



Students face pro bono obligation

by Justin Herdman

Future HLS students may not complain about the school's commitment to public interest. That's because all of them may be contributing pro bono legal services as a degree requirement.

A proposal mandating 40 hours of pro bono participation for all Law School degree candidates will soon go to a faculty vote. If approved, the plan would have profound consequences for the nature of the HLS experience. Although current students will not be affected by the proposal, they will have an opportunity to voice their support or opposition to the plan at an open hearing to be held on Feb. 22 at 3 p.m. in the Harkness Commons dining area.

The proposal was written by the Connections to Practice Committee, which is one of five committees that comprise Dean Clark's [72] Strategic Planning Process. Prof. Andrew Kaufman '54 chairs the committee.

"It's got to be done right, or it won't work," Kaufman said. "This is a big school, so it will take a lot of administrative work."

The proposal, which took 18 months to draft, imposes a mandatory obligation for J.D. candidates to perform 40 hours of uncompensated public interest work. The 40-hour requirement spans the course of a student's entire three-year career at HLS.

Students can satisfy the requirement by doing legal work for a wide range of programs, including legal services organizations, government, non-profit organizations, or public interest law firms.

The faculty will not be completely off the hook, either. The proposal suggests that all members of the full-time faculty perform a similar amount of pro bono work. Unlike the requirement for students, however, the faculty element is not mandatory. "The proposal is aspirational with respect to the faculty, as there are no sanctions imposed," said Kaufman.

Originally, the committee considered a mandate that the pro bono work be performed exclusively with impoverished clients. The proposal states the reasons for this were to "expose students both to substantive law issues and to the ambience of representing poor people." Despite this finding, the committee con-

cluded that a mandatory program should shed any hint of ideology, thereby leading to the broader definition of "pro bono."

"The main purpose was to make the qualifying services broad enough so that they would meet legitimate notions of people saying, 'You are forcing me to do something that I don't want to do, or is not me,'" said Kaufman.

Kaufman added, "The compliance organizations are broad enough so that very few people can't find something to do."

The requirement also insists that the student's time be uncompensated. While the exact definition of "uncompensated" has yet to be determined, the proposal acknowledges that allowing pro bono work in exchange for class credit violates the non-compensation element. Nevertheless, practical considerations have made the inclusion of clinical programs a necessity.

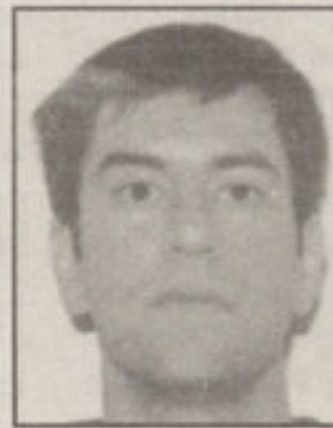
Kaufman said that reducing administrative costs prompted the committee to allow clinicals to qualify for the requirement. The proposal itself states, "[During] the start up period, allow-

Please see **PRO BONO**, p. 5

Movin' up



Alejandra
Montenegro '01



Jahan
Sagafi-nejad '01



Sheldon
Pollock '01

New blood for BSA, Bureau

by Sarah McGonigle

'Tis the season for speech giving, campaigning, voting, and general elections around the law school. The Board of Student Advisors (BSA) kicked off the de facto election season on January 18, while the Harvard Law Review and Legal Aid Bureau selected a new crop of officers last week. And the Law School Council plans to close down the season of campaigning and voting in late March or early April with its all-school elections.

Last Thursday, the general body of the Legal Aid Bureau elected Alejandra Monte-

negro '01 to serve as their new president, following submission of written platforms and a question and answer session by three candidates. The Bureau's new leadership, which officially took charge Monday, also consists of a nine-member board, including vice presidents and committee heads.

BSA conducted its elections on Jan. 18, selecting Jahan Sagafi-nejad '01 as president and Sheldon Pollock '01 as vice president for next year. Sagafi-nejad said the BSA election process was similar to that of the Legal Aid Bureau. "Candidates submitted state-

Please see **LEADERS**, p. 3

Mobster's daughter on book publicity tour



Photo by Dusan Stojkovic

Victoria Gotti, author and, more prominently, John Gotti's daughter, discusses her recent novels at the Saturday School Program Wednesday.

Ailing e-mail system on the ropes

by Justin Herdman

It has become an all-too-familiar routine at HLS. E-mails from Information Technology Services (ITS) litter student and faculty inboxes requesting patience as the server undergoes maintenance and repairs. Occasionally, e-mail users don't even get that far, discovering without warning that access to the Law School's server has been unexpectedly suspended.

But for those unversed in technological lingo, perhaps the most frustrating problem is finding an answer to this question: What exactly is going on?

According to Eric Watson, an

ITS Systems Administrator, the recent problems with the Law School's e-mail server ironically stem from improvements made to the system during the week of Dec. 27. "Basically, we rearranged the system to allow for future growth of e-mail data and to make the system more flexible from an administrative point of view," Watson explained.

At that time, ITS introduced several disk drives to the system that previously had never been used.

The improvements were not inspired by fears of the Y2K bug, Watson said, but were made at that time simply because HLS was out of session.

Once the improvements were implemented, ITS's problems unfolded in two stages. "One, we had to copy everything into our new setup, and the data didn't spread out over the multiple disks as we expected," Watson said.

ITS set out to fix the data problem immediately, but their troubles had only just begun.

A second, and more disastrous, result of the improvements was discovered only later. "During the first week of January, we found that there's some kind of a hardware problem with the computer, and that's been in the way of everything

Please see **E-MAIL**, p. 2

NEWS ANALYSIS: SUPREME COURT UPDATE

Supremes try 'pasties and G-strings' on for size

by Francesco Barbera

Free speech cases are the sexiest of legal phenomena, and the Court's docket this term does nothing to dispel the hallowed aura surrounding these most sanctified of constitutional controversies.

Indeed, the seven speech cases currently pending before the Court have alone inspired over 60 amicus briefs, with more almost certainly on the way.

There are good reasons for the

hype — apart from the obvious importance of free expression in a democracy. A good free speech dispute offers a special, intriguing twist in its tendency to confound conventional politics. The First Amendment, for better or for worse, inspires sudden, spontaneous marriages among the most virulent of ideological nemeses.

Take the case of *Hill v. Colorado*, for example, which involves Colorado's abortion "buffer zone" statute passed in response to aggressive tactics

employed among anti-abortion protesters. The dispute has the ACLU, long-time bulwark of pro-choice legal advocacy, united with the Life Legal Defense Foundation in opposition to the statute.

The statute under review in *Hill v. Colorado* creates an 8-foot "floating buffer zone" around persons within a 100-foot radius of a health-care facility. The law makes it a misdemeanor offense to "knowingly approach" persons within that zone for the purpose of "oral protest, coun-

seling education, leafleting, or displaying a sign." Protesters can breach the "zone" only with the consent of their target.

Heard by the justices in January, the case comes from the Supreme Court of Colorado, which upheld the statute as a "reasonable time, place, manner" restriction on speech. Noting that the law restricts speech so as to preserve another fundamental right — the right to privacy — the court found the

Please see **COURT**, p. 2

Happy Birthday, Mr. President . . .



For story,
please see p. 3

Court to decide on abortion bubbles, compelled speech

Continued from *COURT*, p. 1

statute was "narrowly tailored to serve a significant government interest" and left protesters with ample alternatives for communicating their message.

The justices have addressed the constitutionality of buffer zones twice before, but both involved the validity of court injunctions, not legislation. The decisions, both by **Chief Justice Rehnquist**, suggested a more lenient standard of review for legislation. In fact, the Colorado court chose to apply the more deferential standard announced in *Ward v. Rock Against Racism* (1989) in affirming the statute. Whereas injunctions may not burden "more speech than necessary," *Ward* requires that a statute be narrowly drawn, but not necessarily the least restrictive means available.

In both injunction decisions, *Schenck v. Pro-Choice Network* (1997) and *Madsen v. Women's Health Center* (1994), the Supreme Court upheld fixed buffer zones, but struck down floating zones similar to that mandated by Colorado, but with significant differences. Colorado's floating "bubble" is smaller, for instance, and the statute does not require protesters to dodge advancing pedestrians to avoid inadvertently entering their bubbles.

Justices Scalia '60, Thomas and Kennedy '61 hate bubbles of all persuasions, and dissented vigorously from the portions of the decisions upholding the fixed zones. This places them in the same corner as the Ninth Circuit, which struck down a similar, though again distinguishable, statute. Count on the threesome for a repeat performance in the dissent here.

Another case inspiring heated controversy, and confounding standard ideological positions, hails from the Seventh Circuit, which, in a 1998 decision by **Circuit Judge Manion**, held that the University of Wisconsin violated the First Amendment rights of students by collecting a mandatory activity fee which ultimately funded student groups engaged in activities of a political or ideological bent.

The suit, *Southworth v. Grebe*, was brought by five disgruntled students who objected to the disbursement of funds to student groups like the Madison AIDS Support Network and Amnesty International. According to the Court, the groups used the funds to support legislation, national political candidates and — in the case of the International Socialist Organization — overthrow of the capitalist regime.

The Supreme Court announced the standard controlling the case in *Abood v. Detroit Board of Education* (1977), in which the **Justice Stewart**, for the Court, held that a union may compel non-union public employees to pay dues to fund its collective bargaining efforts, but not its political or ideological activities. Subsequently, the Court clarified that to withstand constitutional scrutiny, compulsory fees must be sufficiently related to an

organization's core mission.

Applying the standard, Judge Manion found that the "compelled funding" of political organizations was only tenuously related to the University's interest in education. The decision embraces a markedly formal conception of education, finding that, since the main goal of the contested groups is promotion of ideological beliefs, "the fact that some educational benefit may come from [them] is secondary, and therefore not sufficiently germane to overcome the objecting students' constitutional rights."

Circuit Judge Rovner, dissenting from the Circuit's denial of a petition for rehearing in the case, pointed to some notable weaknesses in the majority opinion. For instance, the funds raised by the activity fee do not go directly to the organizations but are appropriated by a democratically-elected student government, and groups of all ideological stripes are eligible. Rovner likens the fee to tuition payments, which are used to underwrite academic research espousing all manner of political viewpoints.

The Circuits are divided on this one, and the last Supreme Court decision on the issue, *Lehnert v. Ferris Faculty Association* (1991), produced so dramatic a splintering of viewpoints that it's hard to know who stands where. Nevertheless, look to the Court to clarify its fractured position, announce a new standard and affirm by a close vote.

In November, the justices also heard oral arguments in *Kandyland v. City of Erie*, in which the Pennsylvania Supreme Court, rummaging through "hopelessly fragmented" U.S. Supreme Court precedent, struck down a city ordinance banning public appearances in the "state of nudity." To avoid sanctions, the Pennsylvania Court said, "a female person over the age of ten years would have to wear, at a minimum, what are commonly known as 'pasties' and a 'G-string.'"

The Pennsylvania Court sorted through *Barnes v. Glen Theatre, Inc.*, a 1991 Supreme Court decision which produced three separate rationales for upholding a similar Indiana statute, as well as a dissent whose reasoning ironically garnered a plurality of votes — four. Now, three of those four votes have since gone the way of the dodo bird, but the Pennsylvania Court nevertheless applied their reasoning to conclude that the statute is content-based and subject to strict scrutiny, hopelessly dooming the ordinance to failure. (Erie's lawyers hadn't even briefed a strict scrutiny defense of the ordinance.) The justices are almost certain to reject the standard applied here and give the statute the breathing room it got in Chief Rehnquist's *Barnes* opinion.

The Court returns to an active schedule after a month-long hibernation. Look for decisions in these and other cases soon.

ITS: Server crashes all too routine

Continued from *E-MAIL*, p. 1

we've done ever since," said Watson.

Though ITS is still uncertain about the nature of the problem, the disk drives that ITS brought online are high on their list of suspects. "It was just when we started trying to use the drives that haven't been used in the past [that a problem developed]," said Watson.

ITS is working closely with Hewlett-Packard engineers to fix the problem. "It could be anything — there are a number of cables and drives, but we're working very actively," Watson said.

Although ITS does not anticipate a final solution to the problem for at least another week, Watson stressed that the system remains stable for student and faculty use.

"We understand that this has been very disruptive to the user. While e-mail works and listserves work, the

hardware problem is still with us and is causing behind-the-scenes administrative problems as well as problems for the users," Watson said.

Watson insisted that more drastic consequences will be avoided. "Service has been bad, but we are doing everything we can to make sure nothing is lost. Everything we do is geared heavily towards making sure we don't lose people's mail," he said.

Response from the HLS community has been generally supportive, according to Watson. "We haven't had much in the way of feedback, but I do appreciate the community's patience. For the most part, the responses have been, 'Thanks for keeping us informed,'" he said.

The current spate of problems have not watered down ITS's desire to make improvements to the HLS network. "As a long-term goal, we may look at alternatives to Open Mail," said Watson.

Mark Your Calendars! Upcoming Events of Interest

February 18

Deadline: 2000
Reginald Lewis
International Summer
Fellowships

Deadline: 2000
Dorothy Schramm
World Affairs Student
Writing Competition

1 p.m.
Saturday School
Speaker: Randall Robinson

Deadline: Center for
Reproductive Law &
Policy Hiring

February 21

Rev. Jesse Jackson, Sr.
St. Paul A.M.E. Christian
Church, Cambridge

February 22

4 p.m. - 6 p.m.
Metropolitan Public
Defender Group
Information Session

Deadline: ACLU
Brennan Fellowship

February 23

4 p.m.
Saturday School Speaker:
Professor Randall Kennedy

4:30 p.m.
NYC Law Dep't Info Session

7 p.m.
HLS Forum: Helen Thomas

February 24

4:30 p.m.
Office of the New York State
Attorney General
Interview Info Session

6:35 p.m.
State and U.S. PIRGS Group
Information Session

February 25

Rebellious Lawyering
Conference at Yale
Law School

Deadline: National
Environmental
Negotiation
Competition

Deadline: Papers for
the Fletcher Forum of
World Affairs

Korean Association
Potluck Dinner

Deadline:
Applications to 1L
Tutorial Program

February 26

Rebellious Lawyering
Conference at
Yale Law School

6:45 p.m.
CSPAN America &
the Courts Program:
Judge Nathaniel
Jones Lecture

International Law
Journal Symposium

Drop what you're doing
and write for the RECORD!

Columnists, newswriters
and photographers wanted.

HLS conservatives celebrate Ronald Reagan's birthday

Former president's 89th marked with cake, tributes

by RECORD Staff

"Here was a nice guy who finished first." Ronald Reagan, that is, according to former Congressman Mickey Edwards, who together with 40 students, many of them members of the HLS Republicans, gathered in Austin Hall to honor the former president's 89th birthday.

Edwards, who now teaches a course at the Kennedy School of Government on conducting campaigns, brought a panoply of conservative credentials with him. After 16 years in the House of Representatives, where he served in the Republican leadership, Edwards had an opportunity to know Reagan not just as a politician, but as a man.

"Ronald Reagan, in his heart, was probably the best man I've ever known," Edwards said. The image contrasted sharply with "Dutch," the recent Edmund Morris biography which portrayed the president as blithely oblivious to his surroundings. Edwards said he started reading the book, but put it down after discovering its quasi-fictional style.

Edwards was impressed that the Law School could gather so many Republicans in one place. "I find it amazing to see this number of people at Harvard who are willing to show up for something that's a) Republican and b) even worse than Republican, Reagan," Edwards joked.

Edwards was the keynote speaker at the event, which also featured a film on Reagan's life and a candleless birthday cake.

Many in attendance seemed to agree with Edwards when he said, "Ronald Reagan changed the world we live in today, more

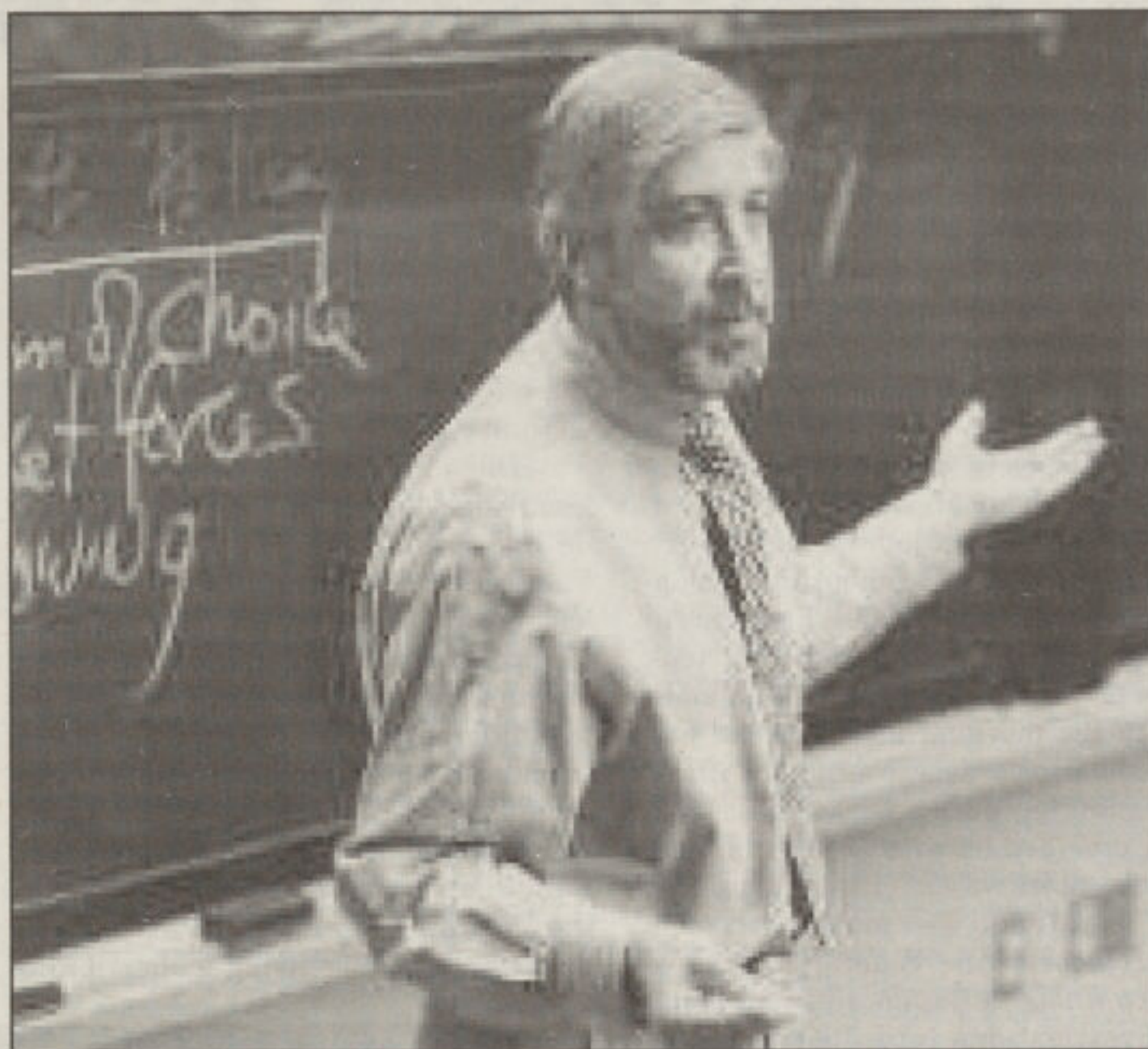


Photo courtesy of ksg.harvard.edu

Former Congressman Mickey Edwards shares his memories of Reagan with students.

than any president of the century, other than [Franklin Delano] Roosevelt."

According to Edwards, Reagan hastened a break with the New Deal-era of a government that was "intrusive and omnipotent." As president, Reagan employed simple, straightforward language to communicate ideas. "With common sense, he took on the prevailing orthodoxy," Edwards said.

Edwards also used Reagan as a springboard for his reflections on the current political climate. Ironically, in a room of con-

servatives, Edwards dropped some praise for President Bill Clinton. Noting the tendency among contemporary political observers to dismiss Clinton's presidency as ineffective and scandal-stained, Edwards countered, "Bill Clinton will go down in history as a very important president."

This statement was not founded upon Clinton's grand ideas ("like school uniforms," Edwards quipped), but on the methods he employed to re-define the

Democratic Party. "More than anyone," Edwards said, "Bill Clinton has saved the Democratic Party. They've got a chance to retake the House [of Representatives], and to keep the White House, because he changed the Democratic Party to look more like Ronald Reagan."

The rightward shift of the Democratic Party was a response to a nation molded by Reagan's political vision, Edwards said. "Without Ronald Reagan, no president — Republican or Democrat — would have stood before the nation and said 'We are going to end welfare as we know it,'" he said.

The Reagan era has also had a lasting effect on the world, Edwards said. "Ronald Reagan, against the advice of all the people in the State Department, said, 'We're not going to contain communism, we're going to roll it back.'"

This commitment to defeating communism, rather than boxing it in behind spheres of influence, led the United States to collaborate with "unsavory people," Edwards said. "But in the whole hierarchy of important issues, what is most important? To gain freedom," he continued.

Edwards also spent time, albeit not much, assessing the almost superhuman conservative mythology that has sprung up around Reagan. "Reagan is called the Great Communicator. Well, sometimes he was, and sometimes he wasn't," said Edwards.

Edwards acknowledged that there is tendency to refer to Reagan, who was diagnosed with Alzheimer's disease in 1994, in the past tense. "If this is not the last Reagan birthday, it's certainly one of the last," Edwards said.

But optimism was in abundance, and Edwards concluded on a spirited note: "I hope that even after he's gone, that this tradition will continue, because he's changed the way America is."

BSA, Legal Aid elect leaders

Continued from LEADERS, p. 1

ments, and for the election we gave speeches and fielded questions," he explains. Sagafi-nejad and Pollock immediately assumed the responsibilities of their offices.

Predictably, all of the officers express excitement about their new positions. Pollock said, "I am very excited about the upcoming year and working with Jahan. We are both very appreciative of the trust our fellow [BSA] teachers have given us and we are looking forward to working very hard in the coming year."

With the excitement comes the realization of hard work to come, however. All of the novice officers gush with ideas for strengthening the programs they head.

Montenegro said she hopes to build stronger ties to local communities, thereby increasing exposure to the realities of the clients the Legal Aid Bureau helps. Moreover, she adds, "I'd like to strengthen claims with the administration so that we can increase our resources. Though students are our greatest resources, we do have structural needs as well. The work we provide is unparalleled, but we do get our funding from the administration, and they need communication to fund us properly."

Sagafi-nejad and Pollock similarly have big plans for next year. Sagafi-nejad said, "Sheldon and I are hoping to make the most of BSA's teaching and advising roles — to improve both LRA and the 1L experience outside of class. Specifically, we are hoping to clarify and elaborate on the four sections' LRA curricula so that LRA professors can learn from each others' approaches, and the curriculum can continue to stabilize and grow, rather than be reinvented year by year."

Pollock agreed that the BSA leadership's role in fostering a positive LRA experience is critical. "I would hope that if I were to accomplish nothing else as vice president, I would, at the very least, work to foster a collegial atmo-

sphere among the Board that would help our teachers in their instruction of the first year writing curriculum. To that end I plan to work to try and centralize the teaching materials we have across the four sections and attempt to create an environment in the office where our teachers can learn from each other and share ideas."

The new officers share at least one common quality: all got involved in their organization based on early positive impressions.

Said Montenegro, "I had friends in the Bureau last year, and through exposure I got interested. Before law school this was a community that I wanted to work with, and I chose [the Legal Aid Bureau] over other clinical programs because of the two-year time commitment. It gives time to develop real ties [with clients]... you get a comprehensive experience here. Also, it makes the HLS community smaller and tighter."

Incoming and outgoing officers at BSA universally cited a positive LRA experience as the hook that got them into the group. Past president Heather Field said, "I got involved with BSA because I did not enjoy my 1L experience and saw BSA as a vehicle via which I could improve the experience for others, mostly because it was my A-group leader and LRA instructor who were the positive spots in my 1L experience. They were outstanding people who were very giving of their time."

Incoming president Sagafi-nejad added that prior teaching experience caused him to be interested in the opportunities at BSA. "I really enjoy teaching, and I would love to help make the 1L experience more comfortable and therefore educational. So it seemed like a natural choice to do BSA. Also, I had some older friends from before law school who were on BSA, and they really seemed to enjoy it."

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Way down in Mexico . . .

FLYING SOUTH OF THE BORDER FOR THE WINTER

by Jim Greeley and George Blower

While some students spent January trudging to class through several feet of New England slush, fellow 2L George Blower and I earned credits soaking in the sights and temperate climate of Mexico. Although we did suffer through one overcast day during our four-week stay, we felt this was compensated for by 30 days of sunshine, as well as a plethora of valuable cultural, linguistic, culinary — oh, and of course — academic experiences.

Like many of our colleagues, George and I began our second year of law school resigned to pass the following nine months within the picturesque confines of the Gropius Complex. Midway through fall semester, however, it came to our attention that there were options for winter term that seemed far more engaging than studying corporate finance 40 hours a week. Namely, Prof. Phil Heymann and Prof. James Vorenberg were willing to send students to Mexico City to participate in a study of the Mexican criminal justice system. The project was organized in conjunction with Dr. Samuel de Villar, an alumnus of the law school, who presently holds the position of *Procurador* of Mexico City, which is roughly equivalent to the office of attorney general. His responsibilities include the supervision of all law enforcement and criminal prosecution in the federal district of Mexico. He is interested in allowing Harvard students to research aspects of Mexican and American law to later be published as comparative studies, and perhaps used in the training of future Mexican prosecutors.

Authorization for the trip only required submitting an application for the Winter Term Writing Program to Dean Richardson's office. The process was quite simple, and everyone in the Dean of Students' office was very helpful and understanding. Although I missed the deadline for turning in my proposal, it was accepted at a later date.

The topic of the study was left to our discretion. We met with three of our classmates, Juan Rios, Kelly Huffman and Jaime Rodriguez, who took part in a project with Dr. de Villar in Mexico City last summer. The subject of their research was a general comparison of the Mexican and U.S. penal systems. Building on this work, George and I chose to focus on the particular issue of police corruption, a theme with historical roots in Mexican society, and one which we found to be especially prevalent today.

Although one brief informational meeting before our departure gave us a vague idea of the previous labors of our classmates, we arrived in Mexico without any concrete notions of what awaited us. But the tone for the entire trip was set immediately upon disembarking from the plane. We were met by a driver named Paco who remained with us for the rest of the month, meeting all of our transportation needs. This was nothing new to me, of course, since I was raised with James, a personal chauffeur who catered to my every whim. (Actually, the closest I ever came was a morbidly obese bus driver named Lenny who used to drop me off at middle school).

The truth is we were treated like kings during our entire stay. The hospitality of the Mexicans with whom we worked was overwhelming.

Paco whisked us away to the building in which we would both live and work, the Institute of Professional Formation,

one of the many divisions of Dr. de Villar's jurisdiction. The principle function of the institute is the training of police officers. We occupied two suites on the top floor and were given our respective offices on a lower level of the building.

A meeting the following morning clarified many of the details that had been lacking. We were to work with a group of young lawyers who had prepared information about Mexican laws regarding corruption. Our job was to research similar methods of combating corruption in the United States. Each morning we met with the group and took turns presenting our findings. In addition to the morning meetings, we had excursions to various government offices approximately once a week. These trips often provided us with a personal look at the matters we were investigating. In one instance we met with the *Controlador* of the Federal District of Mexico whose duties entail supervising all investigations into illegal acts by public officials. In addition, we visited the office that received all complaints involving corruption made against police officers. During each visit, we would

trolling police profiteering. Based on our comparison of the two countries' legal systems, we suggested additional laws that could be instituted in Mexico as well as various methods of enforcing these laws. We proposed ideas for changes that could be made to increase awareness of the issue among the Mexican populace as well.

Besides gaining valuable firsthand knowledge about a foreign legal system, an impossible feat if we had stayed in Cambridge, George and I had plenty of leisure time to experience the culture of Mexico. Each day about noon, after our morning meetings, we had Paco take us to a different part of Mexico City to eat lunch. Surprisingly enough, there was some pretty decent Mexican food around, and we could not get enough of it, especially since all of meals were paid for by the Mexican government. In addition to the complimentary living quarters, the

of those who died as recently as the 1980s. Apparently, there is a burial fee that must be paid to the government of Guanacato if one wishes to be interred in a cemetery. If this fee goes unpaid, a body is only allowed a limited period below ground before it is exhumed and placed in the museum. Among the mummies were small children and adults with their hair and clothes still preserved. Naturally, this experience made us quite hungry, and we ate lunch immediately afterward.

Clearly, our favorite expedition was the weekend we passed in Acapulco. Only four-and-a-half hours from Mexico City by bus, the beach town of Acapulco is a different world altogether from the congested behemoth that is the nation's capital. Acapulco is a tourist center, but attracts far less Americans than cities like Cancún, and is therefore more authentically Mexican.

Upon our return to Mexico City, we completed our research and are now in the process of writing a paper about what we learned during the trip. After relating our positive experiences to Profs. Heymann and Vorenberg, they asked us to establish the program as a permanent option at the law school for those interested in exploring the laws of other countries. In addition to Mexico City, the professors may be willing to sponsor



hear a brief presentation by one or more of the individuals working in the office and then we would ask any relevant questions.

The contrast between the cultural attitudes toward government corruption in the U.S. and Mexico was profound. The perversion of laws and ethics by public officials in Mexico is a longstanding tradition. The practice is so prominent that many citizens simply assume that all government employees exploit their positions for illicit gain. We learned that many of the past presidents of the republic, most notably Carlos Salinas, had used their power to make millions during their terms in office.

Considering the level to which this corruption reaches, it is not surprising that it is also a prominent problem among federal and local police forces. As one of the lawyers remarked to us during a morning session, "To me there is no difference between police officers and drug dealers; the two are synonymous."

The crisis has reached the boiling point, however. No longer is the citizenry of Mexico quietly accepting this phenomenon. In fact, popular condemnation of the problem has led to its discussion in the campaigns of many candidates running for office this year. George and I attempted to make proposals to aid in con-

government was generous enough to reimburse us for our plane tickets. Since the typical lunch period usually begins around three in Mexico, we usually had several hours to walk around the city after we ate. The experience was somewhat reminiscent of summer associate lunches, but often lasted even longer. Most of the institute's employees often returned from lunch around six in the evening and then worked until nine.

Most weekends we traveled to different regions of Mexico. One such excursion was planned and funded by the director of our program, Jacqueline Flores. She took us to the city of Guanacato, a four-hour drive from Mexico City. There we stayed in a beautiful hotel built in the style of a castle and situated on a mountain overlooking the town. The city itself was constructed during Spain's occupation of Mexico and reflects the architecture of the colonial period. There is a very European feel to the city and many historical sites to see. A unique, albeit morbid, tourist attraction is the museum that houses the mummified corpses of former residents of Guanacato. While we expected these mummies to be centuries-old relics of the Spanish conquest, it turns out that some of the remains are

trips to Central and South America, as well as South Africa. We are scheduled to meet with the administration of the Law School as well as the career services and public service offices to ensure that the program will be available to those who wish to take part.

The only regret we are left with is that we did not get to spend as much time as we wished in Mexico. But those students interested in participating in the program have the option of doing so for an entire summer, as our three classmates did. Obviously the experience is much different than working in a law firm, and likely more interesting, and is a distinctive addition to any résumé. In fact, Juan Rios commented that his involvement in the program contributed greatly to obtaining a job at the firm of his choice this coming summer. Additionally, students who spend an entire summer abroad have the ability to embark on even more adventures than the two of us did during our limited stay.

While January in Cambridge is always such an enjoyable time of year, George and I feel that we made the right choice in heading south of the border. Our legal knowledge and foreign language skills were enriched in a way that is not possible for those who never study outside of law school. Perhaps more important, however, were the wonderful friends we made and the memories that will stay with us for a lifetime. Both of us reluctantly left Mexico wondering, "Why would anyone not want to participate in this program?"

Kaufman pledges to usher proposal through faculty vote

Continued from PRO BONO, p. 1

ing credit courses to count would lessen the strain on the administrative structure of creating new placements."

Kaufman also indicated that the committee did not adopt the alternative out of a preference for clinical work. "To the extent that people who go through clinicals find it adds something to their education, then it's a good thing. Most people who want to take clinicals, take clinicals," Kaufman said.

Other schools that have pro bono requirements, like Columbia and Penn, do not allow work that earns credit to count towards the obligation.

Also, the proposal expands the meaning of non-compensation to embrace jobs which pay only minimal sums. "It is our view that the definition of 'un-compensated' for summer work should recognize that many students give up high-paying summer jobs to do various kinds of work that meets the mandatory pro bono definition but does [sic] not pay more than living expenses, and sometimes not that much," the proposal reads.

Perhaps the most contentious element put forth by the proposal is the mandatory nature of the program. But as Kaufman notes, "If it's not mandatory, what is it?"

"Making it part of the educational curriculum is what it's all about," he continued.

Beirut on the Charles II

The proposal has already inspired spirited dissent among the faculty. A memo circulated to the faculty by Prof. Charles Fried outlined many of the objections to the proposal. [See Statement to the RECORD submitted by Prof. Charles Fried.]

Fried explains reservations about committee plan

Editor's note: The following paragraph was submitted to the RECORD by Prof. Charles Fried. It is a synopsis of a memo that he circulated among the faculty urging them to vote against the proposal.

The committee's proposal is not about teaching our students things we think they ought to know. If it were, there would be no hand-wringing ambivalence about giving credit for what would be claimed to be an educational exercise. And the proposal would have a quite different tone and content. For instance, there would be no talk about "instill[ing] in all of our students a sense of public service, of giving back something of themselves to the community." This is quite avowedly a requirement meant to dictate to our students how they should lead their lives. I agree with the premise that public service is an important part of a lawyer's professional life, but we have no right to compel our students to conform to our idea of how they should live their lives. I believe in public service. A professional life lived without public service is like a life without friendship, love or music: it is miserable and impoverished. I tell my students this at every turn and I try to help them find ways to add this crucial dimension to their professional lives. The Law School's existing program does this in an institutional way. Although significant public service is the right choice, it must be a free choice. Voluntarism under the lash is "voluntary" only in the Orwellian sense that it is unpaid. This is the voluntarism of the Cuban cane fields. We should teach our students the virtues of voluntarism, but we should respect their moral autonomy when we do so.

—Prof. Charles Fried

Kaufman said, "There certainly has been some opposition. And not all of it is has been about the faculty's [suggested pro bono work]."

The faculty opposition may have profound effects on the proposal's survival. Following the community-wide meeting next week, the proposal will be forwarded to the SPP's Steering Committee, headed by Prof. Dan Meltzer '75. From the Steering Committee, the proposal will go directly to the faculty for a vote.

Kaufman points out that the pro bono proposal is distinct from other elements of the SPP, such as reform of the Low-Income Protection Program. "This one's different. It requires a faculty vote to put it into the curriculum," Kaufman said.

The pro bono requirement is not something with which current HLS students will have to contend. If given a green light by the faculty, the proposal envisions pro bono work becoming a requirement for the "...first class admitted after the adoption of the proposal and the finalization of the details of the implementation, including the hiring of the staff to coordinate and facilitate participation in the program." Due to the pending faculty vote, a definite date for the plan's formalization has not been offered.

For most current HLS students, the pro bono requirement would have already been fulfilled. Using data from the 1998/1999 school year, the committee determined that "...the numbers suggest that over half, and perhaps well over half, of

our student body is already complying with the proposal."

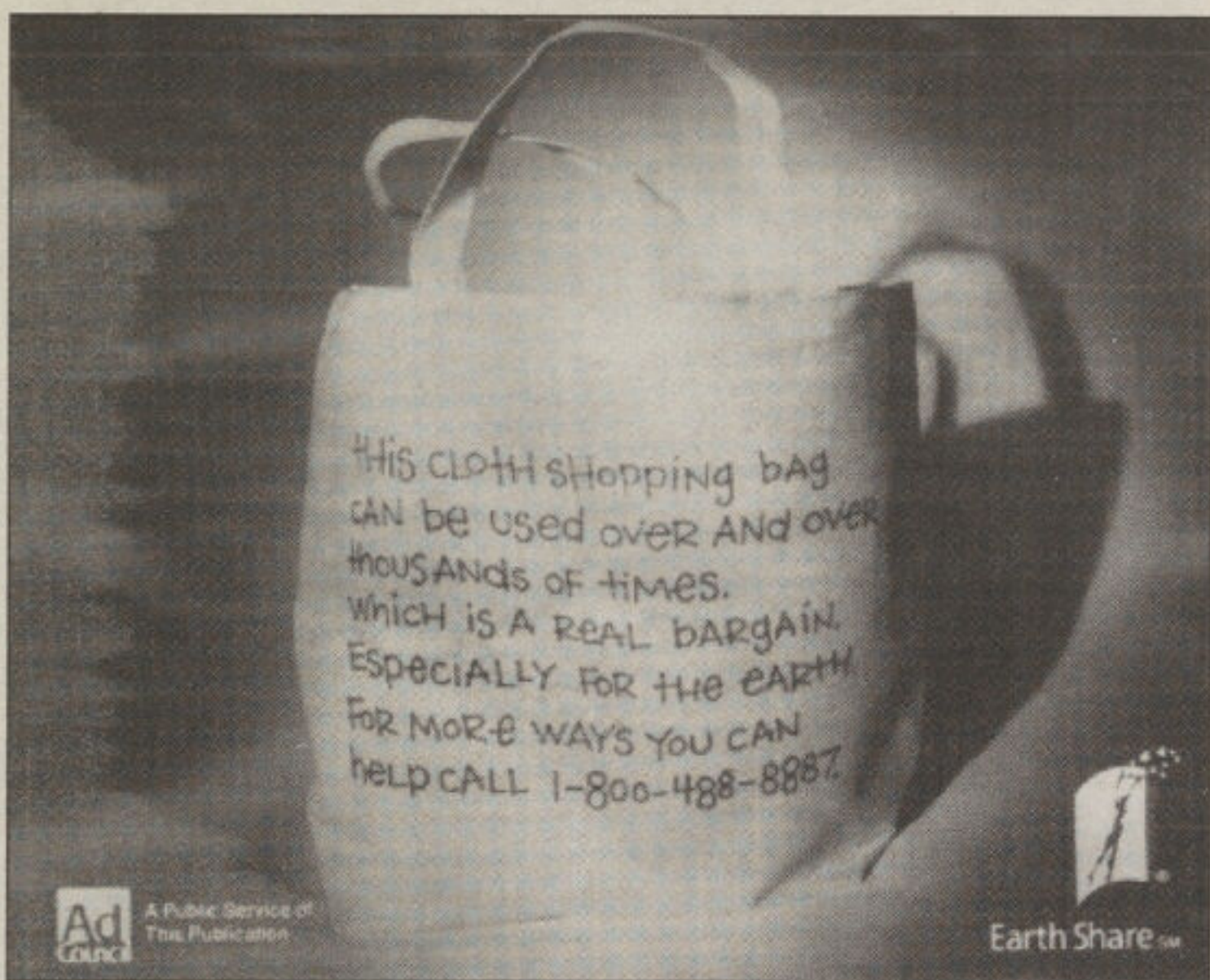
This figure includes students enrolled in a clinical course, working for a student practice organization (such as Legal Aid Bureau or the Tenant Advocacy Project), or those students who worked full-time in government or public interest during the summer. Other student organizations, like the Volunteer Income Tax Assistance Program, could also qualify. The committee's proposal hedges its final conclusion on current student participation, however. "We do not know how much duplication there is among these groups or how many students in them worked the full amount of hours... and the extent of the compensation in the summer contingent."

Student reactions were generally optimistic, although any dissenters may be waiting for the community meeting next week.

"I think it's a good chance for people to get involved and exposed to things outside of law school. It's a step in the right direction towards providing needed legal services," said Sunny Chu '00.

Jonathan Freimann '01, Co-Chair of the Student Public Interest Network (SPIN), spoke about the proposal, but not on behalf of the organization. "I think having a pro bono requirement at HLS will provide a more well-rounded legal education and is therefore a good idea," he said.

"However, just as we at SPIN have tried to adopt a broad definition of public interest, this proposal should allow for a flexible definition of pro bono; it would be a mistake to make students complete this requirement by forcing them to work in areas completely outside their chosen field of focus or in areas which they disagree," Freimann said.



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Panel Discussion

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Big Markets vs. Small Markets in
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Panel Discussion

• Sandy Alderson, Executive V.P., Major League Baseball
• Harold Henderson, Executive V.P. for Labor Relations, National Football League
• Other panelist TBA
• Michael C. Harper, Professor of Law, Boston University, Moderator

Reception to follow

If you have any questions, please contact Mike Ben at
mben@law.harvard.edu or (617) 492-3086.

Harvard Law RECORD

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F O U N D E D I N 1 9 4 6

Passing the Buck

It is said that Winston Churchill once asked a woman if she would sleep with him for a million pounds. She agreed. When asked if she would do it for a hundred pounds, she replied indignantly, "What do you think I am?" Churchill is reported to have said, "We have already established what you are, now we are only haggling over the price."

For 50 women the other night, the price was apparently the promise of a wedding ring from a "multi-millionaire." Showing the depths to which the networks will sink for February sweeps, Fox on Wednesday night aired its most recent answer to the millionaire-frenzy begun by Regis. As if the spectacle of "Greed," in which contestants chomp at the bit to stab each other in the back on their way to a million-dollar jackpot, weren't bad enough, Fox brought American TV to new lows with "Who Wants to Marry a Multi-Millionaire." The show featured 50 women from "around the world" competing in an embarrassing beauty contest for the privilege of marrying someone they've never meet, knowing nothing more about him than the approximate size of his bank account.

The sentiments I've heard expressed around the Law School about these women's moral and emotional characters roundly condemn such a blatant willingness to sell oneself for money, even if it is a lot of money.

Funny, then, to see the following sign on the first floor of Ames: Members of Catalyst, in their recent plastering campaign, put up a sign asking "Do you want to become well-paid secondary human beings?" At the bottom of the sign, written in blue ink, were the words, "How much?"

—Kimberley Isbell

P.S. This marks my final editorial as Editor-in-Chief of the RECORD. The RECORD will not publish next week; in March, Justin Herdman takes over as Editor. I wish Justin and the rest of the amazing RECORD staff the best of luck as I head off into the realm of Third Year Papers. You all are what has made this experience worth it.

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—First Amendment, U.S. Constitution

• Letters •

A logarithm by any other name...

Doug Sims states, in the article "Cross-sectioning sections" in the February 11 issue of the RECORD, that the registrar's office uses a "computer logarithm" to sort 1Ls into sections.

A logarithm is the inverse function of an exponential. A computer program follows an

"algorithm" to determine a result. Algorithms are not confined to computers, though; any process of predetermined steps which can be applied to different sets of data constitute an algorithm. For example, the process of determining whether a federal court has diver-

sity jurisdiction can be expressed as an algorithm. I'm disappointed that no one on the RECORD editorial staff caught this rather obvious error in word choice before it made its way into print.

Elizabeth Nugent '02
Feb. 11, 2000

Yes, the RECORD Goofed

Your article on cross-sectioning uses "logarithm" where "algorithm" would have been appropriate. It's

a pity that a law school that sends many students into the world of business does not have a minimum

requirement for numeracy.

Davis Wang '02
Feb. 10, 2000

They say the pen is mightier
than the sword...



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LEGAL LEXICON

By Tamara Piety LL.M. '00

Finding a Purpose

What is the purpose of this column? Seems like questions of purpose are popping up all over, so I thought I'd ask myself the same question. They call it "Legal Lexicon," so I suppose one purpose is to offer you, the readers (are there any readers out there?), my own subversive, sardonic interpretation of legal language and to suggest that we not take it *too* seriously. And then of course there is another purpose, one perhaps characteristic of my status as an unimaginably old (41-year-old) person. (A slightly older friend tells me she likes to call what we are "late youth." That works for me.) Anyway, like many "old" people I find myself gripped by the persistent delusion that I might have some experience that would be of benefit to those coming along behind me, so I feel compelled to share with you my world view, to pontificate and harangue. In my saner moments, I know my advice (if you can call it that) is not likely to be heeded. Still, I do it anyway. It gives me a sense of purpose.

Which brings me to the next question. What is your purpose? I know, I know. To be a highly effective lawyer who is handsomely compensated for your skills. Well, if the recent news from Silicon Valley on starting associates' salaries is any indication, you will be *very* handsomely compensated for your skills. (\$145,000! Wow! Almost makes me want to rethink this teaching-gig thing...Not!) Given this purpose, I would think there would be a lot more enthusiasm generally for the acquisition of those skills — you know, like (gasp!) coursework? But no, many people seem to view the *actual courses* as pesky nuisances and attending them a dreary ritual imposed by an inflexible administration, window-dressing to get to the "main event" — the BIG BUCKS! If I judged by the material in these pages over the last few months, I would say it seems like a lot of people are kind of depressed and bored, wandering aimlessly as if only waiting in the antechamber of life until

they could graduate and "real life" would start. (I am sure that Darren Schlanger was employing a little of what my father used to call "artistic license," and exaggerating just wee bit. At least I hope so.) Well, if that sounds like you, let me give you a little peek at what's ahead.

I hate to break it to you, but you are likely to look back on these, your law school days, as the halcyon days of freedom. (Well maybe, for some of you, halcyon days.) Yes, after law school, no more sleeping until noon after a hard night out. Yeah, you'll probably still have hard nights out. But they'll be made even *harder* by the fact that you still have to get up early and drag your carcass to the office. Weekends included. And, unlike classes, you won't be able to skip client meetings, court hearings and all that other stuff. (Of course, if you actually *have* any client meetings or court hearings *yourself*, that will be very unusual.) If you think the administration and the faculty of the law school are unfeeling, inflexible, humorless and distressingly literal in insisting that you make a showing of attending classes and fulfilling the requirements of the curriculum (Fenno excluded), wait until you meet your bosses! Many (but not all) managing partners, indeed any partners at all, tend to exhibit all of these qualities and more. Or so it will certainly seem to you if you find law school oppressive. (TIP: When choosing among law firms, always choose the one whose partners exhibit the most sense of humor. You'll work just as hard, but it won't hurt so much.)

And what will it be that you will be doing that will so fill your days and nights? If you are like me it will be "civil litigation." Here we come to the "lexicon" part. "Civil litigation" is sort of an oxymoron. For one thing, it is very often anything but "civil." It has been fashionable for like the last two decades to decry the lack of professional courtesy, decorum and civility in the conduct of litigation. But as far

as I can tell, there is no sign that this "trend" (if you can call it that since it has been going on so long) is likely to reverse itself. Of course some of those folks doing the complaining have, themselves, a very peculiar idea of what constitutes professional courtesy. I was involved in this deposition once where my opponent, a man in his 70s and thus presumably a member of the "old school," ranted and raved, saying the most offensive things at me throughout the deposition whenever we were on the record. He got so worked up he was literally *spitting* at me across the table! But then, as soon as we went off the record, he became all sweetness and light and adopted this sort of grandfatherly persona. It was as if he were the unfortunate sufferer of multiple personality disorder. It was very disconcerting, which of course was his object. That brings me to the *content* of civil litigation.

"Litigation" is defined in Black's Law Dictionary as "the process of carrying on a lawsuit." This might lead you to conclude that it means carrying a lawsuit *forward*. That would be incorrect. Mostly it is just about "carrying on," as in posturing, bluffing, grandstanding and so forth. This is because civil litigation is mostly made up of "discovery," another misnomer. Discovery is more about obfuscation and delay. The object of discovery, at least as practiced by many lawyers, is to delay, as long as possible, your opponent "discovering" anything at all. This brings us back to my "schizophrenic" opponent above who I'll call "George." There was a method to George's madness. And it was transparently obvious.

George's ranting and raving, which made the deposition as unpleasant as possible, and routine instructions to his client not to answer questions that were supposed to be answered, were designed in the hope that I would suspend the deposition. A suspension would require me to go to the judge to get a court order telling George to behave. The difficulty of securing a hearing being what it was, this meant that the deposition could be delayed for several more months, if not indefinitely. It had already taken a year or so to get George's client to *this* deposition. Knowing that things like tone of voice cannot be discerned from a transcript, he was also hoping that any foray I made to the judge would ultimately be a loser because it wouldn't look so bad on paper. George became noticeably less sweet, even off the record, as the day wore on and it became obvious that I would not play along.

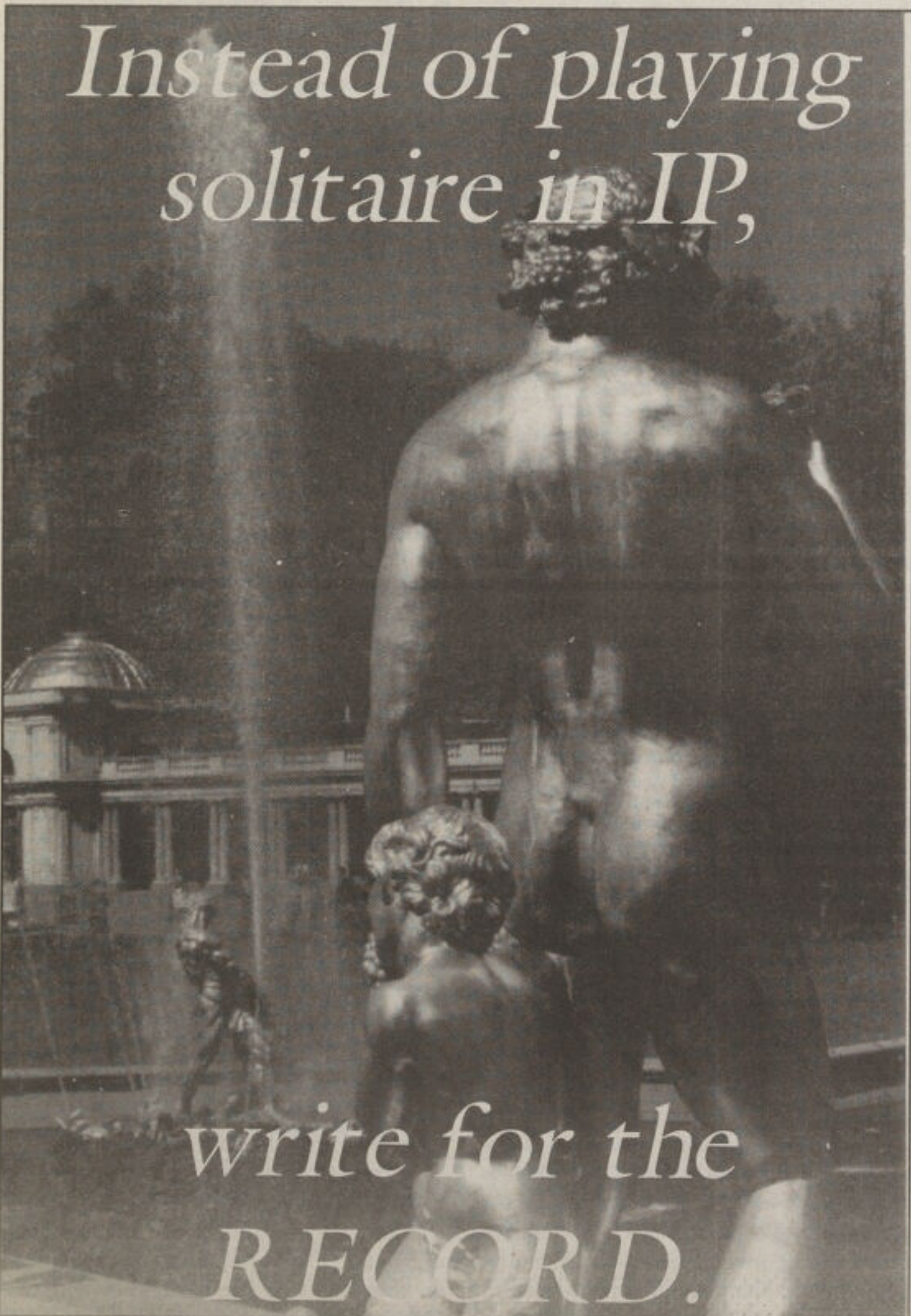
Sounds like fun, eh? Well, actually it can be sort of fun to thwart someone so obnoxious. But it also can get a little wearing if you don't have any larger sense of purpose. Maybe a sense of purpose can come from a firm belief in your clients' cases. Maybe it can come from the feeling that you are fighting for "truth, justice and the American way." Maybe that sense of

purpose just comes from employing your skills, being *really* good at something. But it cannot come just from being "handsomely paid." Really. Honest. And you know that yourselves. Think about when there was something you were lusting after, a DVD player, a pair of shoes, a jacket... anything. You get it, and it's great. If you're lucky, it is great for a couple of weeks. Not so lucky, and it is only great for a couple of hours. Then the new possession becomes part of the background and you're back to stasis — that is, lusting after something *else*, which itself will fail to satisfy after you get it.

Or maybe not. Maybe you are one of those people for whom material things are a source of continuing joy. Maybe you come home and sit next to your DVD player, stroking it saying, "Mine, all mine!" for months and years afterwards. If so, none of this applies to you. I think you will be very happy in your chosen career. Go in peace. But if the first description sounds more familiar, believe me, it doesn't get any better when you can buy more stuff. Now I don't think the pursuit of more power to consume is inherently evil or something like that. I just think it is like a diet of cotton candy. You can eat and eat but you never get filled up. As Kalle Lasn, founder of Adbusters and author of "Culture Jam: The Uncooling of America" says, "The super-size American lifestyle generates at least a little guilt in every marginally thoughtful person who pursues it."

That's pretty strong language. I *won't* say that you must not be "marginally thoughtful" if you believe that the acquisition of greater power to consume (i.e., making a lot of money) is the transcendent purpose of your life. If you feel that way it may be because you feel there is no other choice. But there is. You could be committed to something. Now I know this is sort of bucking the culture. As Lasn also says, in this culture, "the worst crime is to admit to being committed to anything, because then you appear earnest, and earnest ain't ironic. It ain't cool." But "cool" is vastly overrated. To paraphrase an old saying, I've been cool and I've been uncool and uncool is better.

All of this brings me back to the beginning. What is my purpose in this column? Well, in addition to those already noted, it is to participate in the life of Harvard Law School in the short year I am here, to make the most of the experience, to connect, to be thought provoking and add a little humor to someone's life. I like to think I can help (just a little) by giving someone's intuition some support, or by passing on unsolicited advice. It *might* be ignored and a futile effort. But who knows these things? It also might make a difference in someone's life (if that doesn't sound too "grand" and too hopelessly "earnest"). And I find that a very satisfying purpose indeed.



Instead of playing
solitaire in IP,

write for the
RECORD.



The RECORD will not be
printing next week...

RUDE AWAKENING

By Elizabeth Falk '00
RECORD Columnist

THE RESTRAINTS THAT MAKE US FREE

The other day, while wandering aimlessly through the HLS tunnel as an escape from the frosty air, I made a drastically wrong turn and suddenly found myself in the stacks on the first floor of Langdell. My first instinct was to turn, running and screaming, back into the tunnel before haunted memories returned of first year LRA and the mind-numbing wild goose chases for statutes that I eventually pulled off Westlaw from the comfort of my desk chair. That was the last time I had set foot in the stacks; well, except of course for those cozy late night *rendez-vous* with Fenno, which were not mandating my even littlest memory (no pun intended).

But, upon realizing that the library had to be the safest place at HLS to avoid annoying 3Ls I no longer needed to see, while simultaneously scoping hardworking hottie 1Ls like the Nafty crew, I decided to traverse forward and explore this vast new world.

Approaching the center stairs, I looked to my right and stopped short in complete surprise. Hanging there, as an apparent guardian of each precious mind that entered and exited the library each day, was an imposing wooden placard, bearing the following message:

"Now, you are ready to aid in the shaping and application of those wise restraints that make men free."

From the declaration used for conferring Law degrees at Harvard.

Upon reading this, a wave of dizziness washed over me and I found myself craving water and a place to sit to ponder the reality of these impending words that would pour forth from the mouth of Dean Clark (or someone similarly stimulating) at the same time I officially entered the real world. Was I really ready to contribute to unraveling this seeming paradox?

What qualified me for determining how to reign in men's souls with the endless lasso of red tape we formally know as "discovery requests," or "due diligence"? Was I really supposed to know what "restraints" would best guarantee men's freedom? The weight of it all was suddenly unbearable, as I was forced to think about what real learning my \$120,000 had bought me over the last three years. To escape the depressing reality of the answer, I decided to amuse myself by compiling a list of suggested replacement inspirational statements that would more accurately reflect the HLS learning experience.

1. "Now, you are ready to enter a bar review course where you will learn for the first time what those 'wise restraints' are." (or, Everything I Really Needed to Know to Do My Job and Get the Hell Home, Which is All That Really Matters Anyway, I Learned From BarBri.)

Clearly, as far as those "actual restraints" are concerned, I have learned didley. I know the monopolist BarBri seems like a scam to most of us, but when you think about it, two grand for two months to learn something indisputably real and necessary? We just paid around three grand a month for 27 months of "learning." Who's the real scammer?

2. "Now you are ready to aid in the shape and the application of those wise restraints that make men free, with the exception of Jay Webber and you idiots who think Ronald Reagan is running for president in 2000."

Now, I don't mean to pick on Jay, whom I deeply respect, but for many his image conveys my exact point. If we weren't going to learn any real law here, wouldn't some conversations about the connection between "law" and "restraint," as well as some discussion of the relationship be-

tween "restraint" and "freedom" have been a nice addition to my legal education? It seemed to me that I spent the last three years living in this contrived equilibrium of signs posteth and signs-rippeth down, which related to the fact that our definitions of freedom (and what "restraints" are really necessary

to guarantee that freedom) are all vastly different. Somehow, in coming to law school I thought our discussions of the line between just and unjust restraint (law) would go beyond an accord that "well, we can all agree that the law against murder is a good one." My Section Four Torts class with Hanson teetered the closest to the edge of this sort of richness, until, of course, people complained that the class "was turning into a therapy session — can we please go back to discussing the economic value of a handless person?"

3. "Now, you are ready because we have restrained you so much with this enormous debtload that you will never be free. Oh, and by the way, here's your first donation request letter."

In all honesty, I do find myself agreeing with the argument that our choices, economic and moral, are our own, and that we are responsible for weighing our options and choosing the career path that will ultimately make us happy. But for God's sake, this place needs to start either a) admitting that it strives not to build public leaders but private bankrolls, or b) start changing the admissions process to somehow qualitatively evaluate the real potential of its applicants to be the world's next movers and shakers. Honestly, this "shaping of the wise restraints" jargon is pretty much crap for the majority of us, who will be lucky if we shape and mold anything besides the indentation of our derrieres into



our office chairs before we pack it up and leave the profession for good.

4. "Now, you are ready because we have taught you that in order to be free, you must be really restrained."

It is here that I paused, with some sadness, at the recognition of the largest tru-

ism, and largest tragedy, of Harvard Law School; the lesson that risk aversion and silence is the safest and surest path to happiness. How many conversations have I had with third-year students this year who reflected on arriving at HLS full of excitement and anticipation, only to find themselves now repeating "I don't care anymore" to most everything controversial? Too many to mention. Perhaps the Law School, and our professors, have no responsibility to imbue the student body with passion; I suppose that some people are just naturally not passionate about their futures. But 525 out of 550 HLS grads? This I cannot believe. Far beyond the reality of an HLS grad's debt load and obsession with prestige is the undeniable, paralyzing prevalence of apathy, an apathy that was not present in my class during its first month on campus. And I'm sorry, the school itself needs to take responsibility for that. It can say at graduation whatever it wants about our soaring dedication to the law and guaranteeing men's freedom, but to claim the education it provided "readied" us without "readying" us to care is an unresolvable contradiction.

Satisfied, I close my notebook with a snap, prompting the eager beaver first-year to my left to glare at me. "SSHHH, you stupid bimbo, can't you see I'm trying to study?"

Ah yes, I smile, a wonderful thing; another freedom fighter in the making.

FENNO

After witnessing the official decline of Western civilization Tuesday night on Fox — when a millionaire dork married a bimbo, and everyone knows that's never happened before — Fenno was in high spirits. If that guy could find love, then so could Fenno. (Note: The ceremony was performed by a Nevada district court judge, once again proving that there are some things even Unitarians won't do.)

Fenno had hoped to find her soulmate at the Harvard Graduate Council soiree last Friday. In a room packed with 200 desperate, drunk, single people, at least twelve of them bearing no visible scars, Fenno thought she had it made. They even invited the Ed School, which reminded Fenno of that old Harvard saying: Those who can, do; those who can't, do teachers.

But Fenno found nothing interesting, with the exception of a drunk and horny T.J. Duane stumbling around trying to shake everyone's hand, so she was once again reduced to wandering the campus, seeing what might turn up.

Perhaps a One-L? They were always fun, and the words "I'm just so glad to be here!" never failed to please. Fenno decided to try her luck. She knew where to wait — the Harkboxes. One-Ls seemed to check their boxes after every class, as if, finally, something that wasn't about law firms, minorities or the environment would turn up.

So she waited. And they came. But they came... differently. Gone was the bounce in the step, the bright-eyed swagger, the glinty optimism. In their place was something hard and scared. Something as skittish and shifty-eyed as Dean Clark at an OPIA meeting.

Then it hit her. Fenno realized what was making her sweet babies act this way. There could only be one explanation.

One-L grades were about to come out. Fenno had seen this before. She had seen optimism turn fatalistic, seen even the most outwardly self-confident youngster start to quiver as the moment of truth arrived. Change was a part of life at HLS. (Just ask Brian Fitzpatrick.) Not everyone went through this metamorphosis, Fenno knew. A majority of the gunners managed to maintain their practiced insouciance, just as the deluded (mostly "well-rounded" Stanford or Duke grads) could usually hold on to their mannered smugness.

Overall, however, Fenno knew it had begun. The One-Ls had started to crack. If they only knew how things would change after grades came out — the talkers would grow quiet and the quiet would find, suddenly, that perhaps their own opinions were worth listening to. Grades, after all, never lie. Except when they're from Bruce Hay.

Fenno sighed. No love today. She pushed herself up from the couches, and, as she was about to walk to Pound to find out exactly how Charles Ogletree would introduce Victoria Gotti, saw something she'd never seen before.

"Sound-off board?" Fenno said aloud. It seemed appropriate.

Now she remembered. This was Jay Munir's project, the kind of thing intended to prove that the Law School Council does something besides facilitate whining and beer consumption.

"The LSC hopes that the board will enhance the level and quality of communication in our community," Munir had said in a mass e-mail, "and will serve as a particularly effective tool to voice student concerns as the strategic planning process moves forward this semester."

Fenno smiled. "One-L." "The Paper Chase." The committee meetings. The McKinsey study. The open forums in the Hark. The letters to the RECORD. The

Quote of the Week

"One major reason for a pro bono requirement is [to] expose students both to substantive law issues and to the ambience of representing poor people."

— Excerpt from the new proposal for a pro bono graduation requirement

Darren Schlanger columns. The navel-gazing. (Oh, same thing.) It had all come down to this:

A cork board.

This was the kind of idea, Fenno mused, that only a student government could love. Did Munir and his Mun-ettes really believe that faculty and administrators would read — let alone contribute — to this thing? Fenno couldn't remember the last time she had seen a faculty member, at least a recognizable one, in the Hark. Even Dersh wasn't that hungry for love.

Fenno looked at the 12 postings so far. Four of them dealt with Catalyst. Three were about Hemenway. The rest were a jumble of non-sequiturs, with one exception: the refreshingly honest entry that asked if anyone important even cared about this board. Fenno would have liked to meet that guy.

This kind of optimism, this belief that a cork board could do something — Fenno almost admired it. At least the Mun-ettes were offering people a choice to participate in something, even if just as a formality. (Like when fat kids get picked for dodgeball.) That was more than Fenno could say for

this new pro bono proposal. Forcing students to complete 40 hours of law-related pro bono work as a graduation requirement? Fenno could only imagine what would end up qualifying as "law-related." Could Skaddenites say that overtipping on recruiting trips should count? Could a Two-L claim altruism by taking Evidence with Mansfield? Could a One-L claim that dating someone in the OPIA office was enough?

Fenno herself would have no such problems. She would do what she had always done when called upon to serve her fellow man: sleep with ugly virgins. Given the sheer numbers, it might take more than 40 hours, but Fenno had never shrunk from responsibility, and she wasn't about to start now.

If that didn't work, she could always do 40 hours of shots at Lincoln's Inn with Alex Barry. Sure, but this was about giving, and Fenno loved to help the kids.

Mandatory public service, Fenno mused. Charles Fried was right about this one. Forcing adults who pay upwards of \$40,000 a year to give their time away for free. Only at Harvard, she thought. Only at Harvard.

Madness With Method

By Darren Schlanger '00
Columnist

So WOODY ALLEN SHTUPS CHILDREN?

This weekend I shadowed a balding, emaciated and unkempt homunculus walking incognito down Fifth Avenue in a raincoat, khakis, Keds and Peter Sellers-wool cap. He was pushing a baby carriage.

Apparently he and the infant are just friends, though their conspicuous moments of intimacy tend to belie my less than amorous surmises. An Asian woman accompanied him; she was not quite as attractive as Diane Keaton in her prime, what with Miss Keaton's lamentable middle-age bowler accouterment. Milan Kundera is thinking rewrite.

I am not accustomed to spying the publicly celebrated, at least not since I last broke into David Letterman's Connecticut home a few years back and pilfered his retainer. But this odd looking little fellow, who shuffled around like a hunched penguin in prosthetic shoes, piqued my curiosity. Though with devotion had I viewed every Woody Allen film made before the middle '90s when he decided to convert to WASP culture, my clandestine pursuit derived more from voyeuristic fascination than adulation of remarkable achievement. There strolled my cinematic icon, an auteur whose surpassing convergence of parody with calamity was proxy to my own therapeutic ineptitude; yet, all at once, his comic and dramatic brilliance was immediately subsumed to an obsession with observing his interaction with Soon-Yi, adopted daughter of Allen's one-time companion Mia Farrow.

They seemed happy enough. Allen re-

mained fairly passive from 53rd to 59th streets, pushing the carriage and listening attentively to the Soon-Yi unremitting one-woman show. They turned east on 59th Street, at which point Allen became slightly more animated in the conversation, gesticulating in the paradoxically animated and muted fashion as is his wont. Soon-Yi laughed. They continued their saunter in silence for about two Avenues, hurrying with resolve across busy intersections to avoid detection. At some point they held hands. By Third Avenue, they turned into some exorbitant, parvenu shop and disappeared from sight. At first, my neurosis fueled the belief that my awkward tailing forced them into the shop to parry my pursuit. Later, I realized it had something more to do with money.

This encounter, albeit from long-distance and absent any reciprocal interchange, ruined the remainder of my afternoon (my hangover was a minor catalyst). All along I, like so many other pop culture whores tempered by the distortions of the media machine, denounced Allen's relationship with Soon-Yi, shocked by his rapacious exploitation of an impressionable child 50 years his younger. The adopted daughter of his common-law wife. His own de-facto daughter, notwithstanding the contention that only Farrow adopted her, that Allen and Farrow lived in separate houses on the same property, or the recently relayed evidence that it was Soon-Yi who initiated

the romance. No one can doubt that ten years of intimate living with a constant, though perhaps helpless and self-absorbed, simulacrum of a parent suffices in the eyes of a child as an approximation for a father-figure.

But they seemed so happy. This is what struck me from the film "Wild Man Blues," a release from a few years ago that documented Allen's European tour with his Zydeco-Bluegrass band. Inasmuch as Allen's clarinet playing left much to be desired, the intimacy of the recorded interactions between Allen and Soon-Yi was fascinating. Soon-Yi came across as far elder and more self-sufficient than I had expected. Their relationship appeared more balanced and healthy than even my most fantastic expectations. Indeed, though Allen remained distant in all of his other interpersonal engagements (his coarse treatment of his sister/business-manager, his clumsy inability to interact on an adequate social level with his bandmates), the camera did afford rare glimpses of Allen overcoming his self-indulgent alienation to demonstrate love in the limited capacity beyond which he is tragically incapable.

Romantic or pariah? Humbert Humbert, a character whom literary critic Lionel Trilling accurately described as "a lover who thought of his beloved with so much tenderness" to render "Lolita" a "tale of rapture and love, unique in [Trilling's] experience of contemporary novels"? Or Lot, beguiled by

the dispassionate and methodical sexual machinations of his daughters into fornicating with his own offspring?

And should we care, should it color our appreciation of Allen's art? My mother has loathed Woody Allen from the get-go because of his putative status as a self-hating Jew. Personally, I gravitate towards self-hating anything, and, as Allen himself well articulated in his own defense in "Deconstructing Harry," "I may be self-hating, but it has nothing to do with being Jewish." But that reflects a substantive dislike of his film content, rather than a preference based on importing judgments about the artist's life. In the abstract, one's revulsion toward the relationship seems justified, given the prevalence of sexually predatory behavior between adults and individuals lacking the capacity for informed volition. But Allen's relationship with Soon-Yi perhaps muddles the abstract, the exception that proves the rule, a proclamation in spite of its anathema social stigma that Nabokov once defended so profoundly as the force of a sustaining romantic ecstasy.

And, after all, they were holding hands, a public display of tenderness antithetical to the fundamental tenets of WASP high-culture and hence a sign of hope that Allen may be returning to his cultural and cinematic roots in the decade to come. Letterman's retainer can sustain only so much pleasure, so I'll keep my fingers crossed.

And my teeth in alignment.

Can you spare a razor blade?

By Dusan Stojkovic '00
RECORD Columnist

OF HEROES AND ANTI-HEROES

Mohsin Hamid, "Moth Smoke"
Farrar, Straus and Giroux, New York
2000
247 pp. \$23

By now most of us have heard all the sordid stories of the lucky souls who submit, shall we say, "non-traditional" papers for their Written-Work Requirement. Instead of following the conformist path the majority of us take by heating up chairs at Langdell and performing concrete legal research, these brazen few jot down their personal musings vaguely related to law in prosaic form. It would be fascinating to see what percentage of novels masquerading as third-year papers actually end up being published. One such writing endeavor that has made it to bookstore shelves is Mohsin Hamid's promising debut novel, "Moth Smoke."

Even before a draft of the book was accepted as Hamid's third-year paper, the "real" seeds for bringing the story to paper were sown in an undergraduate writing workshop taught by Toni Morrison. So the old boy has pedigree, as Murad Badshah, one of Hamid's many memorable supporting characters, might say. The back cover contains somewhat overly emphatic praise from the likes of Joyce Carol Oates and Nadine Gordimer, who dubs the book, "one of the two or three best novels I have read this year." (Let's hope she is referring to 1999, and read more than "two or three" in total that year.) If he writes prolifically enough, Hamid himself will eventually be adorned with a Nobel Prize. All the by-now customary (and slightly 20th-century, as in *passé*) signs are there: the non-linear narrative, the metaphors serving as leitmotifs, the untranslatable local (in this case, Urdu) terms, the self-consciously subtle sociopolitical slant only the densest ignoramus would not perceive. The twist here is that these common techniques are executed well and

manage to blend into a cohesive whole; they work.

The novel is set in Lahore in the summer of 1998, "the nuclear monsoon," and follows the travails of Darashikoh "Daru" Shezad, a former boxer and bank employee who stands accused of a crime he (sort of) did not commit. The trial framing the story line is the only direct linkage to The Law for those of you keeping track for your own third-year papers. Daru is the quintessential anti-hero, plagued by all-too-human attributes like greed, lust, envy and affinity to drug addiction. His troubles truly begin when he falls for Mumtaz, the beautiful but deeply troubled wife of Daru's boyhood buddy, Aurangzeb, affectionately called "Ozi." What starts off as a relatively innocent love triangle quickly spins into a murder mystery in reverse, making the reader wonder who, exactly, will be killed.

The political backdrop of the story is the tantalizing craze of nuclear escalation. "I feel something straighten my back," the protagonist states when he discovers that Pakistan has answered India's bomb experiments with a detonation of its own, "a strange excitement, the posture-correcting force of pride." Hamid skillfully weaves the growing pains of self-determination into the narrative and exposes ills of Pakistani society.

In fact, post-colonialist influences are apparent throughout Hamid's work. His rendition of Lahore's adolescent phase of urbanization has already been compared to Ben Okri's poignant depictions of Lagos, and there are certainly echoes of Achebe's overrated satire of corruption in the so-called third world and Patrick White's underrated juxtaposition of natural landscapes and social circumstances.

"Moth Smoke" contains a healthy dose of references to Islamic mythology. Hamid fully succeeds in muddling the reader's ability to distinguish between fact and cultural fancy, much as Morrison does with Catholic imagery in

her *oeuvre*.

The author also does an excellent job at revealing multiple layers of Daru's affair with Mumtaz, ranging from deep inter-human affection to sheer animal carnality, which reminds me of that brilliant ditty "The Bad Touch" by everyone's favorite Swedish cult band, the Bloodhound Gang, you know, the joint that goes, "You and me, baby, we ain't nothing but mammals/Let's do it like they do it on Discovery Channel."

Hamid takes great caution in painting the contours of Mumtaz's complex and morally controversial character. It would have been exceedingly easy to foul up the depiction of a woman who refers to herself as "a monster" because she feels no love for her newborn child, but the author adeptly manages to humanize even her most objectionable traits.

Less impressive is Hamid's overly glamorous handling of drug use. Most poetic imagery in the novel is inevitably connected to chemically altered mind-states. Daru's first narcotic love was marijuana, also known as "charas,"

"hash," "joint," "jay," and plain old "pot" at various stages of the narrative. "Incisors grab a bit of filter, pull it out, gently, like a bitch lifting a pup," Daru describes the experience of rolling a joint. And later, under the influence of ecstasy, "A firefly dances in the distance, leaving tracers, and if I turn my head from side to side, I see long yellow-green streaks that cut through my vision and burn in front of my retinas even after the light that sparked them has gone." What with such pretty visions, who can blame him for eventually graduating to heroin (a.k.a. "aitch" and "hairy")?

A related problem of the novel is that Daru is utterly unlikable. Tom Ripley may be bringing amoral main characters back into fashion, but few readers will relate to Daru on any level whatsoever — unlike Ripley, he is not even shown dancing with his tush wiggling Terry Fisher-style.

But the richly textured ancillary characters and Hamid's strong writing are enough to offset this shortcoming. Evidently, this chap also has a future.



Vino & Veritas

By Justin Dillon '02
Wine Columnist

PUTTING THE 'MAL' IN MALBEC

I thought I had made a discovery.

Hoping to let the Harvard Law community — or, more specifically, my seven readers — in on a hot new bargain, I decided last week to try a kind of wine I had read about but never drank. I had hoped that this wine, which usually retails for about \$10, would be a brave new world of taste in which we, my seven readers and I, could frolic cheaply and abundantly.

With that noble goal in sight, I traipsed over to the University Wine Shop — where, remember, they knock 20 percent off all cases and half-cases — and bought five bottles of this wine. I brought them home with the keen anticipation that I was on the cusp of a tasting coup.

I opened up the first bottle with my friend Jen, and, although she tried to be nice and say she liked it, her puckered grimace belied her social graces. Thinking quickly, I opened a second bottle, hopes thus far only slightly dashed. She puckered again, but less obviously. A beachhead?

Alas, no. Tasting both wines myself, I immediately understood her reaction. Both wines were tight, tannic beasts with little fruit at the core. The sharp edges were smoothed by a heavy dose of oak in one of them, but overall, these were not good wines.

What was this wine, you ask? (Or perhaps you're asking, "Why am I reading this?" Or, more to the point, "Why is the phrase 'large animal veterinarian' inher-

ently funny?")

The wine was Malbec, and I would guess that it's usually better than what I drank this week.

You may never have heard of Malbec; until recently, neither had I. Traditionally, it has been used as a blending grape, much like Merlot used to be until, well, you know the rest. Might Malbec now make a grab for Merlot's place as Famous Former Blending Grape?

Not a chance.

One of the reasons for Merlot's prominence is its accessibility; because it's so innocuous, you don't have to like wine to like Merlot. Not true of Malbec, which is often referred to as one of the "black wines," due to its inky color and almost thick taste. (What does "thick" taste like? Imagine drinking something that attacked the center of your tongue and then seemed to take over your entire palate. That's "thick.")

Malbec has long been used to make a stand-alone wine in Cahors (in southwest France), but a local wine shop is likely to carry more Malbecs from Argentina — which is, in fact, the origin of four of the five wines I bought.

So what are these wines I'm encouraging you to avoid? The best of them wasn't even 100 percent Malbec; it was a 1998 50-50 Malbec/Syrah blend from Argentina's Balbi Vineyard, and it cost \$7.49. The nose was full of black pepper and oak; it tasted of green peppers and light spice. A relatively smooth wine

without big fruit, think of it as Malbec with training wheels — something that could hint at the black grape without the harsher edges.

Next came the 1996 Elsa Malbec San Rafael, also from Argentina, also \$7.49 (sometimes you really do get what you pay for). This is the one that made Jen wrinkle her nose; it did the same for me. A rough, tannic wine with little fruit and less balance on the palate, it was a distinct displeasure to drink.

After the Elsa, I did what many wine drinkers before me have done after a bad first-wine experience — I went French. On the nose, the Chateau Barrejat 1995 was balanced and rounded, albeit with more oak than I usually go for; I thought we might have a winner. Alas, it was just as tannic a beast as its South American predecessor.

Moving on to the last two, which I shared with my roommate's visiting parents, I was hoping for some redemption. After all, when a wine columnist with seven readers offers you wine, you're thinking, "This better be good." (Or maybe you're thinking, "Wine is for sissies and French people. Oh, I guess that's redundant.")

Pity, I struck out again. Same wrinkled noses, same half-hearted attempt to say they liked it. This time the perpetrators were the \$12.49 1998 Don Miguel Gascón Malbec from the Mendoza region of Argentina, and the 1997 Santa Julia Malbec, which costs \$6.99. A heavy dose of oak

smoothed out the Gascón a bit, but both it and the Santa Julia lacked fruit and offered little to make up for that.

Sometimes negative information can be just as useful as positive information. Thus, while I have provided exactly zero totally positive recommendations for wine this week, at least you'll know to avoid cheap Malbec. I have little doubt that it's better at higher prices, but I think a five-bottle sampling should suffice to deter me, at least, from reaching for the cheap stuff. All the more reason to grab a bottle of Zin next time you're looking. Remember, with the "three R's" — Ridge, Ravenswood and Rosenblum; it's hard to go wrong.

One final note: Just to prove that I'm open-minded, last week I bought a Merlot that had received a positive write-up in *The New York Times*. The critic described the 1996 Vega Sindoa Merlot, which comes from Spain and costs around \$10.99, as much better than the average flabby American Merlots you can get at those prices.

So I tried it — and it was the same old story. Grapey nose with substantial oak overtones (a telltale sign of cheap Merlot), the wine simply splayed in the mouth. No layers, no focus at all — just oak, oak, oak. A perfectly inoffensive wine, it had a bit more structure than the average American Merlot, but that came from the oak. This was not a bad wine, just a boring one. And, like a good large animal veterinarian, wine should always be interesting.

ONE JADED DUDE

By Phil Barengolts '01
RECORD Columnist

CURDLED MILK

I got up off the toilet and paused. There in the bowl staring back at me, accusing me, was my turd. It spoke of my laziness, my sloth, and my recent lackluster performance in life. So I shouted at this rebel turd, "It's all pointless, you piece of shit! Nothing matters anyway." And then I sent the turd on its way where it would mingle with other turds, perhaps some just as ponderous.

We should all have the lust for life of 15-year-old boys. Wanting nothing more out of life than to have a girl next to them. Dreaming of it, thinking about it every second of every day to the detriment of all other productive activity. The true geniuses of the world must be the ones who can ignore their sex drives for long enough to think of something useful.

I tried to ignore the turd for the next 15 minutes, but its aura lingered, reminding me that I should be doing something, but what? What is the point of doing anything? Most of it is self-indulgent megalomania with no purpose other than the masturbatory pleasure of a good ego wank. This column included, for why am I writing it other than to feel as though I've accomplished something today, and perhaps the gratification that I made someone smirk, or better yet gag, as they shuffle off to class?

Don't get me wrong — I'm not upset about meaninglessness. I revel in it. Who cares about another B in class X? Even the professors are jaded by grades, so why should it matter to me? And jobs? We all want to work for a cause but end up at the law firm of Skadden Cravath Davis and Ellis, or whatever overlord buys your soul for the two years it's worth. I hear Skadden followed Davis; now we can spend even more money on cocaine and hookers.

Oh, and by the way, has anyone stopped to look at a Harvard Law Soul? Perhaps you're not clairvoyant, so look at your own. I tried and found that my turd had as much inside it as the rest of me, may he rest in peace, that poor sod. It's perfectly alright to have an empty soul, I figure, it hasn't affected my life in

any way that I've noticed.

Maybe I have some self-esteem issues, comparing myself to a turd and all, but I am at HLS so that already puts me in the top tier of the top one percent of the highest quartile of self-absorbed, ego-stroking narcissists in the country. No self-esteem problems here, right? After all, why would we, privileged Harvard Law students, who supposedly have everything, except for looks — come on, we are an ugly bunch don't be shy about it — ever be concerned with our own self worth?

But back to my turd and his accusations. Perhaps we all have to find a meaning in life in order to go on, so here I go searching for that elusive G-spot. I am not a religious type, although a tickling sensation in the back of my mind tells me I belong to some temple/church/mosque/coven. Religion has always seemed like the 12th man off the bench to me. Much as prisoners on death row make their peace with God because no one else will talk to them, so the 12th man comes off the bench when there is no point left to the game — win or lose. I have to admit, though, that I have always been envious of people with faith, but it is just something that I will never understand so I fight on at my turd's behest.

I turn to my country. Perhaps that will give my life meaning (think "A Few Good Men"). What's a country really, when you think about it? It's a nonsensical division of people by boundaries that symbolize nothing more than one empire's failure to conquer another. The Empire that is the United States will fall like Rome before it. Maybe one of our leaders will be remembered as someone important. Who will get to be Caesar? What about Caligula or Nero? Most likely Truman cause he dropped the bomb, and it is a lot easier to remember the shitty things people do rather than the good (sorry Shakespeare).

I have been told that one's friends and family are meaningful enough, but frankly they are no more meaningful than a butterfly collection, doomed to obscurity in the annals of history when the last of the line dies out. I like my friends and family well enough, stand by

them at all costs, but as a collective, we are meaningless. We'll go through our meaningless lives, do our meaningless things only to die our meaningless deaths and become the turds we excrete on a daily basis.

If I were a romantic I might say that love is the one meaningful thing in life, but that kind of crap should be reserved for drunk women at the Kong and romance novels. Romeo and Juliet had to kill themselves or else they would have grown old, fat, and hateful. Love is as fleeting as an erection. Once the juice is sucked from it, there is nothing left but an empty shell. Maybe someone reading this has a love story to tell about themselves or their parents. Save it for your grandkids 'cause the rest of us are jaded.

If I were a law and economics type, I might say that utility was the only point in life. Hmm, utility means discovering what is useful to me. My turd asked me why I don't do anything of use. So to answer my turd by stating that I should find meaning in what is useful to me is to answer nothing.

Finally, this gets me to the realization I had while contemplating my turd. The only point to life is life itself. We should

all strive to live forever, because, if there is no point, then you might as well sit around and enjoy it. Saying it straight out like that doesn't make it sound so appealing, but most of us already have that as the background for everything we do. It is the ultimate form of egotism and I am proud to espouse it openly. Others hide in selflessness. Perhaps going into politics, public interest, a comfortable lifestyle. Why? To make the world a better place, to mold it into your ideal vision, to help your causes. For what? So that posterity will honor you, or at least so you can honor yourself on your death bed.

I say screw the death bed. Live forever and forget about meanings and love and money. Feast on your own ego for a few millennia — if it is as big as Harvard, wants it to be, then it will be an endless supply of nutrition.

But seriously, how do we go about living forever? Simple — cloning plus brain transplants equals forever young. Now all we need to do is to walk over to the Med School and find someone just as soulless as we are and get them to figure out how to perform the surgery.

Thank you, turd! I will always remember your sound advice.



Follow me to the Hark...
They've got corn chowder today!



'DO YOU LIKE SCARY MOVIES?'

By Tanya Marsh '00
RECORD Columnist

To tell you the truth, I'm not really a fan of horror films. I've seen *Nightmare on Elm Street*, but only because I heard that it featured a young Johnny Depp. I've caught snippets of *Friday the Thirteenth*, Stephen King flicks, and the like on late-night cable, but I'm usually more grossed out than frightened. (Saw *Cujo* for the first time the other night. Ick.) Given my lack of interest in slasher flicks, it is perhaps surprising that my favorite scary movie is one that simultaneously celebrates and satirizes the genre — *Scream*.

Scream was written by Kevin Williamson, the creator of *Dawson's Creek*, and directed by Wes Craven, well-known for the Freddy Krueger franchise. Witty and self-referential, *Scream* was quite original and genuinely scary. This time around, Williamson was too busy with *Teaching Mrs. Tingle* and the quickly cancelled *Wasteland* (great choices, huh?) to pen the script, so Miramax turned to their new rising star, Ehren Kruger (*Reindeer Games*) to finish the trilogy. The result is a script that is quite loyal to the characters and spirit of the first two *Scream* movies, adding surprising twists and turns that keep the audience guessing until the final act.

Note: If you haven't seen the first *Scream*, stop reading this column right now and go rent it. You won't understand anything I have to say anyway, and although it would be best if you saw both

Scream and *Scream 2* before venturing into the theatres to see the third film, the second movie isn't mandatory.

In *Scream*, after Sidney Prescott's (Neve Campbell) mother was violently murdered, she was pursued by a madman in a mask who knocked off her friends one by one. *Scream 2* saw Sidney go to college, where a copycat brought the slaughter to campus. At the end of the first two films, only three main characters from the original survived: Sidney, sweet but goofy Dewey Riley (David Arquette) and the obnoxious "anything for a story" journalist Gale Weathers (Courtney Cox Arquette).

This time around, Sidney is living alone in the hills ("like the Unabomber," as one character remarks), trying to make peace with her past. Meanwhile, in Hollywood, production has begun on *Stab 3*, the movie within a movie based on Sidney's real life horror. Before the opening credits even roll, a new killer with a familiar mask has claimed his first victims and our heroes slowly migrate to the movie set to figure out what's going on this time. I won't spoil the experience by telling you any more, but let me simply paraphrase movie geek Randy's (Jamie Kennedy) warning: in the final chapter of a trilogy, everyone, even the heroine, is at risk.

Scream 3 plays with the audience like a cat with a mouse. In one scene, Dewey and Gale are alone in a big Hollywood mansion with the killer. Despite having

lived through two of these adventures, they actually *separate* several times to search for survivors. Each time, the audience groaned loudly at their temporary loss of common sense and more than one viewer actually yelled at the screen — "Dewey! What are you doing?" But Craven and Kruger are just having a little fun with all the bumbling victims of conventional slasher flicks. That's the fun of the *Scream* movies — they are so smart and fresh that you never know what's coming.

Although the previous two flicks had memorable

cameos by the likes of Drew Barrymore and Sarah Michelle Gellar, *Scream 3* tops them both by giving us a dose of Jay and Silent Bob. Only fans of Kevin Smith movies (*Clerks*, *Dogma*) will recognize the intrepid duo, but this moviegoer was just plain tickled with this creative cameo. Once again, *Scream* shows both its hip sensibilities and its allegiance to Generations X and Y. Nifty.

Another clever bit of casting was Parker Posey, the princess of ultra-cool (or "ultra lame" according to Dusan) indie movies, as Jennifer Jolie, the actress hired to play Gale Weathers in *Stab 3*. Posey's Jennifer follows the real Gale around like a puppy, furiously trying to adopt her mannerisms and attitude. She even tries to get close to Dewey to learn more about her role. But when the real Gale contemptuously dismisses Jennifer, the puppy bares her teeth: "I'm not going to win any awards playing you!" For a good part of the movie, Jennifer refuses to leave Gale's side. Her twisted logic? The killer is following the order of deaths in the *Stab 3* script so Jennifer's Gale is the next to die. But, Jennifer explains, if the killer goes after her and finds Gale, he will pass up the actress for the real thing. Unfortunately for Jennifer, she doesn't get a chance to explain this sound reasoning to the killer.

Little episodes like this are what make the *Scream* movies special. The characters are well drawn and consistent and, for the most part, aren't simply one-dimensional fillers who scream on cue. The script is heavily anchored in pop culture and assumes that its audience is up to speed and in on the joke. This ain't a po-

tential Oscar nominee, folks, but it is a lot of fun.

Bits o' Buzz

Although we are still in the Hollywood blahs, there are a couple of forthcoming releases that I eagerly anticipate. First,



Parker Posey, Courtney Cox Arquette, and David Arquette star in Dimension Film's (read: Miramax) *Scream 3*.

Wonder Boys, starring Michael Douglas and Frances McDormand, is director Curtis Hanson's first effort since the outstanding *L.A. Confidential*. Douglas is a married pot-head going through a midlife crisis. Sound familiar? I love Hanson, but this won't be another *American Beauty*.

Second, *Reindeer Games*, also written by *Scream 3* scribe Ehren Kruger, looks like an inviting bit of cotton candy — fluffy and without substance, but somehow it manages to hit the spot. In *Reindeer Games*, local stud-muffin Ben Affleck is being positioned as the Gen-X action hero. "See the smile on my face? Ear to ear baby."

In more long-term news, word has it that Julianne Moore, the hardest working woman in Hollywood, is set to take over Jodie Foster's role as FBI Agent Clarice Starling in *Hannibal*, the sequel to *Silence of the Lambs*. Anthony Hopkins is already signed to star and Ridley Scott is on board to direct. Apparently the book by Thomas Harris ends with Clarice and Hannibal sharing a cannibalistic meal. Gross, but it should be interesting.

A final note: as you may know, many American television shows are simply knock-offs of BBC shows including the hit-of-the-moment, *Who Wants to Be a Millionaire?* Since its debut, the American version has been heavily criticized in the British press as a dumbed down rendition of the original. Idle chatter no more — I read in *Variety* the other day that the British insurer of the ABC show is threatening to cancel their policy if the writers don't make the questions more difficult. Admit it folks, it ain't *Final Jeopardy*.

It can be lonely at the top...

Come on down to the
Ames dungeon...

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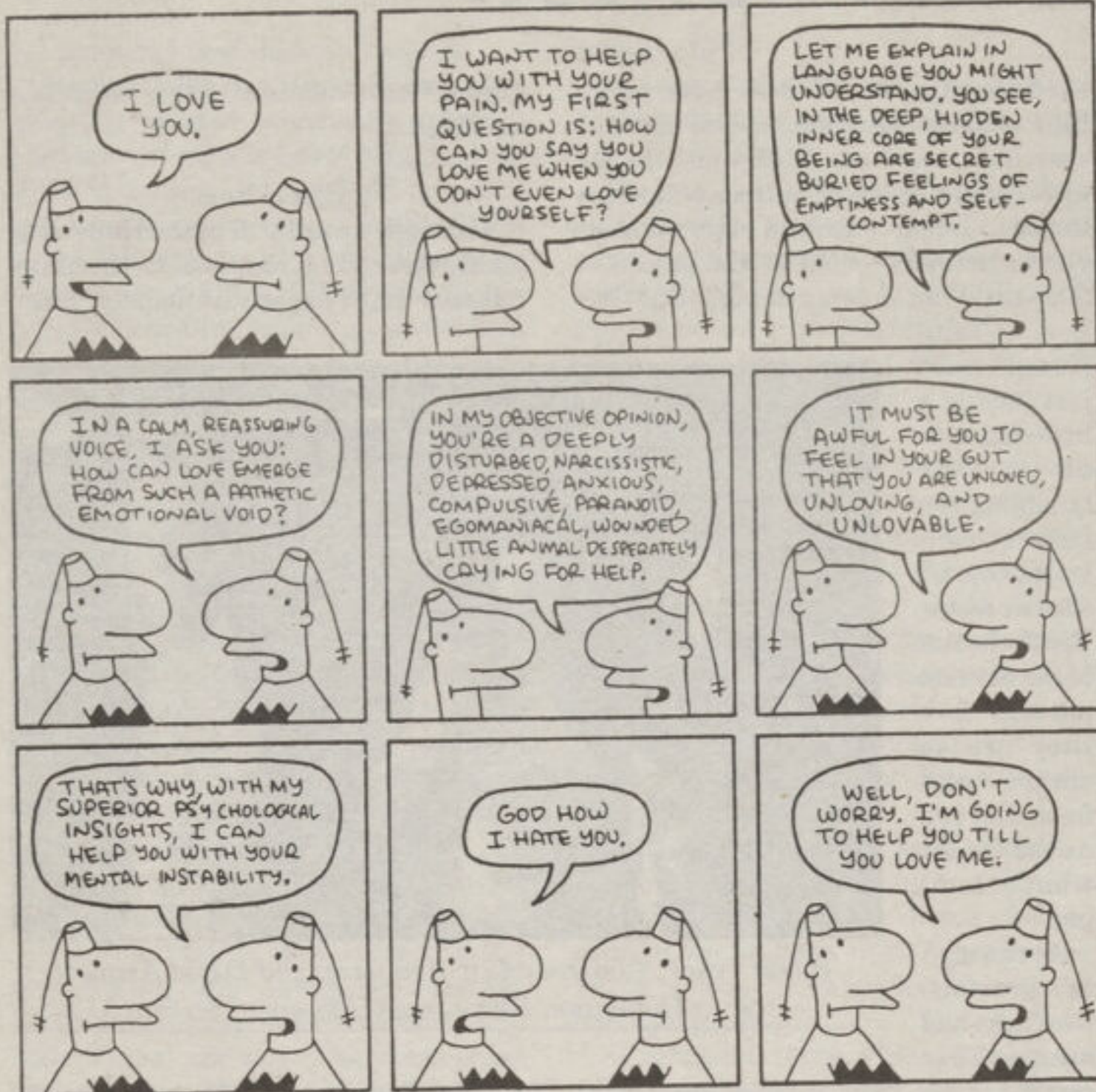
One lucky cinephile (maybe you!)
will win an evening at the movies
and dinner for two.

Simply predict the Oscar winners for a
few top categories and fame and this
lovely prize package will be yours.

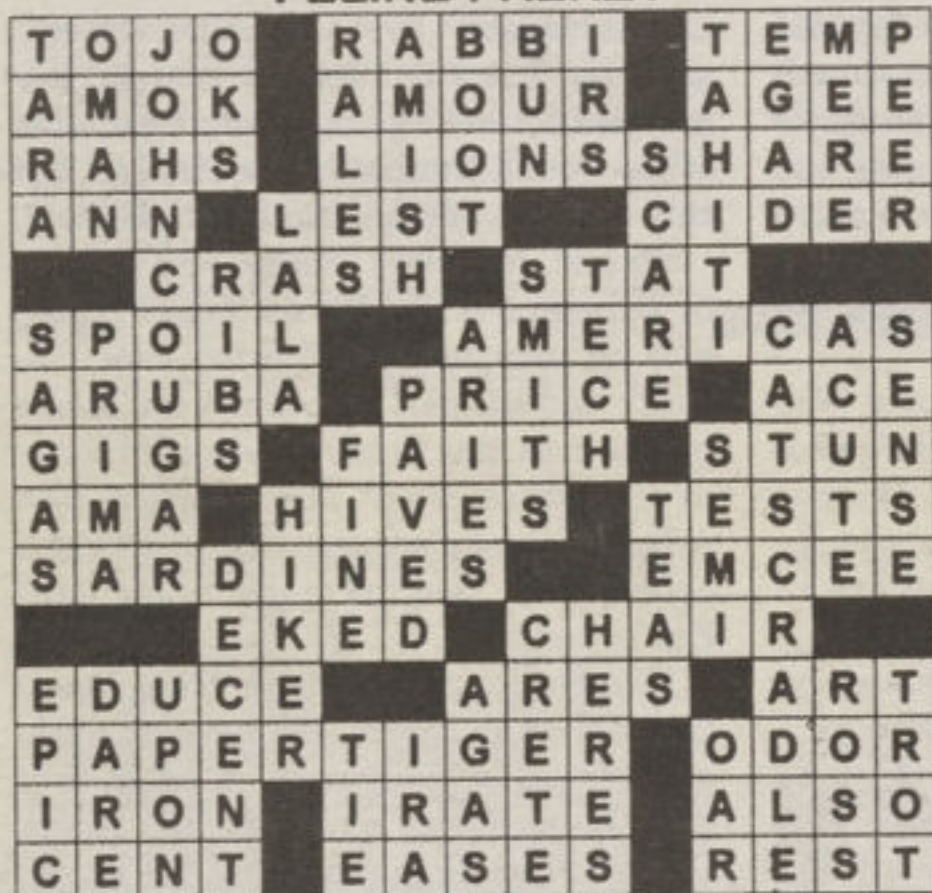
Entry forms will be printed in
forthcoming issues of the RECORD.

LIFE IN HELL

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BY MATT
GREENING



FELINE FRENZY



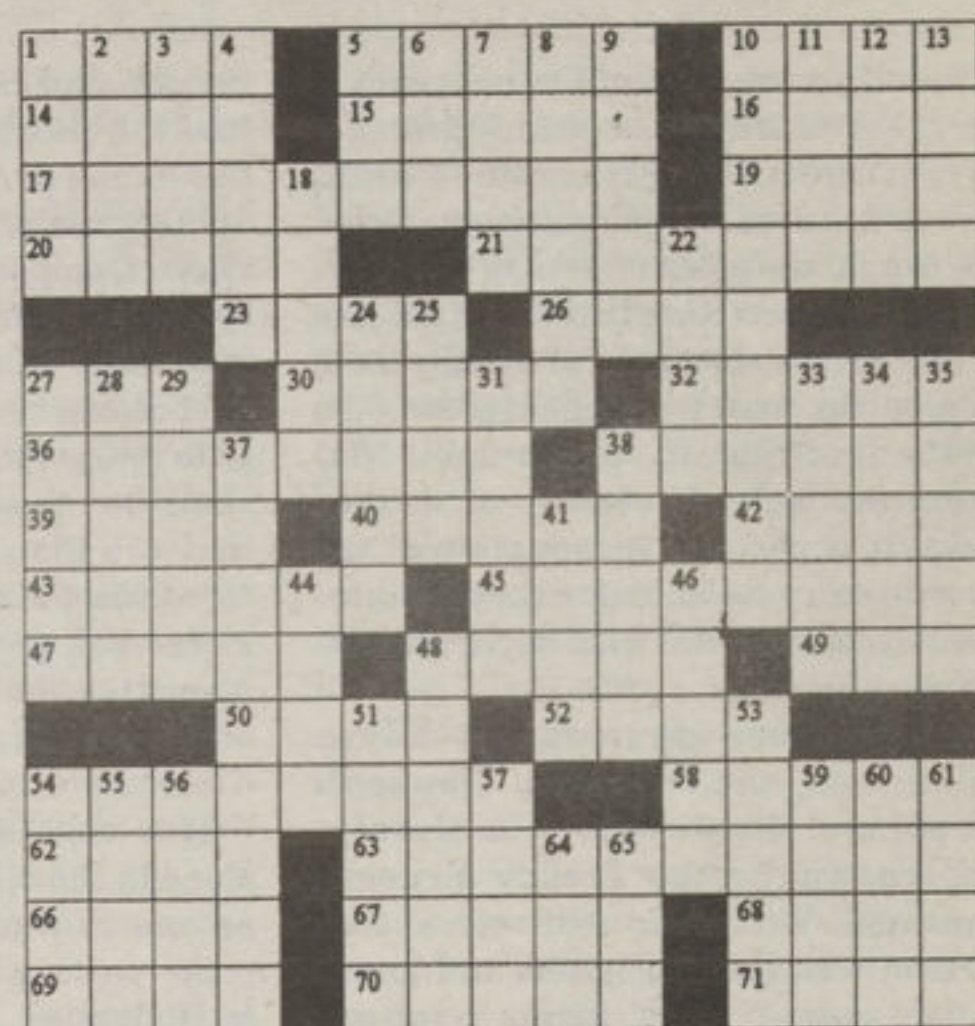
Crossword 101

By Ed Cauty

"Hydrotherapy"

- ACROSS**
1 Gibson & Brooks
5 Wagner's overture
10 Reed instrument
14 Jai
15 Let do
16 Hairdo
17 Flatley's creation
19 Follows Big or Down
20 Ethiopian lake
21 Rayons
23 Retired
26 Biblical garden
27 Non-Com
30 Make fuzzy
32 Throbbled
36 Troublemaker
38 Camden Yard player
39 Tolstoy's Karenina
40 Excuse
42 Spat
43 More humble
45 S. E. Asian country
47 Miscued
48 Rajah's wife
49 Dynamite
50 Domesticate
52 Irish Gaelic
54 Chicken Little for one
58 Like the Old Bucket
62 First woman AG
63 Bligh or Kidd
66 Brute
67 Claw
68 French 101 verb
69 Remain as is
70 Stairs
71 Fish eggs

- DOWN**
1 K-
2 Whitney & Wallach
3 Volcanic rock
4 Italian city
5 Craze
6 carte



- 7 Arm bone
8 Pele's specialty
9 Famous Boss
10 New Jersey resort
11 Catamaran
12 Belgian River
13 Newts
18 Jewish leader
22 Precedes down or up
24 "Pomp & Circumstance" composer
25 Distribute
27 Disgrace
28 DOA
29 Laser printer need
31 Inner self
33 Lift
34 Petite
35 Remove flab
37 Freshwater fish
38 Edmonton player
41 Poison

- 44 Dutch treat
46 Fabled person
48 Fix a chair
51 Drizzles
53 Diner
54 Greek god of war
55 Latvian
56 Pot starter
57 Story
59 O.J. trial witness
60 Ireland
61 Compass pts.
64 Constable
65 Ques. retort

Quotable Quote

"Unfortunately our affluent society has also been an effluent society."

... Hubert H. Humphrey

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BEFORE THE LAW



BY DEREK WINDHAM

Doonesbury

BY GARRY TRUDEAU

