunny San Francisco was a terribly appealing vision.

On the other hand, the denial of callback interviews was a little psychological blow for LL.M.s. The interviews on campus during the month of October gave them high hopes. This, combined with the "you are the very best lawyers from your home countries" rhetoric of the first few weeks of school, had lead the LL.M.s to believe that they were on top. So finding themselves in the library at the beginning of November was a bitter awakening from the career daydreaming of the month before.

Many law firms wrote a rejection letter that was so nice, you almost believed that it was not the usual standard letter sent out in bulk every day. "I am very glad we had the chance to meet during our recent visit to Harvard." And then: "Your credentials are very impressive." It sounds good! But right afterwards: "However, I am not in the position to offer you a second interview." After reading such a letter, you did not know whether to feel flattered, dejected, or angry. At any rate, you had to swallow hard.

Despite all this, interviewing on campus has been an extremely interesting experience. In the first place, the interview process at Harvard has its own special mystique. It was almost thrilling to



show up on campus with elegant suits and shiny shoes—yes, just like the J.D.s did! Exploring fancy hotel interiors you would otherwise never see, sampling the delicious refreshments in the hospitality suite and nibbling on snacks with super-friendly

assistants were completely new and pleasant experiences for most LL.M.s.

Then, after this whole preparation, the real thing would come: the interview. It was definitely useful because it gave insight into the practice at the law firms and it provided some interview training. As we were advised, in the interview you always have to look the other person straight in the eyes. So, if you were so lucky that the hiring attorney was of the opposite sex, you could even flirt with him or her. Renée Kaplan was not quite wrong when in her brilliant column, "The Brothel at the Charles," she described the interviewer and the interviewee as "two impromptu lovers."

After the letdown of "stay-in week," LL.M.s are now a little more sober in their hopes and aspirations. Nonetheless, they are still confident that something worthwhile will come up sooner or later. They have in mind the job fair at Columbia at the end of January exclusively catering to international students. "No J.D.s around [they think]: that's where I will be able to play my cards right."

LL.M.s do not even want to face the dreadful idea that, as last year's statistics inescapably show, only some of them will eventually find no employment in the U.S. What would their mothers and friends think of them? They are convinced that their beloved LL.M. will find a great job in Manhattan. "After all [these people reckon] why should one be so crazy to spend so much money if one doesn't get anything concrete out of it?" LL.M.s might have a hard time trying to explain to them why.

Nevertheless, dear fellow LL.M.s: don't panic! If at the end of the year you don't have any job offer from a law firm, you should not despair. You can always join me at my future restaurant in New York: Da Luigi & Co - LL.M.s. — where LL.M.s means, of course, "Masters in lagsne and linguine."

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SPORTSGUY

RAISING CAPITAL

By Chris Manning '98
Sports Editor

The top seeds held throughout the HLSFL playoffs until the final game, when second-seeded Capital Punishment upended previously unbeaten and top-seeded Delta House to capture the league championship, 24-14. Both teams, drained physically and emotionally from a long playoff week, dug down deep to summon every last ounce of energy for this final game. What resulted was a battle for the ages, with youth and skill ultimately defeating experience and good looks.

Taking advantage of early Delt miscues, Capital Punishment was able to score the game's first two touchdowns on passes from League MVP Jim Walsh '99 to All-HLSFL RB Chris Kelly '99 and WR Phil Garthe '99. Delta House fought back to make it a 12-6 game on a 10-yard run by All-HLSFL QB Steve Mudder '98.

In the second half, Walsh was able to extend the Capital Punishment lead to 18-6 on a five-yard scamper up the right hashmark. Mudder led his team down the field to no avail, and when the Capital Punishment drove the ball to third down on the Delt 2-yard line, the game seemed a fait accompli.

The Delt defense refused to surrender, however, and forced a turnover on downs after an amazing tackle of Walsh

by All-HLSFL DL Mike Tognetti '99 and a deflection of a Walsh pass by LBs Mudder and Chris Manning '98. Mudder then engineered a quick 98-yard drive, culminating in a quick pass and 2-point conversion to Richard "Married to the" Moberly '98. With four minutes left, Capital Punishment's lead was cut to 18-14.

Capital Punishment was able to drive to its own 48-yard line, but stalled on third down, bringing up the game's decisive play, a fourth-and-two with time expiring. A fourth-down conversion by Capital Punishment would seal the game. A defensive stop for Delta House would give them the ball in Capital Punishment territory with two to three plays remaining — potentially enough for the highest-scoring offense in the HLSFL.

But there would be no dramatic comebacks today, as Walsh successfully navigated the run-focused Delt defense to complete a touchdown strike on a post pattern to Josh Swartz '99. The Delt's conceded the game, 24-14.

Afterwards, an overjoyed Capital Punishment team drenched captain Chris "Charlie Brown" Matarese '99 in a Gatorade shower. "When I felt my knee give after Lucy pulled the ball away from me on that last kickoff of the regular season, I thought our team's season was

over," Matarese said, "I was just lucky we had such depth. Whatever I'm paying guys like Willie Matthews and Mike Waterstone, I'm doubling it!"

As exciting as the Capital Punishment-Delta House game was, it paled in comparison to the semifinal matchup between Delta House and Freshies. Billed as the 3L Championship, Freshies came into the game attempting to avenge their loss to Delta House in the last game of the regular season.

Freshies and Delta House played to a tie in regulation, 20-20, prompting the first overtime game in recent memory. Since no one had anticipated an overtime period (there are no overtimes in the regular season), the rulebook was devoid of guidance on the subject, prompting the referees to turn to the source for guidance — who else? — SPORTSGUY.

SPORTSGUY, of course, is the HLSFL Commissioner. He also plays for Delta House. But on this day, he was completely objective — no conflict of interest whatsoever.

SPORTSGUY: "OK Dave, the score's tied 20-20, and you're feeling tired, so you're going to let us win."

Dave Rothenberg '98, Freshies captain: "Yes . . . I'm going to let you win."

Marc "Obi Wan" Cavan '98, Freshies DL and spiritual counselor: "Watch out, Dave! It's the SPORTSGUY mind trick — he's getting you to Yes!"

Rothenberg: "Must resist the Dark Side. . . Use the Freshness."

Cavan: "Thank goodness for those super-fresh tie-dyed uniforms!"

Both teams chose to adopt the college overtime format, giving each team the ball from the 20-yard-line with four downs to score. Like extra innings in baseball, whoever had the higher score at the end of each round would win the game.

On the first possession, Rothenberg was able to find a receiver in the endzone for six, but Delta House quickly matched with a score of its own. Neither team was able to make a conversion, however, so the game went to double overtime.

In the second overtime period, Freshies were able to score a touchdown and get a one-point conversion on a diving catch by All-HLSFL WR Allen "Winds of" Warfield '98. Delta House was able to score on a 20-yard flare by Manning, however, setting up the crucial decision to go for a one-point or a two-point conversion.

Flouting conventional wisdom, Delt's

James "Foxwoods" Rhee '98 and Shelly "Riverboat Gambler" Hirschtritt '98 convinced their team to go for two and the game. With great pass protection, Mudder was able to find Moberly dragging across the back of the end zone for the win, 34-33.

In the other semifinal, Capital Punishment matched up with Penal Battalion. Unable to break free of the Capital Punishment coverage, Penal Battalion could not open up its traditional vertical passing game. Undaunted, HLSFL Rookie of the Year Jay Webber '00 took what he could get, matching Capital Punishment's initial touchdown with a strike of his own.

At that point, however, things went from bad to worse for Penal Battalion. Taking advantage of a seam in the center of the Battalion coverage, Walsh sent Swartz and Kelly into the passing lane, finding them for several scoring strikes. With no pass interference calls from the referees, Capital Punishment turned its defense up even farther, choking off the Penal Battalion receivers and Battalion's chance at an upset, 38-12.

Given all of the excitement of the semifinals and finals, one might have forgotten some of the unusual happenings in the first-round games. But few who were there (SPORTSGUY included) will forget the 34 degree temperature at the start of the first-round match-up between Capital Punishment and Stormin' Mormons Thursday morning. The chilling temperatures made it difficult for either offense to convert and resulted in a close game in which Capital Punishment prevailed, 12-6, on the strength of its running game.

It would also be difficult to forget the nearly impossible catch by Happy Gilmores' WR Derek Squire '99 of a two-point conversion pass from QB Matt Dummermuth '99 in the first-round game between the Gilmores and Freshies. Dropping back into coverage, Freshies DL Cavan read the pass perfectly, strongly swatting the ball downward. Squire, reading the flight of the ball perfectly, dove downward to make the catch, unfortunately in a losing effort against the victorious Freshies, 33-20.

In other first-round action, Delta House eliminated Who's Your Daddy?, 32-6, and Penal Battalion defeated Cruel & Unusual Punishment, 31-6.

SPORTSGUY reminds his loyal readers that while there is no "I" in "Team," there is in "All-American."

1997 All-HLSFL Team:

Offense:

QB: **Steve Mudder** '98, Delta House. A true field general with a cannon of an arm.
RB: **Chris Kelly** '99, Capital Punishment. A double threat out of the backfield.
WR: **Allen Warfield** '98, Freshies. A gritty, understated performer.
WR: **Mike Gaies** '99, Penal Battalion. Fastest player in the league.
WR: **Brent Schlotthauer** '98, Delta House. Outstanding touchdown target.
OL: **Willie Matthews** '99, Capital Punishment. Webster's definition of an OL.

Defense:

DL: **Mike Tognetti** '99, Delta House. The smallest DL, yet the most sacks.
LB: **Howie Neuthaler** '98, Freshies. Anticipation and athleticism.
CB: **Jim Walsh** '99, Capital Punishment. Excellent pursuit ability.
CB: **Derek Squire** '99, Happy Gilmores. Great field sense.
DB: **James Rhee** '98, Delta House. Always taking away the big plays.
DB: **Josh Swartz** '99, Capital Punishment. Hey Josh, you made the column!

Most Valuable Player: **Jim Walsh**, Capital Punishment. It's no secret why his team's #1.
Rookie of the Year: **Jay Webber** '00, Penal Battalion. A rising star at QB.

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FOOD FOR THOUGHT

By Paul Gowder '00
RECORD Columnist

SHEPARD'S PIE

Do you know what's infuriating? I'm paper-Shepardizing this case for an LRA project, and it lists three cases that distinguished the case I'm looking at. So I go to the stacks to look for the cases. The first citation, supposedly "deleted pending review by the Supreme Court" (of California) — is reprinted in full at this citation. Now, right away, one thinks "what's wrong with these people? Why delete a case and reprint it later?" I look to the second citation, which happens to be the same one as the second citation in Shepard's, it's . . . you guessed it, deleted. This time, it doesn't even say "reprinted somewhere else," it just says that the Supreme Court's got it. At this point, I'm getting mental images of a bunch of old, robed Supreme Court justices sitting at a bench, giggling at the horrors they'll inflict on law students.

"What case shall we delete next?"

"Oh, this one looks useful . . . he he he . . . gone!"

"Hey, I know, how about giving them a phantom cite to another reporter, and deleting that one? . . . he he he!"

"Yeah, then the pitiful little 1Ls will have to lug lots of volumes around and break their little backs!"

"But what if they use computer searches?"

"Oh, that's easy. We make sure the LRA people don't allow the 1Ls the use of computers. While we're at it, let's eliminate any kind of tort or contract causes of action against law schools and judges, that way even IF the suckers . . . um . . . 1Ls . . . can manage to find any case law, it'll be overruled!"

"And of course, if we find a case that takes away every cause of action a 1L might have, lets delete it! MU-HA-HA-HA-HA!"

Then, finally, I look for a different case, the third "distinguished" case in the Shepard's collection. This one opens to, you guessed it, the same case as the first two, deleted "by order of the Supreme Court of California." How exactly do they get deleted, anyway? If they have a citation, they must have existed at that volume and page at some point, right? So what, does the publisher send new volumes out with the strict order "destroy the last version of this volume: it's been classified top secret by the court?" It doesn't look like it's been physically re-



moved; it must have existed in paper somewhere. Did it just exist as a pocket part? It's got to be in Langdell somewhere; after all, there are 1.5 million volumes in this place. Maybe expunged cases are in the "special collections"? Can't you just picture justices breaking into

the law library in the dead of night, removing cases, wearing robes and ski masks?

"Damn it, I told you to bring the flashlight!"

"Shut up, you forgot the glass-cutter."

"Hey, you remember where we put that case?"

"Yes, it's in three volumes—I've got the scissors, lets go!"

"Look out, the man's back there!"

"Shoot him!"

"I don't have the gun! Do you have the gun?"

"Forget the lousy copper! Let's get these opinions removed and get out of here!"

"I thought you were going to get rid of my 'tribute to baseball' too! You promised!"

"Shut up before I bust a cap in you, too!"

Why do they care if the appellate court opinions are removed, anyway? Reversed cases aren't removed, overruled cases aren't removed. So why is it that the largest law school library on the California Supreme Court's green Earth doesn't have them?

Thank goodness it's only California . . . (and thank goodness judges/justices presumably have a sense of humor). They probably think law students today have it too easy. (Monty-Pythonesque paragraph coming — beware.)

"Why, back in my days, we had to walk 35 miles to the nearest volume of Shepard's! In the snow! No Westlaw then! Well, there was Lexis-Nexis, but we had to use the dot commands! And we had to pay for it! In blood! That wouldn't be so bad, except we had to walk right between the active volcanoes to get to the library! Yep, that was back when they strew broken glass between Gropius and Langdell, just to make sure we didn't get too big for our britches! Yes, today's law students have it easy, so we might as well take a few of their cases away. You're lucky! Used to be, they'd take a finger if you wanted to read a case!"

LIVING TO EAT

By Judson O. Berkey '98
Restaurant Reviewer

A RETURN TO ELEGANCE IN THE SOUTH END

In these days of ethnic and fusion cuisine run rampant, it is sometimes easy to forget the elegant pleasures of good bistro cooking. Metropolis Cafe, located at 584 Tremont Street in the South End, will reawaken the memories of your best bistro experience, as it draws on both French and Italian influences to serve some of the most consistently well-crafted meals tasted in a good while. Metropolis is about food with a capital F and will force even the most cynical palate to admit to the pleasures of the table.

As befits a good bistro, the menu at Metropolis fits on one page and is deceptively simple. The deception lies in the fact that although there may not be too many selections, it is very difficult to choose from among them. The first courses, for example, provide enough variety of tastes and styles to suit any dining preference.

A simple salad of organic greens and baby lettuces (\$5.95) was a nice, light starter. The salad was composed of a careful mixture of arugula, frisee, and baby red and green oak leaf lettuce. It was topped with a light sherry vinaigrette containing enough of a hint of nuttiness to make one think it must have been made using a fine amontillado sherry.

A more filling first course was provided by sautéed wild mushrooms served over thyme mascarpone polenta (\$8.95). Here, chanterelle, shiitake, and porcini mushrooms both topped and ringed a

mound of creamy polenta. The polenta had a wonderful texture as it still retained a slight sense of graininess despite its creaminess.

What really made the dish, however, was the sweet roasted garlic broth that surrounded the polenta and mushrooms and washed a wonderful nutty/sweet taste over the entire dish. Other appealing appetizers were a very nice looking duck salad (\$8.95) and of course the classic French foie gras accompanied by a New England touch in the form of a mustard fruit chutney (\$9.95).

The main courses at Metropolis live up to the expectations created by the first courses in both variety and character. The regular menu (\$15.95-19.95) contained a pork loin in a plum sauce, a succulent-looking osso bucco, and a nice-sounding salmon. On one night, however, most of the diners seemed to choose either of the two specials.

One of these was a dish of roasted monkfish and steamed mussels served over roasted Russian fingerling potatoes bathed in a saffron broth (\$18.95). Each individual element in this dish was first-rate. The fish was done perfectly so that it was dense, yet not meaty, and the saffron broth provided a sharp but not overpowering flavor. The potatoes, a European variety not often found in supermarkets, was the true star of the triumvirate. With an incredible earthy flavor and the perfect balance of sugar and starch, they

would have made a satisfying meal unto themselves.

The other special, tomato risotto topped with a layer of steamed spinach and crowned by sautéed chicken livers (\$16.95), relied on a mixture of flavors and textures to create a winning combination. In this dish, each individual ingredient, although good, would not have stood on its own. The chicken livers were dry, the spinach unadorned, and the risotto rather mild. The combination of the three, however, formed a sort of holy trinity.

The creaminess of the risotto softened the chicken livers which reciprocated by providing a strong flavor to the risotto. The spinach, which bridged the risotto and the livers, was the key to this combination. It not only seemed to funnel oil from the risotto to the livers above but also to anchor the livers to the risotto below. This dish showed the true strengths of good bistro cooking in using three rather simply prepared foods to create a combination that attained towering heights of flavor.

Metropolis sticks to the bistro formula in the size of its portions. Each of the dishes was large enough to satisfy and allowed for a period of communion with the food but was not overwhelming. This was a nice contrast to the big portion trend today and was well appreciated since the desserts at Metropolis (\$6.95)



appear equally as good as the main courses. The apple and pear cobbler contained well-sized chunks of fresh fruit topped with a nicely light crumble.

Metropolis provides a good selection of French, Italian, and California wines. The bottle prices seem a bit high but each wine is available per glass at a more reasonable price. On our evening there was even a special California Beaujolais Nouveau which was appropriately served slightly chilled. The space at Metropolis is rather small since the site used to contain an ice cream parlor. As a result, the restaurant relies on turnover for its business which means it isn't really the place to linger over a long meal.

That is the true purpose of a bistro, however. The only discordant note of the evening was provided by the strange selection of music which alternated between rap and techno and was entirely too loud. However, the food more than made up for this. Tremont Street may not be the Champs d'Elysées but if one concentrates on the food, Metropolis just may transport you to Paris.

OFF THE RECORD

By Eric Johnson '00
RECORD ColumnistNOTE: ON FRUG'S
CONTRACTS—SUIT YOURSELF

In analyzing *Miller v. Miller*, 78 Iowa 177, 35 N.W. 464, 42 N.W. 641 (Iowa 1887), Professor Gerald Frug mentioned in passing — while discussing 19th century attitudes toward marriage and the separateness of persons — that obviously, "You can't sue yourself."

Students might well be disappointed to hear Prof. "All Sides of the Issue" Frug simply assert such a readily contestable idea. In fact, I have identified at least two good reasons for being able to sue yourself:

1) To tie up your assets in court to prevent them from being counted against your financial aid package, and

2) To provide real-life legal experience while working for a good cause at the same time.

The second reason would be especially compelling if you, a) chose to represent yourself and also, b) chose to represent yourself. Further study is required to see if this might negatively impact membership in student groups such as Harvard



Defenders and various HLS clinical programs.

I am actually considering suing myself for my failure to do all of Frug's reading before class, as I had

vowed during those heady days of orientation. Since I'm very busy, I'm wondering if anyone might be interested in helping me or myself in preparing briefs for eventual trial. I also could use a few extra hands to do subciting. (See 5803 N.Z. 43d. 78359, 3502 Zimbaw. 0th 4609844, 42 Itq010x 641 and 0924 *#&^@§*∞£ j43!, (Sri Lanka 1732))

If you would like to help, please contact me outside of Frug's class—Langdell South Monday through Wednesday around noon—or look for me engaged in spirited debate with myself just outside of Christie's on most school nights at the Square.

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