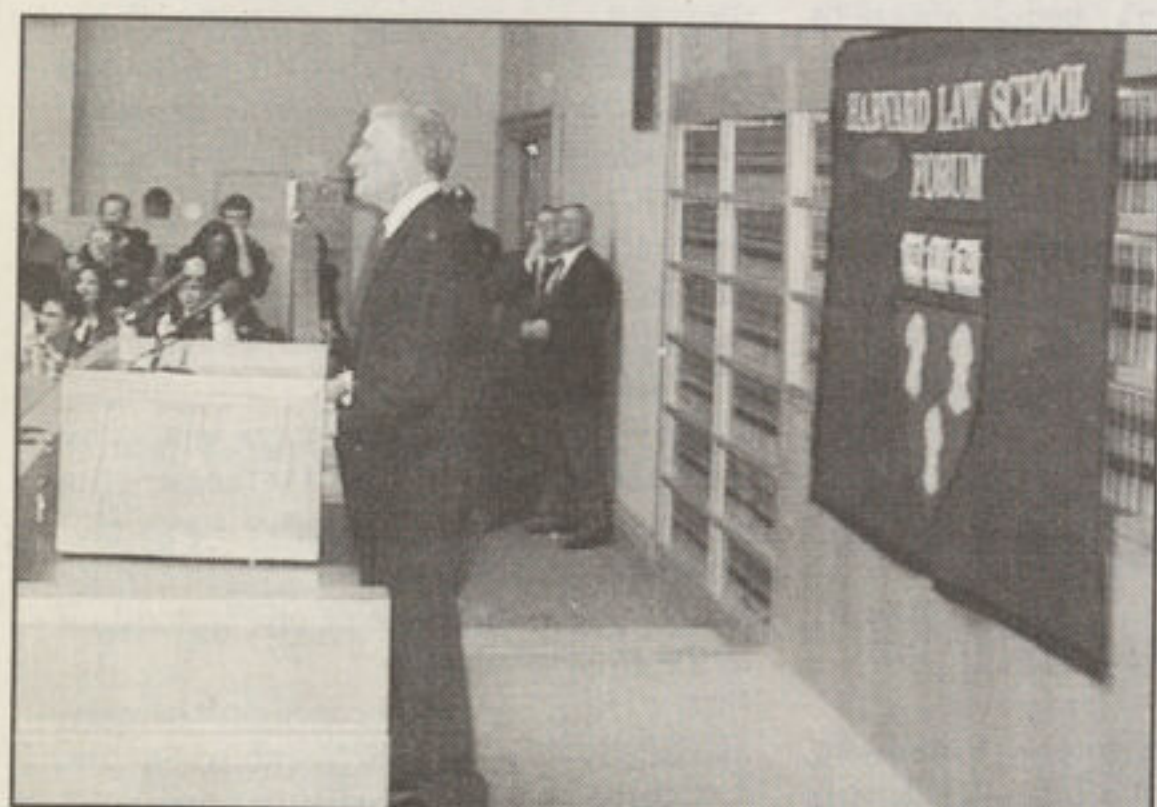




Actor Charlton Heston gives HLS audience his take on the "cultural war" engulfing America.

Moses Presides Over Ames Courtroom

Charlton Heston Condemns Political Correctness, Ice-T

By Suzanne Carter

The actor famous for his portrayal of Moses did not part the Red Sea in his Forum-sponsored address earlier this week, but he drew a capacity crowd nonetheless.

Utilizing a TelePrompTer at the rear of the Ames Courtroom, the National Rifle Association (NRA) President and movie star delivered a speech entitled "Winning the Cultural War."

Heston chose not to focus on his devotion to the Second Amendment's "right to bear arms" clause, instead concentrating his rhetorical arsenal on the twin scourges of political correctness and the violent lyrics of rapper Ice-T.

Heston introduced himself by quoting his son, who, when asked as a child what his father did for a living, responded, "my daddy pretends to be people."

Heston wasted no time in launching into his theme. "A cultural war is about to hijack your birthright to think and say what lives in your heart," he said.

Mentioning his election to the presidency of the NRA, Heston stated that "now I serve as a scapegoat for the media. They call me everything from duped to a senile, crazy old man."

This criticism comes not because he is a "senile, crazy old man" though, but because "certain thoughts and speech are mandated," including opposition to Heston's conservatism, he said.

Noting that he marched for civil rights with Martin Luther King, Jr., "long before Hollywood found it acceptable," Heston stated that "when I said white pride is just as valid as black pride or red pride, I was called a racist."

"When I compared singling out the innocent Jews slaughtered in the Holocaust to singling out innocent gun owners today, I was called an anti-Semite."

In what was perhaps an example of the freedom to be politically incorrect, Heston noted in gender-specific terms that "if Americans believed in political correctness, we'd still be King George's boys."

Heston proceeded to cite a long list of "politically correct" regulations recently passed around the country.

"At Last, Copulation!"

"At Antioch College in Ohio, a young man seeking admission to intimacy from a coed must get permission for three stages: kissing, petting, and finally, oh yes, at last, copulation."

"In San Francisco, city fathers protect rights of transvestites to cross-dress on the job and the rights of transsexuals to have separate toilets while undergoing the sex change procedures," Heston said, again using the masculine form.

The actor also criticized the replacement of the term "black"

Please see **HESTON**, p. 4

HLS Repubs Celebrate Reagan's 88th Birthday

By Dusan Stojkovic and Suzanne Carter

The airing of a series of Ronald Reagan's speeches inspired vociferous cheers at a celebration of the former President's 88th birthday, sponsored by the HLS Republicans this Tuesday.

"Ronaldus Magnus, Freer of Hostages, Champion of Democracy" read a slogan written in large letters on the blackboard in Austin North.

The event was timed to coincide with actor and NRA President Charlton Heston's visit to the Law School. Heston attended and spoke at the

By Seth Persily

Activists Jay Brause and Gene Dugan, plaintiffs in a gay marriage suit pending in Alaska, silenced a reception of academics and litigators during last weekend's conference at HLS on gay marriage by criticizing a number of gay activist lawyers, many of whom were sitting in the room.

Their biggest struggle, said Brause and Dugan, was finding a lawyer to take their case. Citing a consensus among leading activists to avoid most gay marriage cases for fear that they will result in a string of negative precedents, Brause and Dugan called the position "cowardly."

The tense moment was an anomaly in the weekend's events but it highlighted the debate swirling around gay marriage even among its supporters who disagree on the best political strategies to pursue.

Brause and Dugan made headlines when a trial court in Alaska made a temporary ruling in their favor. The ruling frightened gay marriage opponents, who initiated a referendum to amend the state constitution of Alaska to require that only one man may enter marriage with one woman. The referendum passed by majority vote last November.

Changing of the Guard at Law Review

By Ben Lehrer

The Harvard Law Review has elected Mike Leiter '00 to lead the prestigious publication into the new millennium.

Leiter was selected out of seven candidates for the position of Law Review President on Monday.

"I'm excited and honored," said

Organizers of "Freedom to Marry: Consolidating Strategies, Planning Victories" hoped the two-day conference would spur "the academic community [to] provide scholarship that would buttress the work of the litigating community in promoting the freedom to marry for all people."

Sponsored by Harvard Law School Lambda, Harvard Civil Rights-Civil Liberties Law Review and the Harvard Law School Civil Liberties Union, the conference drew prominent legal academics and practitioners from around the country.

Prof. Denied HLS Tenure Returns

Delivering the conference's

opening address, Dean Clark '72 noted that he was especially pleased to see so many former HLS visiting professors at the conference, such as Profs. Nan Hunter and William Eskridge.

Eskridge served as visiting professor at HLS in 1995, but was denied a tenure-track position. He was subsequently given full tenure at Yale Law School. Had Eskridge remained at Harvard, he would have been the first openly gay professor at HLS.

The bulk of the conference was scheduled around a series of panel discussions.

Prof. Chai Feldblum '85 of

Please see **MARRIAGE**, p. 2



Lambda co-chair Sharon McGowan '00 at the "Freedom to Marry" Conference last weekend in Ames.

War Crimes Tribunal in the Hague.

The Ins and Outs

Leiter replaces outgoing president Katie Christensen '99.

"It's been an incredible experience and great honor for me to hold this position," said Christensen. This year's highlights included a Supreme Court forward written by Michael Dorf '90 of Columbia Law School, a tribute to the late Justice Lewis

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Also:
Sucky Live Music,
Costner Tries Again,
and that little whippersnapper, Fenno.

birthday celebration.

In addition to the pizza commonplace for Law School functions, the attendees were treated to a huge birthday cake. "It's not pretty, but it's got a lot of icing," Beth Collins '00 said as she cut.

While the predominantly East Asian/white audience was not diverse ethnically, it made up for that with diversity in age.

An elderly gentleman stepped up to the front of the room and asked "Whose birthday was it?" and as he helped himself to some cake, added "Oh yeah, Reagan's."

Please see **GIPPER**, p. 3

Leiter. "I've really enjoyed my past six months as editor and am incredibly impressed by the Law Review as an institution and by my fellow editors."

Elections for the remaining Law Review offices are being held this week.

From Vet to Pres

While there are no set criteria for choosing among the proffered candidates, background certainly made him an appealing choice. After graduating Columbia in 1991, Leiter served six years in the United States Navy flying jets off of aircraft carriers.

He spent time in Iraq and in Bosnia enforcing United Nations sanctions against those nations.

"Bosnia was very active when I was there," said Leiter. He served there in 1994, when the former Yugoslavian province was engulfed in civil war.

Leiter says the experience inspired him to attend law school.

"In college I worked for the Department of Justice Office of Special Investigations investigating Nazi war criminals," he said. "In Bosnia I saw some similar investigations and became increasingly dissatisfied with using military power to solve these problems."

Leiter spent his 1L summer working for the International

Conference Panelists Challenge Mainstream Marriage Myths

Continued from *MARRIAGE*, p. 1

Georgetown Law School noted in a conversation on the normative and ethical dimensions of same-sex unions that instead of speaking in the language of "equality" and "rights," litigators should focus on the fact that there is a "normative good about gay sex and gay people and therefore gay coupling." Stable relationships are a normative good for the individuals who take part in them, she said: both same-sex and opposite-sex couples equally enjoy "intimacy and companionship over time."

Prof. Martha Minow challenged gay marriage opponents' reliance upon notions of "tradition," since marriage has evolved

as an institution, she said.

"What 'tradition' of marriage do we want?" she asked rhetorically. "The tradition of a father bargaining with his future son-in-law over the brideprice of his daughter?"

Minow pointed to the limitations of academic discussion and called for greater awareness to seep into popular consciousness. In order to change people's opinions, she said, "We need more movies, more novels, more narratives" about what gay love and gay marriage are.

Prof. Eskridge addressed what he called the three main arguments against gay marriage.

First, gay marriage opponents argue

that "marriage must be male/female," because marriage is, by definition, opposite-sex. In addition to being "historically untrue," Eskridge noted that the reasoning employed by the argument is circular, as it gives no justification for the state's requirement that marriage must be male/female.

Second, same-sex marriage opponents argue that allowing gay people access to the institution of marriage would threaten it forever. Eskridge noted that, to the contrary, gays and lesbians would be the most "enthusiastic recruits" to the institution of marriage and, rather than undermining the institution, would actually strengthen it.

"I don't know how you're going to

weaken the institution by including same-sex couples," he said, adding, "if anything is contributing to the downfall of the institution it is the ease of divorce."

Third, Eskridge addressed the argument that a tolerant society does not have to encourage that which is morally undesirable. He noted that permitting gays to marry would hardly be a stamp of approval of those marriages any more than allowing a heterosexual couple to marry represents a government stamp of approval on that marriage.

"The state will allow murderers and rapists to marry, but that does not mean the state approves of murderer marriages or rapist marriages."

Eskridge stressed that gays and lesbians should fight "not just for the benefits of marriage, but the obligations as well." He noted that marital obligations "reinforce the commitment of one individual in a couple to another."

Prof. Nan Hunter focused on the complexities of domestic partnership benefits, which she coined "substitute marriage." She argued that the call for domestic partnership benefits will "acquire greater and greater force, because it captures what a pragmatic humanist would want to achieve."

Hunter noted that its popularity stems from the fact that it seems like a good compromise for people who recognize that "it is not fair to treat gay couples in the shabby fashion that the law does," yet cannot go so far as condoning gay marriage.

Hunter described "substitute marriage" as a "separate but equal model of law," noting that it is indicative of the fact that many people see a profound distinction between homosexual and heterosexual relationships, and thus believe the two should be accorded separate treatment under the law.

Finally, Prof. Andrew Koppelman and other panelists addressed the question of whether gay marriage prohibitions constitute sex discrimination. The conventional argument, he said, is that since a woman can marry a man but not a woman, the law is discriminating on the basis of gender.

Koppelman addressed opposing arguments that since neither a man nor a woman can marry someone of the same sex, both sexes are being treated alike and there is no discrimination. He noted that the same argument was utilized by opponents of interracial marriage who argued that miscegenation laws did not discriminate against African-Americans because neither blacks nor whites could marry someone of a different race.

Bye-Bye, HLS Child Care Center

Move to Botanic Gardens Was Not All Fun and Finger-painting

By Steve V. Scali

The HLS Child Care Center was recently moved to a new facility called Botanic Gardens Children's Center, which is located near the Harvard Botanic Gardens affiliated housing unit on Fernald Street.

The previous day care facility was located in a house on 23 Everett Street and had been there for all of its 28 years.

The transfer of the child care center took several years of planning, involving contentious and often bitter invectives among the HU administration, students, faculty, staff and even members of the general public.

Harvard University operates a total of six day care centers, which it subsidizes by offering rent-free space. The centers themselves, however, are privately run.

cording to Coleman.

"I have a stack of several hundred letters from angry people," she said. "Nobody trusts the Law School. We never meant to close down the child care center without finding an alternate location or making other arrangements."

Profs Making Babies

Center officials, however, were not so confident about their future.

"It was hard finding a space. At first, it looked like we would be said goodbye to," said Morin.

Following negotiations, the Law School and HU President's Office agreed to split the cost for the construction of a new \$1.4 million child care center. The Faculty of Arts and Sciences agreed to contribute operating support by providing free rent and utilities. The Center's new "landlord," Harvard Planning and Real Estate se-

ents to grow in the near future. "I think the number of Law School-affiliated kids will only increase, as the Law School and the Faculty of Arts and Sciences are first-tier and have priority for enrollment," he said. He noted that there is usually a waiting list for child care, especially for younger children.

"Everything is very positive, and we all feel really lucky to be in a wonderful new facility," said Morin.

Wanted: Adult-Sized Toilets

The Center's old home at 23 Everett is currently undergoing a two-month renovation.

"We need to install adult-sized toilets," said Coleman. "There is no air conditioning, and we need to do network wiring," she said, stating that HLS would foot the bill.

"This summer, the first floor will become swing space for staff out of Areeda, especially the personnel department,"

said Coleman. "In September, research programs will be housed there."

There are approximately 20 law school research programs, including the Berkman Center for Internet & Society and the Tax and Fiscal Research Program. HLS administration is debating which research program(s) will be granted space in the ex-child care center space.

Coleman will be speaking with research program faculty directors. She then intends to recommend suitable tenants to Dean

Clark '72, who will make the final decision.

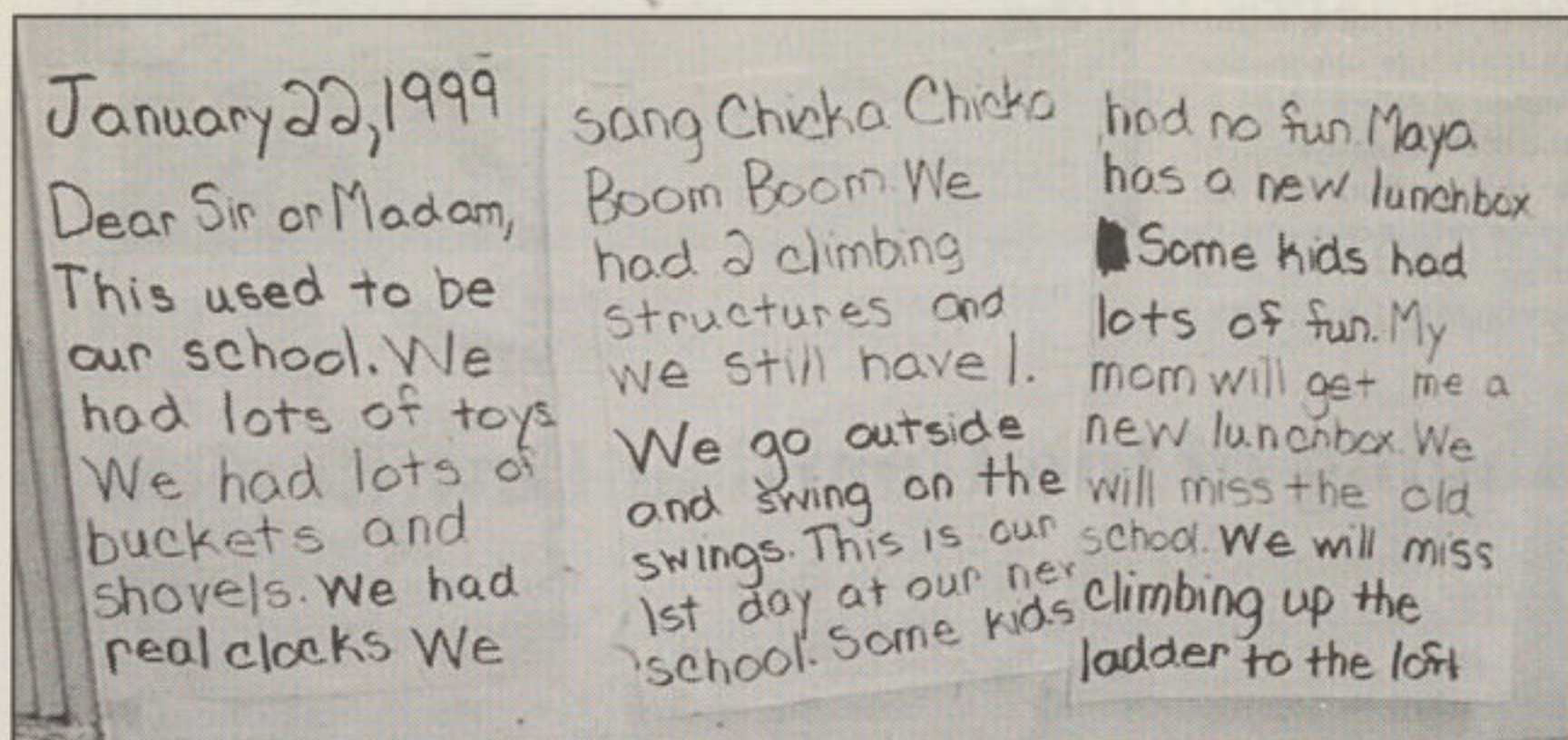
"Individuals from different research programs talk to me when I walk through the fourth floor of Pound," said Coleman. "They are often afraid I want to take away their space."

The Berkman Center, for example, is spread among an office and hallway space on the fifth floor of Pound, a basement office in Pound, and some space in the basement of Lewis, according to Coleman. At only three years old, the Center is one of the newest and fastest growing research programs.

Research programs will be allowed to rent from 23 Everett based on several factors, said Coleman, including how much space the program necessitates and how much space it occupies currently.

"The issue is how to make scarce resources go to help the most people," said Coleman. "For some programs, it may be more efficient to have everything in one building."

Coleman indicated that she is not yet certain as to who will even want more space. "The Negotiation Program takes up half a floor in Pound and is usually interested in more space. The Legal History Program, on the other hand, does not want any more space," she said.



The HLS Child Care Center became known as such because of its proximity to the Law School. Indeed, some of the children it accommodated were those of Law School faculty, staff, alumni and students. HLS was the center's "landlord" and provided the space free of charge.

HLS Administrative Dean Sandra Coleman enumerated two factors which led to the closing of the HLS Child Care Center: the physical condition of the building, which made 23 Everett Street an increasingly ill-suited place to be a child care center, and the need for space at the Law School. In particular, the number of HLS-sponsored legal research programs and organizations has increased considerably.

"In 1990, we had eight research organizations, now we have 20," said Coleman.

All of the clients and staff were transferred to the Botanic Gardens location. According to Jim Morin, the Director of the relocated Center, approximately 10 of the Center's clients have some HLS affiliation.

In March 1997, the Law School informed the Center's Board of Directors that it would have to vacate the premises by August.

A tremendous outcry ensued, and HLS was made the scapegoat — unfairly, ac-

lected the new location.

"The new Center is the only one on the north side of the campus, which is an attractive feature for many parents," says Coleman.

Morin is extremely pleased with the transition to Botanic Gardens.

"Everyone has been really happy here. Parents are really pleased with what they see. The place is open, airy, clean, and the children are all happy. The transition has been happy. The children moved in very easily. Staff and adults are very pleased," said Morin.

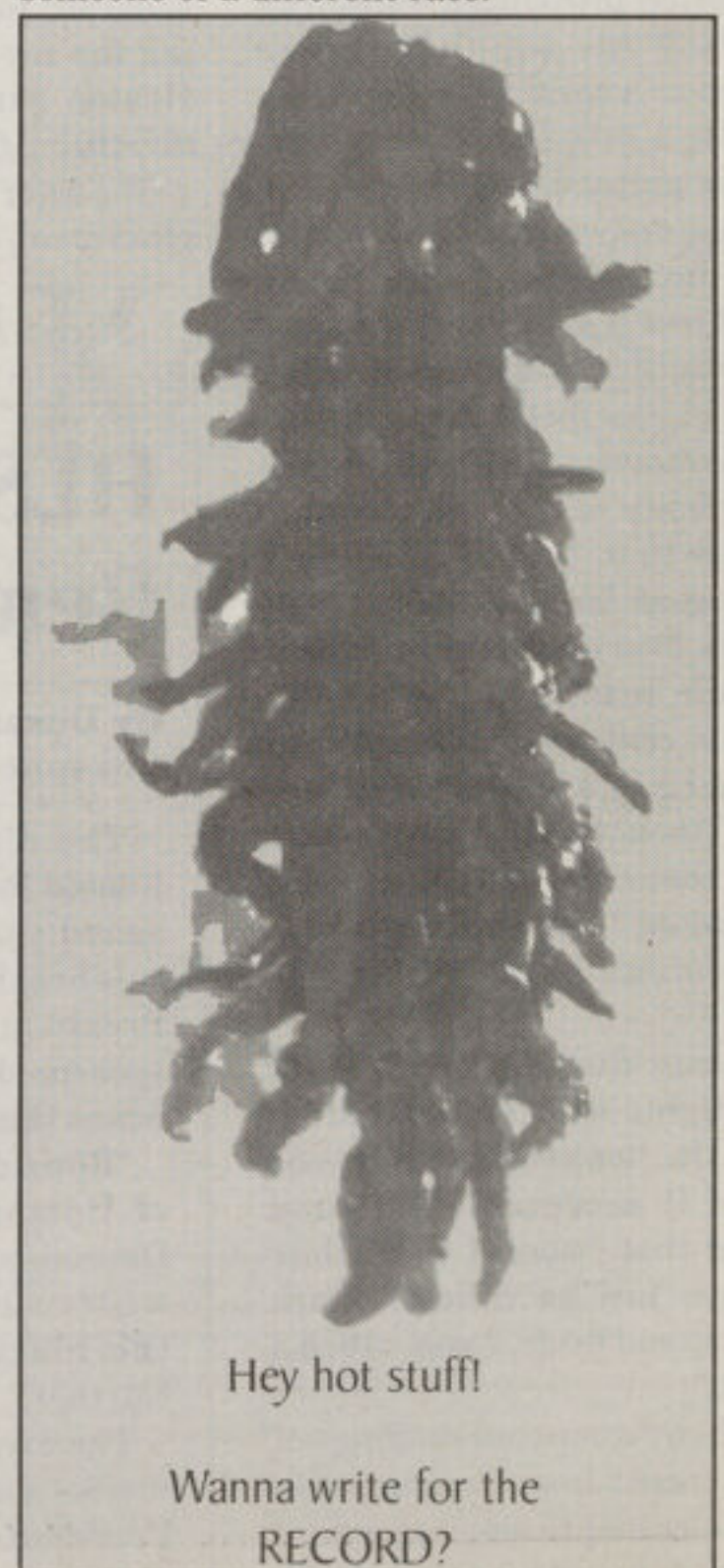
"The parents pay tuition which mostly goes toward salaries. Most costs are care costs," said Coleman.

The Center charges \$1,140 monthly tuition for a toddler and \$940 for a preschooler.

Botanic Gardens staff plan to initiate classes for infants in September. Morin estimates that nine slots will be made available for the new offering.

"Child care has been an important issue for the Harvard Law faculty, especially the more junior members," said Coleman, listing the names of at least half a dozen professors who have had children recently, many of whom were hired in the past 10 years.

Morin predicts the number of HLS par-



Hey hot stuff!

Wanna write for the
RECORD?

One More for the Gipper

Continued from **GIPPER**, p. 1

A number of audience members also decided to bring their toddlers and infants to the event. As one baby persisted in crying loudly during Heston's speech, the veteran actor quipped, "Is there a young Democrat back there?"

Spectators were dismayed at the continuing interruptions. One audience member went so far as to propose that "people like that should be sterilized."

Matt Dummermuth '99, President of the HLS Republicans, introduced video segments featuring a short retrospective of Reagan's political life. "If you start to cry, don't worry, everyone else will be," he said before the crowd viewed Nancy Reagan's speech from the last Republican Convention.

Indeed, the mood was rather somber as the former first lady spoke of her husband's battle with Alzheimer's. When asked to comment on the event, David Olson '00 replied, "I can't really talk right now because I'm about to cry while I watch this video."

More than an hour into the celebration, guest speaker Charlton Heston arrived and was greeted by a standing ovation.

"I am delighted to find so many Republicans in Boston," Heston began his speech. "You can actually meet freely in the open, huh?"

Heston proceeded to describe his personal transformation in political beliefs. "I never was a registered Democrat, but I

more or less voted for them, including Kennedy. Everyone in Hollywood seemed to be voting for them, and I thought well, OK..."

The turning point in the formation of Heston's current political convictions was when he saw a campaign sign for Barry Goldwater that read "You know in your heart he is right."

"And I looked at the sign and thought, 'He's right. He's right.'"

The bulk of Heston's speech was devoted to reminiscing about Ronald Reagan, a man whom he considers "one of the great Americans of this century."

"I'm fond of saying that Ronald Reagan was my president before he was the rest of the country's president because he was president of the Screen Actors Guild and appointed me to the Board," Heston said. "I learned a great deal from Ronald Reagan."

Heston also commended Reagan for his role in dismantling communism. "There was a cold war, and we won without firing a single shot," he said.

In a straw poll of the attendees as to whom they view as the best Republican candidate in the 2000 elections, Gov. George W. Bush emerged as the clear winner with approximately one-third of the votes cast. Elizabeth Dole '65 came in second, followed by Sen. John McCain and publisher-multimillionaire-dilettante Steve Forbes. Former Vice President Dan Quayle finished sixth with only 4.8% of the vote.

Let Them Eat Cake



Celebrants at Ronald Reagan's 88th birthday bash slash into the stars and stripes while the Gipper looks on approvingly.



This weekend's conference on gay marriage concluded with the presentation of a wedding cake for gay marriage activists Jay Brause and Gene Dugan, who slash into it while two attendees look on approvingly.

HAPPY BIRTHDAY BEN!!! (A Bit early, but had to get it in...)



Briefs

La. Gov. Wants To Shield Gunmakers

Less than a day after Georgia became the first state to shield gun makers from product liability lawsuits by cities and counties, Louisiana's governor said he supports such a ban.

Gov. Mike Foster threw his backing last Wednesday behind a bill that would block a New Orleans lawsuit seeking damages from gun manufacturers for the costs of gun violence. The bill Georgia Gov. Roy Barnes had signed the previous day was meant to block a similar case by Atlanta.

"Georgia had no problem with it," Foster said while speaking to a civic club in Baton Rouge. "And we, in Louisiana, believe in Second Amendment rights."

New Orleans Mayor Marc Morial criticized Foster's decision, saying the bill "is a sad sellout to the money and power of the gun lobby."

The bill's sponsor is Rep. Steve Scalise, who plans to run for the seat of outgoing U.S. Rep. Bob Livingston. He said the goal is to protect gun store owners from the cost of defending lawsuits.

"It's the criminals, not the small businesses, that must accept responsibility when they pull the trigger," Scalise said.

— Associated Press

Judge Upholds Anti-Swearing Law

A judge has upheld an 1897 Michigan law against cursing in front of children and ordered a man who let loose with a stream of profanities after falling out of a canoe to stand trial.

The ruling came in the case of Timothy Boomer, 24.

"If Mr. Boomer's words, when used as they were, were constitutionally protected speech, then a person could stand on a crowded public beach and shout those same words all day," County Judge Allen C. Yenior ruled.

"This cannot be what the framers of the Constitution and the First Amendment intended to protect."

A sheriff's deputy said he heard Boomer explode in a three-minute barrage of profanity after the mishap on the Rifle River last summer. A woman and her two young children were nearby.

Boomer could get up to 90 days in jail and a \$100 fine if convicted. His trial was set for Feb. 25.

Boomer insisted his words have been exaggerated. He and the American Civil Liberties Union say the law violates the right to free speech.

Yenior ruled that what Boomer allegedly uttered did not meet the U.S. Supreme Court's definition of obscenity, but they could constitute "fighting words," which the court has ruled lack constitutional protection.

— Associated Press

Unabomber Lands a Book Deal

Theodore J. Kaczynski plans to tell his life story in a book to be released this spring, and proceeds will go to his victims' families, a publisher announced last Thursday.

Beau Friedlander, publisher of Context Media, says "Truth Versus Lies" is Kaczynski's "attempt to tell the other side of a one-sided tale."

Kaczynski is serving a life sentence for 16 bomb attacks that killed three people and wounded 29. He pleaded guilty last year in Sacramento, Calif., to avoid the death penalty.

As part of that deal, he also agreed to turn over any future earnings to the victims' families. He is receiving no advance payment for the book.

Kaczynski failed last year to shop the book to more established New York publishers, including Simon & Schuster. That's when Friedlander said he wrote to the former Berkeley mathematics professor in prison and expressed interest.

He received a 548-page manuscript last fall and plans to publish the book in late May or June. He declined to release an advance copy, saying he was still shopping it for serialization by a magazine or newspaper.

— Associated Press

Court Strikes Down La. Sodomy Law

A state appeals court has struck down a 194-year-old Louisiana law that made oral and anal sex a felony, saying the law violated the privacy rights of consenting adults.

The decision adds to the growing list of states that have struck down sodomy laws based on rights to privacy granted in state constitutions.

The Louisiana court last Tuesday reversed the 1996 conviction of Mitchell E. Smith. He had been accused of raping a woman but found guilty under the state's "crimes against nature" statute only of having her perform oral sex.

"There can be no doubt that the right of consenting adults to engage in private non-commercial sexual activity, free from governmental interference, is protected by the privacy clause of the Louisiana Constitution," the court held.

Courts in Georgia, Kentucky, Montana and Tennessee previously had reached the same conclusion in interpreting their respective state constitutions and striking down sodomy laws.

Since the U.S. Supreme Court held in 1986 in *Bowers v. Hardwick* that consenting adults have no federal constitutional right to private homosexual conduct, activists have turned to individual state constitutions to find protection from the sodomy laws.

The U.S. Constitution does not mention the word "privacy," but the Supreme Court since 1965 has recognized that such a right predates the 1787 document itself. However, many state constitutions expressly grant a right to privacy.

The decision will be appealed, said prosecutor Tim McElroy.

— Associated Press

Charlton Heston Hones His Rapping Skills at HLS

Continued from **HESTON**, p. 1

with the term "African American."

"Dr. King said Negroes, Jimmy Baldwin and most of us on the March said black. That's a no-no now," Heston said. "Hyphenated identities are awkward. Particularly Native American. I'm a Native American" if the term is taken to mean people born in the United States.

Heston assailed the common perception of law students as free speech advocates.

"Before you claim to be a champion on free thought, tell me, why did political correctness originate on America's college campuses?" Heston asked. And "what are you doing to stop it?"

Heston's respect for HLS was evident when he referred to it as the "fertile cradle of academia." He called Harvard University the "castle of learning on the Charles River."

Nevertheless, he cautioned the students, "as long as you validate political correctness and abide by it, you are by your grandfathers' standards cowards."

"Who will guard the raw material of unfettered ideas if not you, the supposed soldiers of free thought and expression?"

Heston noted that disobedience has always been crucial in affecting change. "When told how to think, what to say, how to behave, we don't. We disobey. I learned the awesome power of disobedience from Dr. King."

However, Heston noted, if you are to disobey the lords of political correctness, "you must be willing to be humiliated, to endure the modern-day equivalent of water cans at Selma."

Sir Moses-a-Lot

Heston next launched into his opposition to Ice-T. The rapper's 1991 Time-Warner album "Body Count," which included the controversial song "Cop Killer," delivered what some considered to be an unacceptable message.

Police were outraged by the work, and "rightly so," opined Heston, then a Time-Warner shareholder.

Nevertheless, Time-Warner "stonewalled" in condemning the lyrics, according to Heston, because the disc was a "cash cow," and the media "tiptoed around the subject, because the rapper was black."

Against the advice of family and friends, Heston strode into the shareholder meeting and "simply read the full lyrics of 'Cop Killer,' every vulgar, instructive word."

In full raspy Moses articulation, Heston proceeded to rap the first verse of the Ice-T work:

"I got my black shirt on
I got my black gloves on
I got my ski mask on
This shit's been too long
I got my twelve gauge sawed off
I got my headlights turned off
I'm 'bout to bust some shots off
I'm 'bout to dust some cops off."

"And it gets worse from there!" Heston exclaimed. "And Time-Warner executives squirmed and stared at their shoes."

Heston then told how he read more lyrics in which Ice-T fantasizes about sodomizing the two twelve-year-old nieces of Al and Tipper Gore.

Heston began to rap again: "She pressed her buttocks against my..." No," Heston cut himself off midstream in disgust. "I won't do to you what I did to them."

Time-Warner subsequently dropped Ice-T from its music division.

"I'll never get offered another picture from Warner Brothers or get a good review from *Time* magazine," Heston noted with a wry smile, concluding that his successful quest against Ice-T was nevertheless worth any personal sacrifices he had to make.

"I urge you to follow in the great disobedience of history," Heston concluded.

"If Dr. King were here, I think he'd agree with everything I said."

Notes of Discord

Many audience members were wont to disagree with much of what Heston said.

During the fifteen-minute question-and-answer period following his address, Heston's own double standard on free speech came under fire.

"Who would you appoint to decide that we should censor Ice-T but not censor racist or sexist or homophobic language?" one HLS student asked to widespread applause.

Heston evaded the question, stating simply that "this was my personal quest against Ice-T."

A subsequent questioner asked how Heston rectified his anti-"Cop Killer" stance with the NRA's position on semi-automatic weapons, "many of which are used to murder police officers."

Heston replied by noting that "guns in the hands of a decent citizen are no harm to anyone."

The NRA President also was queried about his liberal reading of the Second Amendment.

One student asked Heston his opinion on the recent holding in which gun manufacturers were held to be liable for acts of violence instigated by their products.

Heston vehemently criticized the decision and predicted that it would "not withstand judicial scrutiny."

"Gun manufacturers make a very well-designed and well-functioning product," Heston noted.

"Firearms hurt no one any more than cars do," Heston noted, adding as an afterthought that "cars kill far more people."

Heston also was asked about the NRA's opposition to the Domestic Violence Gun Ban, which bans the sale of firearms to convicted child molesters and spousal abusers.

"Certainly I think all decent people are opposed to spousal abuse," Heston noted, before stating that the right to bear arms belonged to everyone. "No one should be

unfairly singled out here. It's inappropriate and denied in the Constitution."

Charlton's Angels

Not all audience members wanted to engage Heston in debate, however.

One student who previously attended the HLS Republicans' birthday party for President Reagan asked Heston whether he had any comments on the "moral leadership or lack thereof exhibited by the president of the United States."

Commenting that "as usual, Mr. Shakespeare has just the right words," Heston quoted *Richard II*: "I must forget what I have been and yet remember what I must be now."

Another audience member asked whether Heston had any plans to run for political office.

Heston responded with laughter. "I've been president of the United States three times already," he said, referencing his film roles. "Enough, enough!"

When the laughter subsided, Heston stated, "Whatever flaws I see in President Clinton, I realize it's an extraordinarily hard job, and I wish him well. I wish us all well."

Appealing to Heston's status as both a WWII veteran and movie actor, one questioner asked him about the recent popularity of the films "Saving Private Ryan" and "The Thin Red Line."

"I think they're both good films, in my opinion 'Saving Private Ryan' is somewhat better, but they're both good," Heston said, adding that he thought the movies were "a response to millennial awareness."

Leiter '00 Prevails in Review Elections

Continued from **REVIEW**, p. 1

Powell '31, and an upcoming retrospective on Lon Fuller's '26 "Case of the Spelunkean Explorers."

"We also hit a record for the number of women on the Review this year," she said. Thirty-five of the 88 Review members are women.

Leiter said he hoped to better integrate the Law Review with the rest of the Law School community. He expressed some concern about how the organization is perceived by students.

"We are hopeful that we can be

viewed as an academic organization that contributes to all the legal discourse on campus, and not just an isolated group of 88 students," he said. To this end, Leiter said the Law Review would co-sponsor more events and publish some shorter, less academic, practitioner-perennated articles dealing with current issues.

He also wants to dispel the image that achieving editor status means getting a great line on one's resumé in exchange for countless hours of tedious work.

"The perception that being on Law Review is a lot of work is obviously true," he said, "but the perception that it's constant tedious bluebooking is not. We get to read pieces from scholars all over the world and critically engage them to see how we can make the pieces better. It is hard work, but far from mechanical or boring work."

Leiter offered this for perspective: "No matter how bad people say the Law Review can get, it's not as bad as spending six months on an aircraft carrier."



Michael Leiter '00



Katie Christensen '99

Poverty Research Enriches Students

By Justin Herdman

One of the newest seminars offered at HLS—Research Colloquium on Poverty Issues—focused on the use of empirical research in exploring racial discrimination as Yale Law School Professor Ian Ayres addressed the class, coordinated by Prof. Lucie White '81, this Wednesday. In total, seven of the seminar's weekly sessions will feature guest speakers.

The colloquium studies the application of empirical research in the field of poverty law. The objective of inviting outside speakers is to "stimulate more interest and awareness [at

HLS] regarding empirical research into poverty law," said White.

The 25 students registered in the seminar include nine 1998-99 Sacks Poverty Research Fellows and represent diverse approaches to the study of poverty law. Many of the students were employed in real-world advocacy projects for the poor, and several continue their commitment by participating in clinical programs at HLS.

The seminars have been attracting a number of students who are not enrolled in the course, said Sophie Bryan '00. "At last week's session, which was the first to feature an outside speaker, quite a few non-course-

enrollees attended," Bryan said.

"It's hard to generalize about the group," said Bryan, "except to say that people seem to be concerned about the issues and interested in how to bring research methods to bear in legal work."

The Sacks Poverty Research Fellows, who are students at HLS and have each received a \$500 grant to fund their research, are particularly devoted to the issues in White's course. All of them utilize empirical and quantitative methods in their work and will present them to the class at the end of the semester.

Ayres, who has a Ph.D. in Economics from MIT, began his discussion with a brief description of his own work.

He is most well-known for utilizing empirical methodology to show the presence of racial discrimination in used car sales. Currently, Ayres's interests extend to racial discrimination in government contracting.

"He's an innovative, rigorous and exciting scholar," Bryan said, "and we're lucky to have him."

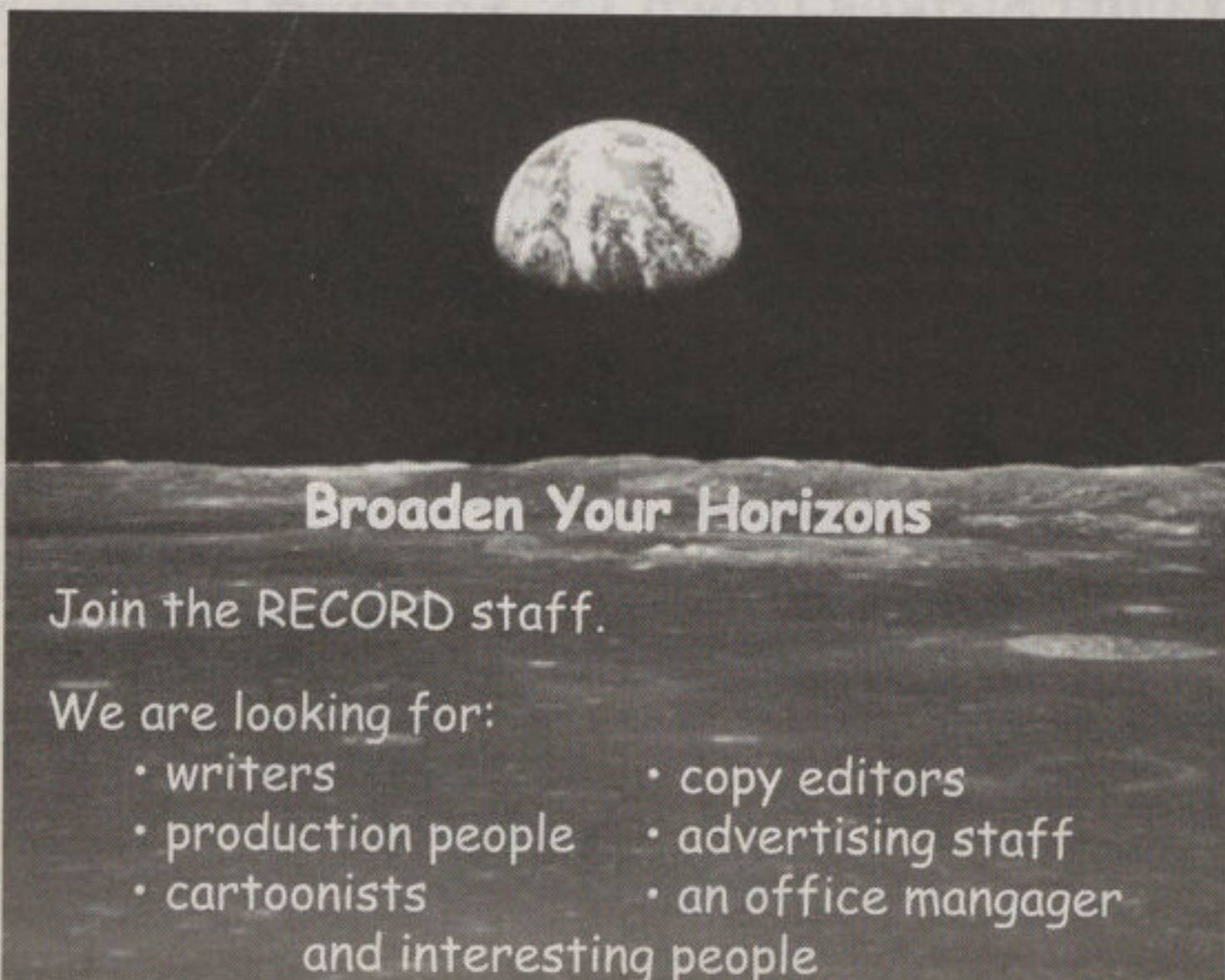
The colloquium is a cornerstone of a larger two-year effort by White, who is working under the auspices of the Albert Sacks Poverty Research Program to draw attention to the issue of poverty research. In the past, White has organized a series of brown bag lunches and a number of methodology workshops, and has helped to arrange the nine student fellowships.

"We're hoping to encourage law students to undertake some of the outstanding empirical research in poverty law," White said.

Students like Sophie Bryan need no such prodding. When asked where the colloquium fits into her overall career plans, Bryan responded, "Well, I'm not a tough sell, given that I hope to spend my life working in the civil rights and poverty-law fields."



Prof. Lucie White '81



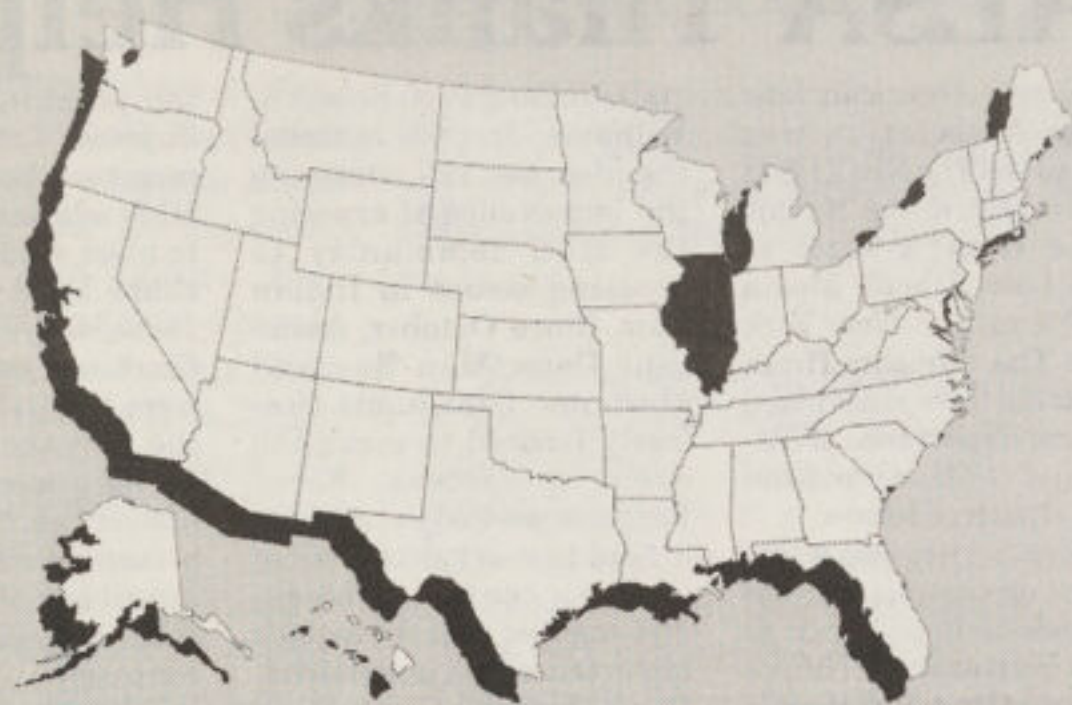
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Across the Wire



News from Washington, D.C., Illinois and Rome

Outcry Spreads Over Italian Rape Ruling

ROME (AP) — An Italian judge last Friday defended his ruling that it is impossible to rape a woman if she is wearing jeans, while cries of outrage poured in from women and men as far away as Australia.

Protesters said the ruling, which threw out a rape conviction on the reasoning that jeans are too difficult to take off without the woman's cooperation, spotlighted the sexism in many courts' view of rape.

"It's not confined to Italy — it doesn't matter what you wear, the woman will still unfortunately have to shoulder some of the blame for rape," said Lisa Thorpy of Australia's NSW Rape Crisis Center.

France's conservative daily *Le Figaro* sarcastically advised rapists in Italy to "choose your victim among women wearing tight jeans. ... If you run into trouble with the law, an appeals court will acquit you."

The presiding judge, Gennaro Tridico, insisted his detractors had taken his ruling out of context.

"The jeans only further confirmed that proof of violence was very dubious," he said in an interview with Associated Press Television News.

"We have complete respect for women. We are sensitive, very sensitive to the sexual problems that afflict women in society," the justice said. "I stand by my ac-

tions and am ready to repeat them."

Tridico is one of 410 male judges on the 420 member Court of Cassation, Italy's highest appeals court in criminal cases. The entire court has scores of panels to hear cases, because criminal cases in Italy often go all the way to the final appeal.

The court threw out the rape conviction of a driving instructor and ordered a lower appeals court to hold another trial. The defendant, 45, had been sentenced to two years and eight months in prison for raping his 18-year-old student in 1992.

Wednesday's ruling said that it is "common knowledge that it is nearly impossible to even partially remove jeans from a person without their cooperation, since this operation is already very difficult for the wearer."

The appeals court sent the case back for retrial, but the alleged victim, now 24 and married, was quoted Friday in the daily *La Stampa* as saying she didn't think she could bear another trial.

On Thursday, conservative women among the Chamber of Deputies wore jeans to protest the ruling and urged other Italian women to do so, too.

The invitation seemed to be catching on. The host of a talk show on RAI state radio told listeners before signing off that the female staff of the program all wore jeans to work on Friday.

ABA Panel Report Decries Federalization of Crime Laws

WASHINGTON (AP) — The avalanche of new laws Congress has passed since 1970 to make America's streets safe has failed, a report concludes.

"There is no persuasive evidence that federalization of local crime makes the streets safer for American citizens," says a report prepared by a blue-ribbon task force sponsored by the ABA and chaired by former Attorney General Edwin Meese III. The report was released on Feb. 9.

The 16-member task force says a Congress worried about being called "soft on crime" actually may be hurting the fight against street violence by passing federal laws that duplicate state and local efforts nationwide.

The 56-page report, backed up by hundreds of pages of statistical findings, calls on Congress to resist its political impulses.

"There is an understandable pressure on Congress not to vote against crime legislation even if it is misguided, unnecessary and harmful," the report's executive summary says. "But there must be a recognition that a refusal to endorse a new federal crime is not a sign that a legislator is soft on crime."

The product of a two-year study, the report notes with alarm that more than 40 percent of all federal criminal laws enacted since the Civil War were passed since 1970.

"Highly publicized criminal incidents are frequently accompanied by proposals for congressional responses for no reason other than that the conduct is serious,

even if the activity is already handled by state law," the summary says.

The "Federalization of Criminal Law" report mirrors criticism raised by Chief Justice William H. Rehnquist in his year-end report on the federal judiciary in December. He blamed the trend on pressure in Congress "to appear responsive to every highly publicized societal ill or sensational crime."

The report states: "Increased federalization is rarely, if ever, likely to have any appreciable effect on the categories of violent crime that most concern Americans, because in practice federal law enforcement can reach only a small percent of such activity."

State law enforcement accounts for about 95 percent of all prosecutions nationwide.

"Inappropriate federalization" can contribute to "long-range damage to real crime control" by diverting federal money better spent on state law-enforcement systems, the report says and can deplete funding of federal law-enforcement efforts not duplicated by the states.

"The expanding coverage of federal criminal law, much of it enacted in the absence of a demonstrated and distinctive federal justification, is moving the nation rapidly toward two broadly overlapping, parallel and essentially redundant sets of criminal prohibitions.... Such a system has little to commend it and much to condemn it," the report says.

"Sampling of the latest available statistics demonstrates that several recently enacted federal statutes, championed by many because they would have a claimed impact on crime, have hardly been used at all," the task force found.

White Supremacist Denied Law License

EAST PEORIA, Ill. (AP) — In three years of law school, Matt Hale made decent grades, participated in student groups and played violin in two orchestras. He also helped revive a white supremacist group that advocates a racial holy war.

Hale graduated last May, passed the bar exam and was hired by an Illinois law firm. But he never got his law license, snubbed by a state committee that reviews the "character and fitness" of prospective attorneys.

The panel, composed of two lawyers and a judge, cited his racist leanings.

Hale is "free ... to incite as much racial hatred as he desires and to attempt to carry out his life's mission of depriving those he dislikes of their legal rights," panel members wrote in their 2-1 opinion in December. "But in our view he cannot do this as an officer of the court."

Miffed by the vote — all but 25 of more than 3,000 applicants last year were approved — Hale has appealed to a separate state committee that could overturn the decision.

"The idea that I can't be a lawyer because of my views is ludicrous," he said, sitting in a home office where an Israeli flag serves as a doormat, swastika stickers decorate the walls, and the flag of Hale's group, the World Church of the Creator, hangs from a window. He is 27.

Hale's effort to gain a law license has

attracted some unlikely supporters, including the Anti-Defamation League and renowned attorney Alan Dershowitz, who said he may help in Hale's appeal.

"Character committees should not become thought police," Dershowitz said. "It's not the content of the thoughts I'm defending, it's the freedom of everybody to express their views and to become lawyers."

As a boy in East Peoria, Hale immersed himself in books about Nazis and formed a "Little Reich" group at school. In high school and at Bradley University he attended "white power" rallies and sent letters filled with racial slurs to newspapers.

He also had brushes with the law, including a citation for littering after trying to distribute racist newspapers to homes. He was elected head of the World Church of the Creator while attending Southern Illinois University law school.

The church, founded in 1973 in Florida, espouses a racial holy war against Jews and blacks. One group member is serving a life sentence for killing a black sailor in Florida in 1991.

The church, which flourished for a few years, has thrived under Hale's leadership, according to the ADL. Hale's claim of as many as 30,000 supporters could not be verified.

Illinois officials say the last case similar to Hale's was in the early 1950s, when a law student refused to take an anti-

Communist loyalty oath.

The U.S. Supreme Court last considered a similar case in 1971, when two applicants for law licenses in other states would not reveal their political beliefs. The court ruled in their favor.

The ADL believes Hale shouldn't be denied a law license because of the "slippery slope" it creates, said Andrew Shoenthal, assistant director in the group's Chicago office.

For instance, Shoenthal asked, could a prospective lawyer who opposes abortion or supports school prayer be denied a license if a majority in his community held an opposite view?

The Illinois State Bar Association has yet to take a position on Hale's case, but spokesman Dave Anderson said the case "is a hot topic (among lawyers) right now, with spirited debate on both sides."

Hale was fired by the law firm when he couldn't obtain the license. He lives with his parents in East Peoria, with an office in their home. He is optimistic he'll get his license and plans to open a solo practice. He hopes to challenge affirmative action laws and the littering law for which he was cited.

"For me, the true test of character is whether a person says what they think, which is what I have always done," Hale said. "I believe I show more character than most attorneys in that I actually practice what I preach."

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Live From the War Zone

What do Charlton Heston and Alan Dershowitz have in common? Well, they're both carbon-based life forms; they're both media hounds; and they both believe America is in the midst of a "cultural war." Naturally, the two come out on different sides of the battlefield, which might bode ill for Dersh since we know Heston's side will have lots of guns.

On one side of the battlefield stand Dersh's troops, who carry on the legacy of Cultural War I — that noble fight led by generals King, Fonda and Hendrix to free the minds of young Amerika from the conservative Establishment grip. These same troops are engaged in Cultural War II is a struggle against retrenchment, against the silent-no-more majority running wild in their Republican cloth coats, determined to undo what little progress was made in empowering the disadvantaged, protecting the environment, and keeping The Man from beating confessions out of us or forcing us to say the pledge of allegiance.

On the other side stand Heston's soldiers, Bible in one hand, constitutionally-protected semi-automatic weapon loaded with cop-killer bullets in the other. They tell us we're being brainwashed by anti-family, anti-values, and anti-tradition mongers. They decry double standards — criticizing white males is perfectly acceptable, while defending them makes one a racist tool. Many of them have friends who are black, Jewish, or female. Heston even worked with gays when he was in Hollywood.

Both sides claim to be carrying the banner of free speech. With Dersh's troops that's an old tune, dating back to the 60s free speech movement. As far as Heston is concerned, it's refreshing to see him expand his repertoire to include one more Amendment. (Indeed, the First and Second have much in common. Just as the answer to offensive speech is more speech rather than speech control, the answer to a criminalized society is — of course — a heavily armed populace.)

And both sides should be able to wave that banner to their heart's content. Dersh is no bigot for equating anti-environmentalism, fundamentalism, bigotry and the radical right with "the forces of evil." Heston's comparison of Holocaust victims with "innocent gun owners" doesn't make him an anti-Semite (I think "buffoon" or "idiot" would be a more apt description).

War is hell, but the prospect of the likes of Dersh and Heston and their allies slugging it out on the battlefields of our minds should at the very least be highly entertaining. So let's hear it for the cultural war. But try to keep it clean and aim above the belt, folks. Dirty wars just aren't fun.

—Ben Lehrer

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

—First Amendment, U.S. Constitution

• Letters •

NALSA Thanks Helpers

The Native American Law Students Association was gratified to see The RECORD's recent coverage of the Navajo Supreme Court's visit to Harvard Law School. Media from CNN to The New York Times to The Samoan Times to BBC Radio have recognized the historic importance of *Navajo Nation v. Means* and the Justices' choice of venue.

The Court's visit was a historic event on campus and one of tremendous importance to Harvard University's Native population. Over 700 people attended Chief Justice Robert Yazzie's public address and the Feb. 6 Court session. The case may well go to the U.S. Supreme Court, as it raises key issues about the scope of jurisdiction of tribal courts.

In addition to the case's significance in Indian Country, the event was special because it was a true cooperative effort between students, faculty and

staff. Visiting Prof. Robert A. Williams, Jr. [80] initiated the idea last fall, stressing the importance of exposing the HLS community to pressing issues in Indian Law. Since October, Assistant Dean Alan Ray and Marianne Giakoumis tirelessly labored to make the event a success. Rocco Forgione worked overtime to attend to every detail. Mike Chmura contacted media and ensured that the event's importance was understood. Dean [Robert] Clark [72], Dean [Suzanne] Richardson, Prof. [Joseph] Singer '81, the Alumni Relations Office, the Hark staff and the Office of Career Services were all incredibly supportive and helpful.

NALSA believes the faculty and staff's dedication deserves the highest recognition, because they are so often criticized. Throughout

the planning of the Navajo Supreme Court's visit, NALSA members benefited from the HLS administration's efforts to meet student needs and to shape legal education in diverse ways. In fact, Dean Clark and Assistant Dean Ray were honored by NALSA and the Navajo Supreme Court during a special alumni reception on Feb. 5, when both were presented with Native American ribbon shirts to recognize their commitment to Indian education.

While the visit of the Navajo Supreme Court was special in itself, NALSA also values the experience of working with the faculty and staff to put it together.

Jennifer Harvey '00, Chair
Wenona Singel '99,
Vice Chair
Nicole Bazan '99,
Treasurer
Feb. 16, 1999

Iron Mike Run-in Confirms Horoscope

As a former managing editor of the RECORD, I still enjoy receiving and reading your fine publication. I am writing regarding the uncanny accuracy of the recent RECORD Horoscopes in the 2/5/99 issue. I am a Capricorn, I am good looking, I do allow too many people to take me for granted, and, indeed, I am vulnerable to human

scavengers (the last two points being conclusively proven by the fact that I work at a large law firm). But the most interesting fact is that recently, I was riding in an elevator with Mike Tyson and his two bodyguards (no, I'm not kidding). After exchanging pleasantries, Mike looked me up and down and said, "You

are soooooo fiiiiine." I believe that he may have left out one of the 'i's in "fiiiiine," but nonetheless, you must admit that the coincidence is amazing. Kudos to your horoscope writer. Next time he or she should take credit for such fine work.

Johanna L. (Davis)
Werbach '94
Feb. 10, 1999

In Memoriam: RECORD Spelling

I hate to be nitpicky, but could the Harvard Law RECORD please stop misspelling "In

Memoriam". Thank you in advance. Oh for the days when studying Latin was a requisite

part of a lawyer's education.
Chris Ward '01
Feb. 11, 1999

• Corrections •

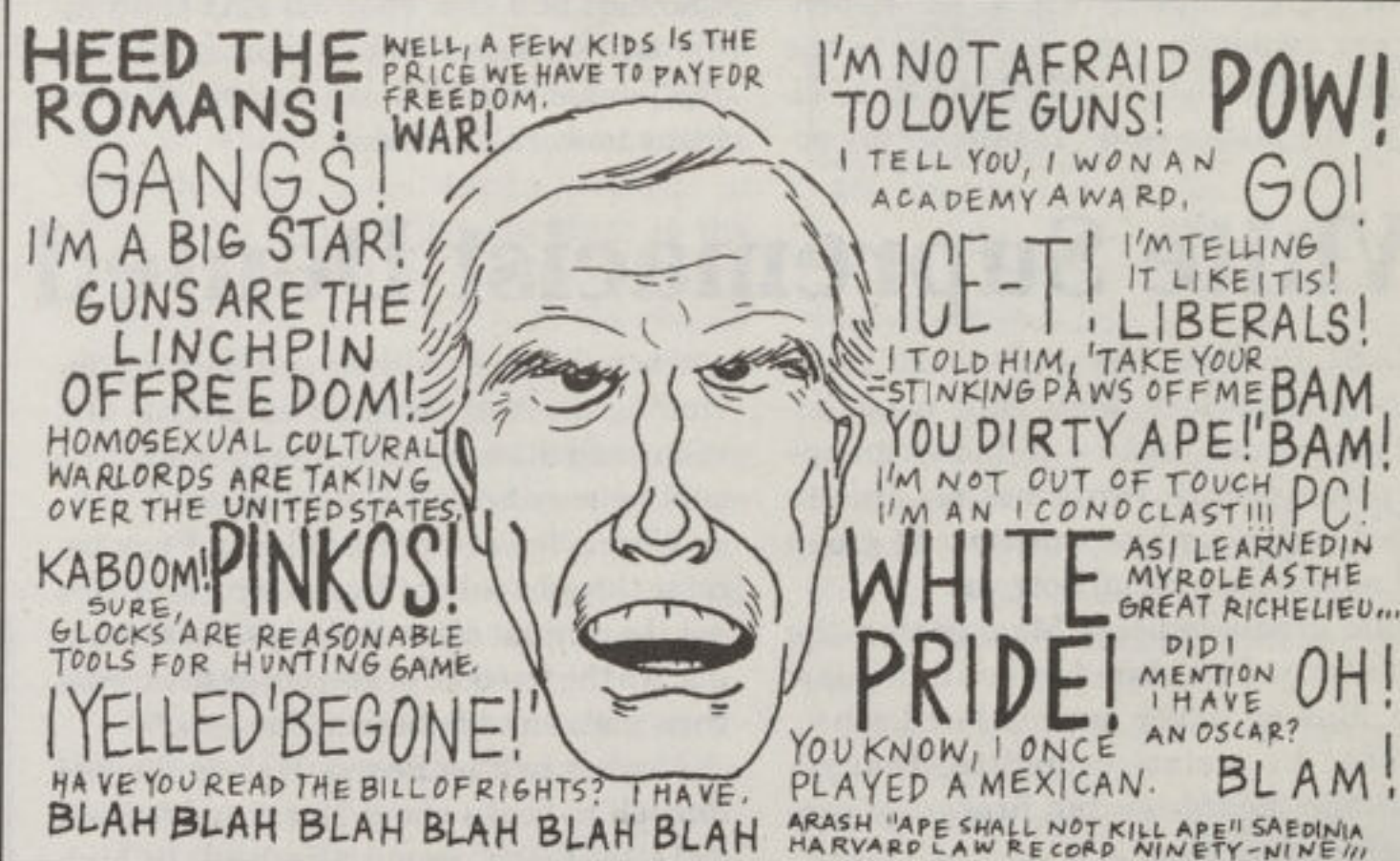
The Feb. 12, 1999 issue of the RECORD had an article listing the names of professors who failed to turn their grades in on time. The article omitted Prof. Field, who missed the Registrar's

grading deadline.

The photo caption on the front page of the issue incorrectly identified James Zion, Court Solicitor of the Navajo Supreme Court as Alfred C. Harris.

In a story on page 7, a picture of Kerri Sikorski '99 appeared over the name of NALSA co-chair Wenona Singel '99.

The RECORD regrets these errors.



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PERSPECTIVE

By Stuart Buck '00

Dershowitz's Bigotry

Imagine that a Harvard Law professor appeared on a TV talk show, and made the following comments about the Clinton affair: "A vote for impeachment is not just a vote against Bill Clinton. It is also a vote against liberalism. It is a vote against gun control. It is a vote against atheistic humanism. It is a vote against the pro-choice movement. In short, a vote for impeachment is a vote against the forces of evil."

I think it is safe to say that any Harvard Law professor who made such a statement would be promptly run out of town on a rail, if not drawn and quartered right in Harvard Square. Students (myself among them) would lead protests and put up posters denouncing the professor's bigotry. Dean Clark would pick a committee to launch an investigation into the professor's conduct.

But a Harvard Law professor *did* make an equally offensive statement, although targeted at different groups.

That's right, I'm talking about Alan

Dershowitz, professional Clinton lackey. When, last December, Dershowitz made one of his many appearances on the Geraldo Rivera Show, he had the following to say:

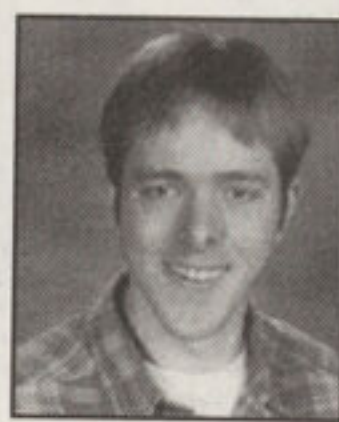
"A vote against impeachment is not a vote for Bill Clinton. It is a vote against bigotry. It's a vote against fundamentalism. It is a vote against anti-environmentalism. It's a vote against the right-to-life movement. It's a vote against the radical right. This is truly the first battle in a great culture war. And if the president is impeached, it will be a great victory for the forces of evil — evil — genuine evil."

Now it's obvious that Dershowitz feels very strongly about the whole Clinton affair. So strongly, in fact, that he has found time amidst his busy television schedule to write an entire book, "Sexual McCarthyism," about Clinton's impeach-

ment troubles. In fact, Dershowitz's passion for defending Clinton almost matches his penchant for self-promotion.

As Clinton's toady, Dershowitz has done some strange things over the past year. Who could forget the sight of Dershowitz at his rally for Clinton here at Harvard — at one point Dershowitz stood arm-in-arm with that noted constitutional scholar, Carly Simon, singing "We Shall Overcome" and swaying back and forth like a teenager at summer camp.

But when Dershowitz made that statement on the Geraldo show, he stepped over the line. Dershowitz, who has such a hypertrophic case of sensitivity when it comes to his own race and religion, should know better than to demonize other such groups. Apparently, though, he has no qualms about doing so. When he said that fundamentalism (a set of Christian beliefs



comparable to Orthodox Judaism) and the right-to-life movement were "evil — genuine evil," he passed beyond the pale of civilized discussion. It seems that conservative Christians are still a legitimate target for bigotry in the HLS community.

It may be unfair to pick on an off-the-cuff statement made on a TV talk show. Dershowitz, after all, was merely using the brash and polemical style that he has polished into an art. Nevertheless, it is an embarrassment to Harvard and to all lawyers when Dershowitz displays his bigotry on nationwide television. The Law School administration should show its commitment to true diversity by issuing a condemnation of Dershowitz's insulting statements. Although impeaching Dershowitz may be impossible, we at Harvard should at the very least let him know that he deserves our firmest censure.

How do you feel about censorship?

Come see
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speak on Speech Codes
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Harassment Guidelines

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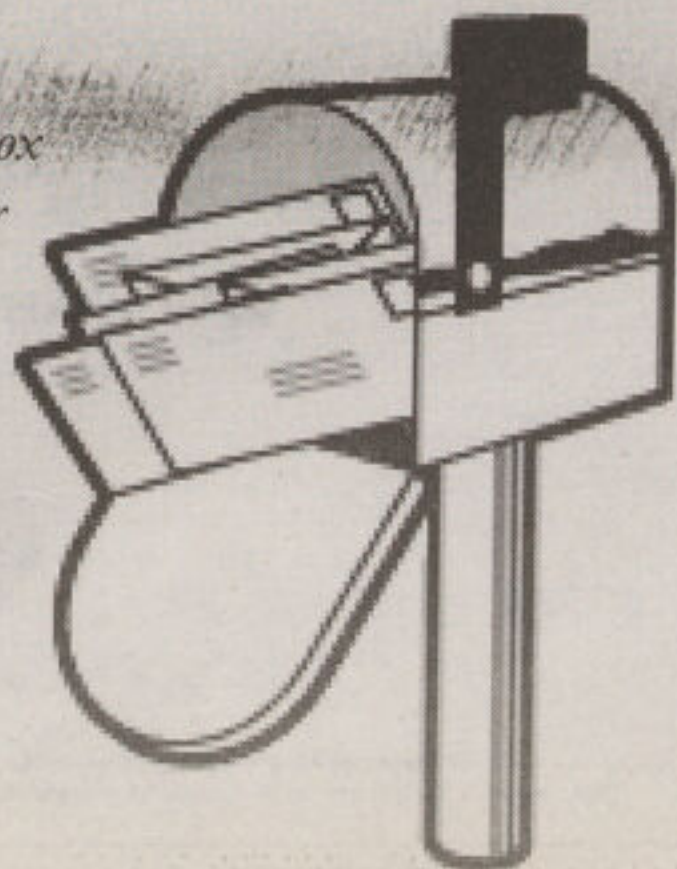
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Spike

By Margie McWilliams



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WE CAN
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*(too obvious? Call him Terry F.)

Carpe Pollo

¿ESO? SÍ, ¡QUÉ ES!

By Jake Zimmerman '00
Staff Columnist

At some point in life, everyone encounters an implacable foe. Sherlock Holmes had his Dr. Moriarty. He-Man had his Skeletor. Dean Clark has those pesky "student satisfaction" ratings.

I have found my nemesis, and he is a surprising character indeed. He is no colossal arch-villain, nor is he some crafty taunter. He is something infinitely worse and far more sinister: a sock molester.

Okay, I can see this is going to take some explanation. Let's go back to the beginning of the story.

Once upon a time, in a land far, far away, there lived a law student. This law student lived happily, frolicking amongst the stacks in the library and cheerfully doing research for Professor Brewer. Some people thought that this student had dubious priorities in life, but he just smiled at them and went about his business. Then, one day, he died in a freak accident involving a hovercraft and several mutant llamas that had recently escaped from a nearby science lab.

Oops. Wrong story. Sorry, we'll try again. Once upon a time (and this time, we're talking along the lines of a few weeks ago), there lived a law student named Jake. Jake was a happy-go-lucky fellow, apart from periodic bouts of instability when, for no readily discernible reason, he would become convinced that he was actually a talking eggplant named Matilda.

Anyway, Jake, like all law students, enjoyed wearing clean clothes. (Well, okay, like most law students.) So, on one fine winter's day, Jake decided to go down to

the basement of his dorm and do some laundry. Jake was filled with joy at the prospect of laundry day, because he was secretly convinced that one of the washing machines had a crush on him, and he was hoping that things might work out during the spin cycle. (As we mentioned before, Jake did suffer from a certain lack of stability.)

And, best beloved, Jake did indeed wash his clothes on that fateful day. And oh, what a fine job he did of it, with no detail left unattended! His shirts were hung wrinkle free, his pants were tightly creased, and his underwear was carefully folded into origami duck-shapes.

But now, dear readers, imagine the look of shock and horror on Jake's face as he made a terrible discovery: one sock was missing! One poor, lonely sock, cast alone into a cruel world without hope or guidance, and nary a toe in sight. Oh, how Jake wept for his abandoned footwear! But, search though he might, Jake could not find his waylaid sock in any of the nooks and crannies of his basement. Jake screamed, and raged, and shook his fist at the heavens, but to no avail: his sock did not return. (His roommates did return, however, and were somewhat disturbed by his odd behavior. Fortunately, as a result of that whole eggplant thing, they had learned to be tolerant of his rapidly changing moods.)

Jake did what any loving parent would do: he wrote a heartfelt plea and taped it to the dryer door. Days passed, and no response came. Jake began to enter the phase of acceptance, as he came to terms with the knowledge that his sock was

probably forever gone.

And then, one day, Jake found an ominous note in his Harkbox. It was addressed, simply, to "Jayke." It was — horror of horrors — a kidnapper's letter. The author claimed that the sock was well... for now. He offered a means of contacting him: leaving an envelope sticking out of Jake's Harkbox. He signed himself simply and ominously: "The Enforcer."

So, Jake wrote a letter. Here is its text:

"Dear 'Enforcer':

"I'll do whatever you want. All I want is my sock back. I won't do anything tricky and I'll give you whatever you ask for (up to the value of one medium-priced running sock, anyway). No cops. No lawyers. No drycleaners.

"However, know this, and know it well: if you do anything to hurt my sock — if you so much as snap one of its poor little elastic strings — there will be hell to pay. I'm playing this game by your rules, but only as long as I can trust you. I need some kind of proof that my sock is alive, healthy, and has reasonably frequent exposure to sunlight and fabric softener.

"You can have your blood ransom. But if you break your end of the deal, and my sock is harmed in any way, I will never rest until I have tracked you down and made you pay. Maybe you don't know this, but I go to HARVARD LAW SCHOOL. Maybe you've heard of it? Yeah, that's right."

It was not long before Jake heard back



from The Enforcer—and what a terrible message it was. Jake opened the envelope, and this was what he saw:

"I didn't want it to start this way Jaik. I didn't want to do this. But I didn't like the tone of your response,

and you need to understand what I'm capable of. Maybe this will help you learn respect."

Below that crudely typed text was approximately a quarter inch of nylon fabric, carefully ripped from the top of a white tube sock.

And there, shocked readers, the story ends. This harrowing tale of real crime is absolutely true (except for the stuff about the eggplant and the washing machine, which is what we at the RECORD refer to as "journalistic license").

Imagine my pain and anger. I can only shudder to think of what sick and terrible things The Enforcer has done to my sock. I do not know who The Enforcer is, although I do have a couple of hunches. (Amusingly, the culprit I most suspect is a gentleman who will be working at Wachtell next summer. Fitting, no?)

I do know this: somewhere out there lies a poor, mutilated, helpless piece of athletic footwear, and I am powerless to save it.

And so I call upon you, the Harvard Law School community: to arms! With your strength behind me, we can find my sock and treat The Enforcer to what he deserves: vigilante justice. These are the times that try men's souls! Once more into the breach! Thundercats, HO!

Fenno

Last week: Fenno, desperate to find Ron Kasner, called in an old favor and sought help from the Patriarch of Three Aces.

The aging Grease Master smiled knowingly at Fenno. "I don't know where Kasner is myself, but I know who knows. Put enough cheese steak in anyone, and they'll talk."

Fenno leaned forward, her clenched fists betraying her eagerness: "Who?"

There was a long, pregnant pause. Fenno resisted the urge to scream. At last, the answer came: "You'll have to talk to Frosty."

"Who?"

"Frosty, Fenno. You remember him. He made a — how do you say it — early withdrawal after starting school here a couple of years ago."

Fenno glared at the Hoagie Master in disbelief. "You can't be serious. Frosty? That is so 1996."

The gray-haired man leaned forward, and hissed in a raspy voice: "You're the one digging up the past, Fenno. If you want your answer, look for him in Harvard Square. Take it or leave it. I consider my debt paid."

With that, he strode out of the room, leaving behind him only the odor of rancid feta cheese. Fenno needed only a moment to make up her mind. Really, she had no choice. She walked back to campus, en route to the Square.

Fenno stopped by the Hark to check her Harkbox, noticing with amusement that she appeared to be the only student at the law school who hadn't received any candy from the Christian Fellowship. She quickly made her way to the tunnels, and took the last exit at Austin. She was about to step outside when she heard a commotion behind her, and realized that she was

standing a mere few feet away from her favorite event of the year: Reagan's birthday party.

Fenno couldn't resist. She marched boldly into the room and addressed the crowd: "Your attention, please! I have just spoken with President Reagan himself, and he gave me a message to pass on to you, his faithful worshippers."

The room fell silent, as all faces turned to face Fenno in rapt attention. Matt Dummermuth's jaw dropped open, and he started drooling onto the chair next to him. Fenno savored the moment before continuing.

"He said... 'Urrglemumpph look at the little chickies! You damn kids, bring me my Jell-o. In my day, we showed a littrunummmmm bathroom. Bathroom? Ronnie likes the bathroom!'"

There was a wonderful pause, as they all tried to figure out what it might mean. From the corner, Fenno heard a forlorn Brian Fitzpatrick cry, "But what does he want us to DO?" Fenno smiled at the continuing proof that the HLS Republican crowd just wasn't real big on irony. She waved to the puzzled crowd, and made her exit.

As she left, Charlton Heston called after her, "Wanna copulate?" Fenno quickened her step.

Fenno walked through the Yard, and began her search at Out-of-Town news. She quickly grabbed one of the nearby homeless guys, slipped him a twenty, and asked for her quarry. The man hesitated briefly, then pointed across the street. At first, Fenno didn't see anyone out of the ordinary. But then she looked more closely at the Peruvian Kazoo Ensemble that was playing across the street, and she noticed that one musician looked a bit less vitamin D-enriched than the rest of them.

Fenno marched up to the band, shoving several tourists and Duncan Kennedy out of the way. "Frosty? I need to talk to you."

There was a deafening thud as panflutes, glockenspiels, and autoharps came

crashing to the ground. Fenno's quarry looked furtively around, but saw no escape. He wailed at her in a plaintive, desperate voice: "What do you want?"

"I want Kasner, Frosty. I need Kasner." Frosty sighed a deep, sad sigh. "Come

with me, Fenno."

Next week: will Fenno finally meet Ron Kasner, so that she can put her mind at ease (and become male again)? Or will she be condemned to forever wander the streets in search of a man who refuses to be found?

Quotes of the Week

This week there was a three-way tie. All three were uttered by NRA President Charlton Heston during his speech at the HLS Forum.

"When I compared singling out the innocent Jews slaughtered in the Holocaust to singling out innocent gun owners today, I was called an anti-Semite."

"I more or less voted for [the Democrats]. Everyone in Hollywood seemed to be voting for them, and I thought well, OK... But then I saw a campaign sign for Barry Goldwater that read 'You know in your heart he is right.' And I looked at the sign and thought, 'He's right! He's right!'"

"If Dr. King were here, I think he'd agree with everything I said."

The Buzz

By Tanya Marsh '00
RECORD Columnist

THE TRUTH IS IN HERE

Six years of veiled hints, tantalizing innuendo, and incomprehensible storylines were resolved (sort of) in the latest pair of X-Files episodes, "Two Fathers" and "One Son." But fear not, there are still enough unanswered questions to provide grounds for speculation for the final season and a half of the show, and hopefully a string of major motion pictures. Chris Carter and company have never been ones to explain things clearly, and there is obviously a great deal of confusion about exactly what happened in the last two episodes. So as a public service to the Harvard Law School community, I present my completely unofficial version of *The X-Files* conspiracy unveiled.

Okay, basic players first. So far, we have seen two kinds of aliens. The black oil aliens are similar in appearance to the classic little green men. Apparently, the black oil is some kind of life-force for these creatures, and it can infect other living things and put them under the aliens' control. This black oil has been on Earth for some time: in the very old rocks found in Tunguska, Siberia; in the Piper Maru, a World War II plane sunk in the Pacific Ocean; and in the possession of the Syndicate. Mulder, Krycek and Marita were all infected with the black oil in the fourth season. Mulder and Marita were purged of the alien infestation by a Russian-developed vaccine and Krycek's alien left voluntarily in an American missile silo. (Confused? A recap of the first 100+ episodes of the X-Files is just slightly beyond the scope of this piece, so if you need to catch up, look at the episode guide on the official show Website or just e-mail me.)

The second type of alien appears to be humanoid, although they have proven to be shapeshifters, so their true nature is unclear. You can recognize these rebel aliens by their blank faces — they have sewn up their facial orifices in order to resist infestation by the black oil aliens. They can masquerade as particular humans, but if you tear off their human face, the sewn-up face is revealed. They can only be killed by a big needle-type object jammed in the back of their necks, at which point they begin to ooze a green acidic substance which eats the body and leaves a sticky puddle. Apparently, these rebels are a servant species that have been enslaved by the black oil aliens and Earth has become one battlefield in their war of liberation. One should resist the

temptation to call these aliens the good guys, because they seem less interested in benevolently stopping colonization than in disrupting the plans of their adversaries. They have also shown little compunction in frying lots of innocent humans.

Then we have the Syndicate, whose members are known by their descriptions (Well Manicured Man, Cigarette Smoking Man) rather than their names. This group has a dirty little secret which Mulder and Scully keep coming annoyingly close to exposing: they have been collaborating with the black oil aliens in order to save themselves and their families when the alien colonization of this planet begins. Our fearless anti-hero Alex Krycek, who masqueraded as Mulder's

partner in season two and then killed Mulder's father and Scully's sister, is a general lackey for the Syndicate. Krycek has double-crossed both sides so many times, however, that his true loyalties (if they exist) are unknown. Cigarette Smoking Man (CSM) revealed to Fox Mulder that the Syndicate began as a group of young men in the US State Department in the early 1970s who learned that the government had known of the existence of extraterrestrial life since the Roswell incident. The group somehow made contact with the black oil aliens, learned of the plan to colonize Earth and destroy humanity, and passed themselves off as the representatives of the planet. The Syndicate, in a Faustian bargain with the aliens, agreed to pave the way for the invasion by helping the aliens develop methods of transmitting the black oil virus through various means, including bees. As a token of good faith, each member of the Syndicate gave up a child or their spouse. CSM, revealed as the father of Agent Jeffrey Spender and husband of abductee Cassandra Spender, offered his wife. Bill Mulder, Fox's father, was less than enthusiastic about this insurance policy and stalled, so the aliens came to the Mulder residence and dramatically snatched Samantha in front of young Fox's eyes.

The Syndicate was also supposed to develop a human/alien hybrid, so in return for the human hostages, the aliens surrendered one of their own fetuses to provide genetic material for the experiments. Humans, like Scully, who were "abducted" and experienced lost time, were taken to boxcars and subjected to these experiments. Cassandra was also a victim and after 25 years of tests was transformed into the first alien/human hybrid. This was a mixed blessing for the Syndicate because she represented the culmination of all of their efforts, but they knew that if the black oil aliens found out about her existence, colonization would immediately begin.



the rebels had taken the fetus and avoided the murderous rendezvous. So, only the three remain of the once powerful conspirators.

After the aliens took Samantha in 1973, Bill Mulder established himself as a voice of dissent in the Syndicate, arguing that they should develop plans of resistance while pretending to collaborate with the colonization

plans. Under his leadership, research into the black oil vaccine began, although the American efforts were unsuccessful until Krycek stole the Russian vaccine and brought it back to the Syndicate. Bill Mulder's continued dissension within the Syndicate spelled his end, as Krycek was sent to murder him in the second season's final episode.

But Fox, unaware until these last two episodes of his father's role in the conspiracy and the true nature of the alien/Syndicate collaboration, has been carrying on Bill Mulder's mission all along. It was Fox's unknowing loyalty to his father's legacy that so impressed CSM and perhaps kept Fox from being killed by the Syndicate for all these years. So when Jeffrey betrayed the Syndicate's work and CSM's legacy, his father killed him (of course we never actually saw the body).

This is hardly an exhaustive description of the conspiracy and its unraveling. There are still loose ends to be tied up, including the possibility that colonization has not been avoided, but simply delayed. Unfortunately, now that the Syndicate is charred, humanity's chances may have been reduced. But never fear, as Krycek says: resistance is possible.

By the way: I want to see a lot more of Alex Krycek. I am always way too happy when I see Nicholas Lea's name in the opening credits, and as a loyal viewer, I demand more of that amoral yet incredibly dishy Russian/American quadruple agent! He hasn't been an integral character for a while (besides the episode this year when, heavily disguised, he infected Skinner with murderous nanoprobes). Actually, I think he deserves his own series, "The Continuing Adventures of Ratboy." I'm thinking of starting a petition drive. Hello, FOX Broadcasting, are you listening?

In the immediate future, though, Mulder and Scully have been reassigned to the X-Files and their major opponents are on the sidelines. The monster-a-week episodes are back, the truth is still out there, and our favorite antagonists live on.

I present my completely unofficial version of The X-Files conspiracy unveiled.

Diana Fowley, Fox's old partner who was secretly in league with CSM, burst into the apartment and kidnapped Cassandra, Mulder and Scully under the pretext of a biotoxic contagion.

As a sidenote, my well-informed and anonymous source tells me that the scene with Scully and Mulder in the decontamination shower at the beginning of "One Son" originally had dialogue which was cut. As they shower naked (obviously), Scully said: "Well Mulder, my, my." Mulder replied: "Right back at you Red." Shippers take heart.

Most of "One Son" was a game of keep-away with Cassandra as the bait. The Syndicate wanted to turn her over to the aliens while Jeffrey, Mulder and Scully wanted to protect her. Near the end of the episode, the Syndicate and their families (including CSM and Cassandra) gathered at the Air Force Base, where the deal with the black oil aliens was originally struck, in order to be "saved" somehow from the impending colonization. Instead, unbeknownst to them, a rebel had masqueraded as a Syndicate doctor and stolen the alien fetus. For some reason, this was a turning point in the struggle between the black oil aliens and the rebels and so instead of meeting their evil allies in the airplane hangar, the Syndicate was confronted with the rebel forces who fried them. Luckily (?) CSM and Diana escaped before the conflagration. Krycek discovered that

Get Reel

LIGHT MESSAGE, IN A BOTTLE

By Steve Scali '01
RECORD Columnist

Kevin Costner is not my favorite motion picture artist. In fact, after some of his recent performances, I was hesitant to see "Message in a Bottle." His starring role as Garrett Blake, however, is his best in a while, and redeems him somewhat. Of course, after "The Postman" and "Waterworld," there was really only one direction he could go.

The plot of "Message" is only relatively interesting, and it throws in too many off-the-wall twists just when it seems destined to lead to particularly contrived developments. Theresa Osborne (Robin Wright Penn), a single mother with prime custody of her son, takes a vacation somewhere on the Atlantic coast. She is portrayed as lonely, and others keep telling her she needs to date and find a man. So right off the bat, it is safe to say there will be a man for her in the movie. And that man is Robin Hood. While on vacation, she finds a bottle, and yes, there is indeed

a message inside it. The message is someone pouring out his or her heart to what seems to be a lost love.

From there, Osborne uses her job as a researcher at The Chicago Tribune to investigate the identity of the mystery "man" (and what a mighty mighty Man dat Man turns out to be). His research leads to huge publicity and ultimately other bottles with messages in them are found by other people. Who would've thunk it? Using some innovative tracking methods, Osborne manages to track the Man down in another state.

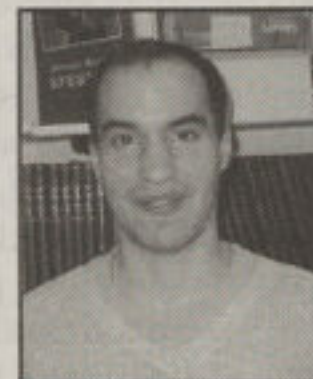
Osborne actually meets Blake's father first, played by Paul Newman. Paul looks pretty old, which was good for the role, but maybe not for Paul if he is really like that in real life. I guess all the stress of hawking tomato sauce must have gotten to him.

After Osborne meets Blake, she gets to know him, goes sailing with him, and

learns of some pathos-inducing stuff about his past, which led to the messages in the bottles. I shouldn't give too much away, but yes, there was a sad love story in Blake's past.

From there, she leaves, he follows, he goes back, leading to an unexpected tragic ending.

The love story was touching, as Osborne helps Blake come to terms with the tragedy of his past. A large portion of the dialogue between Blake and Osborne is slow-moving and focuses on the progressive comfort and breaking down of interpersonal barriers between the two. Costner is effective at playing dull, all-American, straight-shootin' heroes. I wouldn't go so far as some and suggest he can't act, period — he wasn't too bad in "Message," although it was no "Bull Durham." He did not come



across as the most romantic individual in the world, but was the epitome of the stable, nice, but simple and direct man. For example, when he visits Osborne, he wants to dispense with, ah, preliminaries. Just in case you are wondering, Blake did not leave his wife of 17 years for a younger woman, as did Kevin in real life. For shame.

"Message in a Bottle" would probably make a good date movie. There is ample opportunity for snuggling. Some people may disparagingly and pejoratively refer to "Message" as a "chick flick." I didn't see groups of frat rats or the thick-neck element in the cinema, but a sensitive man could definitely appreciate the film. The thing is to not expect too much, and not to be turned off by a corny movie poster depicting Blake and Osborne close together around a fire.

Madness With Method

JOURNAL ENTRY: HARVARD LAW SCHOOL, CIRCA 1968

By Darren Schlanger '00
RECORD Columnist

Monday classes saunter before my glazies under cover of a pyrotechnic burlesque. The neurasthenic gnome of Con Law mocks my fashion sensibilities with piercing invectives and glazed yams. Delicious Evidence druids pray to the demi-god of reason, dance to the melancholy of penultimate terrapins on Tuesdays. A Wednesday Equal Rights seminar succumbs to the frenetic roistering of the Whirling Dervish, filters its pabulum through the alembic of an antinomian mobius strip. As can occur only on Thursdays, matutinal virgins powder their noses in a Red Dwarf boudoir. On Friday, the rainbow has a beard. Weekend cocktails sustain the patina of my rococo tribute to moxie.

Pills sometimes palliate the hallucinations, other times they merely reinforce them. Once, after a particularly visceral auto-erotic molestation, Henry Miller left to vacation in Walla Walla for the better part of a decade. He loves visiting redundant places, though Bora Bora has banned

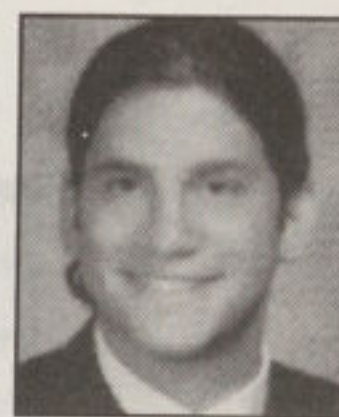
his international visa. Othertimes friends accompany me to class. A guffawing Allen Ginsberg displayed his navel lint collection in a Contracts discussion on the subjective valuation of damages. Vonnegut reads pornographic science-fiction novels to his manhood. Mailer genuflects before his academic superiors, begging for a spanking or an anti-artillery mortar. E-

sententious librarians who prognosticate via dusty legal tomes, scripts in a foreign tongue, the cant of a recherché virgin troupe. Visions of myopic hobgoblins gnawing the ankles of the BirthMother, Thoreau's imps devilishly inoculating the germs of creativity. I drop two tabs of

acid with a student on the Law Review. She battles the dragons of injustice, while children feast on afterbirth and misanthrope skeletons petition her trust fund. Her boyfriend's detumescent appurtenance cowers before her infectious ossuary.

I flee through a public park, chastising my gravitational curvature for vanquishing a tree's sapient ripeness, pruning it with the freeway ya-yas. I hear a soundtrack. Charlie Parker emasculates my soul; John Coltrane uses it as a litter box for his cat. I ask a man where I might find a lawyer. He points to heaven. I remain procedurally barred from filing a claim.

My fellow students provide the sole durable tranquility in my life. An unprecedented amalgam of Pharisees and Moabites, a harlequin concatenation tak-



ing pictures of harpies consuming their regenerating livers each morn. Blood-lust for the masquerade ball. I tried having sex with one. It billed me by the hour. I sat down next to Jesus in one Torts class. He defined negligence as the inappropriate turning of the cheek. I think he got a B.

I pine for Vietnam. At the very least I might get a great tan. Death would scratch the purring legal briefs behind the ears, the frail attempts to beguile a thoughtful though illiterate doomsdayer. Like judges, he prefers black, while unlike judges, he sleeps well at night. The immediacy of fresh carnage would relieve the stench of patient and sterile intellectual decay. My mother couldn't follow me like she does now to Civil Procedure class. As it turns out, mom is a raving gunner.

Went to a movie house to see a matinee, "Midnight Cowboy" I believe it was. Kept dreaming I was Earl the Pearl Monroe throughout the film. Decided to grow an afro. Decided to shave my eyebrows. Decided to bleach my pubic hair. I look strange. Maybe I'll go to medical school, masticate the flesh of whimpering baboons who croon to Benny Goodman records. As long as I do it before classes on Monday. I'm on panel again.

I sat down next to Jesus in one Torts class. He defined negligence as the inappropriate turning of the cheek. I think he got a B.

ther will stop the boredom.

Rule of perpetuities, luminescent tires, Mailbox Rule, bell-bottoms, Rule 23(e), fuzzy dice. Cambridge never looks the same in the quagmire of quotidian tussles. The T runs crooked, weaving diagonally across troll levied bridges, beyond patrician midnight orgies, past milk-and-cookie Gestapo interrogations. Past

Can You Spare a Razor Blade?

LIVE GIGS APLENTY

By Dusan Stojkovic '00
RECORD Columnist

Dave Matthews/Tim Reynolds
Live at Luther College

Pearl Jam
Live on Two Legs

Portishead
PNYC

Though they usually suck, a barrage of live albums have been released of late. Perhaps the proverbial powers-that-be in the music industry think that live albums are not only an efficient way of generating short-term revenue by recycling unoriginal product matter but also that buyers will be prompted to exclaim: "Wow, this band really rocks! I will so indulge myself and grab a Ticketmaster-surcharged ticket next time they tour and I promise myself I won't forget to purchase a nifty T-shirt!!!"

Despite a shameless insert advertising merchandise on top of merchandise (and featuring a 1-804, not 1-800 ordering number) nothing of the sort entered my mind when I was subjected to the two-disc set, "Dave Matthews and Tim Reynolds Live at Luther College." Most of this really recent 1996 recording of an exclusively acoustic concert in bustling Decorah, Iowa, is ego tripping to the max. Namesake Dave Rosenberg would be proud.

Rambling and babbling and yacking incoherently between tracks while giddy sorority girls scream their virgin ("as if!") lungs out, Matthews outdoes in annoyance even the schoolchildren featured on the otherwise slamming "Miseducation of Lauryn Hill." Dave's gotta learn to shut that trap of his, cuz love don't do that.

The second disc is better than the first, presumably because Matthews grows tired and even goes so far as to relinquish the stage to Tim Reynolds — an apt acoustic guitarist in his own right — for a few moments. "Ants Marching" also sounds rather impressive when broken down to

its basic components. "Lover Lay Down" and "Crash Into Me" off the first disc also work well.

But as a whole, the acoustic concept doesn't hold, since Dave Matthews is strongest plugged in. The only musicians I know who can pull off a truly acoustic gig album have been 10,000 Maniacs on their excellent full-length "MTV Unplugged" and Maxwell on his "MTV Unplugged EP."

Matthews has promised to put out a live album after each studio album his band records. The double CD may be an ominous sign: Heroes del Silencio broke up shortly after releasing their prophetically

of Seattle rock, reached their musical apex with their most socially engaged and sonically engaging album, "Vs." That CD proffered strong commentary on how Americans were living in the early '90s and infused a fair shot of funk into the punky elements of grunge.

But on the band's recent "Live On Two Legs," even "Elderly Woman Behind the Counter in a Small Town" sounds trite and bland. Overall, there's far too much crap from the albums after "Vitalogy," which I think were called "No Code" and "Yield." Band leader Ed (no longer "Eddie" the disc notes tell us) Vedder's voice cracks (hint, hint) a hint too much. Though whiny is something one would have never called Ed Vedder back in the day, he does sound it somewhat on this version of the band's strongest song, "Black." Ultimately, "Live on Two Legs" offers precious little more than decent versions of "Go" and "Better Man," along with a catchy new ditty by the name of "Fucking Up."

Bootlegs and recordings of radio emissions of the tour that followed the release of "Vs." will please true fans of Pearl Jam much more than this disc.

By far the best of the recently released live album lot is "PNYC/Portishead Roseland NYC Live."

The very electronically inclined trio from



the outskirts of Bristol, UK, assembled a full orchestra for the gig in New York in addition to the accustomed decks, amp guitar and moog posing as a theramin. Vocalist Beth Gibbons evens out the odd mix with her own brand of beautifully repressed passion.

The title is misleading insofar as two of the 11 gems on "PNYC" were not products of the Roseland concert: the soul-penetrating "Roads" was recorded at one of them crazy Scandinavian rock festivals in Kristiansand, Norway, and "Sour Times" was taped during a show in San Francisco. This rendition of "Sour Times" is guitar-heavy and quite emotive; its only drawback is that the last verse of the full version is omitted, which showcases some of Gibbons's best writing: "After time the bitter taste/Of innocence decent or race/Scattered seeds, buried lives/Mysteries of our disguise revolve/Circumstance will decide..." That shit is deep, kids.

While the orchestra setup offers a thoroughly different perspective on the songs off "Dummy," the band's first CD, the songs off the band's second, self-titled album undergo a subtler, but equally powerful transformation. The dancehall style of "Over" is nicely accentuated by the string section, "All Mine" gets the full orchestra treatment it deserves and "Only You," a trip hop composition incarnate, is mellowed down to near perfection. And for a live album, near perfection is more than good enough.

If there's anything more lamentable than the death of grunge bands, it has to be geriatric grunge bands wastefully kicking around.

titled two-disc concert album, "Parasiempre." Iberian grunge never quite reemerged thereafter. At least one LL.M. out there will have shared in my grief.

If there's anything more lamentable than the death of grunge bands, it has to be geriatric grunge bands wastefully kicking around. Pearl Jam, once the vanguard

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