



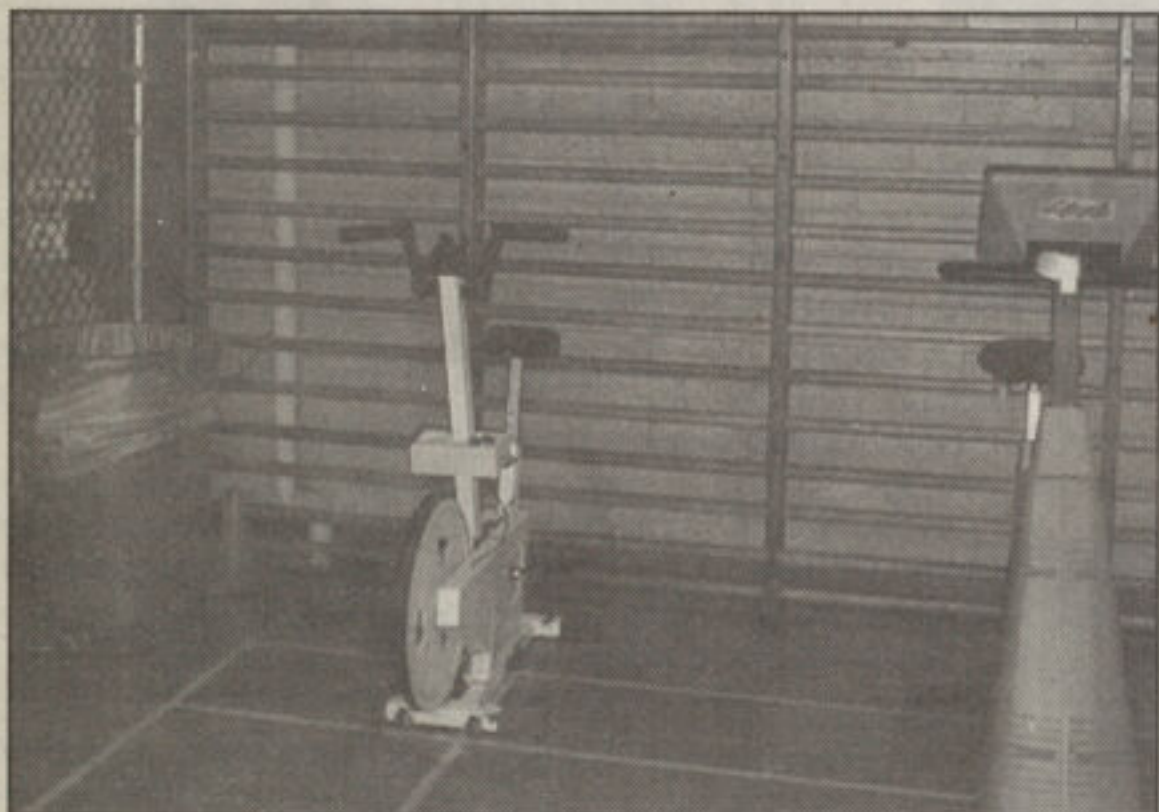
Harvard Law RECORD

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35 CENTS

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RECORD Photo/Dusan Stojkovic

Will Hemenway's exercise bikes stop spinning?

Legal Education Committee Proposes Reform Package

By Suzanne Carter

The Legal Education Committee (LEC) is moving ahead on its plan to propose reforms aimed at improving the "educational culture" at HLS, according to a memo circulated by Prof. Richard Parker '70, chair of the Committee.

The normally quiet Committee has been fraught with controversy in recent weeks. The Committee proposed the Law School's new mandatory atten-

dance policy, which sparked widespread student opposition when it was considered by the full faculty. Last week, the Law School Council (LSC) urged the three student members of the Committee to resign because of their support for the attendance policy. As of Tuesday, none of the three members had offered his resignation.

Parker has divided the Committee into three sub-committees, each of which will work on

Please see LEC, p. 13

University May Transform Hemenway Into Office Space

New Squash Courts May Make Hemenway Obsolete

By Janie Kim

The construction of new squash courts this spring by Harvard University's Faculty of Arts and Sciences (FAS) and the search for new administrative space by FAS looms over the future of Hemenway Gym, threatening to close the only athletic facility adjoining the Law School campus.

Hemenway Gym is owned and operated by FAS's Athletic Department — as are all University athletic facilities. Whether Hemenway will continue to operate as a gym has been a tenuous issue for years.

"The Law School has had a standing offer to FAS to purchase Hemenway for some time now," said Sandra Coleman, administrative dean of the Law School, "but FAS has never accepted it."

"That is not completely accurate," said David A. Zewinski, associate dean of physical resources for FAS. "Recently, the Law School has expressed interest in acquiring Hemenway, but

there hasn't been an actual offer."

HLS turned down an opportunity to purchase Hemenway ten years ago, says Zewinski.

"FAS was considering selling Hemenway in the late '80s," said Zewinski. "There was work done to determine the fair market value of the building, but as far as I can remember, the Law School declined to buy it."

Nevertheless, Zewinski said HLS's current interest in acquiring Hemenway is "clear."

Asked if there was anything the Law School could do to secure Hemenway from FAS, Zewinski replied, "It's not a question of money."

"There's a real need for viable, well-functioning space. Space may very well be more valuable to us than cash in the hand."

Squash Courts No Longer Hemenway's Trump Card

FAS's principal motivation for operating Hemenway as a gymnasium has been to service the University's demand for squash courts, not necessarily to

convenience nearby law students, according to Frank Lamentea, the Law School's director of building operations.

"To FAS, Hemenway's real value was in its squash courts," said Lamentea.

These squash courts traditionally served as a check against other demands, such as FAS's need for office space, that might have otherwise threatened Hemenway's status as an athletic facility, according to Zewinski.

"We have always had a significant and high-profile need for administrative space," said Zewinski.

"[Dean Clark '72] is very aware that FAS continues to maintain Hemenway due to its squash courts and that they now have new courts," said Coleman.

FAS is currently constructing a new athletic facility on North Harvard St. scheduled to open this April. Physically linked to Blodgett Pool, the new facility, which has yet to be named, will house a varsity weight room, six

Please see GYM, p. 12

Fallon's Con Law Most Crowded Course at HLS

Kraakman, Murray Also Popular

By Jane Ohgami

If raw numbers are any indication, the most popular course for 1997-98 is Constitutional Law with Prof. Richard Fallon, edging out the Evidence course taught by Visiting Prof. Peter Murray '67 and the Corporations course taught by Prof. Reinier Kraakman for the top position.

One hundred seventy-one students enrolled in Fallon's course. Kraakman's and Murray's courses each had 164 students.

Fallon said the results may not reflect popularity, but rather students' desire to complete Con Law, which many consider a virtual J.D. prerequisite.

"There are a lot of people who want to take Con Law, and a number of 3Ls who have to take it this term if they are to have it at all," Fallon explained.

"I relaxed the upper limit in my class to make sure that everyone who really wanted to have a Con Law course would have a chance to take

one at Harvard Law School." Registrar Stephen Kane said the larger numbers may also reflect the recent cancellation of Corporate Finance with Lecturer John Pound. Pound was fired earlier this month as a result of the sudden cancellation.

"Prof. Fallon was willing to take on more students [after Pound's cancellation], which I certainly did appreciate," he said. "We typically try to keep the sections equal."

Fallon's class of 171 may seem large to today's students, but it is less than half the size of a Con Law class once taught by Prof. Laurence Tribe '66.

"I have limited the enrollment in my class for a long time," Tribe said. "The one year when I didn't do so, quite a few years ago, the class reached an unmanageable size of 375 or so. I decided then and there that I would limit it to 150 for the future, and it's been limited ever since."

Assistant Registrar Mike Slawson said that a class of

Please see CLASSES, p. 6



Prof. Fallon

Three-L Conquers Game Show, Takes Fed Courts Final Next Day

Five-Time Jeopardy Champ Todor '98 Wins \$29,021 & Chevy Tahoe

By Janie Kim

Law School fans of television's "Jeopardy" may have recognized one of their own among last week's contestants.

J.J. Todor '98 emerged victorious in five consecutive episodes of the game show, winning \$29,021 in cash, a new Chevy Tahoe, and a spot on Jeopardy's Tournament of Champions. The Tournament is scheduled to be taped later this year.

The episode that aired Monday was Todor's fifth appearance on the game show. According to "Jeopardy" rules, five-time winners are not invited back for the next game, but are invited to participate in the Tournament of Champions.

Monday's episode was taped in Los Angeles on Dec. 9. Todor returned to Boston around 12:30 a.m. the next morning. Eight hours later, Todor was back on campus, writing his final exam in Federal Courts.

"That was an intense period," Todor said.

Todor said that, due to his law school work-load, his preparation for the show was mini-

mal.

"Even if I were of a mind to prepare," he said, "there just wasn't time to do a thorough job." Todor received approxi-

mately one month notice before his scheduled appearance.

Todor credits his time on the Harvard University College Bowl team — of which he remains a member — as valuable experience for the competition on Jeopardy.

"[College Bowl] helped prepare me for the show, as far as dealing with that kind of situation, that kind of pressure," said Todor.

Todor describes his final appearance on the show as particularly tense. "I needed to get the final jeopardy question right in order to win," he said.

"Jeopardy" reverses the usual schema for a quiz show by providing its players with answers which require responses posed in the form of questions.

The final jeopardy answer which led to Todor's fifth victory was: "This capital, founded by Christopher Columbus's brother, is the oldest European settlement in the Western Hemisphere."

Todor correctly responded,

"What is Santo Domingo?" He was the only contestant to offer the correct response.

Despite his success, Todor

Please see JEOPARDY, p. 4



J.J. Todor '98

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11 Years Ago in the RECORD



Harvard Law Record

America's Oldest Law School Newspaper

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MARCH 6, 1987

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Democrats Urge 'HLS To The Hill'

By Richard Genow

The HLS Democrats began their Spring agenda last Monday by sponsoring a symposium on careers in politics. Over 225 people converged on the Ames Moot Court Room to hear four HLS alumni discuss their personal experiences and advise law students with public service ambitions. The symposium, moderated by Professor Abe Chayes, consisted of the Democratic National Committee Chairman, Paul Kirk, HLS 1964, Sen. Paul Sarbanes (D-MD), HLS 1960, Rep. Anthony Beilenson (D-CA), '57, and Rep. Sander Levin (D-MI), '57.

Professor Chayes, known for his accomplishments in the public sector, kicked off the symposium by saying that "the purpose of the program is to show that there is somewhere you can go besides Wall Street or Hell." Each of the speakers then described their respective political histories, influences, and motivations.

Paul Kirk, whose leadership has helped the Democratic Party revitalize and retake a majority in the Senate, expressed optimism in light of current political events, with respect to the Democrats and the 1988 elections. When asked who he would most and least like to see nominated as the Republican candidate, Kirk responded with Vice-President Bush and Sen. Robert Dole (Kan.), respectively.

Sen. Sarbanes used the opportunity to stress participation in de-

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Luke Cole, 1L, CHF member and participant in the rally, lights his grade burning kit.

Grades A Burning Issue At HLS

By Greg Herbert

Approximately 200 students gathered around the steps of Langdell North last Wednesday to participate in a grade burning rally/protest staged by HLS' radical student group, the Counter-Hegemonic Front. The event culminated a two-week long barrage of anti-grade hype, consisting of posters, T-shirts and cartoons, that appeared around HLS with increasing frequency. The Front staged the event to protest the school's "random" grading system and to demand a pass/fail first year program similar to that of Yale Law School.

Many students joined in chants of "Pass/fail, works at Yale" and "Hey hey, ho ho, those random grades have got to go," while 150 signed a petition endorsing the proposed pass/fail system.

"It's an incredibly reasonable proposal," said CHF member Wilson McLeod, 2L. "There's absolutely no reason to maintain the current system other than institutional inertia."

A group of about twenty second and third year students actually burned their grades. 1Ls, who had not yet received any grades, were supplied with "grade burning kits." The kits consisted of matches and official-looking transcripts with every first year course listed as receiving a B. "Just like you're going to get in a few days anyway," co-organizer Peter Levine, 2L, shouted, in support of the contention that grades at HLS have no correlation to performance or understanding.

One of the major allegations made by the CHF was that professors

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Students Burn Grades On Langdell Steps

(Continued from Page 1)

spend very little time grading exams, contributing to the grades' inaccuracy and randomness. Luke Cole, 1L, recited a list of anecdotes to support this claim, including one professor who said she awards herself with a Twinkie for every exam she finishes in less than seven minutes. "She admitted she had a lot of Twinkies that grading season," Cole said. Another professor was said to have admitted spending only eight minutes per exam.

The CHF also criticized HLS' traditional grading system as encouraging "obscene" over-competitiveness and anxiety among 1Ls, "and in extreme cases, even suicide," Levine added.

More reflective of the Front's style, however, was Levine's claim that "grades smooth students into a process where they're going to end up working for the corporate culture, taking on the values of corporate firms without thinking about it, and repudiating the very reasons they came to law school."

Stuart Kliman, 1L, challenged this as a rationalization. "They're just making excuses early because they're going to end up in a corporate firm," he said. Although he disagreed with their ideology, Kliman supports a pass/fail system for all three years and agreed for the most part with the CHF credo, "Grades are random." "It's reasonable that grades are random here,"

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Students at Rally Demand Pass-Fail Grades for 1Ls

(Continued from Page 3)

he said. "We're all about the same academically and it's too hard to differentiate between us."

The CHF denied responsibility for the phony grade announcements posted around HLS last week. "That was done by someone trying to sabotage our purposes," McLeod said. "We don't want to contribute to grade anxiety in any way."

HLS offered a pass/fail option to

students one year in the 1960s, but only 17 percent of students chose the option, according to Dean of Students Mary Upton. The option was rescinded the next year, alleged Levine, "because there was so much pressure from corporate firms to change it."

"The student body has historically supported pass/fail grading," said Cole, citing a 1984 student survey in which 63 percent of students favored pass/fail. "The Michelman

Committee of the early 1980s also studied the issue and recommended pass/fail grading, but the faculty voted it down," he added.

When asked about the CHF's coming agenda, McLeod responded, "We're working on a counter-hegemony, and the next issue of the *Reptile*," the group's newspaper, will focus on "alienation and repression."

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Hamilton Houston Symposium Celebrates Our Own

By Alyssa Caples

The Charles Hamilton Houston Symposium, a series of receptions and seminars held on Friday and Saturday, celebrated the enduring legacy of civil rights pioneer and HLS alum Charles Hamilton Houston '22, SJD '23.

Credited by Justice Thurgood Marshall as chief architect of the efforts to bring down the Jim Crow laws that grew out of the "separate but equal" doctrine of *Plessy v. Ferguson*, Houston's accomplishments were many and varied.

"He is an exemplar of what an HLS graduate should be. He is a man of truly amazing achievements, a great teacher, an outstanding practitioner in his work as the special counsel to the NAACP, and a shaper and leader of the civil rights movement," said Dean Clark '72 at the unveiling of a portrait of Houston that will hang in Langdell Hall.

Because Houston died before the landmark decision in *Brown v. Board of Education*, he has not received the recognition enjoyed by many of his colleagues. "He passed away in 1950, and as such, he didn't get the exposure that many of the other talented lawyers got as they moved on — for instance, Robert Carter, who is now a judge, and Thurgood Marshall, who went on to become an Associate Justice on the Supreme Court. Had he lived he might have had the recognition that some of these others have had," said Symposium Committee Co-chair Robert Fairfax '98.

But, on Saturday there was no shortage of people well-versed in Houston's legacy. More than 200 people, including members of Houston's family, attended the Symposium panel discussions on such topics as "Houston's Commitment to Legal Education and Its Impact on

Civil Rights," and "The Effect of Houston's Civil Rights Advocacy on the American Legal Order."

Among the panelists were noted scholars and civil rights leaders, such as Columbia Law School Prof. Jack Greenberg, former Director-Counsel of the NAACP Legal Defense Fund; North Carolina Central University Chancellor Julius Chambers; and UNC-Chapel Hill historian Genna Rae McNeil.

"Houston was more than a lawyer. Howard Law School, where Houston served as vice-dean, represented more than a law school," Howard Law Prof. J. Clay Smith said at one of the panels. "Black lawyers were a critical group of lawyers with a special assignment to eliminate social, economic and political constraints on black people."

In the 1970s, Smith founded the school of legal thought known as Houstonian Jurisprudence, which "consisted essentially of those cases in the philosophy of law regarding the use of the law for social change and for social engineering and the fundamental belief regarding equality as well as the constant induction of freedom and justice in an ideal society," McNeil said.

After a plaque was unveiled at Gannett House recognizing Houston's achievements, Prof. Wilkins described Houston's approach to education as a "search for excellence."

"He was very influenced by his expe-

rience at HLS, by his professors, and by his experience on the Harvard Law Review, and he wanted to bring that kind of search for excellence to Howard Law

able to take on what at the time undoubtedly seemed like the overwhelmingly daunting task of dismantling American apartheid," said Wilkins.

The events of the weekend demonstrated a feeling of solidarity among student organizations. Groups ranging from the Legal Aid Bureau to the Civil Rights-Civil Liberties and Black Letter Law Journals got involved, as well as the Black Law Students Association and the Harvard Law Review. The event also received much support from the Dean's Office and the Saturday School Program.

"We're just happy that we can be a part of this celebration, celebrating the legacy of one of Gannett House's preeminent former residents. Since we share the residence at Gannett House and since he was active in the civil rights movement, we thought that it was important for us to be a part of the event," said Legal Aid Bureau President Kevin Harrington '99.

In general, students were enthusiastic about the weekend. "It's a truly inspirational weekend, I think to look at where African American students have started at this university and where we are today," said Aisha Christian '98. "It's enlightening, it's inspiring, and it's a great way to end my three-year career here. This weekend

shows you that your contribution to HLS doesn't end after graduation, it can continue."



Dean Clark '72 poses with a portrait of Charles Hamilton Houston '22

RECORD Photo/Alyssa Caples

School because he thought that only the most accomplished, most excellent cadre of black legal social engineers would be

Survey Finds HLS Has Nation's Best Reputation Ranks Second Overall in U.S. News Rankings

By Eric Johnson

Harvard Law School has the best reputation in the nation — beating out both Stanford and Yale — according to the March 3 issue of U.S. News & World Report. But HLS finished one point behind Yale in the comprehensive scoring, tying with Stanford for the number two spot in the overall rankings.

U.S. News based their "reputation" category on two surveys. In their survey of judges and lawyers, Harvard's reputation is unmatched among the country's 179 accredited law schools. Among legal academics, Harvard ties with Yale for first-place while Stanford takes third.

Although U.S. News ranks many graduate programs solely on reputation — such as Ph.D. programs in the arts-and-sciences — for professional school rankings it adds factors such as student selectivity, faculty resources, and job placement.

HLS fared worse in faculty resources, ranking fourth. The category is based primarily on per-student expenditures. Although Harvard may have the largest law library in the nation, the money the school spends on the books and periodicals is heavily diluted in the per-student calculations because Harvard Law has four times as many students as either Yale or Stanford.

U.S. News also awards points for overhead expenditures on a per-student basis. So while creating an efficient administration and physical plant may make good economic sense, it's bad news for the rankings. For example, there seems to be a penalty for utilizing energy-efficient lighting or having a more productive

mailroom staff.

Student selectivity counts for 25 percent of the rankings. Here, Harvard ranked second behind Yale. Median LSAT scores, undergraduate GPA's and acceptance rates are combined to rank schools in the selectivity category.

Critics charge that this emphasis on LSAT scores — worth 50 percent of the measure — places an incentive on schools to give LSAT scores ever increasing emphasis in admissions. They also note that it is not surprising that U.S. News does not factor in the rhetorical and analytical quality of the admissions essays of matriculated students.

Of course, the acceptance rates reflect not only how many students are accepted to a law school, but also how many students apply. By boosting their total number of applicants, schools can lower their acceptance rates without having to raise admissions standards.

New York University and Columbia law schools both keep application volume up by mailing unsolicited applications to many students after they get their LSAT scores. Both schools then offer to waive the application fee for prospective students willing to fill out the forms and mail them back.

Columbia's mail-and-waive strategy may have helped boost it to its new perch of fourth place in the U.S. News rankings, where it is now tied with the University of Chicago.

NYU was ranked sixth this year — its highest placing to date.

After a mix-up with the 1997 rankings, law schools may have been trained to double-check their numbers for any last-

Please see **SURVEY**, p. 4

LL.M. Program Thrives at HLS

By Luigi Malferrari

According to HLS legend, the first student to receive an LL.M. degree from Harvard did so without knowing it. After graduation he decided to spend some extra time at HLS and eventually wrote a paper. It is said that, to reward this truly dedicated person, the School "invented" a degree especially for him and called it Master of Laws, better known by its Latin abbreviation, LL.M.

"The Law At Harvard," a history of the Law School by Prof. Arthur E. Sutherland '25, says virtually nothing about the origin of the LL.M. program, stating only that the Master of Laws degree first appeared in the 1924-25 HLS Register.

True or not, the story gives the Harvard LL.M. program a noble, quasi-romantic touch: the biggest and one of the most well-known LL.M. programs in the United States originating from the passion for legal research.

The development

According to Vice-Dean David Smith '61, the Law School's LL.M. program didn't develop vigorously until World War II. Smith said that in the mid-1950s the LL.M. program started to grow in size and to become international. In the late 1950s and through the 1960s there were between 80 and 90 LL.M. students, half of whom were American.

A major shift toward internationalization came in the mid-1970s when the number of the American LL.M.s was reduced in favor of foreigners. Since 1975 the program has grown substantially.

According to Smith, in the early 1980s the LL.M. program consisted of 110 students, of whom 100 came from

abroad. Smith said that when Dean Clark '72 was appointed dean in 1989, there were about 125 LL.M.s. Smith said that Clark decided to accelerate both the increase in size and the internationalization of the LL.M. program. This year there are 152 LL.M.s at HLS, of whom only seven are American. Last year there were a record 160 LL.M.s.

An international Law School

Dean Clark's vision, according to Smith, is to have a truly international Law School where foreign lawyers are trained and at the same time enrich J.D.s as well as faculty members.

Prof. Joseph Weiler, co-director of the graduate program, often underlines that "comparative law is important because it helps to think about one's domestic legal system in a different way and understand legal problems better."

Prof. Anne-Marie Slaughter '85, co-director of the graduate program, said that her being half-Belgian has deeply affected her career.

"My international background helped me to figure out how other countries tackle the same issues and, thus, I could look at U.S. law from a different perspective," she said. "While practicing and teaching American law, I have wanted to study ways to help change the attitude of U.S. courts toward foreign jurisdictions and international issues."

As for the internationalization of the HLS curriculum, Smith said he hopes that in the future there will be a Latin America program, more courses about Africa, Russia, and Eastern Europe, and also an increased comparative perspective in the courses that already exist.

Please see **LL.M.**, p. 5



Briefs

Three-L Pens Book on Civil War

Christian Samito '98, a self-proclaimed Civil War buff "since junior high school," has authored "Commanding Boston's Irish Ninth: The Civil War Letters of Colonel Patrick R. Guiney, Ninth Massachusetts Volunteer Infantry," published earlier this year by Fordham University Press as part of its "Irish in the Civil War" series.

Guiney, the book's subject, was an Irish-American lawyer who led a Union regiment for two years during the U.S. Civil War.

Samito discovered 140 of Guiney's archived letters while a senior at Holy Cross.

"The heart of the book is Guiney's letters," said Samito. "They were excellent letters, eloquently written; they talked about his faith as a Catholic, the burdens of leadership ..."

In his book, Samito annotates the letters, adding contextual information about the regiment and the era's political climes.

Guiney, a Republican abolitionist, was a political anomaly among his fellow Irish-Americans, says Samito, who generally "hated Lincoln and the abolitionist movement for economic reasons."

Lawyers for Sex Offenders Persist in Fight to Overrule Megan's Law

State officials in Trenton, N.J., declared victory Monday in the battle for Megan's Law, but lawyers representing sex offenders said the fight is not over.

Gov. Christie Whitman and Attorney General Peter Verniero hailed the U.S. Supreme Court's refusal to hear a challenge to the law's constitutionality as the final word.

"The lawsuit we fought so hard to win is over. There are no hurdles left to clear," Verniero said.

But Michael Buncher of the Public Defender's office said sex offenders have a right to privacy, a right to prevent authorities from spreading their names, addresses and criminal records around their neighborhoods.

Buncher said this point is the basis of a new appeal his office is pressing through the federal courts to strike down Megan's Law from a different angle. The U.S. Supreme Court on Monday in effect affirmed the federal court's August ruling by its refusal to accept the appeal, although it did so without comment. U.S. Supreme Court Justice David Souter '66 had foreshadowed Monday's action on Dec. 8 when he killed court orders that had held up community notification.

—Associated Press

Murdered Student's Family Sues Harvard

The family of a 20-year-old Harvard student who was stabbed to death by her roommate has filed a lawsuit against the University, alleging administrators could have prevented the murder.

Sinedu Tadesse, a 20-year-old student from Ethiopia, killed Trang Ho in the Dunster House dormitory room they shared and then hanged herself from a rope in the shower in May 1995. Tadesse, apparently unhappy that Ho had chosen someone else to room with her next year, stabbed the pre-med student 45 times.

The University and three people who were affiliated with Dunster House, including a student who was the dorm tutor, are named in the lawsuit filed Wednesday in Middlesex Superior Court.

The wrongful death suit alleges the University ignored blatant warning signs — including a desperate letter and a faltering academic record — that Tadesse was troubled.

"The family believes there is something Harvard could've done to prevent the death of their daughter and sister," said Carol Mallory, one of the attorneys representing the Hos, who live in Lynn.

—Associated Press

Justice Breyer '64 Backs Use of Neutral Experts

Supreme Court Justice Stephen Breyer '64 is cautiously endorsing a movement among judges to appoint neutral experts to help them sort through contentious scientific evidence, but he advises against overdoing the practice.

A few judges, daunted by cases hinging on highly technical scientific issues and sometimes clouded by dubious expert testimony, have named independent experts to help separate solid evidence from junk.

Breyer told a meeting of the American Association for the Advancement of Science on Feb. 17 that he welcomes the organization's offer of a pilot program to help federal judges find neutral experts.

The AAAS program will begin as soon as the organization finishes securing a foundation grant to pay for it. It will run for five years.

As Breyer put it, judges have a legal responsibility to act as gatekeepers, "not to resolve the scientific matter but to keep unsound, unhelpful, unreliable information away from the jury."

—Associated Press

HLS International Law Program Number One

Continued from *SURVEY*, p. 3

minute way to boost their results. In an accounting flub last year, Stanford jumped over Chicago to third while Virginia swiped eighth place from Boalt Hall.

This year Duke Law School's accounting vigilance was rewarded when it found another U.S. News blunder. Originally in 11th place when the 1998 rankings came out in U.S. News's paperback book, "America's Best Graduate Schools," Duke leapfrogged Cornell, among others, to land in the more elite Top-10 pond, where it tied other schools for eighth place.

The error Duke found was in U.S. News's figures for the number of Duke's 1997 graduates employed at time of graduation. U.S. News scrambled to recalculate the rankings and published the corrected version in its magazine and on

its Web site. After the dust cleared, nine schools had shifted one place in the rankings, and 11 schools had moved in the job-placement category.

Other Harvard University graduate schools also did well in the 1998 U.S. News rankings. Harvard Business School came up from second place in 1997 to tie Stanford for first. Harvard Medical School beat rival Johns Hopkins to take top honors. The Kennedy School of Government ranked second behind Syracuse University, and Harvard's Graduate School of Education placed third behind Columbia's Teacher's College and Cal-Berkeley.

M.I.T. was ranked number one for engineering.

In separate rankings U.S. News publishes for law-school specialty categories, Harvard ranked first for its international program.

Three-L Auditions for Game Show During Fly-Out Week

Continued from *JEOPARDY*, p. 1

vividly remembers the errors he made on the show.

"I can recall most of the questions I missed pretty clearly," said Todor.

"I called that movie 'Brian's Song' 'Brian's Piccolo,' and on a double jeopardy question, I called that Smokey Robinson song 'Tracks of My Tears' '96 Tears.' Titles of things were my Achilles' Heel."

Todor first tried out for "Jeopardy" at the show's open auditions last October.

"I already had a job lined up for next year, so during fly-out week, I visited relatives in L.A. and tried out for the show," said Todor.

Todor described the audition as a two-

step elimination process. About 40 prospective contestants sat for a 50-question written test the same day as Todor. The top four scorers of the test — including Todor — advanced to the "contestant interview" phase.

"That part's like a mock game show, with buzzing and answering," said Todor.

Todor said he was uncertain of what criteria were used to judge applicants during the audition's second half.

"I don't know if they were paying attention to how telegenic we were or our buzzing ability or what," he said.

The show's producers contacted him six days after the audition with an invitation to appear as a contestant during the show's December tapings.



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PUBLIC FORUM

Did the U.S. News & World Report law school rankings affect your decision to attend Harvard?

Tara Dawood '98

If Harvard had ranked third, I would have gone to Yale.



Reagan Demas '00

It didn't affect my decision much. I was more concerned about the quality of life rating, which always seemed pretty low. It's a concern because if we rank low in quality of life categories, it might become a kind of self-fulfilling prophecy. Only people who don't care about quality of life will come and things will just get worse. You have to keep in mind that it's all a lot of politics and that many of the people making the those ranking decisions don't even see the place.

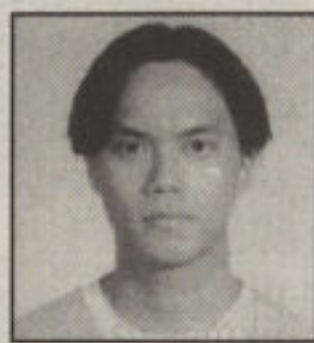


Josh Singer '00

I should have gotten into Yale! I should have gotten into Yale! I should have gotten into Yale! (You're not going to print that, are you?)

Kevin Tang '99

Very little. I mean, it's Harvard. I don't need U.S. News & World Report to tell me it's a good school.



Betsy Miller '99

None. I didn't get into Yale. (Frankly, I was more disappointed that Dartmouth finished a mere 7th in the undergraduate ranking.) But had I known the faculty here would show such utter disregard for student concerns — the new attendance policy is a great example — I might have gone elsewhere.



Katie Benestad '00

I looked at the rankings but barely remember what they said. They obviously didn't make a big difference in my decision.



Myles Hankin '00

When I first read the article I was worried that Harvard was going down in the poll. But then I realized I had misread the preposition — it was an article on Monica Lewinsky.



Felix Uhlmann LL.M. '98

It definitely had an effect. Of course, I knew HLS was one of the three or four best in the United States. Sure, it had an influence on my decision, but it was not decisive by itself.



Röbyn Ridler '99

I didn't take them into account because I think that a single ranking doesn't necessarily tell you what's important about a school for you. I went to an undergrad obsessed with their ranking and advised students about the rankings when I worked at a test prep company. I think the poll puts a subtle

pressure on schools to improve in ways that will get them a better ranking as opposed to a way that's necessarily better for their students.

Roger Fairfax '98

I chose Harvard because of its reputation, its faculty resources, its access to the greater Boston community, and for personal reasons. Rankings were not at the forefront of my mind.



Cullen Taylor '00

I would say it had a pretty large effect, because the rankings deal with how easy it is to get a job when you get out and how valuable the degree is going to be. But that wasn't the only reason; I also came because I wanted a challenge. I was affected more by what I knew about its reputation in the legal field than by some ranking in a magazine.



On-Campus Group Strives to Close Student-Faculty Rift

By Dusan Stojkovic

The Forum for Academic Exchange, a student organization which sponsors lectures by HLS professors discussing academic and vocational opportunities in their respective fields of expertise, held its inaugural session Feb. 18. Prof. David Kennedy '80 spoke on international legal studies in North America.

"The Forum has two main goals: giving students more information about the array of curricular choices within HLS and fostering more student-faculty interaction," Forum President and co-founder Dan Markel '00 said.

"This is a wonderful opportunity for students to cultivate their curiosity in a way that addresses the inadequacies of the course catalog," Markel said, emphasizing the vast academic resources available to students here.

"The inauguration of the Forum is timely as a response to the recent atten-

dance policy discussions," Markel said. "The Forum is a way to alleviate the apparent alienation between students and members of the faculty."

Markel said he hoped "the Forum would become institutionalized at HLS as a joint administration-faculty-student initiative and that we hope we can work in conjunction later with Prof. Richard Parker's [70] Legal Education Subcommittee B," which is in the midst of proposing a series of reforms aimed at mending student/faculty relations.

"I am really happy about the response from the faculty we've received," said Christine Jolls '93, the Forum's faculty adviser. Jolls said she has had to postpone her talk on employment law for the fall semester as a result of the strong interest shown by other members of the faculty who are eager to speak at a Forum-sponsored event.

"Our hope is that the Forum will allow students to take a broader focus and ask themselves, 'what are my goals in

studying law?'" Jolls said.

According to Jolls, the tone of the Forum sessions is meant to be informal, and this goal was more than accomplished during the students' conversation with Prof. Kennedy.

After a brief introduction in which Kennedy sketched the various study areas in international law and outlined how they have developed on this continent since the 1930s, the students engaged the professor in a dialogue which extended for well over an hour.

The conversation drew from both Kennedy's academic work and his practical experience, which has included stints at Clearly, Gottlieb, Hamilton & Steen in Brussels and United Nations-affiliated organizations in Geneva.

Kennedy summed up his advice for prospective international lawyers in one sentence — "like with Iraq, you must have an exit strategy."

Asked what initially prompted his interest in the international field, Kennedy

explains that his enthusiasm was not at all unusual for an international relations major in the 1970s. As he put it, "I wanted to be Henry Kissinger. But for good ..."

Student reaction to the first session of the Forum was overwhelmingly positive. "I think this is a really good way to introduce 1Ls to different legal fields," said Dorothy Mares '00.

"This made me think back to my statement of purpose for the first time since I started Law School," said another law student.

Approximately a dozen professors are scheduled to partake in the Forum during the course of the semester. The lectures will be held Wednesday evenings in room 4 of the Lewis International Law Center.

Next week's Forum session features Prof. Lloyd Weinreb's [62] lecture, entitled "The Lure of Intellectual Property and Criminal Law." Prof. Peter Murray '67 will speak on "Comparative Law/Trial Process" on Mar. 4.

Graduate Student Body Larger, More Diverse

Continued from LL.M., p. 3

Referring to the increasing globalization of economic activities, Smith said that it is important to learn about the substantive and cultural aspects of different legal systems. Smith said that it is essential to have experience in dealing with foreign lawyers.

"Through the friendships that are developed during the LL.M. program, many countries are associated in the mind of LL.M. graduates with one particular person rather than an abstraction," Smith said.

The Future

Students and administrators said that there is room for improving the LL.M. program. During the fall semester, the curriculum of the LL.M. program came under criticism. One LL.M. sent an e-mail expressing his dissatisfaction with the maximum credit requirement, perceived as too low, and the U.S. law courses requirement. In an e-mail discussion that ensued, several LL.M.s expressed similar criticisms. In addition,

the thesis section of the Legal Writing Workshop, a pass-fail obligatory course for all LL.M.s, was the object of criticism by students.

According to Smith, the difficulties that LL.M.s have in finding employment in the United States upon graduation is a recurring problem. Smith said he wishes that more LL.M.s could gather practical training experience. He cited the initiative of Kent Meyers '76, who set up a program that brings an LL.M. to Oklahoma to teach each year.

Slaughter and Smith have different visions for the future enrollment of the LL.M. program. Whereas Smith indicated that he would probably favor an expansion, Slaughter said that "the number of the LL.M.s should ideally not exceed 150."

Still, both HLS administrators emphasized that, in comparison with other universities' LL.M. programs, Harvard's program is not out of proportion.

The increase in size of the LL.M. class has not led to a quality reduction, but rather to more diversity, LL.M. program administrators said. Ann Wright, assis-

tant director of admissions and financial aid, who has been serving on the LL.M. program staff for six years, said that since her arrival the academic requirements for the LL.M.s have been maintained and tightened.

According to Gail Hupper, deputy director of the graduate program, "Harvard receives over 1,000 applications for the LL.M. each year." As a result, HLS can pool together "the very best foreign lawyers from their home countries," Slaughter said.

Although the current LL.M. class comes from more than 50 different countries, the class is not a proportional representation of the world's population. Smith said that the composition of the LL.M. class has often been affected by the political situation of certain countries.

Smith recalled that before 1990 there had been only one student from the USSR and before the early 1980s very few students from China. Relatively speaking, there were traditionally more students from Western Europe and Latin America, he said.

Additionally, "the limitation of financial aid can restrict the geographical diversity," Hupper said. Smith deems the insufficient scholarship funds to represent one of the major problems of the LL.M. program. According to Wright, "this is one of the reasons that might determine an applicant to reject an offer of admission to the Harvard LL.M. program."

"It is important that the school continues doing what it does best: top-quality legal education and cultural training for people who will have great careers as lawyers or in areas other than law," Slaughter said. In her opinion, "the LL.M. program at Harvard will remain the best in the country."



Class Sizes Range From 171 to Two

Continued from CLASSES, p. 1

such proportions would be unimaginable today. According to Slawson, there are about 45 more courses offered this year than there were last year, which may explain why the numbers for most sections have dropped by approximately ten students on average.

The current list of the 25 largest classes suggests that there is substantial conformity in the course selection process. In 1998, as in the past five years, the largest classes at HLS have been those listed in the HLS catalog as essential components of the "balanced program" the HLS faculty "strongly recommends" — Accounting, Constitutional Law, Corporations, and Taxation.

Kane said this homogeneity may simply be the result of bundling, a system which extends the 1L section idea to the 2L year. Under the bundling regime, students register for a bundle of these four basic 2L courses. The bundling system is advantageous in that students registering for bundles are assured of a spot in each of the courses, although they are permitted to drop bundled courses if they wish.

"We have noticed that something like 12 of the 25 of the most popular courses were bundled courses," he stated. "We're trying to offer more basic courses next

year because the enrollment can be so high. Next year we will have five sections of each of these basic 2L courses."

However, courses emphasizing litigation or corporate practice routinely draw hordes of students, generating enrollments that often exceed those of the basic offerings.

The predominance of finance courses on the top 25 list has ranged from 36 percent to slightly more than 60 percent over the past five years. Prof. Howell Jackson's [82] Securities Regulations course is one such example, attracting the largest class of 1995-96 with 191 students.

"That is why the cancellation of a class like Pound's course can be frustrating," Kane said. "It was the only course of its type."

Not all students opt for the standard bundled fare. One notable exception to HLS's emphasis on corporate law is Prof. Randall Kennedy's Race Relations course, which placed first last year with 199 students. This year, it ranked sixth with an audience of 155.

"I heard Randall Kennedy lecture before, and I was quite intrigued with his offbeat style and unexpected points of view," said Ed Prince '99, a student in Kennedy's class. Prince explained his prior exposure to Kennedy was a critical factor in his decision to enroll. "I think

he's one of the more charismatic lecturers at this school."

The motivation to escape from the basic curriculum may explain the enrollment increases in Prof. Robert Mnookin's [68] Negotiation workshop, Prof. Nan Hunter's Sexuality and the Law, and Prof. Alan Stone's Psychiatry and the Law, which made the list for the first time in five years.

While subject matter is an important influence on the student's decision, time may be a critical factor as well. Kane said that he has found that scheduling conflicts often determine the speed and size to which courses fill.

"Where the class is positioned is important," Kane stated. "Last year, we changed Howell Jackson's class 10 minutes in order to accommodate more students."

However, scheduling may be a minor factor in explaining the enrollment in the smaller classes. Prof. Arthur von Mehren's [45] Advanced Conflict of Law course had a maximum capacity of 60 students, but an actual enrollment of only two. Prof. Scott Brewer's Philosophical Analysis class averages about 18 students. According to Brewer, the size of the class has remained the same for several years now.

"The reason the class is its current size is that I've been effective at scaring students away," Brewer joked. "Next time around I think I'll make it a prerequisite that they either disprove Godel's Theorem, or perhaps provide an alternative version of Fermat's Last Theorem."

Kane offered a more pragmatic explanation, commenting that these numbers are based on pre-registration estimates and can be deceptive.

"The maximum capacity numbers

used are based on what rooms are available," Kane stated. "We don't cap until after we get a sense of where everybody is."

"The smaller courses also tend to be cross-registered classes," he explained. "The numbers are not a good indicator of popularity."

Still, enrollment statistics for different sections of the same course suggest that who teaches a course can have a significant impact on how many students sign up. For example, the Evidence course taught by Prof. John Mansfield '56 in spring 1995 drew 29 students.

Other professors teaching the same course have drawn enrollments five times the size of Mansfield's class. Evidence was taught by Murray in fall 1995 with 147 students, by Prof. Charles Nesson '63 in fall 1995 with 136 students, and by Nesson in winter 1996 with 158 students.

According to the Board of Student Advisers' 1995-1996 Course Evaluation Guide, student evaluations compared Mansfield's Evidence class to the movie "Apocalypse Now" and urged prospective students to "[r]un away, run far far away!" The Guide said that students gave Murray "generally positive" reviews and "praised Professor Nesson."

Among first year electives, Prof. Joseph Weiler's course ranked the highest among the top 25, placing 18th.

Weiler stated that the popularity of his course could best be attributed to student interest in international issues.

"If my class is popular somehow I think that it is despite me, not because of me," Weiler joked. "I have often heard from students that I am intimidating, so I think it is the subject which attracts people to my classes."

Ninth Circuit Judge Parties with Federalists



RECORD photo/Karin Kysilka

The Hon. Alex Kozinski, a judge for the U.S. Court of Appeals for the Ninth Circuit, recently joined members of the HLS Federalist Society for poker and cigars. From left to right are Gene Paige '98, who will be clerking for Kozinski; Seth Tillman '00; Aaron Goach '99; and Kozinski.

HLS's Largest and Smallest Classes 1997-98 academic year

Largest

- 1) Constitutional Law, Fallon (171)
- 2) Evidence, Murray (164)
- 2) Corporations, Kraakman (164)
- 4) Taxation, Alvin Warren (159)
- 5) Corporations, Hanson (156)

Smallest:

- Conflict of Law, Von Mehren (2)

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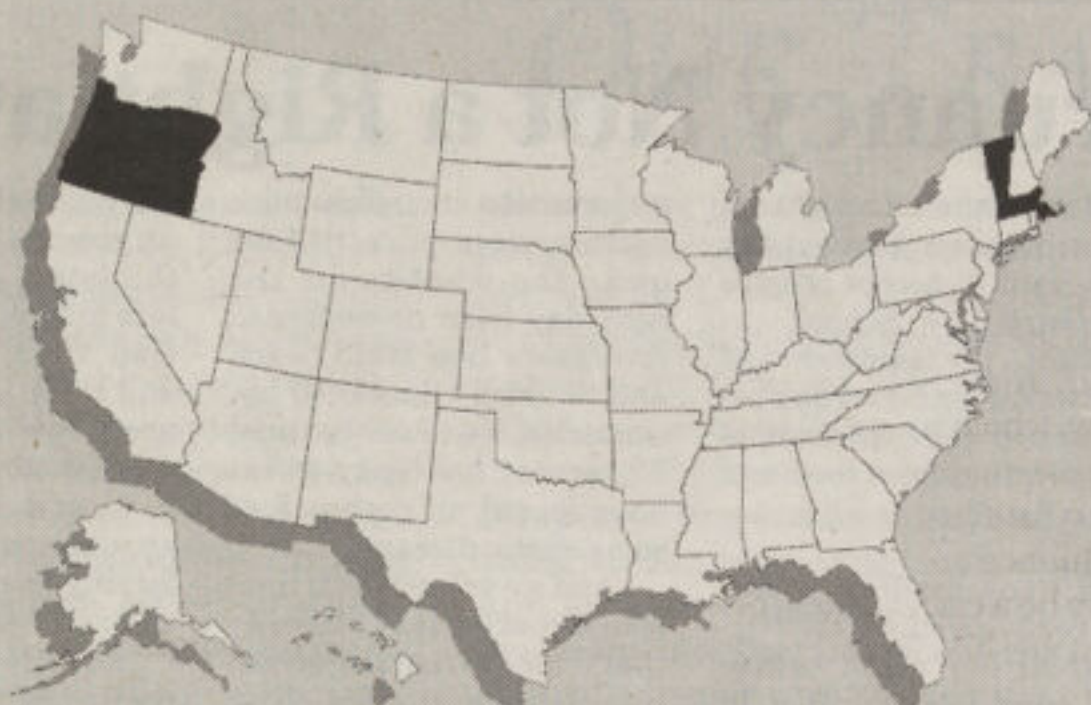


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Across the Country



News From the East and West

Lawsuit Fails to Keep Military off Vermont University Campus

SOUTH ROYALTON, VT (AP) — Officials at the Vermont Law School say they're sympathetic to a student's effort to keep a military recruiter off campus.

But they said they're stuck between the school's policy of not allowing recruitment by organizations that discriminate and a recently passed federal law that threatens to cut off aid to schools that don't allow military recruiters on campus.

Dean L. Kinvin Wroth issued a memo to students, faculty and staff recently in which he said he had decided to "suspend the present VLS policy prohibiting military recruitment."

"VLS remains committed to providing for its students equal opportunity to obtain employment without discrimination on the basis of sexual orientation," Wroth wrote. "The 'Don't Ask, Don't Tell' policy of the armed forces violates the VLS policy."

The issue was highlighted Feb. 16 when a student failed in his bid to bar recruiters from the school's campus on the grounds that the military discriminates against lesbians and gay men.

Associate Justice James Morse of the Vermont Supreme Court, sitting in an emergency hearing, denied Andrew Tarasevich's appeal of a Superior Court ruling Friday against his motion for a temporary restraining order.

Morse's ruling came as a recruiter from the U.S. Army's Judge Advocate General Corps was on the South

Royalton campus meeting with 14 students in an effort to get them to sign up.

The recruiting effort prompted students to hold a campus vigil and run a table in the student union handing out information denouncing the military's "Don't Ask, Don't Tell, Don't Pursue" policy regarding homosexuals.

At the state's high court in Montpelier, Tarasevich, a second-year student at Vermont Law School, told Morse, "There are questions of law that need to be addressed and to rule against this motion would cause irreparable harm."

But the justice was not swayed, questioning why Tarasevich had waited until the last few days before the recruiters were to come to campus, and why, after receiving his adverse ruling on Feb. 13, he had not sought to bring an emergency appeal on Feb. 14.

"The court is not in a position to rule before the interviews occur," Morse told Tarasevich, 31, of South Royalton. "We're pushed right up against high noon. I don't see that it would be proper for the court to enjoin the process here."

Morse also appeared to be probing the issue of actual, versus speculative, harm when he asked Tarasevich, who is gay, whether he wished to be recruited into the military but was barred by its discrimination against gays.

"You're not representing anybody who wished to be recruited but is barred by discrimination," Morse said. Then the justice asked Tarasevich directly if he

wished to be recruited and to join the military.

"I definitely would consider it," Tarasevich replied.

But Morse pressed him further on how genuine that consideration would be.

Tarasevich had asked Judge Alan Cheever of the Windsor Superior Court on Friday for a temporary restraining order to block the recruiting visit. He argued that the military's "Don't Ask, Don't Tell" policies violate Vermont's anti-discrimination laws.

"Vermont law prohibits discrimination based on sexual orientation in public accommodations," said Tarasevich.

The same issue surfaced in Connecticut, and the Connecticut Supreme Court ruled in 1996 against the military recruiters, he said.

It also has surfaced at the Oxbow Union High School in Bradford, where Newbury resident Boots Wardinski went to court last fall seeking to block the Air Force Junior ROTC program from coming to the school. Judge Shireen Avis Fisher dismissed the suit in October.

Tarasevich said it was particularly upsetting to him that the JAG Corps would come to the law school, since they are the military lawyers who prosecute cases against gays in the military.

Vermont Law School officials said they

were sympathetic to Tarasevich's views and agreed with him in principle.

Associate Dean Randy Foose put it simply: "Federal policy is forcing us to allow something that we don't believe in." He said about 300 of the school's 500 students get a total of roughly \$400,000 in work study grants and student loans.

David-Eric Dayton, head of a student group called the Alliance, which represents people of a range of sexual orientations, said he appreciated the jam the school's administration was in.

"The priority we all agreed on was to maintain funding for the students," Dayton said.

Another student active in the Alliance, Susan Irish, said that the military policy that being gay can be tolerated if it is kept under wraps "forces non-heterosexual people to deny the essence of their beings."

One student who is a veteran, Brian "Tex" Thompson of Houston, said he disagreed with efforts to bar military recruiters from campus. He said he believed the military should end discrimination against homosexuals, adding a prediction that they will be fully integrated into the services eventually.

But even now, the military services "are much more than an organization that discriminates against gays," he said.

Volunteer Lawyers Corps Battles Fraud in Oregon

SALEM, Ore. (AP) — In what could be the first program of its kind in the country, lawyers who are volunteering their time to help victims of consumer fraud have been sworn in as special assistant state attorneys general.

The 10 lawyers will be assigned to investigate cases around Oregon in which businesses allegedly have tried to bilk consumers.

At the swearing-in ceremony last Friday, Oregon Attorney General Hardy Myers thanked the volunteers for joining the "battle for an honest marketplace."

"This is a new phase in our effort to hold accountable those who defraud Oregon consumers," Myers said, adding he wasn't aware of any similar effort elsewhere in the country.

The problem is large, he said, as evidenced by the more than 24,000 complaints the state Department of Justice received last year about shoddy work or unscrupulous business practices.

A total of 40 lawyers from around Oregon have volunteered to become special assistant attorneys general to combat consumer fraud, he said.

The first group of attorneys sworn in last Friday will go to work immediately on cases in which people were forced to pay for "free samples" sent to them in the mail and in which used merchandise was sold as new.

As assistant attorneys general, the volunteer lawyers will be working for the state, not for individuals who are victim-

ized by unscrupulous businesses. But part of the attorneys' job will be to reach financial settlements with offending businesses that could be used to pay restitution to individuals.

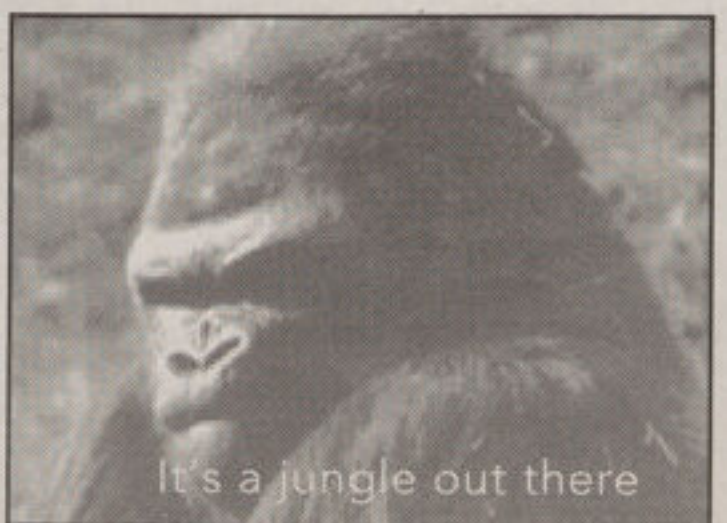
Hillsboro lawyer Peter Gillins said he volunteered for the job partly to gain more experience in the area of consumer protection and partly because he's seen first-hand examples of consumer fraud.

He cited one case in which a door-to-door salesman talked an elderly couple into buying a home security system for \$4,000. The system was vastly overpriced and the couple couldn't operate it because of their physical infirmity, Gillins said.

"The typical victim in that kind of scam usually doesn't have a whole lot of money," he said.

Myers, meanwhile, said Oregon's major business groups fully support the effort to crack down on those who try to cheat the public.

"The reputation of legitimate businesses is hurt by the fraudulent acts of others," the attorney general said.



Federal Court Strikes Down Cambridge Billboard Ban

CAMBRIDGE, Mass. (AP) — A federal appeals court has struck down a 1991 law that banned stand-alone billboards, dealing a blow to a city campaign against the giant ads.

In its ruling Feb. 19, the U.S. First Circuit Court of Appeals broadened its 1996 ruling against the city, clearing the way for AK Media to put commercial messages on all 46 of its Cambridge billboards.

Cambridge amended its zoning laws in 1991 to ban most billboard advertising by 1995. State law prohibits cities and towns from outlawing billboards on private property that advertise products sold on the premises — a wall-side store sign, for example.

AK Media, then Ackerley Communications, countered by filling the billboards with public service announcements and quotes by famous people.

(The one in Porter Square is from Douglas MacArthur: "There is no security on this earth, only opportunity.")

When Cambridge's zoning change took effect in 1995, AK Media sued, maintaining the ordinance violated its constitutional right to free speech because it did not give it a chance to substitute noncommercial ads, such as those by political candidates or parties.

The federal appeals court agreed, and U.S. District Judge Edward F. Harrington then struck down part of the ordinance.

AK Media appealed his decision, maintaining the entire ordinance should go.

The appeals court agreed in its ruling on Feb. 19.

AK Media President and General Manager Liz Palumbo said Friday the court decision would temporarily halt negotiations between the company and the city to curtail the number of billboards.

AK Media had offered to remove eight of the 46 billboards and renounce any future expansion in the city in exchange for the city's permission to operate the remaining ones.

But Palumbo said she was willing to resume talks aimed at a compromise.

"I'm looking at a positive long-term relationship with the city ideally, so I expect there will be some future discussions," she said.

Cambridge Mayor Frank Duehay said city officials will study the ruling, but are committed to reducing the impact of billboards.

"The feeling is that they are a visual blight," he said.

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Last Chance for Hemenway?

Hemenway Gymnasium may soon be converted into office space for Harvard's undergraduate admissions office. Unfortunately, the HLS administration appears content to do nothing to prevent the loss of Hemenway.

In order to follow the complicated chain of circumstances that may lead to Hemenway's demise, one must first understand that Harvard University is extraordinarily decentralized. The Law School, the Faculty of Arts and Sciences (FAS), and Radcliffe College all own their buildings. Each school can lease or sell buildings to other Harvard schools.

FAS owns Hemenway Gymnasium, although the building is predominantly used by law students. From the perspective of FAS, Hemenway's most valuable asset is its squash courts. However, FAS is nearing completion of a new squash facility. After the new facility is completed, FAS will have little use for Hemenway.

FAS officials are looking for a new office site for the undergraduate admissions office, which may lose its current space. FAS officials say that Hemenway may be that new location.

The loser in this deal would be present and future Law School students. Once FAS spends thousands or perhaps even millions of dollars renovating Hemenway as an office building, it will be lost forever as a gymnasium.

A purchase of Hemenway by the Law School would clear the way for a modernization and renovation of the gymnasium. The next few months may be the Law School's last chance for such a purchase.

If the HLS administration's past performance on this issue is any indication, law students should not get their hopes up. In a recent interview with the RECORD, Administrative Dean Sandra Coleman said that HLS administrators have already "done what we can do." She even discouraged concerned law students from contacting the HLS administration about the issue, suggesting instead that they contact FAS.

And so what has the HLS administration done? Coleman claimed that HLS "has had a standing offer to FAS to purchase Hemenway for some time now." That's news to FAS. In a recent interview with the RECORD, a FAS administrator denied that the Law School had made such an offer.

The HLS administration needs to give up its current do-nothing attitude on the Hemenway issue and immediately seek agreement on a purchase of the gymnasium. If the administration does not do so, Hemenway may slip out of our hands forever.

— Timothy Kiefer

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—First Amendment, U.S. Constitution

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• Letters •

Truancy Not a Right at HLS

Let me begin by admitting that, on occasion, I have been too hesitant to accept change at Harvard Law School. In retrospect, the admission of ladies was a long-overdue reform, as was the expansion of the curriculum from the basic subjects I studied as a law student.

But upon reading of students ready to storm the barricades for the "right" to truancy, I must draw the line! In my day, we never would have seen 89 percent of students opposing a rule of 70-75 percent attendance that, frankly, sounds far too lenient. At the Harvard Law School I remember, almost all students attended every class — cases briefed, dressed to the nines, pencils poised. In fact, those

unfortunate enough to miss a class were sure to face quite the what-to-for the next day from no-nonsense professors like Walt Leach and Sheldon Glueck. If absenteeism had ever reached 25 percent, we likely would have feared an outbreak of some exotic disease!

And we valued the tough-love experience: I daresay that if the current law school council were in office then, we would have impeached not the representatives who supported the attendance policy, but the president who called it "disgusting."

I always have been eager to donate to Harvard Law School, in spite of any new campus hullabaloo, because I want new budding

lawyers to have an education as good as mine. But when the latest generation seems less interested in that education than their professors and their alumni supporters are, I feel a bit like the proverbial unwelcome missionary, and I wonder why I should spend one thin dime buying food for those leaving their plates full.

Justice Robert Jackson once noted that when apathy arrives and values depart, people end up with the government they deserve; perhaps students end up with the education they deserve as well. I sincerely hope not.

Sylvan Marshall '41
Flushing, New York
February 19, 1998

Give Military Equal Access to Law School

The Solomon Amendment's provision withdrawing federal financial aid from institutions that prohibit the military from recruiting on their campuses has re-awakened a dormant issue. To an alumnus reading last week's RECORD it would seem that the administration, the ACLU, Lambda, and the entire student body speak with one voice in opposition to the armed forces and its policies. That alumnus, who perhaps himself has served, could not be blamed if he believed that HLS has concluded that no moral person could possibly oppose the exclusion of the military from our campus. As a moral person I address this letter to that perplexed alumnus.

I will make two arguments for returning to the military full and equal access to this law school. First, there is no clear reason why the school administration has chosen to allow this one issue to so predominate that the right of dissenting students to decide their own career path is curtailed. As important as homosexual rights may be, why don't we forbid firms that transgress the "perceived" moral norm in other ways? Why don't we prohibit firms

that represent tobacco interests, the environmentally unfriendly, mass tort defendants, or companies that exploit third world labor or experimentation on animals? And if the list of prohibited firms is to be expanded, who decides? There is no principled means to arbitrate which firms should and should not recruit when thoughtful people disagree on these firms' relative moral worth. Without a legitimate process in place we risk empowering some groups to decide for us all which employers are worthy, and which careers are to be made more difficult to pursue. If some students object to the military's policies, then they shouldn't sign up for an interview. In the great American tradition they can vote with their feet without doing injury to those who feel otherwise.

My second related argument is one of proportionality. The military, like all organizations, has many flaws, but those flaws are often unfairly magnified when viewed through the lens of civilian norms. This letter is not intended to argue the merits of homosexuals in the

military; rather, it is to remind readers that the United States Armed Forces is not just another firm. It has earned a place more deserving than the commercial firms that already enjoy the full benefits of recruiting on campus. The military should be judged by the totality of its contributions and its policies.

The HLS administration's current position sends the message that the sacrifices of past generations, and the present one's commitment to do the same, is made null by this one issue. There are less offensive means to express opposition than total expulsion. Forbidding the military access to our school fails to honor those who have served, and those who will serve; it fails to honor those that have died, and those who will die. For them, and for that disheartened alumnus, I earnestly hope the school will reconsider its policy and let the students decide for themselves who is to be shunned, and who honored.

Gunnar R. Wieboldt '99
Captain, United States
Marine Corps (Reserve)
February 23, 1997

Bring Military Recruitment Out of the Closet

I am a proud veteran of U.S. Air Force and an ardent opponent of the military's policy on gays and lesbians. National security is far too important to be left solely to the straight population, cutting off a full 10 percent of our finest and most able citizens from being able to serve under arms with pride and candor. I respect the viewpoints of those who disagree, but most of the arguments against gays and lesbians in the military bear more than passing resemblance to the arguments lodged against Harry Truman's integrated military, and I've never enjoyed Jim Crow's company.

Nonetheless, I'm not convinced that denying military access to the Office of Career Services (OCS) will make much of a dent in either the military's ability to recruit JAGs or in the military's homophobic policies. Admittedly, lack of access to OCS makes it at least marginally more diffi-

cult for the military to market JAG opportunities directly to law students, but there are many other avenues of recruitment available. Often, JAGs are recruited straight out of undergraduate institutions or from active duty military personnel. Local recruiting offices and nationwide advertising also effectively short-circuit the lack of organized campus presence during the recruiting season.

I understand the principle of nondiscrimination that Harvard is trying to stand by. But let's be honest. Consciousness of diversity is not new under the sun, yet racial, gender, ethnic and lifestyle minority percentages at many major law firms continue to hover somewhere between the basement and the sub-basement. How many of the firms that signed the little piece of paper required of them really abide by a fully

nondiscriminatory recruitment policy? How much is that piece of paper really worth? Is it worth jeopardizing the funds that support our most financially vulnerable students?

Besides, inviting the military to join our normal fall recruiting frenzy might be the best solution for all concerned. It would please me to no end to watch the JAG recruiters drop a few grand on rooms at the Charles just to get an earful of Lambda and CLU protests. And if there are folks at the Law School who have a burning desire to live the relatively spartan life of the typical JAG in exchange for a cheaper education, let them seek such opportunities openly and without shame.

Let's get military recruitment at law school out of the closet and into the open.

Greg Teran '99
February 19, 1998

Send us a letter. Letters — good. No letters — bad.

Place them in the RECORD box next to the 1L Hark Boxes.
Or send them to

Harvard Law RECORD
Harvard Law School
Cambridge, MA 02138

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The View From Below

By Neal Higgins '00
RECORD Columnist

OUR TRAGIC HEROES?

Sitting in the Hark next to extra copies of last week's RECORD — an issue chock full of columns and cartoons lambasting the new attendance policy, including one by yours truly — were photocopies of a memorandum from Professor Parker to members of the Legal Education Committee. The memo discussed the committee's other ongoing projects, all of which reflect a single-minded purpose: improving student-faculty communication. And there, Virginia, lies the true irony in the debate over the new attendance policy: it was the very lack of communication that led the students and the faculty to have dramatically different interpretations of what was at stake.

Students took the change in attendance policy as a slap in the face. Despite outspoken student opposition, the faculty voted to ban students from using their very absence to protest empty grades, the chasm between students and faculty, and — in some cases — poor teaching. For \$30,000 a year, the argument goes, shouldn't students be allowed to decide when to cut their losses and skip class? Denying students their last form of protest was in-

sult enough; ignoring their vigorous opposition was tantamount to pouring salt in the wound.

From the faculty's perspective things looked quite different. To cast the scene in the proper light, it's worth noting that Professor Parker has a long reputation of representing student concerns and is committed to improving legal education. And all of the professors who voted for the policy cared enough about the future of legal education at Harvard to attend

ceive high grades despite their mediocre attendance, an outcome professors rightly deem unfair to those who attend class and contribute to the learning environment.

Because the old rule required written notice before dropping a student from a course, it effectively prevented the faculty from dealing with the academic cherry-pickers: only when a student began



attending class could a professor put a name with a face, and by that point it was too late to go through the formality of written warning. Shy of asking professors to remember all 150 faces enrolled in their

course and to make mental note of who was regularly absent, the only obvious solution was abandoning written notice altogether. And that's exactly what the faculty did.

Given that their goal was to improve the learning environment for students, it's not shocking that many members of the faculty were surprised by student reaction. They didn't see why students

would or should flock to the defense of those who treat law school as a correspondence course. From the students' perspective, however, the issue was never about the few miscreants; it was about the high-handed manner in which the faculty was passing a high-handed policy. Only Professor Parker's memo put the decision in context, and then only for the few students who actually read it.

If professors give students greater opportunity to vote with their voices, as Professor Parker suggests, they will undoubtedly be less justified voting with their feet. In the context of the Legal Education Committee's other proposed reforms, the change in attendance policy becomes more palatable, if nonetheless an impolitic first step. Unfortunately, the decision to pass the attendance policy without adequately explaining its context has left the divide between students and faculty only wider than before. Overcoming that divide may require a little good faith on both sides. The faculty has shown students the stick; maybe now it's time to offer the carrot. The students have made clear that the new attendance policy is the wrong answer, but maybe now it's time to suggest the right answer. If the goal is a cooperative learning environment, as many faculty members claim, perhaps it's time to cooperate in its construction.

In the context of the Legal Education Committee's other proposed reforms, the change in attendance policy becomes more palatable, if nonetheless an impolitic first step.

an inconvenient Friday afternoon faculty meeting. Their main concern: the tendency for classes to swell dramatically at the end of every semester as students absent for months pack the room in a last-minute effort to glean any thoughts on the final. Given the imperfections of a system that allows a three hour exam to reflect a semester's work, some of those latecomers inevitably re-

"OFF THE RECORD"

By Eric Johnson '00
RECORD Columnist

REFLECTIONS ON DEBT AND DEATH — I FEAR NEITHER!

[Today is the first of Mr. Johnson's efforts to become a personal finance columnist. We hope you find his advice sound and reliable. — Ed.]

Like many law students, I thought of my law-school debt as a colossal burden — an ugly set of zeros lurking on onion-skin-thin sheets of purple-inked carbon-copy that shackled me more surely than heavy leaden chains.

That's because I knew that even if I doused those crinkly sheafs in gasoline and set them alight, there would still be — invulnerable from nuclear attack — a long string of amber-lit figures on some government-issue CRT in the basement of a '60s-architecture Department-of-Education substation in D.C.

At least that's how I always pictured it.

But now I've had a renaissance in how I look at my debt. And it all started with a call to Harvard Law's Financial Aid

Office. I asked them something about money I owed to my parents for backpacking around Europe for three months, and the woman on the other end of the line said something about my "debt portfolio."

Wow! Did you hear that? I have a "portfolio." I mean, you can have a saving account, and then you can have an investment portfolio. Now that's slick. See, some people have credit card bill or a mere mortgage, I, on the other hand,

School intaglio design impressed upon the calfskin, and I took it back to my dorm room and put all my yellow and pink quintuplicate promissory-note receipts in it.

"See that up on the shelf? That's my Debt Portfolio. Yessiree! Handmade in Malaysia!"

Now I don't feel bad about my debt at all. In fact, like a kid who just spent an afternoon organizing his baseball cards, I can't wait to get more. I now want to collect not just more debt, but different kinds of debt — the better to enhance my portfolio's diversity and aesthetic value. Stafford, Perkins, MEFA, CitiAssist, LawAccess, LawLoans ... BRING IT ON!

Another great thing about being tens of thousands of dollars in debt is that you can feel a little flutter of joy in your heart every time you hear about inflation. As the dollar's value declines and prices rise, your debt shrinks like a prune in the California sun. It's an economic fact.

That's why I'm campaigning now for returning either Ford or Carter to office. We might even recruit a deposed president of Brazil. Hey, listen ... Don't buy this crap about how Alan Greenspan's doing such a good job keeping inflation in check — look at his suits! — you think he's dug a hole in his life's backyard with



his Citibank Gold Card? You think he's still paying off his school debt??

Sure, it's fine with him. But some of us here would like a little bit of help.

That reminds me of another important thing I

wanted to tell you about debt. The other day I was talking to a friend of mine about those platinum-card offers we keep getting in the mail.

"What could I possibly need a \$100,000 credit line for?" my friend said. I just shook my head. Young people never think about their own mortality.

Look, you may live to the age of 28, but what if you don't? Huh? Get your pre-approved C-grand line platinum plastic now. If you get diagnosed with a terminal disease tomorrow — while you're young and unattached — you can see the world and wear a really nice watch while you're doing it.

What's FirstUSA going to repo? Your laptop and your swing-arm desk lamp? Anything you want your parents to have, you can sneak it to them in advance, before you kick the bucket. You go out in style, baby!

This way you can be truly and justifiably unafraid of death. If you make it to 30 alive, you've just carried an extra piece of plastic for a few years. And if you get a tumor, you can give Chase Manhattan a tidy quarter-mil to offset against corporate profits.

Give my love to Tahiti!

I walked around for the rest of the day feeling like a small third-world country.

have a debt portfolio. This made me feel instantly important. I walked around for the rest of the day feeling like a small third-world country.

So I went to the Coop to buy an actual leather portfolio with a Harvard Law

LETTERS TO THE EDITOR, CONT.

Weinreb Clarifies Ad Board Procedures

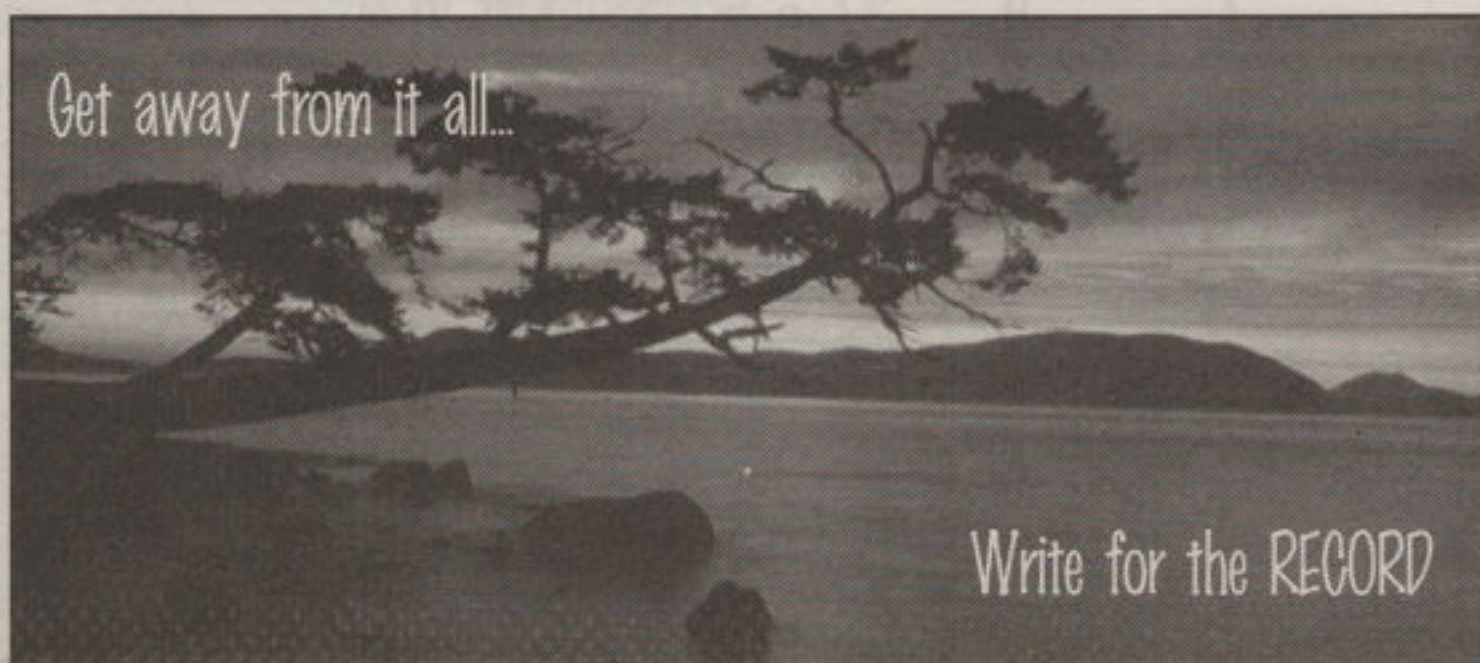
An editorial in the RECORD of Feb. 20 may have misled students about the jurisdiction and procedures of the Administrative Board with respect to disciplinary matters.

The Board has jurisdiction only over specific charges of misconduct by a student, brought to its attention by a member of the Law School community. The Board's sole authority in such cases is, if the charges are established by clear and convincing evidence, to administer a sanction against the student who is charged. It has no authority to determine policies generally, either to respond to allegations of general misconduct not involving charges against named students or to prescribe policies relating to academic matters for the future.

The proceedings of the Board in disciplinary matters are not secret. A student who is brought before the Board on a disciplinary matter is free to be accompanied

at the hearing by a lawyer and/or a relative or friend. The student and any person(s) who accompany him or her are free to make any disclosure they wish about the hearing. Members of the Board do not discuss pending disciplinary matters in order to protect the student involved. The Board's public announcement of a disciplinary action at the end of a proceeding is intended to give the Law School community information about the infraction and the sanction, without revealing the student's identity or violating its obligation of confidentiality. Notwithstanding the RECORD's editorial, I should be surprised to learn that many students disagree with this aspect of the Board's procedure.

Lloyd L. Weinreb '62
Chair, Administrative Board
February 23, 1998



THESE HALLOWED HALLS

By Kate Arms '98

RECORD Columnist

NOT SO FAR AWAY, NOT SO LONG AGO

Art at HLS usually comes in one of two forms: student-produced projects, and portraits of legal figures connected to the school. Falling outside both of those categories is the photography exhibit hosted by the Islamic Legal Studies Program, "Images of Saudi Arabia 1970-1990." The exhibit is a series of photographs by photojournalist Robert Azzi.

Azzi uses light to achieve dramatic effects. Although most of the images are brilliantly clear and revealing in the sharpness of their focus, three of the images use shadow, soft focus, and misty light to produce romantic, picture-postcard images.

Throughout the exhibit, compassion for people is displayed: young boys perform traditional dances; a young girl plays; a "Pious Man" beams peacefully at the camera. A "Veiled Young Woman" in black is photographed against a black background so that only her eyes and the coins adorning her veil gleam through

the darkness. Sensual and tempting, the power of her eyes draws the viewer into the mystery of the complete woman behind the veil.

The complexities of life and the multiplicities of influences are seen. In "Reflections," two men in traditional dress driving in a car and surrounded by images are seen through the windows and mirrors: military men, other styles of traditional dress, and the incongruity of an American in blue jeans and a cowboy

In "3-D Movie Viewers," a comment on an image from a German Expressionist film, a crowd of people intently watches a movie in 3-D glasses. This crowd is men, some in traditional dress and head coverings, some in suits, but all unified by the wide, white frames of the glasses they need to see the movie.

"Racing Camel in Toyota" simply shows a camel sitting in the back of a white pick-up as it is driven across the desert. The combination of the desert, the camel, and the American-style vehicle from a Japanese manufacturer evokes a smile and a connection across the distances that otherwise separate the American viewer from the subject of the photograph.

"Images of Saudi Arabia 1970-1990" can be viewed through March 30, Monday through Friday, 9-5 in Pound 501.

If what you want is something to do



over the weekend, the Agassiz Theatre in Radcliffe Yard is currently presenting Harold Prince's "Cabaret." One of the cheaper happenings around, tickets are \$4, available at Sanders Box Office or at the door. Show times are Feb. 26-28 at 8 p.m. and Feb. 28 at 2

p.m.

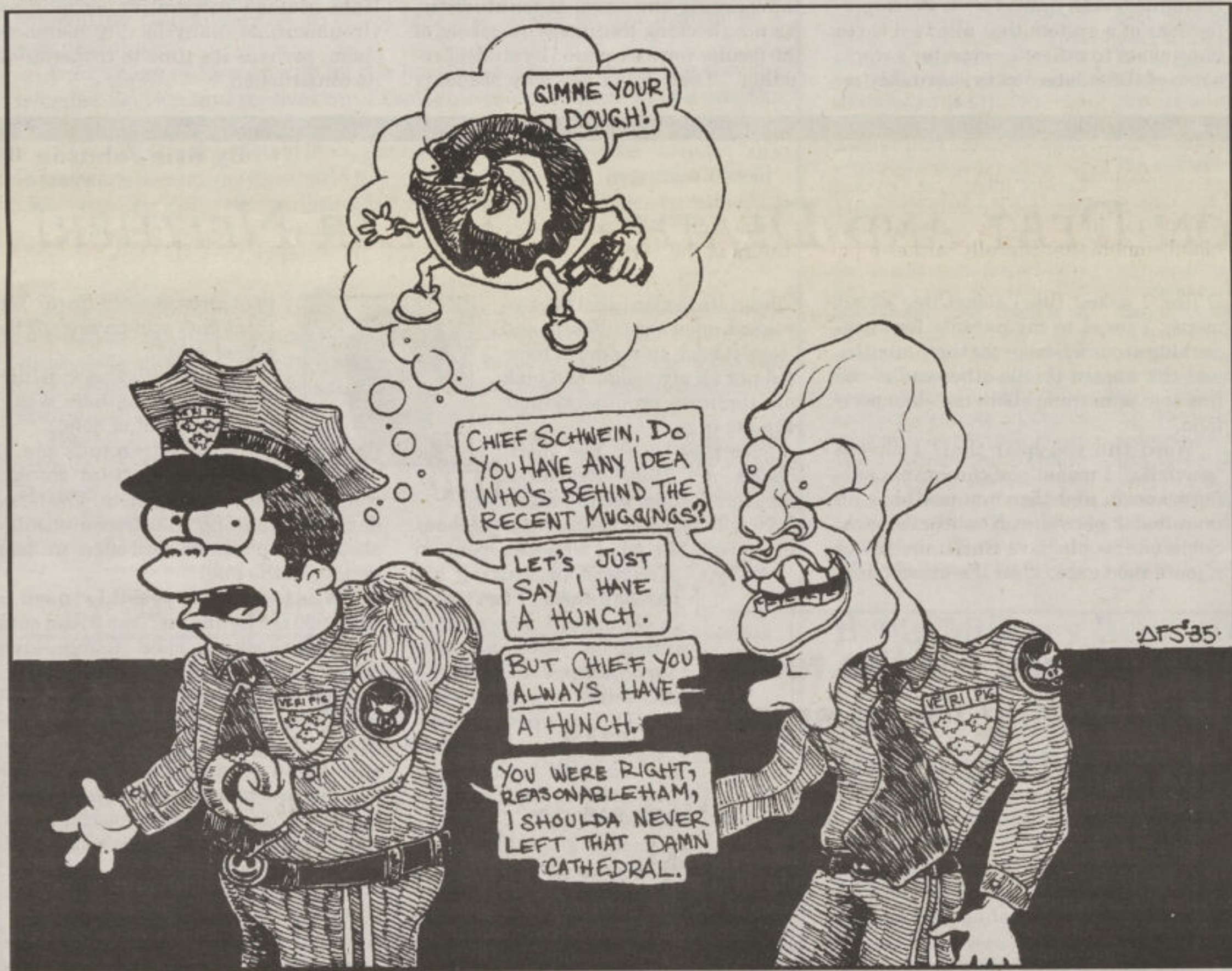
A solid production, this performance is enjoyable but lacks the punch that one could hope from such a charged musical. The story of the play is simple: the rise of the Nazi party in Germany destroys the lives of four people. A young couple, Cliff Bradshaw and Sally Bowles, are torn apart by Sally's willful ignorance while the older couple, Herr Schultz and Fräulein Schneider, are destroyed by Nazi anti-Semitism.

The strongest performances were by Joseph Nuccio, Herr Schultz, and Anna Blair, Fräulein Schneider. Each brought compassion and love to the role and a solid vocal performance. Susannah Eldridge Hills, Sally Bowles, and Henry Clarke, Emcee, had the thankless jobs of competing with cultural memory of the roles as played by Liza Minnelli and Joel Grey. Clarke's Emcee is decadent and mischievous without being cruel. At times, a nastier edge to his portrayal would have livened up the show. Hills struggles vocally at a few points where her range is not sufficient to give real strength to some of the higher notes. Otherwise, her performance was solid but lacked the spark to really lighten the stage.

Sensual and tempting, the power of her eyes draws the viewer into the mystery of the complete woman behind the veil.

Reasonable Man Joins the H.U.P.D.

By Alfred Steiner



Spike

By Margie McWilliams



Time

is

money

Got any spare time?

Spend it with the RECORD

Musings and Vagaries

By Renée Kaplan '99

Staff Columnist

WITH LIBERTY AND JUSTICE FOR ALL

Law school, if not a place to find any salient manifestations of justice, would certainly seem to be the place to study its essence, really to figure out what the whole right and wrong thing is all about — to begin to understand how to align ourselves as a people and as a body politic behind some kind of universal morality and its enforcement. The what-is-justice question is for sure a biggie, though, and as big and numerous as are the minds here that might ponder the issue, we can never be certain ever really to come up with a satisfying answer, for there will always be some obfuscating nuance, some nagging hermeneutical question of whether we can ever really know what justice is for everyone anyway, and whether there can be just one justice for all at all. Ultimately, law school may not be the place to puzzle out something so basic and fundamental to the relation of every human to the universe. It may be wiser not to leave such an indispensable, ordering notion open to corrosive intellectual skepticism, and instead to turn to more certain and forceful sources of justice and morality — like the Monster Jam.

The Monster Jam is a fabulous domed-stadium extravaganza of monster truck competition: a loud, down'n'dirty showdown of big, huge, pick-up trucks hyper-suspended over monstrously large wheels. The game is simple, the rules are clear — the fastest monster truck wins — and the players are rough, gruff, but honest. American Guardian, Rap Attack, Bearfoot, and Bigfoot rev' around the dirt-covered circuit and over the obstacles of crushed cars, showing off their shiny body jobs

and their insane suspensions, brave-hearted gladiators fartin' fire, spewin' dirt, crushin' cars, and saluting the audience in a display of openness and honest courage. Preceding their salute, a local young lady attired in a shapely dancing hall dress (think of Elizabeth from the Hulk Hogan and Jake the Snake days) slowly circles the circuit, waving to the audience from a gargantuan tank, comes to a halt before a small corps of Marines at attention, and in a circle of bright light delivers a cracking rendition of the national anthem. And in the moment that she reaches the fi-

pable, trembling fear in spectators with the brute force of its sheer decibel power. It is like the very chaos and disorder of creation, the terror that must have preceded the Eden of peace and justice. And at the end — just 17 or 18 seconds later — peace and justice do emerge when the best monster truck wins and the immense, pot-bellied announcer comes trundling over to cheer the winner and rouse the audience to the spectacle of triumphant justice before them — with a little help from EMF in the background ("you're un-be-liev-able!"). The announcer himself, clad in crisp, white pants and a shiny American flag-printed baseball jacket, is both the referee of the competition and the symbolic arbiter of the greater justice of righteousness.

And just as God rested a bit, so did the monster trucks. They are like the gargantuan mastodons of prehistoric times, stomping off the scene and giving way to the gazelles of two-wheeled motorcycle madness. After the overpowering mammoth monster trucks, the speeding, leaping dirt bikes seem elegant and graceful. They circle the circuit skidding lightly at the turns and leaping over the ramps in smooth, flying arcs, landing with a gentle, sprightly bounce. Here the justice is a bit more complicated, with each biker for himself, the 20 or so motorcycles circling like mad rats in a gnarled, messy pack, getting knotted at the turns, and occasionally tearing each other off their bikes and rolling around in the dirt in a staged fist fight worthy of the World Wrestling Federation. But theirs is the very motorcycle reflection



of our own brand of Darwinian justice — where not just the fastest, but the fastest and cleverest wins, a meaningful probe at the questionable integrity of our own social values. The American flag-clad

Arbiter of Justice puts some order back into things, denouncing the poor sports for their bad riding tactics and calling up the wronged riders to challenge their ill-doers with their version of the facts in an honest adversarial search for the truth.

But the quad races are the real models of morality and justice. Here there are two teams, the white-clad Massachusetts riders and the black-clad New York riders, racing around on their low-slung, four-wheeled motors. We are back to the clear-cut, primal rivalry of the monster trucks, only this time reduced to the most essential moral stand-off: the local good guys against the foreign bad guys. With ten riders on each team, there is ample opportunity for the white-clad good guys to win — but suddenly a black rider blatantly cuts off the last turn, short-cutting his way to the finish line, and crossing under the checked flag to a massive echo of booing. The outraged American flag-clad Arbiter comes racing over to the finish line as fast as he can carry his own bulk, and to the pounding background intonation of "We Will Rock You," challenges the false winner to a basic battle of strengths, giving in to every spectator's primal urge: a one-on-one confrontation without rules. Three brutal, short-cutting, collision-ridden rounds later, the white-clad rider crosses the finish line in a triumph of irrefutable moral righteousness, and to the sounds of the real anthem of justice, compliments of Queen: "Weeeee Are the CHAM-pions!"

And just as God rested a bit, so did the monster trucks.

nal, moving crescendo of "the land of the free, and the home of the brave," the entire domed stadium of standing spectators cheers in a collective reverberation of dignity and pride in our firm national values of peace, justice, and valor.

And then the Monster Jam begins. The competition takes place between two trucks, and the point is to go skidding around bends, jumping over ramps, and bull-dozing car piles — the fastest. Nirvana, Hootie, and Def Leppard blast out in the background, and at the signal, the monster trucks floor it in a thunderous rev, drowning out music, announcer, and the consciousness of anything but their massive motor potency. The noise is overwhelming and invasive, a terrifyingly loud rumble that literally strikes a pal-

sors, Fenno now had to sleep with the relevant people in the registrar's office.

Admittedly, this had been more of a challenge in some years than in others. This year, in fact, Fenno had been forced to take truly heroic measures to get the grades he wanted. He felt an involuntary spasm pass through his body as he recalled the Herculean task of surviving that fateful night in Christina Lewis's ice-cold bed. Some days, Fenno wondered if it was really worth it.

Fenno shrugged off the painful memory. At least he knew he had nothing to worry about as far as his academic standing was concerned. The same, of course, could not be said for the pathetic bunch of newbies who clustered around their mailboxes as Fenno stood nearby and leered at them. Fenno loved this moment: the eager anticipation and trembling fingers as the young sheep opened the fateful envelopes, ready to receive confirmation of their status as superior beings.

Naturally, Fenno loved the next moment even more: the rip of the envelope, the scrambling fingers, and the sudden intake of air. Then, of course, would come the tears, the hair-pulling, and eventually the stoic walk home, as all of the poor creatures tried desperately not to make eye contact with their peers. Fenno ate this stuff up. He knew that it would only be a few days before the dull bitterness began to set in as a new class of egotists, gunners, and self-important pinheads desperately tried to find rationalizations for their mediocrity. Before long, a whole new class of students would be whining about how unfair and pointless their legal education was, and cynically badmouthing the institution they had been so proud to attend only a few weeks before.

To them, it was the end of a dream and the beginning of two and a half years of boredom and angst. But the way Fenno saw it, he had just gained a few hundred new readers.

Fenno smiled, and whistled a jig. Life was good.



This week: Fenno Gets His Grades

Fenno was in exceptionally high spirits. The gruesome specter of Valentine's Day had finally passed, and with it his winter malaise. Fenno had a fine weekend watching Bob Clark squirm as he tried to pretend that he really cared about civil rights. The coming weeks looked even brighter, with 1L cocktail parties aplenty just begging to be crashed. But something deeper and more profound was perking Fenno up.

Forget Christmas. Forget the Fourth of July. Forget even the anniversary of the repeal of prohibition. As far as Fenno was concerned, the most wonderful time of the year was the end of February. For Fenno's greatest pleasure in life occurred every year at this time: he got to watch 1Ls receive their grades.

Let's face it: Fenno loved grades. Always had, in fact. Nothing made Fenno happier than arbitrary ranking systems that everyone else treats as defining measures of personhood. After all, Fenno knew he didn't really have much going for him as a human being.

Fortunately, he knew better than to let that stop him from earning the trappings of success. A grading system is only as noble as the person doing the grading, and Fenno had made it to HLS through a very successful campaign of deflowering the "nobility" of his examiners in college.

Fenno remembered how Harvard's anonymous grading had once frustrated him, chuckling at how many decades had passed since those foolish days. It hadn't taken Fenno long to learn how to beat the system. After all, the only difference between law school and college was that instead of having to sleep with his profes-

Quote of the Week

"Hemenway is the only thing that has kept me from just going crazy and bombing this place. The school sucks. All we've got is the gym."

— Jesse Ransom '99

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Undergrad Space Shortage Threatens Future of Hemenway

Continued from GYM, p. 1

indoor tennis courts, and 16 internationally-sized indoor squash courts.

With the opening of these new squash courts, Hemenway — whose squash courts are not of international size and hence unavailable for collegiate meets — will most likely "be discontinued to be run by the Athletic Department," said Zewinski.

"The Athletic Department has always envisioned that as a collegiate athletic department, not charged with the running of recreational facilities, it has limited use for Hemenway in its portfolio," said Zewinski.

The Athletic Department's abandonment of Hemenway "does not mean we'll just lock the door and walk away," said Zewinski.

Zewinski cites an extension of FAS's current cost-sharing arrangement with the Law School as a possible solution.

FAS currently bills HLS a percentage of Hemenway's operating expenses equal to the number of users from the Law School over gym patrons as a whole. This ratio approximates 50 percent, says Coleman.

But with the new athletic facility scheduled to open in two months, Zewinski offers little security for a definite solution.

"Clearly, some determination needs to be made," he said.

Radcliffe Lease Negotiations Complicate Issue

Further exacerbating uncertainty over Hemenway's fate is FAS's unresolved lease negotiations with Radcliffe College over Byerly Hall.

Byerly Hall, located on Garden Street in Radcliffe Yard, currently houses the undergraduate admissions office and several graduate administrative offices. Radcliffe College has leased it to FAS for the past 25 years. FAS's lease will expire this summer, according to a story in the Harvard Crimson last week.

Radcliffe and FAS have thus far been unable to agree on terms for a new long-term lease. "We are in the process of working on a two-year extension," said Zewinski Wednesday afternoon.

In the interim, FAS is seeking out more permanent sites, including Hemenway, in which to relocate these offices.

"Hemenway is one of several options," says Zewinski. "It's one of the few environments appropriate for an undergraduate admissions office. It's not as serene as Radcliffe Yard, but it is a collegial environment."

Zewinski says "cost, location, and ac-

commodation" will determine where the FAS offices will eventually be located.

"We don't have all the information to fully assess these factors," he said, "so we can't really rank the options in any order at this time."

The Law School administration believes the renovation of Hemenway into administrative space is being considered seriously by FAS.

"I know they have had an architect examine Hemenway," said Coleman, "and are seeking permission from Cambridge for the renovations."

Zewinski minimized Hemenway's desirability.

"Access to the building is not that great; we have that major intersection to contend with," said Zewinski. "Renovation of the building would be extremely costly. We'd need major intervention in

both the interior and the exterior.

"It may very well come to pass that these two areas [undergraduate admissions and graduate administrative offices] may find other destinations — perhaps even separate from each other."

Zewinski forecasts that FAS will decide where to locate the offices that currently reside in Byerly later this semester.

"In April, there should be some direction," said Zewinski, "I will then hopefully be able to present the full range of options to FAS Dean Jeremy Knowles. The dean will then decide."

Law School Administration Not in Position of Strength

The Law School administration seems to have resigned itself to its own limitations.

"We have done what we can do," said Coleman, "but FAS is as in need of space as is the Law School. Hemenway belongs to them, and it's their dean's decision."

Law School students expressed concern at losing Hemenway.

"Hemenway is the only thing that has kept me from just going crazy and bombing this place," said Jesse Ransom '99, "The school sucks. All we've got is the gym."

"It would be much more inconvenient because I'd have to go to a private club," said Laura Billings '00.

Coleman suggested students direct comments about Hemenway to FAS.

"If Law School students are interested in expressing their opinion about Hemenway, they should contact the Dean of Arts and Sciences," she said, "Jeremy Knowles — he's making the decision."

The 1998 Harvard Law School Sports Law Conference

Presented by the Harvard Law School
Committee on Sports & Entertainment Law

www.law.harvard.edu/Studorgs/csel/



Friday, February 27, 1998

Langdell Hall South, Harvard Law School
1545 Massachusetts Avenue, Cambridge, MA

Registration at noon; program from
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Admission is free

Current Issues in Sports Facility Development

- **Brian Burke**, V.P. and Director of Hockey Operations, National Hockey League
- **David Cohen**, General Counsel, New York Mets
- **The Honorable Thomas M. Finneran**, Speaker of the Massachusetts House of Representatives (D-Boston)
- **The Honorable Barbara C. Hyland**, Member of the Massachusetts House of Representatives (R-Foxboro)
- Moderated by **Paul C. Weiler**, Henry J. Friendly Professor of Law, Harvard Law School

Negotiation of Player Contracts in Professional Sports

- **Richard L. Alderson**, President, Oakland Athletics
- **Eugene D. Orza**, Associate General Counsel, Major League Baseball Players Association
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Committee Moves Past Attendance Controversy

Continued from LEC, page 1

a different aspect of improving the educational climate at HLS.

"What we are focusing on now, and hopefully what we'll propose to the full Committee, are proposals which reaffirm, clarify, and maybe expand the obligations of faculty as citizens of the Harvard Law community," said Rob Edmund '98 of his work on Sub-committee A with Registrar Stephen Kane and Parker.

Edmund said these proposals include:

- Having classes meet when scheduled instead of professors constantly rescheduling classes;
- Getting grades in on time;
- Employing more diligent supervision of third-year papers.

"Those are certainly not all-inclusive, but they are an example of the reforms we're looking at. This shouldn't be looked at as the be-all end-all of what LEC will propose in terms of reform," Edmund said.

"My feeling generally on these ideas is that I support checks on faculty abuses like any student, but at the same time I really wonder why this Committee and the work they're doing on it is so punitive in nature," said LSC Representative Rajeiv Goyle '00, a leader in the Council's move to encourage the three student LEC members to resign.

Sub-committee B, composed of student member Brian Fitzpatrick '00 and Prof. Gerald Frug '63, and Prof. Jon Hanson, will aim "to propose 'initiatives' ... to be encouraged and funded next year

that would bring together faculty and students in occasional and informal (ungraded) educational settings," according to Parker's memo.

"We've been meeting for the last couple weeks, and we have several ideas," Fitzpatrick stated, "though none of them have passed yet." According to Fitzpatrick, those ideas include:

- Doing more to bring faculty and staff together in research assistant capacities;
- Holding a weekly "free lunch seminar" in which a few faculty members or students would present a paper and lunch would be provided for anyone who wanted to come and listen to the presentation. Students would be afforded an opportunity to interact with the presenters by asking questions;

- Involving students and faculty in discussion regarding not only legal issues, but issues regarding the Law School as a whole. "I think it would have been very helpful to see Law School Council interact with the faculty on the attendance issue, for example," Fitzpatrick said;

- Holding faculty debates;
- Increasing general access to faculty — for instance, changing how office hours are administered, "or even creating some common area which necessitates student and faculty interaction on a daily basis," Fitzpatrick said. "For example, maybe the students and faculty would have to retrieve their Law School mail in the same area";

- Encouraging a colloquia program of student/faculty workshops;

- Providing incentives for faculty to take student third-year papers "a bit more seriously. We think the institution does not credit professors for helping people with third-year papers, so we thought we could give professors teaching credit for supervising people on 3rd-year papers," Fitzpatrick said. "That way, they could reduce the number of classes they're going to teach by helping with third year paper assignments";
- Opening the first-year elective to any second- or third- year class.

"I'd like to see more innovative and imaginative proposals than the ones we've been heard about so far," Goyle said. "In terms of the attendance policy, I'd really hope that they'd revisit the issue, but we have little or no indication that they'll do that."

The four members of Sub-committee C, David Stringer '99, Prof. John Mansfield '56, Prof. James Vorenberg '56, and Prof. Joseph Weiler, were asked "to look at how best to present the proposals that the other two sub-committees come up with to the Law School community," Stringer said. "We decided that we would have to wait and see what the final proposals were to see how best we could facilitate this."

Sub-committees A and B will present their proposals for Committee-wide review next Monday.

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THE VERDICT

Michael Crichton has written some interesting books which have gone on and inspired a few passable films. He's even directed a few. More important than his memes and their celluloid adaptations, the tenuous off-shoots of his creations are often the real gems of his efforts. Crichton's genius is the unplanned-by-product. Whether it's reinvigorating discussion on race with "Rising Sun" or inspiring a new generation of paleontologists with the "Jurassic Park" films, it's not Crichton's cooking we should bow down to. It's his gas.

Unfortunately, his latest book-B-movie, "Sphere," most likely will not be inspiring any such high aspirations in any of us. That "B" 106 character spaces before stands for bad. And even though "Jurassic Park" was not a great film, it was at least fresh compared to what had come recently before. "Sphere," on the other hand, is not only bad, it's non-fresh.

First, it is an under the table shot at sci-fi. The sci component is malnourished and tittering on the brink of disintegration. A multi-disciplinary collection of scientists is pulled together by The Government to investigate what is initially believed to be a plane crash at sea. The crew includes a brilliant mathematician, a brilliant physicist, a brilliant biologist. They are corralled by a psychologist who has personal relationships with them all, and a secret military operations type. The

characters are acted out by Samuel L. Jackson, Liev Schreiber, Sharon Stone, Dustin Hoffman, and Peter Coyote, respectively. Don't allow the big names to defrost your sympathies. None shine.

Of course there's no plane, no plane crash, and a government cover-up. Without spoiling the minuscule nugget of beauty in the film, let's say that there's something alien at the bottom of the Pacific ocean and the science team has to investigate. If you've seen a few of the film's trailers, you can probably put together the remainder for yourself.

Levinson and Crichton resonate in the

aeon learning.

"Sphere" does have a handful of memorable moments. Hoffman, after fighting through the blabber and froth of his environs, has an beautiful 30-second exchange with the alien entity that's a mix of Hitchcock and Tarrantino — very scary with a gallimaufry of perspectives. It is a disorienting collage of one scene looped repeatedly, an effective symbol of the character's inability to deal emotionally or intellectually with the entity which has possessed the deep sea base's computer system.

This leads into the next (and unfortunately second to last) insight of the film. Levinson is suspicious of our technology and the idea of our superiority over it simply because of our creator status. His images imply that our machines are not our own anymore, that perhaps they never were.

Technology is capable of serving multiple masters including itself. This is an invigorating perspective in a time when our creations are continuously lauded as our savior. Nothing could be further from the truth on or off the screen.

Finally, "Sphere's" last grace is the brilliant, though sparsely used computer animation. Industrial Light & Magic-styled (Cinesite actually did the bit work) celestial orbs, stars—both the living and the collapsed, comets, and a whole host of other spacely things rain across the screen



like smart missiles over Iraq. Cosmetically, the film is divine for the handful of moments it takes for a couple of the scientists to tap into a visual travel log. It spars with the introduction to "Contact" in the category of dreamy space imagery.

But the few, proud inspired moments of the work at fantastically outnumbered by its lackluster remainder.

Like David Mamet's "The Edge," "Sphere" attempts to extract depth and meaning out of a cluttered collection of plots and sub-plots. "The Edge" was mildly successful. "Sphere" fails profoundly. The first was more successful than the last because Mamet knew better than to delve deeply into the relationships of characters who've known each other for years before they reached the screen. Their histories are too complex to unravel completely on screen and still tell the movie's story.

Wisely, Mamet chose to only reveal the necessary info, the nuggets that matter and leave it at that. Levinson, however, wants to deluge the audience with countless layers of drab, verbal minutia. It would be better to leave the details to the imagination; at least then the audience doesn't get pissy, frustrated, and ultimately contemptful of the film. Judging from audience reaction, Levinson was lucky — the audience in the end seemed unaffected by his work.

It's utterly missable.

"Sphere," on the other hand, is not only bad, it's non-fresh.

SPORTSGUYS

SERENITY COOLS EN FUEGO

By Naim Bulbulia '98
and Josh Swartz '99

RECORD Columnists

Josh "General" Swartz '99 poured in 23 points and Ian "Patel Her About It" '00 scored 21 to lead undefeated and top-ranked Serenity Now to a victory over a depleted En Fuego squad, 56-53. En Fuego held the early lead behind Jay "Charlotte's" Webber's '00 early 10 point assault, but when Hanni Barouche '00 checked in for "Oklahoma" Tom Snyder '99, Serenity stepped up its game and regained the lead. Swartz and Jesse "Give me back my son" Ransom '99 were uncharacteristically cold from outside and were forced to rely on big man Patel down low in the first half. But as the game wore on, Swartz (surprisingly) took over and finished off En Fuego. En Fuego managed to hang close, despite missing leading scorer (and the man with the coolest nicknames) "The Russian Space Station" Amir Arbabi '00. En Fuego was led by the play of "Down Town" Glenn Brown '00, Jeremy "Mugsy" Hogue '00, and Webber. Hogue was quoted as saying "We'll beat them by twenty when Amir is there." Clearly.

In other A-League action, the Rainmakers finally ended their two-year losing streak to Black Plague, 60-52. The game was close for most of the first half, as the Plague's center Gregory "Peck" Belinfanti '00 banged bodies underneath with Kenny "G" Kloner '98 and Steve "Hello" Mudder '98. Kloner, giving away both pounds and inches to Belinfanti, played excellent post defense and held the big man in check. The Rainmakers got offensive contributions from the usual suspects, Brent "The Idaho Avenger" Schlotthauer '98, who grabbed 10 rebounds as well as pouring in 19, and Kloner, who put up 15 points and 6 assists.

The difference might have been the unexpected contributions from "I was Ryan when I met you" Scarborough '98 and Mudder who both dropped in 8 points apiece. Some late threes by "Next of Kindocka" Sanders '00 kept the Plague in it, but the Rainmakers seemed to have an answer every time the Plague drew close. The final few minutes saw the game degenerate into a free throw shoot-

ing contest, and the Rainmakers proved up to the challenge. Schlotthauer, Naim "Running of the" Bulbulia '98, and Kloner all hit both ends of their one-and-one's to seal the victory. After the win, battered Rainmaker center Richard "Married to the" Moberly told the RECORD, "Clearly, my three-points were the difference in the game." Clearly.

In the battle to stay out of the A-League basement, The Leftovers crushed a disoriented B League's Best squad, 70-48. Alan "Civil" Warfield '98 and "Confederate leader" Jefferson Davis Smith '99 led the attack.

In B-League action, the Cambridge Metro Stars (arguably the worst team name in HLS IM history) humiliated Phi Slatina Jamma, 87-19. "Broadway" Joe Lambert '00 led the Star's attack and continued his run towards B league MVP. Last week's #1 team, The Stormin Mormons struggled a bit in beating an inspired Boomin Fat club. Slashing forward Regis Jeff Legath '98 led the Fat attack with 16 points and 10 rebounds but Josh Little Man Tate proved too much for Boomin Fat. Following the game Perham "The G is silent" Gorji '98 was quoted as saying "I did my job but Mike Sandler let us down big time." In other B league action The Loose Canons downed the B Sharps and Gwar, 49-41. Heartland lost again, this time to a rejuvenated Hotel Gropius squad who is threatening to crack the top five, 38-30. The Psychological Boys put up a fight, but came up just short against Flagrant Dilecto, 42-38. The Bruisers downed the Tortmasters, 53-38. Tossed Salad doubled up the hapless Ice Weasels, 56-25. The Godfathers of Dunk retained their unblemished record, 50-38 over Kenneth's All Stars. The Flaming Rats beat Bye 66-49 to remain undefeated behind the strong play of "Get Ofer yourself" Elitzur '99. The Short Guys continued their winning ways beating the Skee-Lo All Stars, 39-35. Soul Bucket



humiliated Specific Performance, 48-21 behind their Princeton-type offense. The Sacrificial Lambs beat out Title IX's Revenge 36-30.

In C League Action Monster Mash was murdered by They Killed Kenny, 28-



21. And the CRC-Hellers thundered past El Nino, 35-28. Don't despair C leaguers, there will be more coverage in the weeks to come.

Highlight of the week: Amy McManus '98 of Title IX's Revenge stuffed Hamilton Chan '99 not once, but twice in their B league showdown. Hamilton was later seen walking around with a backwards Spalding tattooed across his forehead.

Top Team Listings

A LEAGUE RANKINGS

- #1 Serenity Now (2-0)
- #2 The Rainmakers (2-0)
- #3 El Fuego (2-1)

B LEAGUE RANKINGS

- #1 Cambridge Metro Stars (2-0)
- #2 Stormin' Mormons (2-0)
- #3 Godfathers Of Dunk (2-0)
- #4 Flaming Rats (2-0)
- #5 (tie) Flagrant Dilecto (2-0)
- #6 Supreme Courters (1-0)

Harvard Intercollegiate Athletics

Home games in CAPS

Men's Basketball (11-13; 4-8 Ivy)
Fri. 27 YALE 7 p.m.
Sat. 28 BROWN 7 p.m.

Men's Hockey (9-14-2; 3-5-1 Ivy)
Fri. 27 ST. LAWRENCE 7:30 p.m.
Sat. 28 CLARKSON 7 p.m.

Women's Basketball (20-3; 10-1 Ivy)
Fri. 27 at Yale 6 p.m.
Sat. 28 at Brown 7 p.m.

Women's Hockey (12-14-0; 2-6-0 Ivy)
Sat. 28 PRINCETON 2 p.m.
Sun. 1 YALE 2 p.m.

Women's Swimming

Thu. 26 thru Sat. 28 Ivy League Championships at Harvard

MADNESS WITH METHOD

By Darren Schlanger '00

RECORD Columnist

CARE FOR A LUCKY STRIKE, REVEREND DIMMESDALE?

The politics of Puritanism has resurged into the mainstream of American social mores categorically targeting and relegating vices of the flesh to the licentious inner sancta of bordellos, speak-easies, and other clandestine hovels of carnivorous carousal. The recent focus of these unctuous polemics is cigarettes, and the crusading majority seems to have delineated no foreseeable threshold to its fervor. In Manhattan, the apogee of liberality for the decadent, city ordinances have banned smoking in restaurants, while in California, the once indomitable sanctuary of the reprobate, regulations nearly went into effect banning smoking in bars. The fate of cigarette smoking in America faces a bleak future as the crusade will garner more popular support and political clout, unless the champions of misbehaving now unite to sound a public *cric-de-cœur* against this nascent priggishness.

The excessively reactionary and draconian expansion of contemporary prohibition to restaurants and bars has exceeded the appropriate scope of consumer protection. Restaurants have traditionally partitioned smokers and non-smokers, fostering a tranquil synergy between divisive factions and demarcating a symbolic boundary between temperance and indulgence, virtue, and vice. This segregation of smoke preferences transcended a mere utility of protecting the abstemious; it represented the allegorical symbiosis of two adverse *Weltanschauungen* clashing yet coexisting in rapprochement. Nonetheless, were a restaurant to become excessively polluted with smoke, any individual retained the choice to complain to the manager, ask for a different table, or leave. Contemporary regulations have thus succeeded only in

replacing de facto non-smoker protection with a reactionary de jure strategy that denies both smokers and proprietors meaningful personal choice. Under the former regime, non-smokers could avoid second-hand smoke with relative ease, owners could institute protective solutions (separate dining areas, separate air filtering systems, bi-level restaurants, etc.), and smokers were not incidentally demoted to the lowest rung of the social dining caste. Likewise, if a bar-owner wished to maintain smoking in his establishment non-smokers could avoid

nored in favor of puerile conformity and blissful ignorance. Cigarettes convey a willingness to explore the depths of the human condition by subverting the often paralyzing fear of oblivion. They have been the well-spring of an immense fecundity of innovative artistic expression, particularly in cafes and bars, the purlieu of the esthete, where cigarettes have facilitated prolific creativity. Not merely a trope or pretentious accoutrement to



thought, smoking oftentimes functions as the very catalyst that stimulates and galvanizes the impulsive flow of ideas and the creative process. Masterful works and ideas have emerged from dimly illuminated taverns, thick with smoke penetrated ever so subtly by the

all the heavy flesh that holds us down, our soul, we hope, will roll and smoke cigarettes along with the romantic and lying cowboy... We have never been the person on earth we should like to be; circumstances have always tied us to the staid and commonplace

and respectable. But when we become an angel we hope to be right devilish at times. And that is an idea that some one should work out — Hell as a place of reward for Puritans."

Unquestionably, significant anti-smoking regulation is meritorious. Markets fail and individuals lack equality in bargaining power; the government must intervene to protect people by disseminating valuable information to enable better self-calculations regarding lung annihilation and by taxing cigarettes more heavily so that prices better reflect real social costs. In addition, the pervasive smoking amongst teenagers, the purposeful targeting of youths with lustful campaign slogans, the corrupt attitudes of the corporate cigarette machine, and the real risks of second-hand smoke all lend credibility to contemporary regulation.

But the anti-smoking bandwagon has exceeded its reasonable function, seeking to undermine all vestiges of a lubricious past that regarded vice as an endowed human manifesto, to eliminate all ideal locales for smoking, and to deny vicarious individual choice from our encumbered daily routines. Perhaps smoking in cars will be verboten, smoking after sex will constitute a battery to a non-smoking partner, and cigarettes will become a controlled substance as prisons inundate with Marlboro Men and Joe Camels convicted of ten-year mandatory sentences for cigarette peddling. Before this apocalyptic chimera materializes into reality, we must carefully reevaluate the aims of our sententious reformatory zeal lest society tragically pullulate towards further inchoate, repressive regulatory measures and eventual institutional Puritanism.

Contemporary regulations have thus succeeded only in replacing de facto non-smoker protection with a reactionary de jure strategy that denies both smokers and proprietors meaningful personal choice.

that bar in favor of smoke-free ones, which presumably would be quite lucrative with the frenzy of anti-smoking sentiment. Current regulations, though, deny both bar owners (many of whom themselves are smokers) the choice of how to run their establishment and smokers an unsurpassed public anodyne, the union of cigarettes and liquor, only to guarantee non-smokers the unnecessary absolute guarantee to a quaff free bar.

With regard to bars, restaurants, and cafes in particular, this statutory abnegation undermines one of the greatest aesthetic and palliative beauties contrived by humankind since its emancipation from the primordial bouillabaisse. Cigarettes are romantic, they embrace the twilight of our mortality and defy a complacent society where death and the intrinsic evanescence of existence are ig-

distinctive stench of spilled ale and noisome bar stool veterans, locales that foster the solitary anonymity and reclusiveness often necessary to profound introspective probing. Invaluable creative genesis might have been suppressed without the perpetual and voluminous tufts of smoke lingering in the upper reaches of a café. From a purely indulgent vantage, few pleasures rival a cigarette after an exquisite meal, or accompanying a hearty ale or lustrous bourbon.

This position has never been more eloquently expressed than in Don Marquis's 1919 "Preface to a Book of Cigarette Papers," in which he admonishes the crusaders of correctness and embraces the diabolical allure of cigarettes. "All that is romantic and literary and spiritual in us holds by the cigarette," writes Marquis. "When we die and are purged of

CARPE BOLLO

LIVIN' ON THE EDGE

By Jake Zimmerman '00

RECORD Columnist

A few days ago, our section held a class-wide potluck dinner. It was a tremendous success, suggesting that while we may know nothing about torts, we're awfully good at matters domestic. (Be on the lookout for the Section 1 Tupperware party and interior design seminar coming later this month.)

The most impressive thing about the potluck dinner was not, however, any of the dishes that were brought by my classmates (and it certainly wasn't the Star Market brownies that I, um, "cooked"). No, the thing that stood out about our little party was the attendance of Professor Anne-Marie Slaughter and her 15-month-old son, Edward.

You see, four days before the potluck, grades were distributed to the vast majority of hapless 1Ls. And statistical probabilities suggest that more than a few of our budding junior chefs had recently been given a new understanding of what it means to study under a professor named "Slaughter." Now ask yourself: if you were the Civil Procedure professor in question, would you have dared to step into that lion's den? More to the point, would you also bring your innocent one-year-old child?

It is difficult to imagine what was going through Professor Slaughter's mind. Perhaps she has grown tired of life. It

may be that earning a professorship at Harvard was her childhood dream, and now that she has achieved it the future seems like an endless dry plateau, empty of hope or novelty. Or, perhaps she has a genetic love for danger. If anyone has seen her out snowboarding or parasailing, please contact this newspaper so we may confirm that this is no more than the latest (and riskiest) in her series of "extreme sports" victories.

Still, neither of these suggestions adequately explains the presence of poor Edward. I suppose we must consider the

Slaughter! What social value can you propose to justify your demand for jelly on your sandwich? No, I think we have to assume that Professor Slaughter somehow failed to recognize the danger that she and her offspring would face in that deceptively cheery room.

Now, as it turns out, both the professor and her son did leave safely without suffering any noticeable damage (discounting, for the moment, the long-term health consequences of all the fat in those brownies). Thus you might think, with some justification, that my cynicism about my fellow students is unjustified and that I should go back to writing about giant squids. But hold back for a second here. I think that the continued longevity of the Slaughter clan owes more to calculation than to the good

will of Harvard Law students. The dinner was held in a public place, and given the reticence of many students here to speak in public, one can imagine how much harder it would be for them to kill and maim in such an exposed setting.

Also, statistical probabilities must force us to conclude that there were more than a few "A" students there as well. Perhaps they would have rallied to the defense of their benefactor, hoping to keep her around so that they could take



another class with her next year. Our hypothetical Madame Defarges may well have decided that some more private form of vengeance was the wiser course. Alas, this may have been an unwise choice. After all, when was the last time you saw one of

your professors outside of a classroom? Short of breaking into the secret faculty-only library, this may have been the revolutionaries' only shot at glory.

Another thought comes to mind: a few days have passed since the grades came out. It may be that this period allowed blind rage to cool down a bit and be replaced by a more rational approach. Specifically, my "slaughtered" classmates may have decided that a bit of creative blackmail would be wiser than a crude assault. Come to think of it, I did notice someone hand Edward a note that appeared to have been pasted together from newspaper headlines. Unfortunately, he promptly ate it, which just goes to show that you should never trust a middleman.

But, at any rate, this speculation isn't getting us anywhere. Professor Slaughter remains alive, the police haven't carted anyone off, and one of these days I'll go run a marathon to work off the cholesterol from all those cheese-stuffed tortilla rolls. All's well that ends well. But, still, it's a pity they don't award the Medal of Honor during peacetime. Had Clinton only dropped bombs on Iraq as soon as the Olympics ended, one of the bravest acts of the modern era could have received its due.

Now ask yourself: if you were the Civil Procedure professor in question, would you have dared to step into that lion's den?

possibility that this was an attempt at some particularly fierce version of parental discipline. One can only shudder to imagine what misdeed Edward must have committed in order to be subjected to such a gruesome punishment.

But Professor Slaughter strikes me as a pretty decent person. While she may abuse the Socratic method, I doubt that she would do the same to her children. (Though I still pity that kid for what he'll have to experience as he grows up: "Mr.



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