



We're Outta Here

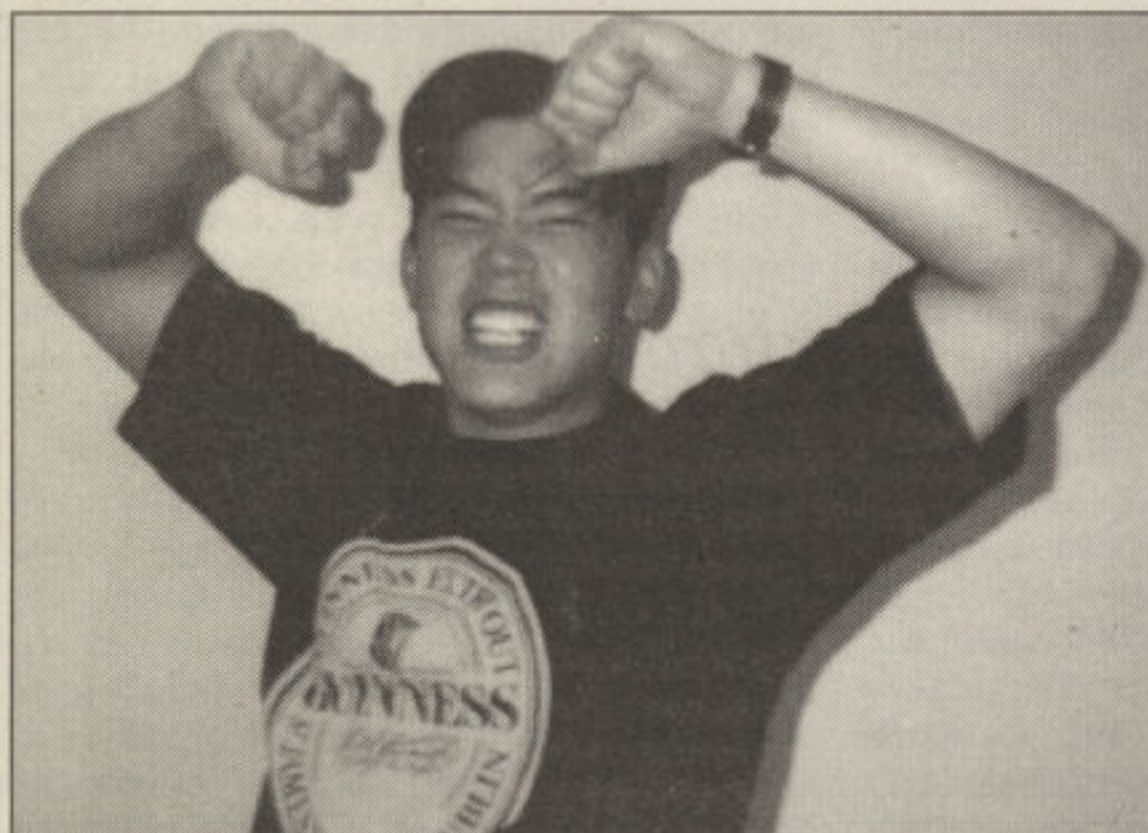


Photo by Jon Rose

Tony Lim '00 rejoices at the prospect of leaving Hark food behind.

Student work key to LIPP reform

by Justin Herdman and
Francesco Barbera

Dean Clark '72 has announced a series of sweeping reforms to the Law School's Low Income Protection Program (LIPP). The reforms dramatically increase the salary cap from \$51,000 to \$72,000, virtually ensuring that alumni working for the federal government or in the public interest sector will receive some financial support from the Law School after graduation.

In addition to the salary cap increase, the reforms reduce

the percentage of income from 60 percent to 50 percent that graduates earning between \$40,000 and \$51,000 must contribute towards loan repayment. The reforms also expand LIPP coverage during parental leave from three to six months, increase the asset protection allowance from \$3,500 to \$5,000 for each year out of law school (plus the base of \$5,000, which has not changed), and increase bar loan eligibility from \$3,500 to \$7,000.

Clark, who announced the changes in a school wide email on Tuesday, credited the

Financial Aid Committee with finalizing a workable proposal. "I put a lot of trust in the group on the Financial Aid Committee," Clark said. Clark also praised Prof. Margo Schlanger and the Connections to Practice Committee, part of the Dean's Strategic Planning Process, for contributing to the LIPP reform effort.

The Dean's announcement marks the culmination of a two-year student reform effort spearheaded by SPIN, a non-partisan group representing

Please see *LIPP*, p. 27

Law School mourns passing of esteemed profs

by RECORD Staff

HLS recently lost two of its most esteemed professors: Louis D. Brandeis Professor of Law Gary Bellow '60 died of cardiac arrest on Thursday, April 13, and Felix Frankfurter Professor of Law Emeritus Abram Chayes '49 died of complications from pancreatic cancer on Sunday, April 16. These losses followed on the heels of the death of former Dean James Vorenberg '51, Roscoe Pound Professor of Law, two weeks ago.

Bellow was the founder and former faculty director of HLS's Clinical Programs. He was widely known both as a specialist in the areas of public interest and poverty law, as well as one of the founders of modern clinical legal education. Bellow received credit for developing a new model of clinical legal education in which law school faculty members and experienced attorneys use simulated exercises and extensive hands-on training to instruct students, typically at on-site facilities in local communities.

"Gary Bellow was a remarkable man and a tremendous, positive

influence on legal education and service to the poor," said Dean Clark '72, "Harvard Law School has lost one of its most distinguished faculty."

Professor Charles Ogletree '78, the current director of the HLS Clinical Programs, also said that Bellow will be missed. "Gary Bellow's career, from start to finish, was focused on public service, and his extraordinary legal talents helped clients facing the loss of life, liberty and property in courtrooms throughout America," Ogletree added.

Along with his wife, Lecturer Jeanne Charn '70, Bellow co-founded the Hale & Dorr Legal Services Center, the school's major legal clinic, located in the Jamaica Plain neighborhood of Boston. Bellow also served as an instructor at the Hale & Dorr Center.

"The legal profession and those who must struggle to be served by our system of justice have lost a



Bellow '60



Chayes '49

great teacher and an ardent advocate," said Hale & Dorr Chairman John Hamilton Jr. '60, who was a classmate of Bellow's at HLS, "It was a great privilege to have partnered

with him through the Hale & Dorr Legal Services Center."

Bellow was born on June 9, 1935, in New York City. He graduated from Yale University in 1957, and after attending HLS went on to earn an LL.M. degree from Northwestern University School of Law in 1961. He served in the Army from 1961 to 1962.

Bellow served as Deputy Director of the Legal Aid Agency for the District of Columbia from 1962 to 1965. The difficulties that Bellow encountered in this role helped spark his later passion for clinical legal education. "We discovered the best legal education America had to offer didn't teach us how to get

Please see *PROFS*, p. 26

Tribe '66 answers White House critics

by Doug Sims

In a April 25th op-ed in the New York Times, Prof. Lawrence Tribe '66 questioned Attorney General Janet Reno's '63 legal authority to order law enforcement agents to enter the Miami home of Lázaro González in order to seize his great-nephew, Elián. Later that day, Tribe's views were challenged both by a Clinton administration official at a press conference and Timothy Noah, a contributor to *Slate*, an on-line magazine covering politics and culture. In a telephone interview with the RECORD, Tribe clarified his views and claimed that the criticisms were off the mark.

Tribe said that both the administration and *Slate* erred by interpreting his criticism to focus on the form and procedure of the warrant. In his article, Noah claims that Tribe "failed to do his homework." He attributes to Tribe the view that the warrant obtained by the Justice Department was faulty because it did not specify that Elián was the item to be seized.

Tribe told the RECORD his arguments turn neither on what was written on the warrant nor the details of how it was obtained, but rather on the Fourth Amendment's requirement of probable cause. "The Fourth Amendment protects citizens from unreasonable searches and seizures. Its history is bound up with the fear that the executive branch will locate too much power in its own hands," Tribe said. "The law was never that the executive branch could search and seize without justification . . . To put the warrant up front without analyzing its underlying basis is to miss the point. The government needs probable cause — evidence of a crime or the harboring of a criminal."

In Tribe's view, the Justice Department's efforts to liken Elián's situation to that of a hostage, thereby justifying the intervention, was "pure bootstrapping." He expressed skepticism towards the authority cited by the Justice Department in support of its position: a 1998 district court decision dealing with a father who refused to comply with a court order that transferred custody of his child to the maternal grandmother. In citing this case, Tribe said, "[The Department of] Justice made the basic mistake of analogizing itself to a court. There's a difference between an executive seizure to enforce the orders of other branches and what we have here, which is an executive seizure to enforce one of its own decrees."

Tribe underscored that even the most sympathetic reading of the government's position — that Lázaro González's refusal

Please see *TRIBE*, p. 3

NEWS ANALYSIS: SUPREME COURT UPDATE

Reviewing term: Court abandons low profile

by Francesco Barbera

With the chants of protesters echoing through its chambers, the Supreme Court has entered the final stretch of its term, hearing oral arguments in some of the most heated controversies on its agenda. The past weeks' high-profile events — including arguments in the first abortion case in eight years — punctuated a term that is sure to be regarded as one of the most significant in recent memory.

On a range of doctrinal fronts, from the First Amendment to the right to privacy, the Rehnquist Court has made it clear that it will not shy away from the most divisive issues of the day. The

term marks an abrupt departure from the its relatively modest public image in recent years. Said Prof. Richard Fallon: "It's clear they don't have much interest in lowering the judicial profile, if ever they did."

Abortion

On Tuesday, as protesters on both sides of the issue paced the rain-soaked streets outside, the justices heard arguments in a case challenging the constitutional validity of a state ban on the controversial procedure known as "partial-birth abortion." The case is the Court's first confrontation with abortion since its reaffirmation of *Roe* eight years ago in *Casey v. Planned Parenthood*. At

issue in the case is a Nebraska law which authorizes prison terms of up to 20 years for doctors performing the procedure. The law is similar to statutes enacted in 30 other states that have banned the procedure.

At oral arguments, a majority of the justices — six of whom support the right to abortion — appeared deeply skeptical of the law. Supporters of the right to abortion like Justice Ruth Bader Ginsburg '56-'58 and Justice Sandra Day O'Connor noted that the law's vague language may encompass a common abortion procedure known as dilation and evacuation, and thereby place an undue burden on abortion. At oral arguments,

the state contended that the law has been construed by the state's attorney general to apply to a far less common procedure, dilation and extraction (D & X).

Ginsburg, who was appointed after the Court's decision in *Casey*, noted that the statute does not advance recognized state interests in regulating abortion, namely the health of the mother and the potential life of the fetus. The statute does not include an exception for the health of the pregnant woman, undermining the first interest, and it leaves open alternative abortion procedures, undermining the second.

Please see *COURT*, p. 25


 Hale and Dorr wishes to congratulate
 the Harvard Law School graduates
 who are members of the Firm's 2000 Fall Class:

↑
 Lauren A. Brakonietcki
 Alison E. Cantor
 Jennifer L. Carpenter
 Julie E. Cho
 Julie A. Hogan
 Joel B. Kemp
 Emily B. Reines
 Mark L. Rienzi
 Elizabeth I. Rogers


 and wishes to welcome the following
 Harvard Law School students
 to the Firm's 2000 Summer Program:

↑
 Yordanka Valdés Delionado

 '01
 Peter K. Binas
 Charles E. Borden
 Daniel E. Cochran
 Joshua D. Fox
 Justin Holbrook
 Timothy R. Jezek
 Leonard J. Kardon
 Craig R. Mooney
 Gregory F. Noonan

 '02
 Sashi Y. Brown
 Ashleigh S. Kyle
 Michael G. Salmon
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Law School sounds off on Elián case

by Doug Sims

On April 22, Federal agents stormed the home of Lázaro González in Miami, Florida to remove Mr. González's great-nephew, Elián, a Cuban refugee who had been staying at the house since November 1999. The RECORD spoke with family law and immigration law specialists to frame the legal issues involved. The RECORD also interviewed five Cuban-American HLS students in an effort to capture some of the diversity of views in that community.

Immigration Law

From 1991 to 1997 Rosemary Jenks '01 was a researcher at the Center for Immigration Studies, a non-partisan think tank in Washington, D.C. According to Jenks, Cuban refugees have been accorded preferential treatment over all other asylum seekers since at least 1966, when Congress passed the Cuban Adjustment Act. Under the Act, Cubans who arrive illegally are automatically granted the right to stay and to apply for permanent residency after 1 year. After four years they may apply for citizenship; the first illegal year counts towards that total. No other refugee is automatically entitled to apply for citizenship, and when a non-Cuban refugee is permitted to apply, the first year never counts toward the four year total.

After the last mass exodus from Cuba in the mid-nineties, the Cuban policy was changed to what is known as the wet foot/dry foot policy. The previous rule made no distinction between Cuban refugees intercepted at sea and those who made it to U.S. soil. Under the new rule, Cuban refugees intercepted by the Coast Guard at sea are immediately sent back to Cuba. Though he was intercepted at sea, Elián was rescued by fishermen rather than the Coast Guard. Deborah Anker LL.M. '84, refugee clinic instructor and immigration attorney, explained that Elián benefited from a discretionary INS decision to grant him parole to a relative other than a parent.

Professor Martha Minow stated that the major issue implicated, but not discussed in the González case, is the children who are not paroled. "The major human rights issue exposed by this case, in my mind, concerns the treatment of the thousands of unaccompanied minors who arrive in this country without complying with immigration laws," Minow said. "I wish some of the concern about Elián could translate into concern for these other children."

Family law expert Professor Elizabeth Bartholet '65 sees two interesting issues raised by Elián's case, one related to the ability of Elián's Miami relatives to seek custody, the other bearing on Elián's capacity to speak for himself.

Even if the Miami relatives are fortunate enough to get to family court, Bartholet doubts that the Miami family has legal grounds to contest Juan Miguel González's custody of his son. Family law principles dictate that in all but most exceptional situations, parents decide all important issues for immature children. A child as young as Elián would never be deemed capable of making decisions for himself. The few exceptions to this rule occur in cases of de facto custody, when a child has been in the custody of a third party for a number of years.

Some Cuban Perspectives

There is a striking consensus of opinion

among the five Cuban-American HLS students interviewed. None of the interviewees were born in Cuba, and some have no remaining relatives there. All are from Miami, though — Mercy Rodríguez's '00 grandparents live "two blocks away" from the González's home in Little Havana. Arlene Delgado '02 was also raised nearby.

The specter of Fidel Castro looms large for all those interviewed. Rodríguez summed up the central contention of the group when she said the issue in the case is not who gets custody of the child, but "who has custody of the father." Among those interviewed, there is a common belief that Elián's father, Juan Miguel González, is essentially controlled by the malevolent puppeteer in Havana, and hence unable to exercise free and independent judgement.

Some, like Delgado, at least partially credit unverified reports that Juan Miguel González either abused his son or is indifferent towards him.

"I don't think we should dismiss [the allegations] particularly because those allegations are being made by his own family," said Delgado. "This is the paternal family making these accusations about their own relative."

But Humberto Reboredo '00 was troubled by the source of the allegations; he preferred to suspend judgment. "There's no way to know that he's a good father, there's a lot of propaganda," said Reboredo. Mark Lopez '02 would like the allegations to be investigated in family court.

Doubts about the independent motives of Juan Miguel González and a belief in the transcontinental reach of Castro, influence the interviewees' opinions on most other issues. Most concede that tradition as well as undisputed family law principles dictate that Elián be with this father, but they simultaneously believe that the views of Elián's Miami family should be weighed equally with those of his father in any judicial proceeding. Other interviewees felt that the Miami family should have standing because they aim to fulfill the dying wish of Elián's mother.

The interviewees expressed few doubts about the tactics or intentions of Elián's Miami relatives. They take the Miami Herald to be the only reliable news source on this issue; interviewees cited unheralded Herald evidence, such as Juan Miguel González's three attempts to obtain a U.S. visa, that was given scarce attention in the national media.

"All the media focuses on the father's rights and don't focus on the Cuban constitution, [in which] fathers don't have rights over their children," said Rodríguez.

In light of Saturday's commando-style raid on Lázaro González's Little Havana residence, the Clinton administration has begun to bear a level of scorn previously reserved only for Castro. The interviewees see Clinton's actions as being pro-Castro, or alternatively, as influence by Castro's threats to allow another mass exodus of undesirables from Havana.

Depending on one's perspective, the Cuban American interviewees emerge as overly defensive or justifiably proud. They seem to share a genuine concern for the welfare of the young boy and melancholy at the apparent inability of most of their fellow citizens to fully empathize with their situation.

"The amount of media coverage makes the public at large critical of the situation. To see fellow Americans look at you like you're and extremist or out of touch with reality hurts — you realize that freedom and liberty is taken for granted in this country," said Reboredo.

continued, "We ordered the kid out, he's still there, therefore he's unlawfully restrained." He added that the idea that Elián remains in the United States due to the courtesy of the INS "explodes" with the 11th Circuit order requiring him to stay in the country.

And what of the searching scrutiny of U.S. Magistrate

Robert Dube? "Everyone knows that independent review is a mirage, a rubber stamp — especially when a magistrate is confronted with so august a figure as the Attorney General," Tribe said. Tribe added that no amount of review could substitute for a hearing where the family could present its side, nor could review "plug the hole created by the legal defect."

• Briefs •

Cochran denounces racial profiling

During a lecture at HLS, attorney Johnnie Cochran said that incidents of racial profiling by police have become common across the U.S. in recent years.

"If you're a person of color, you know what it means to be driving while black, flying while black, shopping while black, jogging while black,

walking while black, and, yes, even breathing while black," said Cochran, who became nationally known for his successful defense of former football star O.J. Simpson.

Cochran urged students to "use the law to effect change," adding that the "courts remain our best hope."

HLS Defenders celebrate 50th year

The Harvard Defenders, a student organization that provides legal representation to low-income persons accused of crimes, will celebrate its 50th anniversary on April 29. As part of the anniversary celebration, the Defenders will sponsor a symposium on the effects of media coverage of major trials on the practice and ethics of attorneys in the criminal justice system.

Panelists will include former members of the Defenders, including: Samuel Dash '50,

who served as chief counsel to the Senate Watergate Committee; and former Massachusetts Attorney General and current Common Cause president Scott Harshbarger '68. Also participating will be Nicole Seligman '83, who served as a member of President Bill Clinton's impeachment defense team. The symposium will be moderated by Professor Charles Ogletree '78 and run from 3:30 p.m. to 5:30 p.m. in the Ames Court Room, Austin Hall.

ILJ articles win prize, judicial notice

ILJ publishes award-winning piece, cited by Israeli Supreme Court

An article published by the Harvard International Law Journal has won the Deak Competition for the best student-written piece of 1999 on international law. "The Naked Land: The Dayton Accords, Property Disputes, and Bosnia's Real Constitution" by Timothy Waters '99 won the competition, which is organized by the International Law Students Association. The article examines the system of property dispute resolution established under the Dayton Accords, unveils the tensions between the international community's lofty objectives and the real constitution in force, and suggests the most realistic path for future protection of

human rights. The article was published in the Spring 1999 issue of the Journal.

In a separate development, an International Law Journal article published in the Winter 2000 issue was recently cited significantly by the Israeli Supreme Court in a controversial case concerning Lebanese detainees in Israel. The article, entitled "Missing in Legal Action: Lebanese Hostages in Israel," argues that Israeli authorities violated domestic law by detaining the prisoners. In the most recent decision in early April, the Court ruled six to three in favor of releasing the prisoners and employed reasoning that was similar in many points to that of the article. The article was written by two Israelis: Orna Ben-Naftali and Sean Gleichgitch.

UCLA professor to head tax program

Eric Zolt has been appointed Director of the International Tax Program at Harvard Law School, Visiting Professor of Law, and John Harvey Gregory Lecturer on World Organizations effective July 1. Zolt's research and teaching interests are in individual, corporate and international taxation, and the tax systems of transition economies. He is currently Professor of Law at UCLA School of Law.

"Eric Zolt is a leading expert in designing tax systems for developing countries and countries making the transition to a market economy," said Dean Clark '72. "His experience in private practice, academics, and government service makes him an excellent choice to direct the International Tax Program."

From 1989 through 1992, Zolt

served in the Office of Tax Policy, Department of the Treasury, first as Deputy Tax Legislative Counsel and then as Director of Treasury's Tax Advisory Program for Eastern Europe and the former Soviet Union. Working with the U.S. Treasury Department, the World Bank, and the IMF, he has provided technical assistance in reforming tax systems in more than 25 countries. Before beginning teaching at UCLA in 1985, Zolt was a partner in the Chicago office of Kirkland & Ellis. He earned a J.D. from the University of Chicago School of Law, an M.B.A. from the University of Chicago Graduate School of Business, and a B.S. in Economics from the Wharton School at the University of Pennsylvania.

TRIBE

Continued from page 1

to hand over his grand nephew amounted to unlawful restraint — lacks coherence because it rests on the questionable theory that the greater power of transfer necessarily includes the lesser power of removal. "At most this [theory] says," Tribe

TAKING STOCK

Now it's up to the faculty. An overview of the Strategic Planning Process, which is scheduled to complete its second year of work in the next several weeks, reveals that when it comes to the future of Harvard Law School, a great deal of debate, brainstorming, and compromise must be expected.

Five committees — Academic Development, Connections to Practice, Infrastructure & Resources, Institutional Life, and Internationalization — have either finalized proposals or expect to finish plans for the reform of every aspect of HLS life. The completed proposals now reside in the Steering Committee, which will work with the faculty to approve an entire slate of institutional changes.

Steering

The Steering Committee, chaired by Prof. Dan Meltzer '75, will be charged with ushering the proposed recommendations to the faculty. The Steering Committee composed of the chairs of all five strategic planning committees, plus two student representatives.

In terms of timing, the individual committees are expected to complete their efforts by the end of the current academic year. "My hope is that the separate planning committees will finish their work this semester," Meltzer said, "but the Steering Committee will continue next fall to actually put together the plan for faculty approval."

Dean Clark '72 anticipates a completion date for the strategic planning process in the fall. "We had hoped for a draft overall plan for this semester," Clark said. This time frame has since proven to be "a little unrealistic," Clark said. After consultations with the faculty, the hope is that strategic planning will go forward as "one big plan", according to Clark. A faculty vote on

such a plan would have to be "all or nothing," Clark said, and will hopefully occur "early in the fall."

Meltzer agreed. "I think [early fall] is realistic," Meltzer said. "Setting priorities will be challenging, and there remain some important issues on which there is not yet consensus."

While various proposals have been forwarded to the faculty already, Meltzer stressed that these plans are merely there for discussion. One example is the Connections to Practice Committee's proposal for a pro bono requirement, which will be discussed in Friday's faculty meeting. "As with other proposals, we have been having preliminary faculty discussions for feedback and to help refine proposals, but votes have not been taken," said Meltzer about the pro bono proposal.

Another upcoming faculty meeting will be held to discuss the two separate grading reform proposals that have been completed by the Institutional Life Committee and the Academic Development Committee. After faculty discussion, each proposal will be sent back to the Steering Committee before a final faculty vote. The faculty meeting will be held after a scheduled open meeting to discuss both grade reform proposals.

The task of prioritizing the strategic planning proposals will likely fall to the Steering Committee first. "I expect the Steering Committee will take the first crack at it," Meltzer said, "but anything it recommends will be subject to faculty discussion and approval."

Student opinion will continue to be solicited by Steering Committee members. "As always, the Law Student Council [LSC] will appoint students to the committee after seeking applications from the student body with the input of professors and administrators," said Jay Munir '01, president of

LSC.

Meltzer affirmed the presence of student voices in the Steering Committee's work. "There will be student members of the Steering Committee, as there have been for each of the past two years," said Meltzer.

And Munir is not immune to the obligation conferred upon student representatives to the committee. "This is an important institutional responsibility for student government," said Munir, "because it provides an organized mechanism through which committee members are accountable to students."

Academic Development

The Academic Development Committee, chaired by Prof. Todd Rakoff '75, has already submitted several proposals to the Steering Committee. Of these, grade reform is slated for consideration by the faculty on Friday, May 5.

The committee's proposed grade reform would institute a five-tier system of evaluations. Some criticism of Rakoff's proposal has been expressed in student polling conducted by Catalyst and by Amy Oliver '00, who is a student member of the Institutional Life Committee. According to supporters of Warren's three-tier proposal, Rakoff's plan would not allow employers to evaluate students on out-of-classroom criteria. He said: "It's not so clear that students will have a dossier to demonstrate other virtues" by the beginning of the second year, when grades become more important in the eyes of law firms and judges.

Rakoff pointed out that although his committee and the Institutional Life Committee are considering different solutions to the same problems, there are many similarities between their approaches. For instance, both committees have determined "that the 1L cur-

riculum deserves a greater percentage of faculty time than its been getting," Rakoff said.

He also pointed to a need for more course selection in the spring semester of the first year. "Required courses,

Strategic Planning

Two years of work
controversial solution

while very fundamental in terms of legal thinking, don't represent the entire universe of law," said Rakoff, saying that students should be encouraged to take courses with more regulatory or statutory content.

Though the committee still has one more meeting remaining, Rakoff said, "We feel like we're about done."

Connections to Practice

The Committee on Connections to Practice, chaired by Prof. Andrew Kaufman '54, has forwarded four finalized proposals to the Steering Committee. The first, and according to Kaufman "most controversial", is the requirement for 40 hours of pro bono work as a graduation requirement. The committee has also proposed a reform of the Low Income Protection Program (LIPP), a lifetime counseling program, and a plan relating to the Program on the Legal Profession.

The committee's LIPP reform plan asked for a lifting of the salary cap and an elimination of the imputed parental contribution. This latter element would effectively eradicate the distinction between LIP money destined to repay "ordinary" borrowing and those pay-

From the many to the few: Anatomy of the Strategic Planning Process

Steering Committee Chair: Prof. Dan Meltzer

Duties: Forward proposals from individual committees to faculty for discussion. Eventually compile assessed proposals into a package for faculty vote.



Infrastructure & Resources Committee

Chair: Prof. Joseph Singer

Completed Report:

- Student Facilities
 - Development of Law Student Center
 - Improved athletic facilities
 - 24-hour study spaces
- Faculty and Administrative Offices
 - New offices to accommodate new faculty hires
 - New space for support staff
 - Room for alumni gathering
 - More conference rooms
- Classrooms
 - Large auditorium (optional)
 - 1 to 3 more midsize classrooms (for 60 to 80 students)
 - Flexible classrooms needed
 - Small workshop spaces needed
- Housing
 - Renovate Hastings and Gropius
 - Provide many options for student housing needs
 - Probably increase the current HLS housing for 690 students
 - Recommended new student housing at North Hall and 23 Everett St.
- Research Programs
 - New construction or modification of Gropius for research centers



Internationalization Committee

Chair: Prof. Mary Ann Glendon

Pending Proposals:

- Faculty
 - Internationalism
 - Encourage research leave, language study and travel
- Improved International Curriculum
 - Enhanced content and structure of international coursework
 - Work with foreign scholars
- LL.M. Program
 - Introductory summer program
 - Specialized LL.M. programs
 - Increased financial aid for LL.M.s and S.J.D.s
 - Recruiting from underrepresented nations
- Encourage Instruction of Future Teachers
 - LL.M. program in law teaching
 - Post-LL.M. fellowship program
 - More funding for S.J.D. program



Connections to Practice Committee

Chair: Prof. Andrew Kaufman

Completed Report:

- Pro Bono Requirement
 - 40 hours of work in public interest or government as a J.D. requirement
 - Clinical work counts toward requirement
- LIPP Reform
 - Lifting of salary cap
 - Eliminate imputed parental contribution
 - Guaranteed LIPP coverage for each entering class and would Redefine meaning of "law-related" employment
- Lifetime Counseling Program
 - Enhanced career counselling for students and graduates
- Program on Legal Profession
 - Funding, support for research into aspects of legal professionalism



by Justin Herdman '01

ments that are calculated to repay loans taken by students to substitute for "parental contributions." The committee's proposal would also guarantee LIPP coverage for each entering class and would soften the meaning of "law-

cated that hiring more faculty, which is an element of many proposals to reduce class size, would be impossible since there is no office space available. This fact is acknowledged by other strategic planning committees, such as Institutional Life. As Prof. Elizabeth Warren said, "Geography is destiny."

Nonetheless, the Infrastructure Committee's job was to assess the current space needs of HLS, as well as estimate the needs of the school over the next 10 years. The committee considered the quality and quantity of HLS facilities.

In terms of student space, the committee recommended the development of a Law Student Center. Such a center would serve as a site for social contact, student organizations, and faculty/student interaction. Either a new building or a renovation of Harkness Commons would suffice for the center.

Singer's committee also pointed out a desperate need for faculty and administrative space. As the committee report noted, "Any new hires have no place to go." Because the number of needed faculty is still unknown pending the adoption of other committee proposals, Singer was forced to be flexible in his approach. "We don't know exactly what the faculty is going to pass," Singer said, "But we do have a pretty good sense of what the faculty may want."

"Our work is done in the sense that we know what kind and how much space is available and needed," Singer said.

Rakoff explained that far from hampering the efforts of other strategic planning committees, Singer's work was helpful in ensuring flexibility. "If the answer had been that we were very constrained," said Rakoff, "that might have changed some of the parameters that the rest of us has worked on."

Institutional Life

The Institutional Life Committee, chaired by Prof. Elizabeth Warren, has not yet completed its work. While the committee has already finalized proposals for improving administrative services and faculty engagement, Warren and her committee must still deal with a spate of reforms involving student life.

The incomplete student life recommendations encompass a wide range of important topics. These include changes in class size, the structure of the curriculum, and a novel idea for law school "colleges" put forth by Prof.'s Einer Elhauge '86 and William Alford '77. And all of this must be accomplished in the committee's next meeting. "I wish we had some more time to talk these issues over with our students," Warren conceded.

But she remained hopeful that the campus community would play an important role by adding flesh to the "bones" proposed by her committee. "Given the limitations, it's better to take the proposals forward and get some consensus on a vision," said Warren, "then we'll get together on the details."

A proposal for grade reform has been completed by the committee and will likely be considered by the faculty on May 5. The plan calls for a three-tiered system of grading, with 70-percent of students receiving an "Honors" grade. The top 20-percent would receive "High Honors" and the bottom 10-percent a "Pass".

The committee has also completed proposals for faculty engagement. These include a creative plan where the faculty would also be required to participate in a "Wednesday Afternoon Intellectual Life Program," where professors and students would be asked to devote their Wednesday afternoons to

informal academic events, such as roundtable lunch discussions.

Internationalization

The Internationalization Committee may be the farthest behind of all the Strategic Planning Committees, according to Prof. Mary Ann Glendon, who chairs the committee. But the committee got a late start due to a number of reasons. Glendon cited the committee's large size — it is composed of 14 professors — as another delaying factor.

"Our hope certainly is to have everything done by the end of this year," Glendon said. She did concede, however, that the committee's work might be put over to the fall.

Glendon said that the committee's most interesting proposals, none of which are yet in finalized form, will help HLS to "expand its international commitment." These include a recommendation to improve financial aid for LL.M. and S.J.D. candidates, greater specialization within the LL.M. program, and better integrating foreign LL.M.s through a summer program. Also, Glendon would like to "broaden the pool of candidates for our graduate programs." This would require HLS to recruit students from financially underrepresented nations. Glendon said that such an effort means that the school may need to search for a "generous donor", but that the proposed change need not necessarily require an increase in the size of the LL.M. program.

Glendon also said that the committee may recommend that professors be provided with the resources to add an international dimension to their teaching. This element of the committee's work is especially important because "the practice of law is becoming more internationalized," Glendon said.

Planning nears endgame both creative and to what plagues HLS

related" employment for students entering public interest work.

Kaufman said that the committee's LIPP reform proposal was unrelated to recent moves by the Financial Aid Committee, which is a standing committee and not part of the Strategic Planning Process. "We were dealing with big policy changes," Kaufman said, pointing out that the Financial Aid Committee administers the current budget. In contrast, Kaufman's committee anticipated changes that would occur outside the parameters of the current budget. "It will depend on a fundraising drive," said Kaufman of the committee's reform proposals.

Infrastructure and Resources Committee

The Infrastructure & Resources Committee, chaired by Prof. Joseph Singer '81, has submitted a final report on the spatial needs and priorities of HLS to the Steering Committee. The committee's report made recommendations "based on current needs," Singer said, and "guesses about future needs."

As Singer concluded, and the committee's report confirms, "We need more space right now." The report indi-

Institutional Life Chair: Prof. Elizabeth Warren

Completed Proposals:

- Grade Reform
 - Would require three-tiered grading system
 - 70% of students to receive Honors
- Administrative Services
 - Increased resources for administrative services
- Faculty Engagement
 - Teaching Workshop
 - Policy to pursue limited tenure for Dean
 - Wednesday Afternoon Intellectual Life Program
 - "Declassify" HLS Budget
 - Formation of Committee of Faculty
- Student Life
 - Increased resources for financial aid
 - Increased funding, changes in LIPP eligibility
 - Proposed student center, changes to gym, housing

Pending Proposals:

- Class Size
 - All 1L sections of 78 students
- 1L Curriculum
 - Five 4 credit courses
 - Fall: Contracts, Torts, Criminal Law, Civil Procedure
 - Spring: Property (students choose professor), LRA, electives
 - Two fall courses and one spring course: Written work other than final
- Proposed "colleges"
 - Seven colleges
 - 1L section of 78 students, plus preceding classes and LL.M.s
 - Faculty advisor, post-J.D. teacher in training, registrar's representative



Academic Development Committee Chair: Prof. Todd Rakoff

Completed Proposals:

- Grade Reform
 - Would institute five tier system: High Honors, Honors, Honors/Pass, Pass, Low Pass
- Third Year Paper
 - 3 or 4 credits for 3L paper (currently 2)
 - Or seminar with substantial writing requirement (30 pages)
- Joint Degree Proposal
 - Create small joint degree task force to design programs and facilitate advising
 - Negotiate arrangements with FAS and KSG
 - Increased resources for financial aid
- Law Teacher Preparation
 - Core seminar to focus on scholarship and instructional methods
 - Recommend courses to foster interest in law teaching
 - Connections with existing HLS research programs
 - Faculty advising
- Research
 - Increased resources to faculty for research support
 - Provide incentives for varied research activities
 - Create position of research officer
- Encouraging Curricular Innovation
 - More problem-based "case" studies
 - Foster collaboration between profs on new courses
 - Larger number of "seriously advanced courses"

Pending Proposals:

- Class Size
 - One small section (47 students) and two large sections (140) in the fall
 - One small section course in the spring
- 1L Curriculum
 - Four required 5-credit courses, LRA, and 9-11 credits of electives
 - Fall: Contracts, Civil Procedure, Torts
 - Spring: Choose between Property, Criminal Law, or Constitutional Law
 - Allow students to specify prerequisites during spring semester
 - In small section courses, written work required in addition to final exam



Temple Bar apologizes to students; boycott threat subsides

by RECORD Staff

What started as a night of celebration for several HLS students ended with bitterness and charges of discrimination leveled at the Temple Bar. And it wasn't because of the high prices.

According to an account written by four Asia Pacific American Law Society Association (APALSA) members, several students in the organization were treated in a rude and disrespectful manner by Temple Bar staff as soon as they entered the popular Massachusetts Avenue eatery and bar. On April 11, the students — Shan Chang '02, Susan Kim '02, Sue Perng '00 and Lincoln Pan '00 — claim that a hostess told the group that their members could not be seated unless they ate dinner, even though many APALSA members had only ordered drinks in the past.

"Not only was the guy who carded us rude but he carded some of our members twice and questioned the validity of our licenses," the group said in the written account.

Allegedly, three parties arriving after APALSA were seated without providing identification or indicating whether they would be eating dinner.

"We waited 25 minutes for a table, although there were several tables available. During that time, the hostess did not tell us what was going on or speak to us. When we asked her about the situation, she rolled her eyes and walked away," said the group.

Someone in the group then indicated they would be eating food, after which the hostess allegedly said that the table the group was pointing to would only fit 10 people. The account stated that at a student event one week previously, a group of around 15 people were seated without incident.

The group then asked Temple Bar manager/co-owner, Gerry Sheerin, about their treatment. "He said that we looked young and that he was doing us a favor by seating us. He insisted that he did not have to seat us. He did not apologize for our wait or our different treatment," said the account. The group then left.

The account then ended with the following statement: "We are dismayed that a large group of Asian

Pacific Americans could be treated with such disrespect so close to home. We hope you join us in disavowing any patronage of an institution that treats a large group of Asian Pacific Americans with suspicion and distrust, and which attempts in not so subtle ways to make us feel unwelcome."

A version of the account was sent to the RECORD in letter form and stated that it "does not reflect the views of APALSA as a whole."

In the aftermath of the letter's circulation, Daniel Choi '00 undertook a personal investigation. He believed that "these charges are not only false, but ideologically motivated and quite vindictive."

Saying that APALSA had acted "recklessly" and in a "heavy-handed" manner, Choi took issue with the organization's one-sided recount of the night's events. Additionally, Choi was upset by APALSA's allegations that "Temple Bar is run by racist or racially insensitive people, without any real concern about the severe effect this allegation will have on the livelihood of the honest, hardworking people at Temple Bar," said Choi.

APALSA member Roger Severino '02 said "I don't think they realize they are vilifying real, hard-working people. They didn't take enough steps to hear Temple Bar's side of the story."

Soon after the letter was written, the Law School Council (LSC) was informed of the group's concerns. The situation was discussed at an LSC meeting on Tuesday, April 18, which expressed its concern over the allegations in a letter to the RECORD.

On April 19, APALSA convened an open forum to discuss the Temple Bar incident and the general issue of discrimination faced by minority groups in the U.S. When no resolution satisfactory to either party was reached at that meeting, a second meeting was held on April 25 with co-owner Patrick Lee. At that time, a solution was reached.

"Our official stance is we want to let people know what happened; it's good we raised awareness," said Chang after the April 25 meeting.

"We tried to clarify the confusion. Temple Bar was confused regarding their policies, they apologized for any misperceptions, and acknowledged why we would

feel discriminated against," said Chang. "As an establishment, they will meet and implement policies to prevent future incidents."

"When they approached me, the first thing they said was 'discrimination.' I wasn't as nice as I probably should have been because I was upset," said Sheerin, the Temple Bar co-owner. Sheerin has agreed to write a formal letter of apology to APALSA.

"We feel that people would assume that if the owner doesn't apologize, and says he's doing us a favor by seating us, we think there's something wrong," said Chang, "I still feel very justified in our initial assumptions."

Chang said that Lee, the other bar co-owner, explained that the hostess was "very frazzled" that night, and that there should have been two on duty.

Confusion also contributed to some members' perceptions of racism, according to the mutual dialogue that emerged from Tuesday's late night meeting. "Patrick [Lee] told us the restaurant has a policy that it's better to seat people who order dinner," said Chang. "One of our members said we just wanted drinks, but when someone else came, they said we wanted dinner."

Sheerin explained that "normally, the waitress checks IDs at the table if they'll be ordering food. According to the hostess, [when the group arrived] there was no mention of ordering food."

He also said that an event for College seniors was being held that night, so staff were being especially careful to verify identification.

"I feel APALSA should be more than just social. If there is just a perception of discrimination, we should just talk about it and communicate our concerns," said Chang.

Chang explained the status of boycotting Temple Bar. "It's sensitive — I feel there's been a lot of dissonance over the process, whether we should boycott [but] it was never an official action," said Chang.

"As far as the Law School is concerned, Temple Bar considers itself a member of the same community as the Law School. If a wedge has been driven between us, Temple Bar will make every effort to correct it," said Lee.

Mock trial team thwarted by absent-minded judge at national competition

by Francesco Barbera

The Law School's Criminal Mock Trial Team advanced undefeated to the semi-finals of a national trial advocacy competition only to be mistakenly eliminated from the tournament by a clerical oversight.

Since 1991, the Law School has fielded a team of four trial advocates in the National Criminal Justice Advocacy Competition, which is sponsored by John Marshall Law School and the American Bar Association. 20 teams from law schools around the country compete in the event, which took place in Chicago on Apr. 6-8.

The tournament requires each team to prosecute and defend the same case in alternating rounds. Team members act as both attorneys and witnesses, depending on the round. A panel of three judges — culled from Chicago-area judges and practitioners — judges the competition.

The Harvard team — Sonu Bedi '01, Meredith Brand '00, Michelle Drake '01 and Sara Nathanson '01 — progressed relatively unscathed through the

first three rounds of the tournament, according to coach Mary Prosser. "We had the best record going into the semi-finals," she said. "Eight of our nine evaluators voted for us, while other semi-finalists had seven votes."

During the next round — the semi-finals — the team again performed well on the defense. "The other team and even the other team's coach were convinced we'd won," Bedi said. But the panel of judges surprised Bedi and most onlookers when it announced its decision for the prosecution. "One of the judges made this speech about how he learns the most in the rounds he lost, while staring at me, so I thought it was legitimate," Drake said of her reaction to the verdict.

But after the tournament had concluded, the team members learned, upon reviewing their judge evaluation forms, that all three panelists who had heard their case had actually voted in their favor, and that the tournament coordinator, Ron Smith, had somehow announced the wrong winner.

Prosser later confronted Smith: "I showed him the

score sheets and he said, 'How could I have done that? Didn't I say defense?'"

Notwithstanding the disheartening turn of events, team members raved about their experience with the mock trial team. "There should be more of this because it's the best learning experience at the entire school and no one knows about it," Nathanson said. "Our last week of practice we had three faculty members evaluating us for nine hours a day. That's more faculty feedback than most people will get in their entire law school career."

Drake noted, "The Mock Trial experience provided a really nice complement to what we usually experience at Harvard, which is usually focused on the classroom and on the appellate level."

This year's team members rank among the best in recent memory, according to Prosser, who also serves as the Deputy Director of the Law School's Criminal Justice Institute. "I've been coaching for eight years and this team is unsurpassed in their performances, their team work and their generosity towards each other," Prosser said.

Congratulations to the HLS Class of 2000!

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FOUNDED IN 1946

Looking back at student action

The LIPP reforms announced this week by Dean Clark exemplify the very best of what Harvard Law School offers — as well as the very worst. Certainly, the extraordinary efforts made by SPIN and its student leaders deserve the highest praise for their unswerving commitment to achieving LIPP reform. Likewise, the efforts of the Financial Aid Committee, who drafted the proposal, and the Committee on Connections to Practice, whose research helped frame the issues, are to be commended.

What the reforms illustrate is the following — when the HLS student body is unified behind an issue, there is really no stopping a change. This same sentiment can be seen in the pending proposals for grade reform, in the recent renovation of Hemenway gym, and even in the now-opaque Gropius shower dividers. The power of student opinion should rightly be viewed as a vital resource for campus leaders and activists.

So when examined from a year-end perspective, SPIN's victory seems to be a product of natural progression, an inevitable outgrowth of student demands. But this is not the whole truth — the organization has worked incredibly hard over the past two years just to make LIPP reform an issue of concern for Dean Clark. In raising awareness, and essentially forcing change, SPIN has not only spotlighted the strength of student activism. It has also highlighted the institutional intransigence that plagues HLS.

Far from requiring a massive fundraising campaign, the adjustments made by the Financial Aid Committee are an example of reform that resulted through tinkering with an underspending program. Why then, the RECORD asks, was such a massive student effort required? When an important change can be wrung from the existing budget, when the money has been there from the start, it seems that only bureaucratic obstinacy is to blame. And perhaps eliminating that aspect of HLS life is the door that leads to all others. Next autumn should reveal the depth of this institutional resistance to change — and the RECORD hopes students will be there to watch.

P.S. This issue marks the last of the year and the graduation of our third-year staff. Kim, Tanya, Dusan, Suzanne, Jake, Darren, and, of course, Liz. The RECORD, and the HLS community, thanks you for keeping us high-tech, entertained, cultured, in key, laughing, mellifluous, and, uh, on our toes.

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

First Amendment, U.S. Constitution

• Correction •

In the April 14 issue, the RECORD attributed a direct quotation to Brian Fitzpatrick '00 [p. 7, "Quote of the Week"]. After an investigation, the RECORD was unable to verify that Mr. Fitzpatrick made any such statement with reference to Prof. Alan Dershowitz. The RECORD regrets the error.

• Letters •

[Sic]cing the language police on Pecot '02

Although I support the general argument [sic] presented in Reese Pecot's '02 editorial on p. 6 of the April 14 edition of the RECORD ["Private Accountability, Public Shame"], I have to point out her misuse of the English language at the end of the fourth paragraph. The author writes "Gore tows practically the same line" when referring to Bush's message that a "strong America is ... also a nation of 'accountable, responsible individuals.'"

First, the expression [sic] intended was "to toe the line" meaning to follow rules conscientiously [sic] and, more broadly, to conform. This phrase

is derived from the practice of runners lining up with one toe on the starting line at the beginning [sic] of a race. It seems to this reader that writers ought to know the origin of the expressions they use in order to more accurately convey their intended meanings. Second, even if the word was correctly spelled "toe" and not "tow," the expression would still be technically incorrect. To "toe the line" connotes compliance with rules in an exact and literal manner. Sort of like a regulation haircut in the army. My roommate has pointed out however, that "tow the same line"

has a specific meaning in fishing jargon. It means to troll for fish using an identical lure. Used in this way of course, the line in the article has the connotation of using ethical standards as artificial bait to attract voters' support. Although this may be an apt analogy, I doubt it was one the author had in mind.

Thank you for printing this comment in your next issue, if only in an abbreviated form. I believe the RECORD has an obligation to prevent imprecise use of language if only to save ourselves from ridicule.

Evan Mulholland '01
April 17, 2000

Photo brow insulting to Latin Americans

Last week's RECORD contained a picture of the members of the HLS Latin American Society on a trip to Mexico under the caption [sic]: "They Didn't Drink the Water."

This is tasteless and sophomoric at best,

deeply offensive at worst. These students are members of our community who are Latin American themselves or interested in studying and working in Latin America. Retailing stupid stereotypes ignores even minimal precepts of

common civility and reinforces perceptions of both United States and Harvard parochialism. I would expect better of a high school newspaper.

Prof. Anne-Marie
Slaughter '85
April 18, 2000

Alum says RECORD is leader of the pack

I read with interest the RECORD's April 7 article on Harvard Law School's ranking by U.S. News & World Report as the number three law school in the country and thoroughly agree with Dean Clark's '72 criticisms of the ranking procedure's excessive reliance upon "selectivity" and "faculty

resources," both of which tend to favor smaller schools without adequately crediting the benefits of interaction within the large, exceptionally well-qualified Harvard student body. Happily, however, Harvard Law School students, alumni/ae, faculty, and administration

can all take pride in the undisputed fact that the Harvard Law RECORD (as evidenced by its perennial awards for excellence) is unquestionably the best law school newspaper in the country.

Thomas Geisler '68
April 24, 2000

Seizure akin to violence in Castro's Cuba

We, as part of the Cuban-American community at HLS, are writing to express our viewpoint on the Elián González controversy. Contrary to the sentiment commonly expressed by those who have little or no knowledge about Cuba or Cuban-Americans, this is not a black-and-white issue. To question Cuban exiles' accounts of the situation in Cuba undermines the struggles of the countless people who have endured first-hand the grim reality of a totalitarian regime.

Yordanka Valdés Delionado '00 is one of these individuals. Having left Cuba at the age of six, she vividly recalls the extreme hardships and the constant fear of violence.

To force Elián to be subjected to such a system would be an unfathomable tragedy.

There has been a great deal of rhetoric about whose best interests we have in mind. Those who feel Elián should be with his father should consider that Juan Miguel González, unable to act and speak on his own free will, may actually be furthering Castro's interests. The incident on Saturday indicates that the federal government, whatever it may claim, does not have Elián's best interests in mind. It hardly needs to be said that the specter of "storm-troopers" at someone's house at 5 a.m. is unpalatable.

Why was the raid conducted during the holiest weekend in the

Christian faith? Why in the midst of ongoing negotiations? Why did the police go in with automatic weapons already drawn? Why should it matter that the finger wasn't on the trigger? Why was the assault executed without the proper warrant? How legitimate is Reno's claim that it had "intelligence" regarding the possibility of weapons in the house, considering that the only weapons were those brought in by government agents?

Was this Little Havana, or Habana?

Arlene Delgado '02
Yordanka Valdés
Delionado '00
Cristina Jimenez '00
Mark Lopez '01
Erika Ruiz '02
April 26, 2000

PERSPECTIVE

By Stuart Buck '00

E-mail no substitute for rubbing elbows

Ours is a highly mobile society. I can't remember how many times I've heard that sentiment expressed, both by intellectuals and in the popular press. We've all heard the statistics on how many times the average American moves and/or changes careers in his or her lifetime.

High geographic mobility is usually portrayed as a positive advantage of modern life. Certainly it has been an advantage in some ways to me. I grew up in a small Arkansas town, Springdale, which is known only for being home to Tyson Chicken, the largest chicken producer in the world. My prospects in life have undoubtedly been enhanced by the fact that I was able to leave home for college, and then for law school. I have been able to have experiences, educational and otherwise, that far outstrip the opportunities available in Springdale, Arkansas, and I have been able to meet many interesting and successful people in the various places I've lived.

Sometimes I wonder, though, whether today's geographic mobility is on the whole an advantage at all. What started my wondering was my grandfather's funeral three years ago.

My grandfather, Maurice Deason,

lived in the small Arkansas town of Rogers for his entire life of 82 years (except for two years in the Navy). He took over his father's tiny farm (about 40 acres), and raised everything and anything that would grow on Arkansas soil — corn, grapes, cows, horses. He and my grandmother worked that farm together for many years before retiring and moving into town.

My grandfather never had much of a chance to leave his hometown, nothing like the chances I have had. Although his life was a fairly comfortable lower-middle-class one after selling the farm, life on the farm involved incredible hardship and poverty. At times, my grandfather had to repair his shoes, torn and tattered from field work, with used tire rubber, because he couldn't afford to buy new shoes. Packing up and leaving town would have been unthinkable. Life was simply about scraping by. Even with all his hardships, he found the time to be deeply involved in community life, both with his church and with the local school board.

Despite its complete lack of glamour and prestige, as usually measured, there was an advantage to my grandfather's way of life — one that I first noticed at his funeral. There were peo-



ple at the funeral who had known my grandfather and been his friends for over 70 years. The funeral home director said that he had never seen so many

flowers at one funeral. An important piece of the community had died, and my grandfather's lifelong friends responded with an outpouring of support for my family.

It was then that it occurred to me that even if I live to be 82 years old, I will never have had the experience of having truly lifelong friends, or of having been part of a true community. Right now, at age 25, I have already lost contact with nearly everyone I knew in high school, and even with most of the people I knew in college. The friends that I do keep up with are scattered all over the world — Georgia, Arkansas, Tennessee, Texas, Montana, even Japan. And I can predict, albeit sadly, that I will gradually lose contact with many of the people I currently know here at Harvard. I won't intend to, any more than I intended to lose contact with my high school friends. But it is an inevitable result of our society's geo-

graphic mobility. After graduation, we will all end up in different cities, with our lives moving in different directions. Friendships often will become too difficult to sustain.

Furthermore, "keeping up" with friends has become not much more than sending an occasional email their way — and no matter what the technologists might say, e-mail is an extremely poor substitute for real friendship. You can't attend friends' weddings via e-mail, or baby-sit their kids, or commiserate over a death in the family, or help out in a time of need, or do any of the things that form the bonds between true friends. In spite of all our attempts to maintain friendships via e-mail or telephone, a society of geographic mobility must by necessity sacrifice true friendships. If you think I'm wrong, i.e., if you think that real friendships can be maintained electronically, then you must never have known friendships such as my grandfather experienced.

And so, while I continue to enjoy the many advantages of a geographically mobile society, I cannot help but lament the steady erosion of a community-based way of life in which true lifelong friendships were possible.

POLITICS

By Aaron Olsen '01

This conservative is coming out of the closet

A conservative columnist at Harvard Law School... now that is an opportunity that I could not resist! When I heard that the RECORD was looking for a conservative columnist, I figured that the job was mine for the taking. How many other interested conservatives could there really be at Harvard? Moreover, a quick glimpse at my conservative credentials makes it clear I'm most qualified for the position:

My login name on yahoo is "radical_rightwinger." (Member_of_the_vast_right-wing_conspiracy was too long).

I am pro-life and have the evidence to prove it. (If any of you want to babysit, please let me know).

Before I proposed to my wife, I gave her a survey that asked her to identify her political beliefs.

I made the front page of the RECORD when I was a protester last year during the Dershowitz-led rally against the impeachment of Clinton. (I guess that means that I supported a Gore presidency before most Democrats jumped on the bandwagon).

I come from Idaho (a state that does not border Iowa or either of the Dakotas). Idaho "liberals" are farther to the right in the political spectrum than most Massachusetts conservatives.

As a young volunteer for many campaigns, I would steal the bumper stickers and decorate my room. The wall was literally covered from top to bottom with posters and bumper stickers. (Unfortunately, my wife will not let me decorate our apartment in the same motif.) I can only imagine the horror that many of my colleagues here must have of the image of a wall full of Reagan/Bush posters and "Larry Craig — Idaho's Senator" stickers. The room became a guest room for local candidates who needed a place to stay. In fact, one candidate for Attorney General apparently felt slighted since he didn't have any posters on the wall and left us with some to put up in the room.

Along these same lines, perhaps the most revealing aspect of my childhood

is that not only did I grow up in a room that bombarded me with Republican slogans, but I have parents who didn't object to my wallpapering the room with Republican bumper stickers.

A year and a half at Harvard hasn't diluted my conservative ideals; in fact, I think it has pushed me farther to the right. There is something about listening to people hiss at conservative comments that makes me glad to be a rebel right-winger.

Living in Massachusetts has also confirmed to me that if liberals really did have their way, the country would be in for a surprise. Students in the rich suburbs learn about racial tolerance from their cozy air-conditioned schools while the roof is falling in at

*Before I proposed,
I gave my wife a
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political beliefs.*

schools in Roxbury. Environmentalists tell us what to do with our land in the west while some rivers here are barely fit to boat on. Car insurance regulations makes it too expensive for the poor to drive. And don't worry when the Big Dig is more than \$1 billion over budget, they will just raise the rates on the Mass Pike and ask the government for more money. After all, nobody gets thrown out of office here for raising taxes.

The state is so hyper-regulated that there are regulations as to where you can put your kid's diaper. The public library has a sign informing us that it is against the law to throw a diaper away in a public restroom. I guess they are just applying the "pack it in, pack it out" concept to new areas. But please forgive me if I have a baggie full of used diapers next to me in the reading room.

Now for some column promises:

You won't see any mean-spirited attacks on other students. You may see a heavy dose of sarcasm, but everything should be taken with a grain of salt since I have no interest in ostracizing myself from the liberals in the Harvard community, thereby leaving myself with about three other conservatives that I could hang out with. (Though I am sure that once people figure out what tax bracket \$145,000 a year puts them in, our 20-year class reunion will have more people interested in the conservative view of smaller government and less taxes.)

I can improve the campus community by bringing a conservative perspective on some of the current debates. For instance, LIPP reformers acknowledge the need for a massive cash infusion into the program, but can never raise enough from the public-interest auction. How about soliciting donations from rich Republicans to rename the program the Ronald Reagan Low Income Protection Program, or the George Bush Thousand Points of Light Project?

I can also give valuable advice for aspiring politicians of both parties. For instance, if you are a woman who plans on running for Senate after being the First Lady for eight years, avoid making fun of stay-at-home moms by insulting those who "stay at home and bake cookies." It will really dampen your credibility when you try and appeal to those same women by claiming that you learned how to make a great omelet while being a stay-at-home mom in the White House. My advice would be that if you consider yourself a real feminist, then you shouldn't make fun of stay-at-home moms.

Come to think of it, I am not sure what incentives the RECORD editors had to recruit a good conservative columnist. Judging on the typical slant of the newspaper, it seems like they have every incentive to pick the person who they think will embarrass the conservative cause. But what the heck, I'll throw my hat in the ring anyway.

• Letters •

Fenno's reference
crosses line again

I was appalled at the comments made in last week's "Fenno" [April 14] regarding one of my classmates' style of dress, with special emphasis on her ethnicity. As one of a handful of Latinas at HLS, I am frequently confronted with the ignorant and stereotypical views that prevail among many of my classmates; however, this is the first time I have read evidence of these views reproduced in an HLS publication. I suppose I shouldn't be surprised — it is customary for "Fenno" to search out easy targets, and with a representation in the single digits at the Law School, Latinas are perhaps the easiest ethnic group to make fun of.

A. Lizbeth Flores '02
April 17, 2000

APALSA, Temple
get LSC applause

The Law School Council is always concerned when members of our community suffer disrespectful treatment from area businesses. Thus, we were concerned when members of the APALSA board informed us of the situation that arose when members of their organization patronized the Temple Bar earlier this month. We commend the Temple Bar and APALSA for resolving the situation to the mutual satisfaction of both parties through constructive dialogue. HLS students are proud to share this corner of Cambridge with area residents and businesses, and the LSC looks forward to working with APALSA, other student groups and area businesses to ensure that we create a more unified community based on open communication and mutual respect.

Jay Munir '01, LSC President
Arlene Delgado '02, LSC 1L
Representative

PERSPECTIVE

By Sophie Bryan '00

Bellow '60 will be missed by many students

Coming to grips with sorrow is not a standard component of legal education, nor do I expect it to be, but after a week during which Harvard Law School lost three of its heroes, I know I could use some grief-management schooling. Some succor is provided by the remarkable accomplishments achieved by Professors Bellow and Chayes and Dean Vorenberg during their lengthy careers teaching and practicing. Additional comfort is gained when we recall the access, insight, and inspiration they generously shared with their students. Yet, despite these balms, the loss of Professor Bellow cuts me to the quick, and the desire persists to shout out, "World, stop in your tracks, take notice, all is not the same!"

I first met Gary in September 1998, when I enrolled in the "Lawyer Process" course he co-taught with his wife, Jeanne Charn, at the Legal Services Center in Jamaica Plain. Actually, it was "Professor Bellow" and "Ms. Charn" to me. I was so cowed by their brilliance, scholarship and reputations in the clinical and academic realms that I could not bring myself to address them informally. That year-long class was transformative for many of us.

Looking back, I am staggered not only by the boldness of Gary's and Jeanne's vision for the course — the curriculum included legal ethics, negotiation strategy, professional development, peer evaluation of clinical work

product, incorporation of technology into practice, and more — but also by the manner in which they set themselves to the daunting task. Without a doubt, Gary and Jeanne were the most phenomenal teachers I had ever met. Their appetite for critical discussion was voracious. Their willingness to cast away assumptions or standing models in the face of convincing challenges was unflagging. Their commitment to standards of excellence belied the rote critiques typically leveled at legal services theory and practice. At times the classroom felt like a laboratory, albeit an unusual one in that Gary and Jeanne were right there with us mixing it up at the workbench.

Gary provided the closing comments to the students and staff who participated in orientation weekend at the Legal Services Center this past fall. It was a long day of training, and we were all eager to burst outside and enjoy what remained of a beautiful day. Without fanfare and without warning, Gary's brief remarks took our breath away. He spoke about moral hazards, ethical dilemmas and the great seriousness with which we were obliged to pursue our clinical work.

In this static context these themes may read as shrouded with gloom and doom, as a weary shepherd's cry to his wayward flock, or as the bitter fruits of idealism worn down by years in the legal services trenches. To interpret his comments in this manner is anath-

ema to the infectious, nuanced and serious joy with which Gary approached his work and taught his students. Gary best described this practice of serious joy himself, when he outlined his vision of the lawyer-client relationship in his 1996 C.R.-C.L. essay "A Practitioner's Reflections." He wrote:

Alliance seems as good a word as any to describe this relationship because alliance generates bonds and dependencies and is grounded, at least in aspiration, in forms of respect and mutuality that are far more personal and compelling ... than the demands of some notion of client-centered lawyering, no matter how strongly held.

Even after almost four decades of direct service legal advocacy, the alliances Gary built with his clients retained their vitality for him and their hold on him. As his words above evidence, the grip was not one of martyrdom, but of a collaborative privilege for which he was ever thankful.

It is worth noting the appropriate astonishment we must accord Gary's ability to teach his "Medical-Legal Connection: A Patient's Perspective" class last fall, a class whose subject matter he was concurrently experiencing in a very personal and painful way. One afternoon in class, Gary spoke about how it never ceased to amaze

him that he was afforded sincere and open-hearted access into people's lives in the course of his advocacy work. This opportunity to travel a few miles side by side with people from diverse walks of life clearly lit him up, and enabled him to move past numerous political, institutional, legal and social obstructions hand in hand with his clients and colleagues.

No doubt, Gary's shining intelligence, fierce dedication and years of ground-level advocacy experience contributed to his popularity as an attorney, teacher and mentor. The gift I will miss most, however, is his grace. Gary's mere presence in a room was enough to at once soothe your soul and light your heart on fire. He never shied from the challenges at hand, never provided empty reassurances that just doing the work was doing good enough, never fronted that he had resolved the various tensions in operation. What he did do was to be real and critical and generous and inspirational.

In the same essay quoted above, Gary relayed some advice that his grandmother had bestowed on her grandchildren: "Wherever you go, try to make what you find better than it was before you came." No question, Gary. No question.

Jeanne, David, Douglas and Courtenay: In his memory and in your honor, we'll keep working to do the same.

Letters

Chomsky speech bespeaks poor discretion

Since my only source of HLS news is via the RECORD, my view of the year-long HLS debate concerning Israel is detached at best. Even from afar however, I am able to make a few observations.

First, as RECORD issues arrive with articles relating to Israel, I am left wondering why the Mid-east debate takes on such extracurricular prominence given the abundance of other topics. Then again, I suppose I should not be surprised given that, as many commentators have noted, "Jews are news."

Preamble aside, let's cut to the chase. The most relevant question is — as it always has been — whether the Arabs and Palestinians really respect the right of Israel to exist on any level. This is a threshold matter; everything that follows is noise. Last I checked, Israel has never called for the destruction of the Arab world.

Before screaming that the PLO has (finally) amended its charter to not call for the complete destruction of Israel and the Jewish people (a real breakthrough), keep in mind that much of the Arab world speaks with two voices: one directed at the international com-

munity, which we scoop up like puppies, and another directed internally.

No matter, talk is cheap. What isn't cheap are the countless wars in which Israel has had to defend her very existence. Keep in mind, had Israel lost any of these wars, our current debate would be moot, since the Arab mandate of destroying Israel and her people would be complete.

One can hardly be surprised if Israel is a bit skeptical and skittish. After all, she is being asked to return land to peoples and countries which sought her annihilation in exchange for promises — mere words — not to destroy her again. Call me naive, but if someone were to hit me over the head numerous times and threaten my existence, don't be surprised if I were a bit skeptical at subsequent peace offerings. It's called self-preservation.

Really, at bottom, Israel is being asked to return land in exchange for the following words: "Really guys, we mean it this time, we won't try to destroy you again." Ironically, I believe Israel would be there with the pen shaking in her hand asking where to sign if

there were a way to guarantee that, in fact, she wouldn't be defending her existence again against her newly enlightened peace partners.

Ask yourself how Israel got herself in this "imperialistic" mess in the first place. Southern Lebanon? I don't know, maybe because it was tired of guerillas shelling its border towns and children hostages being killed in their Kibbutzes. The Sinai peninsula? Something about Egypt constantly invading and seeking to destroy. The Golan Heights? Something about its Syrian neighbors shelling indiscriminately down from above. The West Bank? Something about the Jordanians seeking Israel's destruction comes to mind as well. It's called "principal action," meaning you don't try to destroy us and we are not having this subsequent conversation. Moreover, there are troublesome details such as whether the PLO even speaks for the majority of its people anymore. Again, as I began, the debate is really about the threshold matter of whether Israel has a right to exist and how such right is guaranteed in the face of past conduct?

Continued from CHOMSKY

Finally, when it comes to choosing campus speakers such as Noam Chomsky I note that, as usual, the proper focus is misplaced. Specifically, the debate seems to turn on whether someone has the "right" to speak. Putting aside the small matter that last I checked the First Amendment relates to the government thwarting speech — not a private institution — the

debate should not be about "rights."

Though law school is focused primarily on rights and duties, most of life is not. Rather, much of life is about discretion. Translated, of course Noam Chomsky and other hate mongers have a "right" to a soapbox, but whether we should be providing one is another matter. If so, let's open the forum up and invite David Duke,

the grand wizard of the KKK, and assuming such beasts exist, "abolitionist revisionists" (those who claim that the black slave trade was a hoax and never really existed). After all, they have a right to speak, no? Such folks play you as the fool. Remember, don't confuse rights with discretion.

Bill Choslovsky '94
April 21, 2000

Tax commercial transactions on Internet

Last October, the U.S. Congress placed a three-year moratorium on imposing new taxes on Internet transactions, thus barring any taxation of interstate e-commerce. In addition, the Advisory Commission on Electronic Commerce recently approved a report asking that Congress continue the sales tax exemption for companies that sell only on the Internet. Why? According to the anti-tax lobby, we must nurture this promising "infant" industry.

"Infant" industry, huh? Yeah, right. Online retail spending is growing at 70 percent a year, while private investors pour billions of dollars into the online retail industry. Furthermore, the tax subsidy for e-tailers

puts the bricks-and-mortar businesses at a significant disadvantage because they have to continue collecting sales taxes under the Commission's proposal. This is simply unfair. Meanwhile, customers have been increasingly flooding the Web for tax-free shopping. Besides the fact that the exemption considerably reduces tax revenues for local and state governments, it's a regressive benefit: online purchasers generally are wealthier.

Sales taxes may not be the best way for the government to raise money, but if we are going to have such a regime, it should at least be a fair one. Although establishing a sales tax for interstate e-commerce poses many logistical and legal

challenges, it can be achieved. Also, the longer we wait, the wealthier and more powerful the e-commerce lobby becomes, thereby making it even more unlikely that lawmakers will establish a fair tax system for all retailers (note the special tax breaks recommended by the Commission for two of its members: AT&T and Gateway). As part of a Kennedy School project, a group of HLS students (including myself) want to find out your opinion on taxing e-commerce. Now that you've heard our thoughts on the matter, stop by the Hark this Friday or Monday to vote on the issue. Thanks.

Christopher Gahan '01
April 21, 2000

Please see CHOMSKY, top of next column

THE BUZZ

By Tanya Marsh '00
RECORD Columnist

BUZZ GUIDE TO SUMMER MOVIES

The Summer of 2000 is shaping up to be one of the most interesting movie-going seasons in recent history with a number of potential blockbusters vying for your attention. There are simply too many movies debuting in the next four months to mention here, so I present to you a brief look at the movies that I'm planning to see (in the order of their release).

May

Gladiator (May 5). I haven't been this excited about a movie premiere since — actually, I don't think that I have ever anticipated a movie this much. Ridley Scott is one of my favorite directors of all time (*Bladerunner*, *Alien*, *Thelma & Louise*) and Russell Crowe is one of my favorite movie stars of all time. Put them together with Sir Derek Jacobi and Joaquin Phoenix (the brother of another of my all-time favorites), throw in a few tigers and a reconstructed Coliseum and I am SO there. People who have seen the film give it high marks and say that this one will make Crowe a marquee movie star. It's about time.

Battlefield Earth (May 12). Adapted from the best-selling novel by Scientology founder L. Ron Hubbard, *Battlefield Earth* may turn out to be the most controversial film of the summer because many believe it was intended by star John Travolta as a recruiting vehicle for his trendy religion (or shady for-profit enterprise, if you ask the IRS). The story takes place in the year 3000 after an evil race of aliens called the Psychlos (led by Travolta's Terl) have conquered Earth. Johnny Goodboy Tyler (Barry Pepper) is the leader of the human resistance. Religious propaganda or nifty sci-fi flick? You be the judge.

Mission: Impossible 2 (May 24). Four years after *M:I* grossed \$465 million worldwide, we finally get a sequel. Tom Cruise is back as the intrepid Ethan Hunt, directed this time by Hong Kong action god John Woo (*Face/Off*, *Broken Arrow*, *Once a Thief*). Co-stars include Thandie Newton (*Beloved*) as Hunt's love interest, Dougray Scott (*Ever After*) as a villain, Ving Rhames, and Sir Anthony Hopkins. There were reportedly some problems with the script and a bloated budget, but the cool factor with this series is so high that I have faith that everything will turn out alright.

Also in May: Kristin Scott Thomas (*The English Patient*) once again stars as a woman caught in a romantic adulterous affair, this time with Sean Penn in pre-WWII Florence.

Up at the Villa opens May 5. Ethan Hawke stars as Shakespeare's most original and interesting character, the Prince of Denmark. Dusan and I went to the press screening and I absolutely HATE this movie. You can read my entire vitriolic review on-line at www.the-buzz.com. **Hamlet** opens May 12, but trust me, stay away.

Disney's big animated film of 2000 is **Dinosaur**. The Mouse has a lot riding on this picture — they built a \$80 million digital-production studio just to crank out the images. Starring the voices of D.B. Sweeney (*Harsh Realm*) and *ER*'s Julianna Margulies, **Dinosaur** opens May 19.

June

The Patriot (June 30). *Braveheart* meets the American Revolution. The preview alone gives me chills — Mel Gibson marching purposefully against the Redcoats, fighting this time for "our" freedom! From the director of *Independence Day* (Roland Emmerich), *The Patriot* will be out just in time for the Fourth of July weekend. I'll be at the front of the line.

The Perfect Storm (June 30). George Clooney and Mark Wahlberg star in the real-life story of the *Andrea Gail* fishing boat which was caught in a Force 12 gale off the coast of Newfoundland.

Filmed on Cape Cod, this movie looks very wet. I like Clooney, Wahlberg and director Wolfgang Petersen (*Air Force One*), but I'm afraid it's going to make me a little seasick.

The Adventures of Rocky and Bullwinkle (June 30). Did you ever think that Robert DeNiro would co-star with an animated flying squirrel? Rene Russo is Natasha, Jason Alexander is Boris and the ultimate made man is Fearless Leader. He even mocks his "You talkin' to me?" routine in *Taxi Driver*. I'm not sure yet if this is going to be cool or a massive train wreck.

Also in June: Kenneth Branagh's newest adaptation of Shakespeare takes one of the Bard's most marginal comedies and transforms it into a 1930s musical. Skeptical? So am I, but it's my man, Branagh, so I'll be there opening day. **Love's Labour's Lost**



Photo courtesy of Dreamworks

Joaquin Phoenix confronts a glowering Russell Crowe, the *Gladiator*.

the American rooster Rocky, Gibson tries to lead a barnyard revolt against an evil English farmer's wife (Miranda Richardson). *Braveheart* meets *Animal Farm*, **Chicken Run** opens June 23.

July

X-Men (July 14). I've never gotten into comic books, but even I have heard of *X-Men*, the best selling comic of all time. Starring Patrick Stewart as Professor Charles Xavier, Halle Berry as Storm, James Marsden as Cyclops, Aussie newcomer Hugh Jackman as Wolverine and Ian McKellen as Magneto, *X-Men* is a strong candidate for blockbuster of the summer. Director Bryan Singer (*The Usual Suspects*) adds a level of credibility to the effort.

What Lies Beneath (July 21). Harrison Ford and Michelle Pfeiffer, two of the biggest movie stars on the planet, co-star in a psychological thriller directed by Robert Zemeckis (*Forrest Gump*) and based on a story by Steven Spielberg himself. Sounds promising.

August

Space Cowboys (August 4). Inspired by John Glenn's recent trip on the Space Shuttle, Clint Eastwood's latest directorial effort sends Tommy Lee Jones, James Garner, Donald Sutherland and Eastwood himself into space to defuse a deadly satellite.

The Legend of Bagger Vance (August 4). Robert Redford directs a golf movie. No, it's cooler than that — Matt Damon stars as a WWI hero who goes up against two pro golfers with the help of a mysterious caddie named Bagger Vance (Will Smith). The few who have seen *Six*

Degrees of Separation know that Smith is actually a very talented dramatic actor — I'm looking forward to his inevitable bid for the presidency.

The Cell (August 18). Directed by Tarsem (best known for R.E.M.'s "Losing My Religion" video) and starring Jennifer Lopez and the handsome Vince Vaughn, *The Cell* promises to be the most disturbing psychological thriller/summer movie since *Silence of the Lambs*. Lopez plays some kind of law enforcement psychologist who uses an experimental neurological technique to get inside the head of a tem-

porarily comatose serial killer who enjoys killing people in particularly disgusting ways. Vincent D'Onofrio (who plays the killer) promises that "people are going to vomit." Sounds like a great family movie.

There are tons of other movies to be released this summer, so don't forget to check in at www.the-buzz.com for the latest news and reviews.

So Long...

This week's Harvard Law RECORD represents the end not only of my two years as a columnist, editor and production manager at this newspaper, but 10 years of involvement with school papers. I have had a wonderful experience working on this newspaper and writing my little entertainment column and I will miss all of the good friends that I have found in the RECORD offices.

The subject matter of my column hasn't allowed me to share my personal views on Harvard Law School, but for this final issue, I am commandeering a few column inches to unabashedly declare that I love HLS and I think it was worth every penny that I spent (okay, borrowed) to come here. There has been a lot of criticism of the school in the pages of the RECORD and rightly so — there is much about this institution that could bear improvement. But in the end, I don't think enough credit has been given to all of those things that make this a truly special place. I hope that as my fellow members of the Class of 2000 leave Cambridge to go start "real" life, they will remember more than their daunting debt load, a schizophrenic grading system, and a patchy institutional commitment to public service. Great friends (they know who they are), a stimulating intellectual environment, endless discussions about the presidential race and the casting of Anakin Skywalker in *Star Wars: Episode II* — these are the things that I will remember most about my three years at HLS (and, of course, the finest legal education in America).

Most of all, I hope my classmates remember the insightful and useful movie and music reviews they read in the RECORD and bookmark the Web site where they can find Dusan, Suzanne and me in perpetuity: www.the-buzz.com. (You should have known that I couldn't leave without a final bit of shameless self-promotion!)



Photo courtesy of Sony Entertainment

Mel Gibson is *The Patriot*.

opens June 9. Also opening June 9 is the oddly titled **Sunshine**, Ralph Fiennes's newest flick, which has him once again portraying a somber Hungarian. And now for something you'll really like: Samuel L. Jackson stars as "the black private dick who's a sex machine with all the chicks." Actually, he's Shaft's nephew and Richard Roundtree is back as the original Shaft with an updated theme song from Isaac Hayes. **Shaft** opens June 16. Mel Gibson's other big summer movie is also about freedom, but this time from a clay-animated chicken coop. As

Sportsguy

PLAYOFF TIME FOR SPIKERS

By Phil Barengolts '01
RECORD Columnist

After a semester of battling for position, playoff time is finally here for the elite teams of the Harvard Law School basketball and volleyball leagues.

Opening the basketball playoffs was a preliminary match-up between the eighth and ninth seeds, The Team Formerly Known As versus The Gropers. The game began slowly as both teams started cold from the floor, but **Ryan Candy Kane '02** began to heat up midway through the first half and pushed The Team out to a 15-10 lead. **Erik the Red Garza '00** kept The Gropers in the game with a couple of smooth drives to the hoop. The game shifted to a much faster pace in the second half. **John Orsini Welles '00** went on a roll, hitting jumpers from all over the floor to push The Team's lead over 10, but **Tom Slip It In Snider '00** hit a big three to pull the Gropers back in the game. Unfortunately, it was not enough as The Team Formerly Known As went on to win 46-34.

In a mild upset, the seventh-seeded Cambridge Gunners defeated the second seed, Skee-Lo All-Stars 61-50. The Gunners came out firing and never stopped. Led by **Brian A Ross By Any Another Name '02** and his sweet stroke from behind the arc the Gunners jumped out to a 10-point

lead. If it were not for some clutch three pointers from **Seth Natural Blonder '00** the All-Stars would have been finished by halftime. **Ofer Elitzur of Life '00** caught fire to pull the All-Stars within ten, but **Jim By the Banks of the Jordan '02** took over to end the All-Stars comeback try.

The 3-6 game was a defensive struggle as Contempt of Court defeated Factory 44-33. **Shawn Travis-ty of Justice '01** dominated inside for the Court, pulling down offensive boards all day, while **George Never Tell A Fibbe '01** hit a big three down the stretch to ice the game. Factory was led by **Logan Airport Smith '00** and his all-around game on offense. **Kris Sir Lawrence Borg-Olivier '00** provided the defensive spark for Factory to end the first half on a small run, but it proved too little as Contempt of Court kept Factory at bay for the rest of the game.

The closest game of the evening was the 4-5 game between the Stormin' Mormons and Brian Hayes, PC. The Mormons jumped out to an early lead behind the strong inside game of **Ryan Baker's Dozen '00**. **Sozi A Jolly Good Fellow Sozinho '01** led Brian Hayes back to close the first half down three. **Toby Lock Stock and Barrel '00** began a Brian Hayes run to open the second half, while **Karl Gunman On the**

Grassy Knoll '01 kept the Mormons close. But the Mormons could not convert down one with five seconds left and fell to Brian Hayes 34-33.

The Volleyball playoffs offered a high-paced contest between Phillip's Team and Human Torts. The opening game showcased **Robin There's a Hole in the Wall Where the Men Can See It All '01**, who put down nearly every ball set to him with authority to give Phillip's Team a 15-10 victory. But Human Torts came back with a vengeance in the second game behind **David Sohn of Sam '02** and his numerous kills that gave the Torts a 15-2

win. The third game proved much closer, but the Torts' Hard Hittin' **Sarah Whittington '02** kept her team afloat through a run sparked by **Juan Pablo Alban Voyage '00** and his tough serve, and the Torts held on to win 15-10.

In the other match, Sixpack defeated Strict Scrutiny 15-12, 15-13. Sixpack's powerful frontline was led by **Bill Farmer in the Udell and Justin All Rhoades Lead to Rome '00**. Strict Scrutiny kept it close behind **Big Ben Ford '00** and **Doug Judgment of One's Pierson '00**, but could not overcome Sixpack's strong play.

Quote of the Week

'You are their children.'

—Prof. Andy Kaufmann '54, commenting
on the living legacies of Profs.
Vorenberg '51, Bellow '60 and Chayes '49.

Fenno

Fenno sprinted up her fifth flight of Pound stairs, pumping her arms and panting as she rushed to the Berkman Center. Two more minutes and she would miss it.

She opened the door and saw Jonathan Zittrain hunched over a small desk filled with dials and blinking lights. In the background, Fenno saw a 10-foot vertical chamber that looked like something out of "The Fly." "Zittrain!" she called out.

JZ looked up, obviously surprised to see her. Then he smiled, and Fenno could have sworn she saw a glint in his eyes.

"Hi, Fenno," he said, almost too calmly. "How can I help you?"

"Zittrain, I know you're building some sort of secret machine, and I want to know what it is. You know nothing goes on around here without my knowing it — so fess up."

Zittrain's smile got wider. "Fine. It's too late for you to do anything about it, anyway. You know what this is, Fenno? It's a time machine. That's right. But not just any time machine. See, you can program it — make it hone in on any person or event in history or the future. Do you understand what this means? I can now jump into the future and find out about every groundbreaking technological advance in the world — before they're even invented. I can do it all! I can get credit for it all! It's all mine!"

Zittrain began to cackle uncontrollably. This was worse than Fenno had thought. She shuddered, thinking about the damage a young geek could do if set loose in the timestream. She didn't have much time. The large red display on the chamber was starting to count down from 30.

"Why are you doing this, Zittrain? What's in it for you?"

"What do you think? Money. Power. Fame. But most importantly — tenure."

Now she understood. And there was

only one thing she could do.

Get in on it herself.

While Zittrain was distracted with thoughts of gray-haired elbow running, Fenno made a dash for the chamber. Zittrain tried to grab her but missed.

Fenno got in, closed the door, and strapped herself to the small metal chair. She looked at the viewscreen in front of her. *How the hell do I work this thing?* she thought.

Zittrain was now pounding on the door and screaming for her to get out. The red counter was at 10.

Fenno started punching buttons, and up popped a screen that said "Harvard Law School: Class of 2000 25th Reunion." This, she thought, *could do just fine*. She punched the large green button marked "Go" and tensed herself for the ride.

The next thing she knew, Fenno was standing in the middle of the quad in front of Langdell. Except, she could see, it wasn't called Langdell anymore. It was now, "The Manoj Mate Memorial Library." Fenno spotted a small plaque by the stairs and read it. "The Manoj Mate Memorial Library, formerly named for Christopher Columbus Langdell, was made possible by a grant from Ashley Morgan '00. With this gift, Ms. Morgan wished to express her deepest thanks to classmate Manoj Mate '00 for fearlessly and boldly taking the spotlight and credit for Ms. Morgan's humble accomplishments when the two served together on the Law School Council."

Fenno smiled. So there was justice in the future, she thought.

Fenno looked around her. In the distance, she could see a large tent set up on Holmes Field and could hear someone speaking with a microphone. She decided to walk over.

What she saw was — horrible. Beyond horrible. She had seen plenty of movies, even scary ones, about the future, but nothing had prepared her for this.

Newly appointed HLS Dean Elizabeth Falk '00 was addressing the alums.

"And now," Falk was saying, "I want to recognize a few members of the Class of 2000 for their contributions to

Harvard Law School and society as a whole. Where's Ron Kasner? Hi, Ron. Ron, as many of you know, had a few ... problems during his first year at Harvard back in the mid-1990s. The whole 'No, really, I was using the money for our class' thing. Ron, you character. Bygones. After a few years away, Ron came back and graduated with the Class of 2000. And now, he's made a name for himself in the Consumer Fraud division of the Justice Department. He's even — can I say this, Ron? — up for Attorney General if Karenni Gore wins the presidency in 2028. Let's give him a round of applause."

Kasner blushed and sat down. Dean Falk continued.

"Who else do we have here today? Do I see Raj Goyle? Raj, stand up and say hi. Now, as many of you will recall, Raj started the organization Catalyst when he was at Harvard and did a lot of good work with the late Ralph Nader. In his early 30s, Raj decided to change pace and joined Wachtell, Lipton as an equity partner doing high-level transactional work. The deals he's done are legendary. The 2012 merger between the U.N. and Hooters. Rupert Murdoch's 2015 buyout of the ACLU. And, finally, just three years ago, Microsoft's hostile takeover of the federal government. Congratulations on your success, Raj. Where do your kids go to school?"

Raj smiled, but Fenno thought she saw the flicker of a grimace cross his face. "Dalton and Chapin, Liz."

"Right. Raj Goyle, you make Harvard Law School proud. Now, where's Jake Zimmerman?"

Fenno instantly recognized the curly redhead. He stood and waved.

"Hi, Liz."

"Hi, Jake. Now Jake, as many of you have read in the papers, has had a rather... interesting career. He was head of Special Operations for the CIA for 18 years — privy to some of the Company's deepest secrets, doing things that no one knew about. Then, three years ago, he suddenly retired and published his book. 'It Was Me, and I'm Really Sorry' was a New York Times bestseller and has allowed Jake to devote his life to his true love —

knitting socks. Let's give Jake a hand for speaking truth to power."

The audience clapped. Jake beamed. Fenno felt queasy.

Falk was winding up her speech, mentioning people more quickly now.

"And then there's Mike Leiter, proud standard-bearer for the newly reinvigorated Green Party. He's here with Beth Collins, his wife, who has gone on to a great career working with the homeless in New York. Her compassion, her good heart, is an inspiration to us all."

Fenno loved this. She wished she could go back and tell people what things would really be like in the future, what would happen to their dearest ideals as time went on. Well, she thought, *I could say something now*.

She stepped toward the podium — and felt a sudden tingle spread throughout her body. She opened her mouth to say something but found herself frozen, unable to speak. She blinked. She started to black out. She was leaving! No! she thought. Not yet!

Fenno woke up in the Berkman Center. Zittrain was on the floor, crying and holding a teddy bear, oblivious to her return.

She needed a beer. Let Zittrain do what he would — from what she could see, the future couldn't get much worse.

Fenno walked down the stairs and headed toward the Cambridge Common. Deep in thought, she almost ran into a dark figure, who grabbed her arm as she passed.

"Fenno."

It was the Author.

"Listen, Fenno, I'm done. One semester's enough."

"Great," Fenno said. "Now I suppose you're going to give me a big speech about how bad you feel, right? About how you just couldn't bring yourself to make fun of people for another semester?"

"No," said the Author. "I liked that part. I just want to do other things. That's all."

"Oh," said Fenno. "Well, see ya."

"Yeah," said the Author. "See ya."

And they, hands in pockets with tentative steps and slow, down Mass. Ave. took their solitary ways.

For the very last **Can You Spare a Razor Blade?** something a little different ... sort of like I, Dusan Stojkovic '00. [Check out www.the-buzz.com.] And they say song lyrics ain't poetry!

Mi smo ljudi cijani sudbinom prokleti
uvijek netko oko nas dodje pa nam prijete
ni bendovi nisu vise kao sto su bili
moj se amaterski priprema da snimi...

Johnny Stulic

And I just want to scream HELLO
My God, it's been so long,
never dreamed you'd return
But now here you are and here I am
Hearts and thoughts they fade ... away ...
Ed Vedder

Ovaj krug sam smislio
Ovaj krug sam stvorio
Ovaj krug sam razbio
Vetar rasuo,
Vetar misli,
Vetar zna
Sve sto znamo ti i ja.
On me voli,
On me nosi,
On me razbija....

Milan Mladenovic

... Erase wise, wofeful words of mother
Replace them with absurdities of others
(who had also lost their way) ...

Ursula Rucker

É um estrep, é um prego, é uma conta, é um conto
É uma ponta, é um ponto, é um pingo pingando
É um peixe, é um gesto, é uma prata brilhando
É a luz da manhã, é o tijolo chegando
É a lenha, é o dia, é o fim da picada
É a garrafa de cana, o estilhaço na estrada
É o projeto da casa, é o corpo na cama
É o carro enguiçado, é a lama, é a lama...

Tom Jobim

déjame, que yo no tengo la culpa de verte caer
si yo no tengo la culpa de verte caer
Entre dos tierras estás
y no dejas aire que respirar....

Héroes del Silencio

Das Wasser soll dein Spiegel sein
erst wenn es glatt ist wirst du sehen
wieviel Märchen dir noch bleibt
und um Erlösung wirst du gehen

Rammstein

I'm driving my car too fast
with ecstatic music on...

Björk

...I'm just doing what I can
Working harder for THE MAN
Going around and doing good...

Polly Jean Harvey

And I'm like, damn, yeah,
You and me hand in hand
I'm married to THE FIRM, boo,
You gotta understand
I'd die for 'em
Gimme a chair and I'll fry for 'em
And if I gotta take the stand
I'm gon' lie for 'em

Foxy Brown

shell smashed. juices flowing. wings
twitch. legs are going. don't get sentimental. it always ends up
dRRiveLLLL. one day. I am going to
grow wings. a chemical reaction.
hysterical & useless. hysterical &
let down and hanging around.
crushed like a bug in the ground

Radiohead

I'm on a plane, I can't complain

Kurt Cobain

So it's been real, people. Time for my
parochial ass to get out of here, but...

Before I do

Just one more look at you

It's well worth the stay

But I'll see you at that better place

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Class of 2000

FINAL TIME

Well, well, well. Just two weeks ago I was sitting in the dreary Ames basement, as I've done every other Monday for the past three years. I was writing just another column about just another subject of vague interest to the HLS community, trying once again to cram a few laughs into 900 words.

And now, here I am in that same basement for what will probably be the last time. Oh, the pathos. Oh, the humanity.

Farewells — especially maudlin, literary-style farewells — always wind up seeming a bit silly. They are particularly silly at a place like Harvard Law School, which will forget nearly all of us the moment we are gone. This institution is so old and steeped in tradition that its transient student denizens pass, in the grand scheme of things, like little more than shadows in the night. (Rather whiney shadows in the night, in some cases, but shadows nonetheless.)

So how does one say goodbye to such a place? I know a few people for whom this is an easy question: they would cheerfully recommend a raised middle finger. They would not, of course, be the first to do so. And, after all, we do have the occasional Scott Turow who makes a real impact just by bitching about our beloved Mother Harvard.

Some of you will, perhaps, expect the same from me. After all, to the extent that I have made a name for myself at HLS it has largely been through mockery. In the past three years, I've had some unique opportunities to make fun of this community: in the pages of this paper, on the Parody stage, and in all manner of other venues, too. If you are a prominent figure on this campus, odds are real good that at some point I've been involved in an attempt to have a laugh at your expense.

But along the way, I somehow became a "prominent figure" myself. Three years of this silliness has brought me attention, awards, and even electoral success. I still haven't entirely fathomed exactly why this happened; my best guess is that someone must have put a lot of LSD in the water. Whatever the cause, however, all the accolades have certainly been flattering.

So perhaps it comes as little surprise that I have no obscene gesture to extend as my final message to this community. Indeed, I wonder if I have any credibility left when I flash a big goofy grin and exclaim that I love HLS. But, for better or for worse, I do. It is a flawed and frequently absurd institution. But the minds it attracts and the people it creates are like none I have ever seen before. To spend three years in your company has always felt like a tremendous honor.

This has continually put me in an odd position. After all, much of what I've done here would have been a lot easier if I hated the school and held most of you in contempt. (This is even more true if you believe the perennial rumors about my past involvement with certain anonymous portions of this newspaper. Needless to say, I have no comment about these rumors.) What I'm getting at here is this: it is always easier to laugh at a community than to laugh with it. And because I basically like you people, I've always tried for the latter rather than the former. This is a tired old cliché, of course, but even the oldest of chestnuts has at least some truth to it.

So now, as judgment day approaches (assuming I finish this \$#@& Third Year Paper, anyway), I cannot help but call myself to account. If my quest here has been to have fun and not to hurt, then I have surely failed at that task more times here than I care to remember. Sometimes, not everyone shared in the joke. There were moments when some of you became targets, rather than companions.

It is an easy trap to fall into, just as it is easy to become cynical and jaded here. At a school where concern for the student is often about as sincere as Pat Buchanan's concern for the transgendered community, one can quickly grow bitter. I have seen it happen to too many of us. I feel it myself, sometimes, especially when I read that Professor X has again failed to turn in his grades on time, or that some jerk on the faculty wants to eliminate the winter term for the sake of his scheduling convenience. Sometimes I just find myself thinking about the insulting fact that this school actually has a FACULTY-ONLY PRIVATE LIBRARY, and it takes a concerted effort of will just to keep the bile down.

But I refuse to join the ranks of the Harvard-haters. For every person here who cares not a whit about student concerns, there is another who is passionately devoted to the cause of making this institution live up to the standards it purports to set for itself. And, more to the point, there are some 1850 of you who daily remind me how fortunate we all are to be surrounded by such an amazingly talented group of peers.

But now those daily reminders are coming to a close. In a few weeks I return to St. Louis, while most of the rest of you go to... well, to some place other than St. Louis. And so I am left only with the bittersweet task of saying goodbye to an intellectual community of a sort which most of us will never experience again.

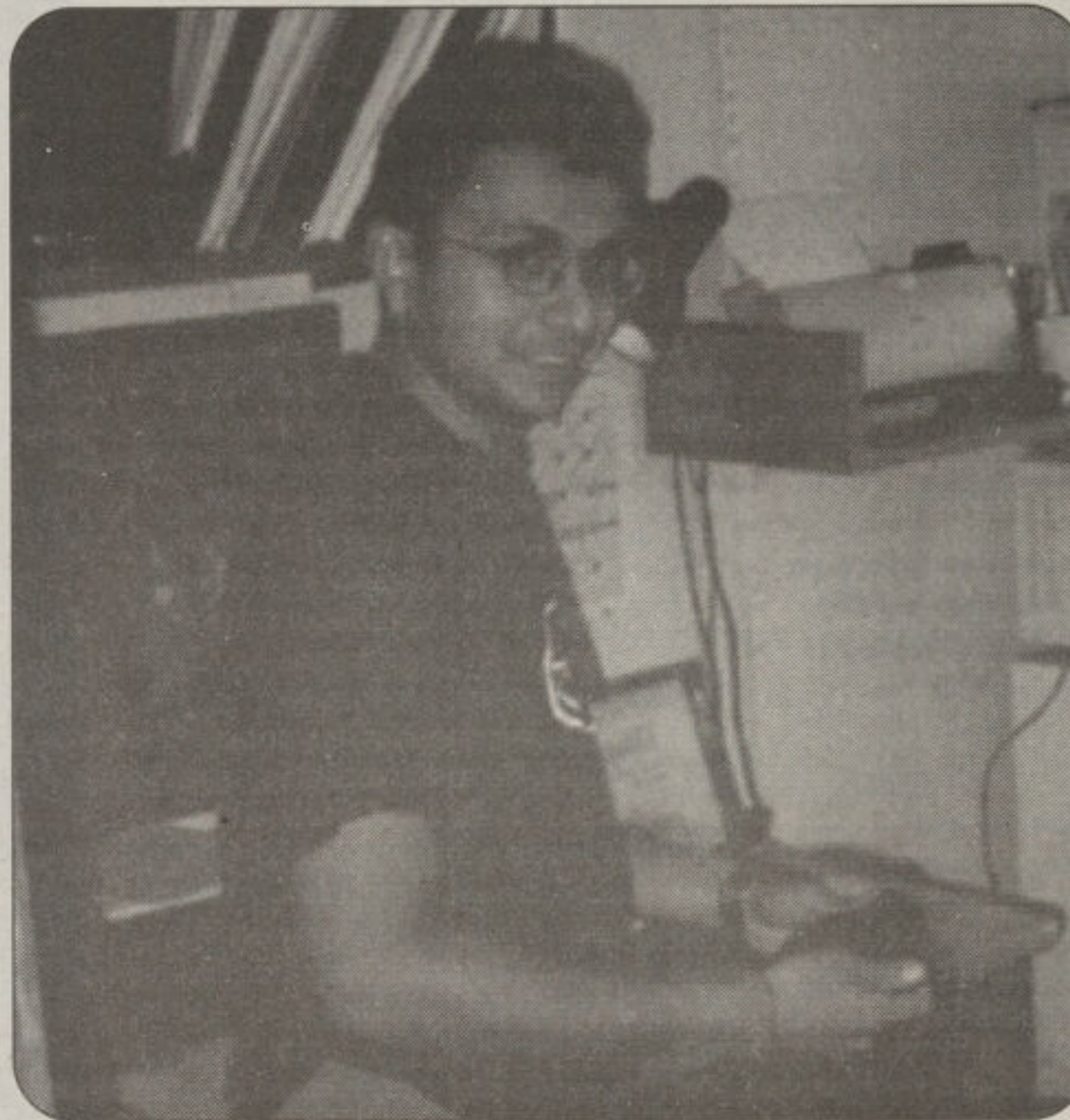
So, um, goodbye, and all that stuff. May the wind always be at your back, may your camels always be healthy, and may you never be beaten senseless by a deranged pack of apes wielding flash-frozen eggplants. Go out and change the world. Even if you work at a big faceless New York Law Firm, you can still make a difference. Try not to forget that, huh?

Oh, and one more thing: thank you. Thank you all for helping to give me some of the best years of my life thus far. Thanks for reading, for listening, for arguing, for complimenting, for voting... and, above all, thanks for laughing. Whatever you do, wherever you go, please keep laughing. Laugh at the world, laugh at the people around you, and — for God's sake — always laugh at yourself.

Thus endeth the lesson. Shantih, shantih, shantih. God save the Queen. Stop me before I kill again. Have a nice day.

The end.

—Jake Zimmerman



Class of 2000

REMEMBER THE TRUTHS THAT M

What an honor it is to be able to write a few words to my colleagues in the departing Class of 2000. Thank you Justin and the RECORD for the opportunity.

Before I mention anything about the class, I would like to thank the school — its administration and especially the faculty — for three excellent years. I haven't agreed with our professors all, or even most, of the time, but I certainly respect them. It is obvious why they are at the top of their profession, and despite the stereotypical knocks about their disinterest in students, I have found them to be an engaging group.

I had Prof. Vorenberg this spring for professional responsibility. I get a chance to say now publicly what I had planned to tell him privately at the end of the semester: I will never forget and will always appreciate his example of courage, grace and perseverance. He may have taught more to his students during this semester than at any other time in his career.

And of course I'd like to thank you, my classmates, for a lively law school career. I have always been impressed with the diversity of your experiences and the depths of your talents. Due mostly to you, law school has been an enlightening, and at times humbling, experience. It has been a privilege to call you classmates.

We have our differences on matters of law, policy and morality, which is no secret. But we have our similarities too, and I prefer to dwell on them. I write now not to persuade — this isn't the time or place — but to explain briefly one last time what I hold dear, and why.

I believe the most important thing we have in common is our humanity. Each of us is to be counted an equal member of the human race, sharing the same rights and responsibilities as everyone else. If too often in our discussions I have emphasized our responsibilities instead of our rights, it was because I think we are too quick to focus on the rights at the expense of the responsibilities.

We share something beyond just our humanity, however. As Americans (and with apologies to our non-American colleagues), we also share a common heritage, one of which we should be proud. Our country has not been without its failures; in fact we have shown ourselves capable of inflicting great suffering on our fellow man. But ultimately our country is premised on the equality that belongs to all persons, and it is the freest, safest, most prosperous nation the world has ever known. It has nourished institutions like Harvard as they have grown and developed, and it has opened opportunities to us the likes of which most of our parents couldn't

have dreamed.

Our founding principles, at times, retain their vitality of these principles: There is an ultimate truth by which we know right to life; government is the governed; the family requires and deserves our

The principles themselves applications over the Nevertheless, they are the does not appreciate them

To the many self-proclaimed this: Our society, like our to different challenges at society is not a shapeless one have a foundation upon w of our common human in repudiate it, we will be run in another. We will make progress, until we accept the truths that have made

I'll bet the one thing you tion of the RECORD is rivism, but there you have dencies sooner, Raj Goyle ers with him in the Har filled.

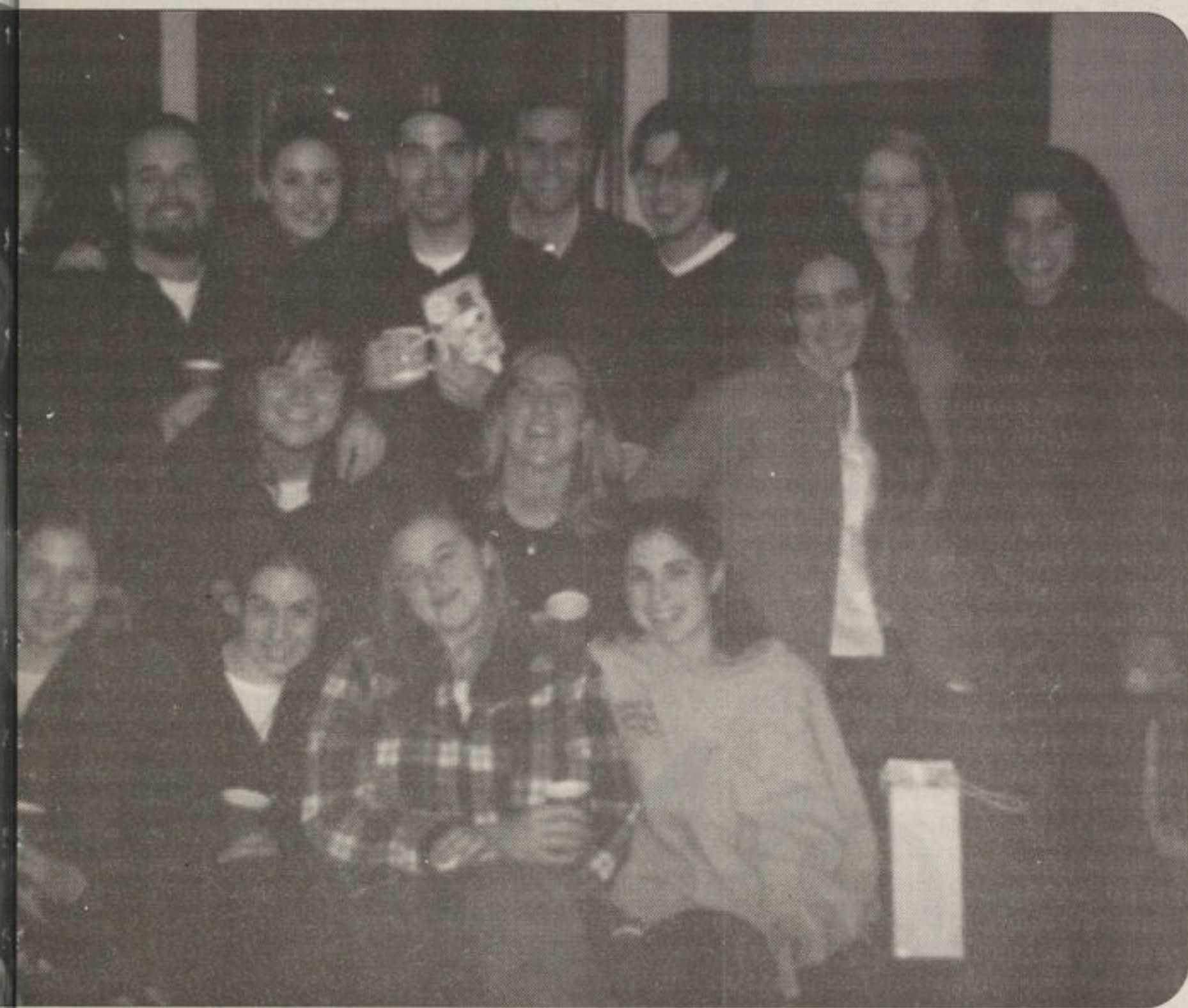
Discussions with you re cations have always been such heated and divisive that my classmates are no better or worse, do more make and reshape it. I influence the public deba some of our foundational

So congratulations on a Class of 2000, and best w each of you fulfilling careo

Face
the
Class



Farewell the Class of 2000



AT MIDE US FREE

...died in different ways at different
...is day. Among the more important
...creator or, if you prefer, at least an
...know right from wrong; everyone
...able rights, chief among them the
...their power from the consent of
...the building block of society and
...ction.

...please some of us, and some of their
...urries positively enrage others.
...ndation of our republic, and if one
...at least one must take account of

...“progressives” among us, I offer
...tution, may be capable of adapting
...nt times. But like the Constitution,
...of clay waiting to be sculpted. We
...ve already stand, consisting mainly
...and our common heritage. If we
...ss, going first in one direction, then
...ot of motion, but never any true
...time-tested, self-evident truths —
...ll free.

...ght you'd never see in the last edi-
...ming the mantle of true progres-
...suppose if I had revealed such ten-
...ave tapped me to hang Catalyst fly-
...s, some ambitions must go unful-

...ng these principles and their impli-
...tant to me. I wouldn't bother with
...so frequently except that I know
...age people. Harvard graduates, for
...read and interpret the law — they
...very confidence in our abilities to
...only hope that as we do, we keep
...in mind.

...our outstanding accomplishments,
...n the years ahead. May God grant
...long, productive and happy lives!

—Jay Webber

Class of 2000

REFLECTIONS ON THREE YEARS AT HLS

I'll never forget the day that the packet from the Admissions Office came in the mail. My mom called to tell me that I had received a letter from Harvard and asked if I wanted her to open it. I was a little scared to hear the news, but relieved when she told me it was big. When she opened the letter and read it to me I was so excited — for about five seconds. Then I honestly thought I was going to throw up. What business did I have leaving Texas, and all my friends and family? Why would I want to move across the country to attend school with a bunch of people who would undoubtedly think I was a backward-thinking Southerner? I didn't even visit before accepting because I knew if I saw the place, I would never be able to actually enroll. When I finally moved up to Cambridge in August, my mom came with me (I think to make sure I actually got off the plane!) and proceeded to room with me in North Hall for almost a week because I was too scared for her to leave.

What a difference three years has made. Now the thought of moving back to Texas is starting to make me feel a little sentimental towards ol' HLS. It seems like just the other day we were 1Ls worried about getting our reading done so that we wouldn't be humiliated in class. Now we are worried about whether or not our professors will actually enforce that attendance policy! Then there was 2L year, where it seemed like all we did for two months was put on suits and trek down to the Charles Hotel for job interviews, scared nobody would want to hire us. By 3L year, those of us working for firms had much greater concerns — would our firm “match” the salary increases?? It's amazing how things have changed. 1L year we went to the parody and missed 90 percent of the jokes, this year we went and prayed nothing we did would be worthy of discussion.

My three years here have made me realize how silly I was for thinking that HLS wasn't for me. It was hard to leave home, but the friends I made, the professors by whom I have been taught and the opportunities I have been granted have made the decision completely worth it. There is no doubt that there have been some hard times — I doubt we'll miss the long, cold winters, the weeks of rain in April, or the long days spent in the library writing our 3L papers. But there are many happy memories that I will take with me, and I know that not only now, but also years from now, I will look back and be glad I decided to come to Harvard Law School.

—Ashley Morgan

Graduation Schedule

May 2, 2000

Cocktail Party and Dance for the Class of 2000

7 p.m. Reception at the Ropes-Gray Room, Pound Hall, 2nd Floor.

9 p.m. Dancing at the Charles Hotel, One Bennett St., Harvard Square. One free ticket for each class member. One \$10.00 ticket for aguest. Tickets available from April 12 to May 2 at Lewis International Law Center Reception Desk.

June 7, 2000

Class Day

Harvard Law School Association Alumni Spread

At lunch, an Alumni Award will be given under the tent on JarvisField. Harkness Quadrangle 12 to 2 p.m. Tickets are \$10.00 each and may be purchased from Constantinos Zahariadis at the Harvard Law School Association Office located in the Baker House Alumni Center, 1587 Massachusetts Ave., from March 31 to May 26.

Law School Class Day Exercises

Commencement Stage on Holmes Field beginning at 2:30 p.m. Sacks-Freund Teaching Award Class Day Speaker

Reception for graduates and families from 4 to 6 p.m.

Under the tent in Jarvis Field (Harkness Quad). Tickets not required. No charge for admission.

Concert by Harvard Band and Glee Club

8 p.m. Harvard Yard. Tickets not required. No charge for admission.

Last Bash

9 p.m. Under tent in Jarvis Field (Harkness Quad.). No tickets/No charge.

June 8, 2000

Harvard Commencement. Harvard Yard.

7 a.m. Champagne Breakfast for graduates and their families. Harkness Quadrangle. No charge.

8 a.m. Law School degree candidates, in caps and gowns, will meet in front of Harkness Commons main

entrance to join the Class Marshalls in a procession to the 1885 Gate at Quincy St. where you will gather in the Sever Quad for the Academic Procession. All graduates must be at the Sever Quad. By 8:20 a.m. For ticket holders, gates open at 7:45 a.m.

9 a.m. Academic Procession. Harvard Yard.

10 a.m. Formal Program. English and Latin Commencement Parts (brief student orations); awarding of degrees, including honorary degrees. Guest tickets. No charge. Limited to two for each degree candidate attending Commencement. Application must be made by Friday, May 5, 4:30 p.m., at the Lewis International Law Center Reception Desk.

11:30 a.m. Law School lunch for graduates and guests. HolmesField. Each graduate is entitled to one free ticket which must be presented to obtain lunch. Tickets for guests (as many as you want) can be purchased from the Receptionist: \$12.00 between April 12 and May 5, 4:30 p.m.; after May 5, a limited number of tickets may be available. (No tickets will be sold at the luncheon.) In the past, there have been some questions about graduates and their free tickets. Graduates must present a ticket to obtain lunch, although, as mentioned, the graduate's own ticket is free.

12:15 p.m. Awarding of diplomas.

2:15 p.m. Alumni Procession. Harvard Yard.

3 p.m. Meeting of the Associated Harvard Alumni. Speakers: Commencement Speaker and President Rudenstine.

Tickets: No charge. Limited to four for each degree candidate. Order from the Receptionist when you apply for morning tickets.

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Rude Awakening

KEEPING IT REAL

By Elizabeth Falk '00
RECORD Columnist

I adored Professor James Vorenberg. I had just finished my end-of-the-semester presentation in his Criminal Justice Administration seminar, and many of my 13 classmates were shaking their heads in complete disgust. The topic was one of my most passionately felt subjects, the appropriateness of the rape shield law in a modern criminal court that was finding it increasingly difficult to define legally the narrow border between date rape and second thoughts, and the level of male irresponsibility and hormonally induced indifference that could be defined as criminal behavior. My experience in both prosecution and defense had taught me that these were the toughest cases around, as well as the ugliest, and I hadn't hesitated to use explicit language, directly quoted from trial transcripts, to enunciate that point.

When I overheard people filing out of class whispering about the inappropriateness of the use of "disgusting descriptive sex acts" in front of such an esteemed and revered professor, I felt compelled to stay behind and explain myself. "I'm sorry if I was a bit graphic, Professor Vorenberg," I said. "But this is an ugly, shocking topic in court every day, and I kind of expected these future legal advocates to be able to deal."

Smiling, he waved me off, obviously unaffected and clearly amused at my urgent explanation. As I walked away, I felt a sharp poke in my behind, and whipped around to see the Professor grinning ear to ear in his infectious way, the infamous cane he always carried still pointed at me.

"Great job," he said.

And I burst out laughing, immediately understanding the joke behind his sudden gesture. We both understood how ridiculous it was for a roomful of future lawyers to get so offended from the repetition of real-life courtroom exchanges. We both felt it ironic that a class of law students felt justified in shielding themselves from such replay when the alleged victims and perpetrators, as well as their families, had been forced to listen to those same words and feel the painful emotions the words drugged up. And we mutually thought it silly to think that my little hour-long presentation on a criminal law topic could in any way shock or offend a man who had dedicated his life to seeing and analyzing far worse commonplace horror stories of the criminal justice system.

As that playful poke demonstrated, James Vorenberg was far from an affected, out-of-touch academic; he was real. He was an amazing professor, but foremost, a great practitioner, a man who tackled raw projects and tasks that directly impacted people's lives. He was a man at the center of issues of national importance, who not only analyzed those situations, but fully participated in them and altered their outcomes. He was not just a professor, but a professor who understood that the potential to impact the way real people interacted with the law was the most important part of legal education.

As I attempt to utilize my last RECORD column to explain the most important lesson I have learned over three years here, it seems fitting to me to bring up this memory of Professor Vorenberg as the transformative moment in my legal education when I finally saw one of my law professors as a real person. For all the greatness that everyone at HLS will remember him by, this is the greatness that truly impacted me, his uncanny willingness to forge talent and soul and show the real James Vorenberg while wearing an academic hat.

Most professors here choose not to show themselves as real people in or out of the classroom; I was never sure whether that had more to do with some aggrandized manifestation of their superior intelligence, or an impression that formality and distance were somehow appropriately mandated at their pinnacled position in the theoretical legal world. Or perhaps, teaching law is just a job like any other job. Most working people have their professional selves and themselves. White-collar Americans in particular expect that shroud of formality, where work requires the "game face," and if we're lucky, we can all go home and "be ourselves" in our personal lives.

Yet somehow, I came here believing that the greatest teachers manage to circumvent this dichotomy, and that the most real teachers and professors have the most powerful impact on their students. My Duke professors who felt any sort of real commitment to their discipline valued dialogue over hierarchy, and were not hesitant to show us who they really were in and out of the classroom. And if the legal profession is, definitionally speaking, a human endeavor, I can't deny that I expected the professors at the greatest (okay, third-greatest) legal institution in the land to view part of their commitment to legal education as a personal responsibility to keep the humanness of the discipline alive. Isn't that sort of interpersonal investment what teaching is truly all about?

Perhaps my expectations in the Harvard Law School educational process were misplaced for this exact reason; perhaps I misunderstood its ultimate aim in shaping the future of the legal profession. But oddly enough, my understanding suspiciously mirrors this place's much-touted formal mission statement. I came to law school because I have seen first-hand how important a role the law plays in shaping communities and defining the lives of individuals. Besides medicine, no other potential career path is as closely tied to the unsuspected and unplanned human circumstance that rouses people's passions and, thus, truly matters. The law is critically important because of this incredible power it has over our daily realities; its very humanness defines the stature of the legal degree. I wanted my career to matter. I wanted my life to matter. I didn't see any feasible way to make that happen if the two were separated. And there was no way I was taking all those science classes.

But if the humanness of the law is what drew me to the profession, then there is a far greater disconnect between legal education and the practice of law than a surface juxtaposition of Scott Brewer's Jurisprudence class with BarBri explains. Perhaps I was simply unlucky in the HLS experience, but it's been a constant struggle for me to find realness in any aspect of this supposedly "elevated" three-year examination of legal principles, and equally distressing to watch my classmates subsumed by its indoctrination that superior academic performance as lawyers mandates that we set aside the crux of what drives us as people. At the very height of our potential to discover the sublime existence where work and life are not mutually exclusive, but symbiotic, our desire to be lawyers forced us through the gatekeeper of "Law School." We arrived to be trained by professors who instead instilled the notion that the most elevated in the field are the most personally inaccessible, through an educational process that trained us into thinking our emotions have no place in our professional



lives. It is ironic now to contemplate the reality that I have been schooled in celebration of the divided existence I came to HLS to overcome.

Not all of us can graduate as the Law Review President, clerk on the Supreme Court, or teach at the great Harvard Law School; only a minute few of Professor Vorenberg's myriad of accomplishments. But no matter where we stand in the amorphous conglomeration of class GPAs, we all have the ability to replicate Professor Vorenberg's commitment to maintaining our real personage in our professional lives. I don't care if you're one of the five selfless community servants heading to legal services, or one of the 545 serving nothing but the corporate machine; situations will soon arise that will test your fusion of the person and the lawyer, and force you to evaluate your stake in humanity versus your stake in your own professional success. When you hear that racist or sexist comment by your boss, stare into the face of a distressed colleague who needs your support, or see that pro bono request flash across your email screen, will you face the reality of your humanness hiding behind that suit? Or will you turn away, secure in the conviction that this setting is "professional" and that business is "different"? Will you succumb to the established hierarchical order, or like Professor Vorenberg, seek to overcome it?

And thus, the ultimate lesson of HLS for me, in particular memory of James Vorenberg, is to never replicate the stifled, overly theoretical, and emotionally detached methodology of legal education in contemplating my career as an actual lawyer. In reflecting on this two-year experience as a RECORD columnist, I have come to realize that it was my colleagues' strong opposition to the utilization of personal narrative in a "law school forum" that drove me to persist in doing so, in the face of many ill-willed rumors and derogatory comments. For me, it was those people who "decided" that my writing style and choice of topics were inappropriate that exemplified the problematic nature of voided humanity in legal education.

This space has allowed me to fight back and remain real here, protecting the person that I am from an otherwise largely inhuman educational experience; to call it as I see it and utilize my own voice where personal experience is undervalued in its importance. It has also allowed me to synthesize the person that I am with the education that might have otherwise turned me into someone else. And most important, this column and the controversy it generated taught me that if I don't like what I'm seeing around me, I do somewhere have the fortitude to speak up and keep my professional face honest to my true self. While it is clear that I will never come close to realizing the many accolades of James Vorenberg in my own life, I will leave HLS continuing to aspire for his incredible legacy in keeping it real.

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Madness With Method

By Darren Schlanger '00
RECORD Columnist

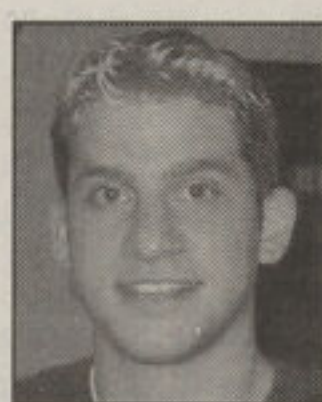
PARTING MONEY SHOTS

Nostalgic musings incline towards the axiomatic, the histrionic. This is because one tends both to reminisce about memories salient because of their prevailing appeal and then exaggerate them as a result of this very same banality. Guaranteed, that first sexual encounter or graduation or tab of acid weren't nearly as memorable in actuality as the fantasy into which they have evolved. Of course, like days in prison, tabs do have a propensity to blend together. That being said, this, my final RECORD column, will do its best not to sugarcoat the synopsis of Harvard Law School memories to follow.

From my first year, I have to admit I don't recall much, and not simply because of the increased alcohol intake needed to facilitate pleasantries with the unpleasant. I remember going to class more often than I do now and can vaguely conjure up an image of almost every professor with whom I had the privilege of basking in legal brilliance. Except Lessig, whose name summons only murky pictures of Ed Begley Jr. in faded black jeans tasting Earl Grey at High Tea. Actually, it's Earl Grey, Jr. if memory serves correct (his father passed years ago). And I never bared eyes on Glendon, so I like to pretend she looks like Blackstone in pig-tails. I remember not remembering why I

came to law school (now I can remember never having known). I recall a party where a betrothed classmate enlightened me as to her aversion to undergarments (dangerous thing, playing show-and-tell with a writer and assuming a moratorium on kiss-and-tell). That I shan't ever forget. I remember making out with Danny Levin at the Lincoln's Inn formal. What, you say? You went to the Lincoln's Inn formal? Sadly yes, though I did witness an inordinate number of future Congress people taking a split in the middle of the dance floor. Their names are available, for a fee, of course. Finally, I remember a fun survey I conducted on behalf of the RECORD culling the eclectic predispositions of the Harvard Law population. Strangely, the number of virgins in my class has managed to rise from the 19 percent who affirmed their chastity of two years ago.

Second Year, my dominant recollections involve fluids. Not much else of import or interest occurs during second year. I remember throwing up on that amateurish statuary simulacrum of the Discuss Thrower outside Hemenway. I recall urinating on the Hark boxes after the Texas party. Fortunately I maintained enough composure to focus my micturate exclusively on the mailboxes of the LL.M. stu-



dents, which also explains why no one ever discovered the pungent odor that could easily be mistaken for European pheromones. I think I spilled bong water on my cat, himself an acquisition from second year. I know I spilled a diet coke on an interviewer from Cravath. It was at least 75 percent accident, bordering on 80. After another interviewer sensibly played to my perceptible irreverence and eccentricity with tales of his younger brother's madcap Internet exploits, I recollect telling him about a friend who set his company's home page to Prison-Rape.com. Again, a fluid-based reflection, albeit of foreign origin. By the way, I'm not working at either of those firms.

Third year, my memories are more intense and not merely because they are ongoing. Perhaps a last-gasp attempt to remedy experiential inactivity, perhaps deriving from a recognition that the inevitable (graduation, tedium, divorce, retirement in Florida) will not be frustrated by a little experimentation, the last year fashions out of monotony an unexpected crescendo, a creatio-ex-nihilo of merrymaking. Gambling, drugs, sex and clerkship interviews. The comprehensive abolition of class attendance. A legendary succession of win-streaks at casinos and weekly poker games, for which my landlord is forever grateful. Convincing a firm to route me through Las Vegas during fly-out week. The firm is located in Washington, D.C. Alcohol-induced and narcotized stupors transpiring in the unlikeliest of

locales with the unlikeliest of crowds, including getting drunk with Bailey from Party of Five, which was originally entitled "Party of Five-Foot-Six and Under." Love Doll may yet have an acting career ahead of her. Aesthetic progress, rising, finally, to a destined artistic mediocrity in directing poorly an easily directed play and contributing two more irrelevant screenplays to the vast universe of cinematic limbo. Handing in my third-year paper, due February 1 so as to accommodate the rigors of sabbatical, three months late. I bet I still graduate (pending on the odds given and the availability of a double or nothing option).

In the final tally, I guess I remember very little concerning the academics of my Harvard experience. Never worked on a journal, never sunk so low as to do BSA, felt I was plenty moot without participating in upper-round Ames. My idea of an outline is limited to the chalk trace of a murder victim at the scene of the crime; to me, a case brief is something a man wears until he discovers boxers during adolescence. What memories I do retain are expectedly of experiences over the last three years in spite of law school rather than of law school itself. I learned to ride a motorcycle and bake my own crack, to drive while intoxicated and shave my own back, to bluff at poker and wager five grand worth of chips in a stack. I ate mushrooms during our last performance of last year's Parody — it was the only funny show of my entire three years. I unearthed the best falafel and cheapest cigarettes in Boston. I came to smile at Bs. I discovered that wisdom resides only in the peripheries. Not bad for 100 grand. Maybe I'll double down.

SEE YA NEXT FALL!
(TOO BAD DARREN
WON'T BE AROUND!!!!)

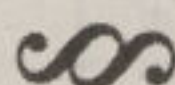
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Vino & Veritas

By Justin Dillon '02
Wine Columnist

WINE GEEKS IN WONDERLAND

The following is excerpted from Lewis Carroll's "Alice's Adventures in Wonderland":

"When I use a word," Humpty Dumpty said in a rather a scornful tone, "it means just what I choose it to mean — neither more nor less."

"The question is," said Alice, "whether you can make words mean different things."

"The question is," said Humpty Dumpty, "which is to be master — that's all."

Alice was too much puzzled to say anything, so after a minute Humpty Dumpty began again. "They've a temper, some of them — particularly verbs, they're the proudest — adjectives you can do anything with, but not verbs — however, I can manage the whole lot! Impenetrability! That's what I say!"

"Would you tell me, please," said Alice, "what that means?"

"Now you talk like a reasonable child," said Humpty Dumpty, looking very much pleased. "I meant by 'impenetrability' that we've had enough of that subject, and it would be just as well if you'd mention what you meant to do next, as I suppose you don't intend to stop here all the rest of your life."

"That's a great deal to make one word mean," Alice said in a thoughtful tone.

"When I make a word do a lot of work like that," said Humpty Dumpty, "I always pay it extra."

"Oh!" said Alice. She was too much puzzled to make any other remark.

Some respected literary historians believe that Humpty Dumpty later went on to a successful career as a wine writer.

If you've ever listened to someone prattle on about a wine's "bouquet" and how it smells of "road tar" or "dried herbs," you know why Humpty could thrive in the wine world. Winespeak is a language unto its own, and it is often what keeps the uninitiated from initiating themselves.

ating themselves.

When someone offers you a beer, you don't think, "I wonder what I'm supposed to say about this." You think, "I wonder if there's more." That's the way to think about wine — as unabashed liquid hedonism. People should be able to drink what they like without worrying about whether they're putting the "right" adjectives to what they're describing.

I cannot plead entirely innocent in this department. Sometimes I do use odd words like "chewy" to describe wines, but that's because I'm simply looking for a way to say "It's not smooth," or something along those lines — something other than, "It's real good." These sorts of adjectives have their uses, and it's not bad, for example, to know what it means to call a wine "oaky," as that's an important part of knowing what you're putting in your mouth.

If you're normal, however, you have better things to do than think deeply about fermented grape juice. You want to buy a bottle you like and be done with it. The job of the wine critic is to offer advice, perhaps a little learning, but from there, you should follow your gut.

So the next time you're in a wine shop, and the salesman is babbling in a language you don't know, just say so, and ask questions or tell him your preferences for guidance. Say things like, "Would you call this wine 'smooth'?", "Is this wine sweet or dry?", or perhaps, "I read the Harvard Law Record and am one of Justin Dillon's eight readers, so get that Merlot out of my face. Show me the Zin."

Most winespeak is useless, Humpty

Dumpty-like babble, and just because someone can use it doesn't mean they know a thing about wine or, more important, that they know anything about your tastes.

So next time someone offers you wine and asks if you like it, just be honest. And if, say, they're the kind of person who speaks with a fake British accent and throws Port parties (I'm just guessing here), then have fun with it: "I find the effrontery of its overly 'hot' bouquet balanced by its somewhat tentative, slightly cloying mouthfeel. On the whole, I find it a rather saucy offering from the — ah, 1998 vintage? But what do you think?"

Tasting notes:

All of these wines came from Marty's, hands-down the best wine shop in the area, which is located on Harvard Street in Allston/Brighton and worth the trip. The staff is the best I've

encountered so far — that rare and perfect blend of deep knowledge and unpretentious good humor. The selection is huge, and there are bargain bins (with — and this is rare — actually good wines!) planted throughout the store. I cannot recommend it highly enough, and I have no rational explanation for why it took me so long to go there.

On to the wines. The first is the new vintage from an old favorite: the 1998 Ravenswood Vintner's Blend Zinfandel, which cost \$11.99 and was a big hit among friends last weekend. The 1998 has more upfront fruit and fewer rough edges than the 1997 vintage, which makes it a good transition wine for someone taking that first tentative step away from Merlot.

The 1996 Chateau Potelle Amador

County Zinfandel sells for \$15.99 and is another top-notch offering in the affordable Zin department. It's a classic fruit-bomb of a Zin that was second only to the Ravenswood in popularity.

Also good was the 1998 Bogle Old Vines Zinfandel, \$14.99 and a completely gulpable Zin that went perfectly with several varieties of pizza. The same, unfortunately, could not be said for the 1998 Seghesio Sonoma Zinfandel, which was \$14.99 and good only if you don't drink a lot of Zin. It's a "lighter-style" Zin, which in my book is — or should be — a contradiction in terms. Only one or two people who tasted this one liked it, but I think they were just being polite.

Finally, and for the first time in this column, a few whites: the 1998 Hugel Gewurztraminer (pronounced "guh-VERTZ-tra-mean-er") which cost \$13.00 and smelled distinctly of lychee and tropical fruits. It was a bit delicate for my tastes, although several other people liked it a lot. Another Hugel offering was the 1997 Tokay Pinot Gris, which cost \$18.00 and seemed even lighter than the Gewurz. That could have been, however, because by the time I got to it I had downed three glasses of Zin. After three glasses of Zin, coffee can seem comparatively light. Seeing as how it was so popular among several less liquored friends, I'd be willing to give it another shot.

Finally, and surprisingly, comes a French Chardonnay: the 1998 Trois Frères Chardonnay, which cost \$9.99 and was one of the best Chards I've had in a while. It had a light, non-oaked crispness and tasted of citrus fruits. This wine is a must for people who want an alternative to the heavy, ridiculously overoaked Chards that California seems to be putting out by the billions in this price range.

And what, Mr. Dumpty, does "ridiculously overoaked" mean? For that, my dear eight readers, you'll have to check back in the fall.

Most winespeak
is useless, Humpty
Dumpty-like
babble. Don't let
it intimidate you.

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TRAVELOGUES

Asia Law Society sees Japan close up

The Harvard Asia Law Society (HALS) offers an annual opportunity for 15 law students to travel to Asia. This year's destination was Japan, a fitting choice for the new millennium. This past century has seen Japan's rise as an Asian military power, its defeat in World War II, its phenomenal economic "boom" and "crisis," and now a renewed search for direction and identity. It was with a vague appreciation for this long, rich historical and cultural tradition that the students arrived in Tokyo.

The students' familiarity with Japanese economics, culture and politics often came from bite-sized media chunks. On one level, the purpose of the trip was to foster an exchange between members of Japan's legal community and the students. On a deeper level, the purpose was to dispel stereotypes and promote an understanding of the discourse involving Japanese business, media, government and social leaders regarding Japan in the new millennium.

Japan is at a crossroads, re-examining its history and implementing changes in its educational, government and legal institutions. The students questioned professors and students at Toei School about the educational system, exploring the journey for lawyers



Photo courtesy of HALS

Harvard Asia Law Society met with lawyers, government officials and educators during their recent trip to Japan

in training, from the first pre-school entrance test to the final bar examination. They discussed the role of lawyers and the proposed changes to the Japanese bar with representatives from the Harvard Law School Association and the Japan Federation

of Bar Associations. Lawyers from Nagashima, Ohno & Tsunematsu and Morrison & Foerster discussed the nature of legal practice in Japan. Mr. Wada, from the District Prosecutors Office, explained governmental policy decisions in the prosecution of crimes.

The students also learned about the scandals that precipitated reform at the Ministry of Finance from government officials such as Ministers Kishimoto and Nakayama. Mr. Tsuruoka from the Ministry of Foreign Affairs lent his insight as a negotiator in the often bitter trade relations between Japan and the United States, and Ms. Yamanaka expressed her hope that her unusual career as a female politician in the House of Representatives would become more common.

Meetings with the Japan Civil Liberties Union and Peace Boat reminded HALS members that Japan has a growing public interest sector. The students ended their brief but intense study with an informal, frank discussion about the limits and avenues of power for judges with Mr. Sonobe, a former Supreme Court justice.

The Japan delegation would like to thank all of the people who helped organize the HALS trip. Not only did the visit allow the students to participate in an active discussion about Japan's future, but it also contributed to their education and growth as lawyers facing questions about their own identity in the new millennium.

—Young In '01

ILS, MELSA delegation hopeful about Middle East peace

A group of 10 law students traveled to Israel and the West Bank over spring break as part of a delegation to study the legal and political aspects of the Middle East peace process. The trip was organized entirely by student members of the International Law Society (ILS) and the Middle East Law Students Association (MELSA). The students arranged to receive funding for the trip from various academic, nonprofit and private organizations. The ILS plans to make the delegation an annual event, but this was the first delegation planned by MELSA.

The participants of the delegation were Norm Cappel '02, Amy Cohen '02, Alma Hadar '02, Malda Hibri '02, Jason Herman '01, Lesley Kagan '02, Melanie Moultry '02, Jeremy Sharpe (LL.M.) '00, Steve Stiglitz '02 and Sarah Whittington '02.

The broadly stated goal of the delegation — to study the peace process — allowed these students to come together and plan a unified trip despite their widely divergent intellectual interests. For instance, Sharpe has worked in public international law for several years and wanted to study the treatment of Palestinian refugees to see the application of United Nations treaties. Whittington approached the refugee issue from a different perspective. As an undergraduate business major and a student in the negotiations elective at the Law School, she was more interested in the role of the refugee issue in the negotiations process. These different interests often helped the group gain a more complete understanding of the issues.

The group hopes that the multiplicity of ideas will work for its benefit in the writing of a joint paper for Harvard Law School Program on Negotiations. This paper will focus on the potential for business alliances to encourage the political process by using peace and stability as economic incentives for compromise. To prepare for this project, the group met with a variety of people with expertise in Israeli, Palestinian and joint-business prospects.

Researchers and entrepreneurs in

Israel said that their nation was on the forefront of many areas in high technology. Although these high tech industries do not yet engage in a substantial amount of business with their Palestinian counterparts, there is some cooperation and reason for optimism. The ability of computer programmers and other professionals to work remotely from the other side of the border will make such joint-business ventures easier in the future.

Officials in the Palestinian Authority also claim that the

between the positive outlook at BBB with some of the political officials who expressed more concern: "I was surprised to hear people (in the Israeli and Palestinian governments) speak about the situation with such a bleak outlook. Nevertheless, the trip ended on a positive note. In our meeting with the BBB, participants spoke about Arab/Israeli relations with a sense of hope in their voices," Herman said.

As Herman suggested, despite the economic progress that Israel and Palestine have enjoyed in recent years,

The Palestinian economy has a solid foundation that will benefit tremendously from free trade with Israel. As the economy strengthens, so will the economic incentives to find peaceful compromises.

Palestinian economy has a solid foundation that will benefit tremendously from free trade with Israel. Despite claims by political radicals to the contrary, the group was inclined to believe that the Palestinian economy is improving rapidly, even under current conditions. As the economy strengthens, the Palestinians will have more economic incentive to find peaceful compromises.

The group met last with a student group at the Tel Aviv University business school called Building Business Bridges (BBB). This group brought students from Arab and Jewish backgrounds together to make business connections and to encourage joint-business operations. This encouraging atmosphere left the Harvard students with the impression that there is reason for optimism.

Herman emphasized the contrast

there are still several crucial issues standing in the way of a lasting peace agreement. Chief among these are the relocation of the refugees of 1948, the disbanding of Israeli settlements in Palestinian territories, the question of setting borders, control over Jerusalem and water rights.

There are no easy solutions for these conflicts and the delegation quickly learned that the fair solution and the practical solution often differ greatly. For instance, hundreds of thousands of Palestinians were displaced from their homes in 1948 after the War of Israeli Independence. Fairness might dictate that Israel give these people the land that was taken from them over 50 years ago. However, the negotiators on both sides acknowledge that the practical alternatives for relocating the refugees involve only monetary compensation from Israel.

The relative strength of Israel compared to Palestine has also prevented the Palestinian Authority from reaching fair solutions to problems like the creation of Jewish settlements in the Palestinian territories. Israel has allowed Jews to build settlements in the Palestinian territories, in some cases right next door to Palestinian business and on hills overlooking refugee camps. These settlements could be considered an intimidating force and serve as a constant reminder of the struggle for freedom. One Palestinian radical said that the Jewish settlements make him sick to his stomach because they prevent the peace accords from giving true autonomy to his people. Despite the effect of these settlements, Jewish radicals claim that they are effective in forcing the Palestinians to the negotiating table. But moderates on both sides agree that such tactics will prevent the sides from reaching an understanding that will allow real peace.

Officials from both governments also agreed that no single document will be signed this year or ever that will truly signal the end of conflict. Compromises need to be incremental because the issues involved are too complex to solve in a comprehensive accord. The sides also refuse to discuss one issue at a time because sacrifices in one area must be offset by rewards in another. The parties have tried various approaches to negotiations with limited success, but representatives on both sides are gaining a greater understanding of the people on the other side, which they hope will lay the foundation for more successful negotiations in the future.

The delegation members would like to acknowledge and thank their sponsors: the Harvard Law School Program on Negotiations, the Harvard Law Islamic Legal Studies Program, the Jewish Federations of Boston and of Greater Middlesex County, Stroock & Stroock & Lavan and Wilkie Farr & Gallagher.

—Steven Stiglitz '02

aim high



burn bright

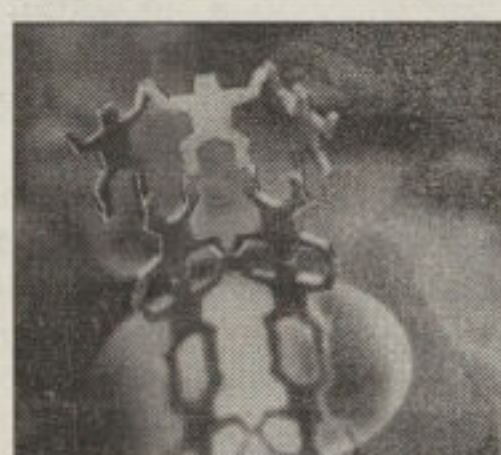
get involved



look



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HER INDIE WORLD

By Suzanne Carter '00
RECORD Columnist

NOT DEAD YET

Elliott Smith
Figure 8
Dreamworks 2000Sleater-Kinney
All Hands on the Bad One
Kill Rock Stars 2000

Among music buffs, few prognostications seem so fashionable now as that of the death of rock and roll. Don't be picking out your funeral outfit yet.

Rock has survived worse than Limp Bizkit and 'N Sync — though, admittedly, the baddest of the bad, Axl Rose and Mariah "how-the-heck-can-she-still-be-viable?" Carey, are not much worse — and I can smell an old-fashioned rock and roll revival, à la 1991, in these here spring breezes.

No performers are perhaps more equipped to reconstruct the rock genre than the two I review this week, Sleater-Kinney and Elliott Smith. Onetime label-mates at KRS Records (or, as I like to refer to the indie conglomerate, civilization's greatest hope),

the femme trio from Portland and the cynical singer-songwriter from nowhere-in-particular are the brightest stars in the record-producing constellation.

Smith's newest album is both completely unlike any of his four previous records and totally characteristic of them. This is hardly the paradox it seems. Smith's albums all sound fairly similar to the naked ear, since his ethereal tenor is as exquisite as any to come from a male since Paul McCartney recorded "Here, There and Everywhere." His voice is once again in



Sleater-Kinney: "All Hands on the Bad One"

fine form on "Figure 8." (How good of a singer is Smith? He can sing solo and still make you think you're hearing harmonies.)

Unlike his previous records, however, including 1998's "XO," often criticized for its produced, over-accessible quality (though I adored it), "Figure 8" is a true-blue rock record. Apropos of his folkie nucleus, Smith used to be compared to Paul Simon, but "Figure 8" has more depth and individuality than that — a better comparison would be to Bob Dylan.

Smith is still as sardonic as ever — "you're just some dude with a stilted attitude that you learned from TV," he leers at a target in "Color Bars" — but he experiments successfully with a bit of roots rock. The standout upcoming single "Son of Sam" is a piano-based honky-tonk glory, where Smith spotlights his proclivity to destroy his romantic relationships by comparing himself to the "couple killer" Son of Sam.

Like "Son of Sam," there are moments on this album that are disconcerting in their mere peculiarities — in "Everything Means Nothing to Me," Smith repeats the title line, in rhythmically identical fashion, over and over, until a string section overpowers him with harmony, while "Stupidity Tries" finds Smith pummeling himself to a tune that could've come straight from the Buddy Holly songbook.

And yet, the most tuneful moments on "Figure 8" would fit in on any previous Smith album. "Easy Way Out," with its sweetly phrased "it's all about taking the easy way out to you, I suppose" refrain, and the lovely "Somebody That I Used to Know," a kind of sequel to "I Figured You Out," the bitter little Smith pill that Mary Lou Lord often covers, feature Smith covered in his prettiest scorn.

This is the Elliott Smith shtick — create a luscious, intricate melody that takes your breath away and couple it with lyrics that are sad and somewhat disturbing. This is not an innovative concept in and of itself, of course, but Smith's songs are so impeccable that he makes the old impression new again.

Unlike Smith, who just might be destined to become his generation's Bob Dylan, Sleater-Kinney has no predecessors. The all-female trio is so authentically punk, they eschew all image-mongering, and thus, with their short-cropped brown hair and demi-prepster clothes, look like graduate students (they are graduate students, after a fact: singer/guitarist Carrie Brownstein has sifted in and out of graduate school since before the band's inception and received her M.A. in linguistics a couple years ago).

The image is significant here, because behaving like women you might find in any upper-level seminar is in and of itself a feminist statement. Hard rock's prominent women have

heretofore been messed-up basket cases (think pre-Hollywood Courtney Love), unattainable glamour queens (like Debbie Harry), or tough butches (à la Joan Jett). Sleater-Kinney's utter defiance of conformity to the male-dominated image machine is a crucial step forward for women in rock, because they have finally done what all-male bands like Guided by Voices, Sebadoh, R.E.M., and even Nirvana and Pearl Jam were doing a decade ago — they make music for their fans while looking, acting and talking like their fans.

Oh, the music. That's terrific, too. "All Hands on the Bad One" is more tightly held together than any of Sleater-Kinney's four previous albums. The vibe here is one of the Brill Building classics of the Shirelles or the Ronettes (whose lead singer, Ronnie Spector, is incidentally now a KRSeer — see what I mean about the civilization rescuer stuff?) recreated by the greatest garage band you've ever heard. "Ballad of a Ladyman," the album's opener, mixes the band's clever post-feminist rhetoric ("I'll be holding on to my pride a bit too long," lead singer Corin Tucker wryly warns her latest) with an retro "ooh-wah-ooh" chorus accompanied by savory claps.

Brownstein and drummer/vocalist Janet Weiss (who is one-half of the excellent-in-its-own-right duo Quasi, one of Smith's regular backing bands) are great musicians in their own rights, but the soul of Sleater-Kinney lies with Tucker's incredible voice. Once merely a screamer, Tucker now vacillates between whispers and wails, and the end creation is one of the most extraordinarily distinctive and passionate sounds in all of rock. Tucker's instrument is equally effective on "Milkshake 'n Honey," as her compatriots make "funky chicken" noises, and the old-school ballad "The Swimmer."

And lest you not believe that such non-imaged women can play such delicious punk rock, you will at least be able to identify with the album's first single, irresistibly titled "You're No Rock n' Roll Fun," in which Tucker satirically bemoans the band's lack of a groupie following (because the band's fans think the women are "like a piece of art no one can touch," in contrast to "the boys in the [other] band" who like "whiskey drinks and chocolate bars").

This is my final RECORD column. I considered doing a "desert island discs" piece or something similar, but I decided I could do nothing better for humanity than to introduce a few people to these two acts — the two acts I find best equipped to define rock n' roll in this new decade.

And as the graduation gown lies
in rags at my feet...

I feel compelled to remind you all that Her Indie World will continue to run regularly at <http://www.thebuzz.com> and to thank all of you who've taken time the past couple years to comment on this column. You don't know how gratifying the affirmation that people actually read this thing is. At the risk of sounding like an award winner who has gone on too long, I'd also like to thank Dusan Stojkovic, my partner-in-crime (only he knows how literally to take that phrase), Tanya Marsh, who gave this column a home at The Buzz online and is the dictionary definition of nice Midwesterner and a loyal friend, and Justin Herdman, who has never lost his cool with me, even though I seem to have gotten him into trouble on a weekly basis for the past two years. I'll see you all in cyberspace!

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• Letter •

LSC opposes calendar committee proposal

The Calendar Committee has written a proposal to change the academic calendar of Harvard Law School. The Law School Council (LSC) does not support this proposal for the following reasons:

While the LSC understands and supports the Committee's desire to get all Harvard Law Students on the same calendar, the LSC does not support the Committee's proposal to put 2L and 3L students on the current 1L calendar. The LSC would propose that all be put on the current 2L/3L calendar.

The LSC proposes that all students take exams before Winter break. Having exams after Winter break is terrible for student morale, quality of life and mental well-being. Students do not have a true break from school if they are forced to spend that time studying for exams.

Prospective students will likely be deterred to some degree from attending Harvard Law School upon realization that they will be forced to take exams after Winter break.

The LSC realizes that holding all exams before Winter break might mean that students will have to start classes a week earlier in the fall in

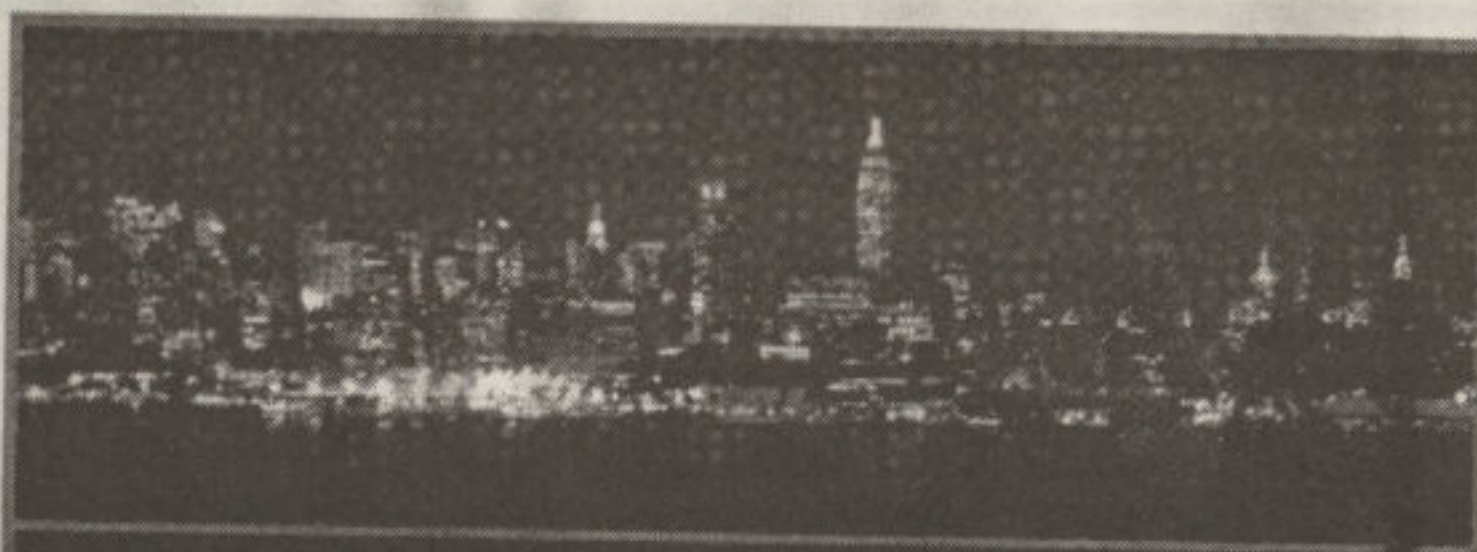
order to have enough class days. We are not opposed to such a change.

The LSC understands that one of the motivating forces behind having exams after Christmas break is to get the Law School on the same calendar as [the Faculty of Arts and Sciences]; however, the LSC does not think that this is a substantial enough interest to merit changing the exam schedule to after Winter break.

Finally, the LSC would like to express its concern and dissatisfaction with the fact that there are no student members on the Calendar Committee and that student opinion was not sought during the formulation of the proposal. The decisions that the committee is making are of significant interest to and will have substantial impact on the students of Harvard Law School; thus, there should be at least one student member on this committee. The LSC proposes that the Calendar Committee (and Dean Robert Clark) allow the LSC to solicit applications from students interested in serving on the committee and make such an appointment as soon as possible.

Editor's Note: This was submitted to the RECORD by the LSC.

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the RECORD for the
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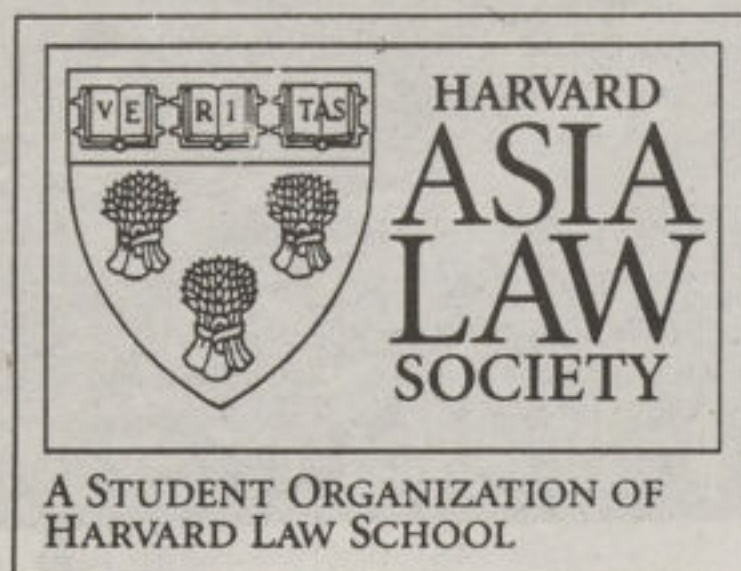
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HALS would like to thank the sponsors of the delegation for their generous support, without which the trip would not have been possible. Included amongst the delegation events were meeting with Professor Takao Yamada and Mr. Kazuo Ohtake, Harvard Law School Association of Japan, Mr. Nagashima, Mr. Hara and Ms. Miyazaki, Nagashima, Ohno & Tsunematsu; Mr. Ryusuke Nakayama and Mr. Shuhei Kishimoto, Ministry of Finance; Dr. Noboru Ukawa and the faculty, staff and students, Toin Gakuen; Mr. Koji Tsuruoka, Director, First American Division, Ministry of Foreign Affairs; Mr. Wada, Tokyo District Prosecutor's Office, Yoko Hayashi and staff, Japan Civil Liberties Union; Yoshioka Tatsuya and the members of Peace Boat; Ms. Akiko Yamanaka, Member, House of Representatives; Mr. Toshio Ueyanagi and Ms. Midori Tanaka, Japan Federation of Bar Associations; Dale Caldwell and the attorneys, Morrison & Foerster, Tokyo; Mr. Itsuo Sonobe, Former Justice, Supreme Court and Mr. Ryo Okubo, Legal Apprentice, the Legal Training and Research Institute.

HALS would also like to thank the sponsors of the 2000 Asia Business Conference for their generous support and participation, without which the conference would not have been possible. We are very proud that over 1200 people attended the conference and that over 350 people attended the Shanghai Ball.

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COURT

Continued from page 1

Federalism

If nothing else this term, the justices have made it plain that realigning the relation between states and the federal government remains among the Court's driving concerns. In the last year, the justices have constructed a docket that will almost certainly advance the states' rights trend heralded in *United States v. Lopez* (1995) and *Seminole Tribe of Florida v. Florida* (1996).

Most prominently, court observers anxiously await a decision in *Brzonkala v. Morrison*, which centers on whether Congress exceeded its authority under the Commerce Clause and Fourteenth Amendment in passing the Violence Against Women Act (VAWA). Among other things, the Act creates a federal right of action for victims of gender-motivated violence. The *Brzonkala* case is regarded as a crucial indicator of how strictly the Court will interpret its holding in *Lopez* requiring that Congressional regulation under the Commerce Clause be "substantially related" to interstate commerce.

The Court's recent jurisprudence, and the justices themselves during oral arguments, suggest the VAWA is in some trouble. Last term, in *Alden v. Maine*, the Court, affirming its commitment to state sovereignty, affirmed the dismissal of a lawsuit seeking damages under the federal Fair Labor Standards Act for the state's failure to pay overtime. And in January, the Court ruled in *Kimel v. Florida Bd. of Regents* that Congress lacked the power under the Fourteenth Amendment to authorize private lawsuits against the states pursuant to a decades-old federal age-discrimination statute. And, at oral arguments in January, the five-member *Kimel* majority did little to conceal their skepticism of the Act.

The Court was also scheduled to hear two cases challenging Congressional authority to bind the states to the Americans with Disabilities Act (ADA). Fearful of an adverse decision, however, the law's supporters successfully pressed for a settlement in the cases. Undeterred, the Court has already granted certiorari in a case raising the same issue. That case, *University of Alabama v. Garrett*, will be heard next term.

A ruling is also expected from the justices in *Jones v. U.S.*, which raises the issue of whether Congress may enact a federal law criminalizing residential arson under the Commerce Clause. Like *Brzonkala*, the case will signal how much deference the Court is willing to extend to Congress when it seeks to regulate activities not traditionally considered to be "commercial."

First Amendment

The Court's free speech docket, though wide-ranging in scope, appeared less informed by a unified vision throughout the term. Though the Court has decided just three of seven speech cases on its docket, the

decisions signal that justices continue to grapple with the contours of the Amendment's protections.

In its most consequential opinion of the term thus far, *Nixon v. Shrink Missouri Gov't PAC*, the Court upheld 6-3 a Missouri law limiting campaign contributions to amounts ranging from \$1,175 to \$275, depending on the state office at stake. The decision reaffirmed the Court's controversial holding in *Buckley v. Valeo* (1976), which, in striking down spending limits, essentially spawned the "soft money" phenomenon that plagues reform efforts across the country. Importantly, however, the dissenting justices in the case — Anthony Kennedy '61, Clarence Thomas and Antonin Scalia '60 — called for an outright reversal of *Buckley*. According to Fallon, the repudiation reflects an increased awareness on the Court that *Buckley* may be flawed. "The decision sends interesting signals that the Court is open to rethinking *Buckley*, though there are nothing more than signals yet," Fallon said. "I don't know what that means, except that more decisions may be on the way soon."

The justices remain similarly splintered in their view of sexually explicit speech. The Court's decision to hear *Erie v. Pap's*, a case challenging a Pennsylvania ban on public nudity, was clearly designed to clarify the level of scrutiny such statutes — purportedly aimed at the secondary effects of sexually explicit speech — should receive. In the end, the justices agreed on the intermediate *O'Brien* standard, but divided on its application to the facts of the case.

Despite this flux, basic free speech principles continue to cut across ideological lines. In *Univ. of Wisconsin v. Southworth*, the Court unanimously upheld a University's use of mandatory student fees to create a politically-active public forum. The case was brought by students who objected to the use of the activities fee to underwrite ideologically-driven groups like Amnesty International. But in their decision, the justices said that so long as funds are distributed in a content-neutral fashion, the fee does not violate the First Amendment rights of objecting students. "This is definitely the continuation of a trend demanding viewpoint neutrality," Fallon said. "You might imagine that the conservative justices would have thought conservative students were being coerced to support liberal organizations, but the viewpoint-neutrality cures all sins."

The Court has yet to decide the most controversial free speech cases of the term, including whether a statute creating protest-free "bubbles" outside of abortion clinics abridges free speech, whether California's "blanket primary" system violates the free association rights of the state's political parties, and whether a New Jersey anti-discrimination statute infringes the First Amendment rights of the Boy Scouts by compelling them to allow homosexuals to be Scout masters. Oral arguments in the Scouts case, which took place on Wednesday, suggested that the justices were deeply concerned with the potential ramifications a deci-

sion against the Scouts might have for the right to free association.

The Court's religion agenda, in contrast to its speech docket, is decidedly limited in scope. The justices accepted certiorari in just two cases this term, and have not decided either of them yet. The first and more publicized case, *Doe v. Santa Fe Independent School District*, involves a First Amendment challenge to religious invocations prior to school football games. In striking down the policy, the Fifth Circuit applied all three Establishment Clause tests — *Lemon*, endorsement and coercion — articulated in the Court's fractured precedents. But though the case offers an opportunity for the Court to clarify its position, the justices have offered no indication that a majority backs a particular standard. In the words of Prof. Fallon, who was unwilling to forecast the demise of *Lemon*: "It takes a test to beat a test."

Criminal Procedure

The Court's criminal docket made headlines last week when the Court heard oral arguments in a case challenging the continued viability of *Miranda v. Arizona*. But decisions in other procedural areas may have equally profound impact on American police practices.

The Court has announced three Fourth Amendment decisions this term, two of which are against the state. In *Florida v. J.L.*, the Court held unanimously, in a decision by Justice Ginsburg, that an anonymous tip alleging gun possession, absent corroboration, does not provide the reasonable suspicion required for police to conduct a stop-and-frisk. Earlier this month, the Court held 7-2, in a decision by Chief Justice Rehnquist (with Justice Breyer strangely dissenting), that police violated a bus passenger's Fourth Amendment rights in probing

the outer surface of luggage stored in an overhead bin.

But though the pro-defendant rulings suggest the justices continue to guard the boundaries of traditional Fourth Amendment protections, their decision in *Illinois v. Wardlow*, holding that unprovoked flight from the police in a high-crime area may justify a *Terry* stop, suggests a new and perhaps more important shift in the Court's thinking, according to Prof. Carol Steiker '86. "In a sense, the *Wardlow* decision authorizes differential policing based on what neighborhood you're in," Steiker noted, "It now may be officially reasonable to suspect someone if they're in a high crime area."

Steiker added that the decision may pose a threat to the long-standing right to simply walk away from a police encounter. "What is flight? Does it have to be headlong running? Or merely disengagement?" Steiker asked, adding, "If disengagement is enough, then we no longer have a right to walk away from police."

Two cases scheduled to be heard next fall may likewise have an enormous impact on search and seizure law. The cases involve warrantless searches justified by "special needs" of the government. In *Indianapolis v. Edwards*, for example, motorists challenged a police program which established road blocks to stop cars and guide a drug-sniffing dog around them. Such searches have been held to a lower standard under prevailing Court precedent. But so far, the Court has limited the doctrine to searches conducted for purposes other than detecting crime or evidence of crime. The *Indianapolis* case may call that limitation into question.

The RECORD's Supreme Court coverage for the October 1999 Term is available on the online at <http://courtwatch.tripod.com>.

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PROFS

Continued from page 1

someone out of a cell block," he told the Harvard Law Bulletin.

In 1965, Bellow joined the United Planning Organization in Washington, D.C., a community-organizing group, where he served first as Administrative Director and then as Deputy Executive Director from 1965 to 1968. He also served as Deputy Director of California Rural Legal Assistance from 1966 to 1968, where he worked organizing and providing legal assistance to migrant farm-workers in the San Joaquin Valley.

In 1968 Bellow was appointed Associate Professor of Law at the University of Southern California School of Law, where he remained until 1971. During this time, he worked with both the United Farm Workers and the Black Panther Party, among others.

Bellow joined the Harvard faculty in 1971 as Visiting Professor of Law. He became Professor of Law in 1972 and Louis D. Brandeis Professor of Law in 1993. He served as Faculty Director of the Clinical Programs from 1992 to 1996.

Bellow received many awards during his career, including the Access to Justice Award in 1996; the Massachusetts Bar Association Lifetime Legal Services Award in 1996; the CR-CLLR Award for Outstanding Clinical Legal Teaching in 1995; the Association of American Law Schools Award for Outstanding Clinical Teaching in 1985; the National Legal Aid and Defender Association Reginald Heber Smith Award for Outstanding Contribution to the Legal Aid Movement in the United States in 1968; and the District of Columbia Bar Association Young Lawyers of the Year award in 1964.

Bellow is survived by his wife,

Jeanne Charn; two sons and a daughter. A memorial service will be held at Harvard University at a later date.

Abram Chayes '49 was a leading specialist in International Law and had taught at HLS for over four decades. He was well-known for having served as the leading international law specialist in the Kennedy administration at the height of the Cold War.

"Abram Chayes was one of the dominant figures in international law teaching and scholarship over the last third of a century," said Clark, "Boundless energy, intellectual brilliance and commitment to students characterized his career as a teacher."

Prof. Philip Heymann '60 noted that throughout his career, Chayes tackled a wide array of problems and issues, including the Cuban Missile Crisis, the changing role of courts in massive litigation, and the United States' secret mining of Nicaragua's harbors during the Sandinista period. Heymann also pointed out Chayes' work in exploring the UN's role of peacemaking and peacekeeping in the most troubled areas of the world.

"These are wildly different subjects," Heymann said, "In his ability to bring his art to new forms, he was our Picasso. In his ability to convey energy, he was our Michael Jordan. He made you want to be a lawyer for the sheer joy of creating new forms to tackle human problems. He was an electric current that you could always plug yourself into if the batteries of your enthusiasm were dying down."

Prof. Anne-Marie Slaughter '85 continued: "Abram Chayes devoted his career to building and sustaining an effective international legal order, from arms control to conflict prevention."

Heymann also commented on Chayes's boundless energy and his love of his work. "For Abe, problems were there to give joy to the people who tackled them," Heymann said.

Chayes was born on July 18, 1922, in

Chicago. He received his A.B. magna cum laude from Harvard in 1943. From 1943 to 1946, Chayes served with the U.S. Army in France, Holland, Germany and Japan.

Upon returning from the war, Chayes enrolled at HLS, where he served as president of the Harvard Law Review. Chayes also received the Sears Prize, awarded to the top two students in the first- and second-year classes, and the Fay Diploma, awarded to the student with the highest overall average during the three years of study.

After a stint as Legal Advisor to Governor Chester Bowles of Connecticut, Chayes clerked for Justice Felix Frankfurter '06 of the U.S. Supreme Court from 1951 to 1952. From 1952 to 1955, he then worked as an associate with the law firm of Covington & Burling in Washington, D.C.

Chayes returned to HLS in 1955, where he was appointed Assistant Professor in 1955 and Professor of Law in 1958.

In 1961 Chayes joined President John F. Kennedy's New Frontier, serving as Legal Adviser for the U.S. Department of State. He was a key figure in the Kennedy administration, playing a major role in the development of the United States' position in the Berlin Crisis of 1961, the Cuban Missile Crisis of 1962, the Limited Test Ban Treaty of 1963 (which banned atmospheric nuclear tests) and the establishment of Comsat (the Communications Satellite system).

In 1964 Chayes went to the law firm of Ginsburg & Feldman in Washington, D.C., before returning to the Law School in 1965. In 1976 he became the Felix Frankfurter Professor of Law,

and in 1993 he became the Felix Frankfurter Professor of Law, Emeritus.

Chayes was heavily involved as a foreign policy adviser to the presidential campaigns of Robert F. Kennedy in 1968, George McGovern in 1972 and Jimmy Carter in 1976.

Chayes continued his involvement in international law issues throughout the 1980s and 1990s, tackling topics ranging from Cold War questions to environmental and communications matters.

In April 1999, Professor Chayes became of counsel to McDermott, Will & Emery. At McDermott, he led the team of lawyers suing Slobodan Milosevic in the U.S. courts for genocide in Kosovo. From September 1999 through February 2000, he served as a member of the Commission of International Legal Experts appointed by the Prime Minister of Bosnia-Herzegovina to investigate and make recommendations on fighting corruption in Bosnia. Chayes also continued to teach at HLS throughout the 1990s.

In 1999, he received the Harvard Law School Association Award (HLSA). The HLSA Award, the highest honor given by the Association, recognizes sustained or extraordinary service to the legal profession and HLS, as well as contributions to the public welfare that exemplify the values of HLS. The school celebrated his career with two days of panels and events concerning issues in international law in April 1999.

Chayes is survived by his wife, Antonia Handler; five children, a sister, and eight grandchildren. A memorial service will be held at Harvard University at a later date.

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LIPP

Continued from page 1

students interested in public interest law. In an interview with the RECORD, Clark acknowledged the influence of the student body in pressing for LIPP reform. "A lot of ideas came from student leaders," Clark said.

Beginning last year, SPIN initiated a concerted effort to channel student activism into the LIPP reform effort. In the fall, the group's leaders — co-chairs Ayn Ducao '01 and Jonathan Freimann '01 and Financial Reforms Chair David Evan Markus '01 — continued the effort by marshalling student support for a LIPP "Statement of Principles." According to Marcus, 55 student organizations, including the Law School Council, and 655 individual students endorsed the statement, which laid out the fundamental goals of LIPP reform. "We demonstrated that LIPP reform was important to the entire HLS community, in all its political, social and ethnic diversity," Marcus said, adding that the wide base of student support was crucial to building the momentum leading up to the reforms.

Yet Clark acknowledged that this reform is a short-term cure to a long-term problem. "The long-term goals are going to cost a lot more money," Clark said, "And we can't do it without a campaign. So let's do what we can now with the resources we've got."

Remarkably, the expansion in coverage will not require an increase in LIPP's budget allocation, which has consistently exceeded spending in recent years. According to Lisa Dealy, director of LIPP and a member of the Financial Aid Committee, the Committee realized early in the academic year that LIPP was operating at a surplus. Dealy noted that the surplus was the product of a variety of factors, most significantly an increase in salaries among public interest lawyers.

"As salaries go up, LIPP actually pays out less," explained Josie Sandler '01, a student representative on the Financial Aid Committee. According to Sandler, the decreased payments by LIPP freed up budgetary funds, and enabled the Committee to propose "something dramatic."

That dramatic something was the current reform proposal — which the Dean approved in its entirety this week. The impact of the proposal's \$21,000 salary cap increase will be twofold. First, the raised ceiling will ensure that more graduates remain eligible for LIPP assistance. The highest salary bracket will now provide for coverage of those making between \$51,000 and \$72,000. Graduates who fall into this group will be expected to make an annual loan repayment of \$8500 plus 60-percent of their income amount over \$52,000.

The raised ceiling will also allow participants to phase out of the LIPP program gradually, and thereby avoid the

sharp "bump out" effect that plagues participants under the current system. Currently, a graduate with a salary of \$51,000 is eligible for LIPP assistance, while a graduate making anything above that amount receives no benefits. "People go from getting a lot of LIPP benefits at \$51,000 to nothing at \$52,000," Dealy explained.

"Under the old system, many students feared a small salary increase would mean a massive increase in debt burdens they couldn't afford when LIPP suddenly didn't cover them," said Markus, SPIN's current Executive Vice President.

The current bump-out effect is even harsher for students who borrow to replace calculated parental contributions. When the salaries of these participants inched past the \$51,000 cap, they were not only forced to make full loan payments without assistance, but also to repay LIPP loans that were used to cover the imputed parental contribution.

The new system will essentially eliminate the "bump out" effect for most participants. "By lifting the cap to \$72,000, the reforms allow more people who take government and high-level non-profit jobs to continue in LIPP without 'bumping out' of the program," Markus said.

The reforms, though clearly among the most substantial improvements in recent memory, do not address several aspects of the program which have been a continuing source of student

disenchantment with the program. The reforms leave in place LIPP's present — and much maligned — distinction between need-based loans and loans taken to cover imputed parental contributions. Currently, LIPP makes direct payments to cover need-based borrowing, but extend loans to participants to cover parental-contribution loans. No other law school makes the distinction, according to Markus.

But addressing the parental contribution problem is not a matter that can be worked out within the bounds of the annual budget. As Dean Clark noted, these concerns are a matter of long-term planning. "It takes a first important step towards long-term implementation," he said.

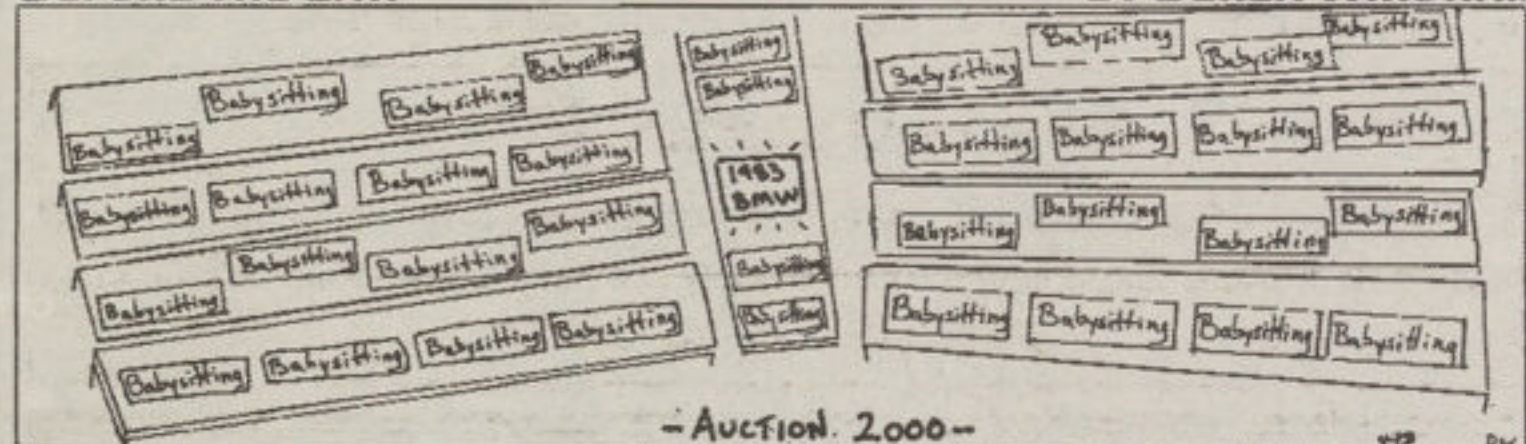
The reforms also leave in place the requirement that LIPP-eligible jobs be "law-related," defined by LIPP administrators to exclude jobs not traditionally held by lawyers.

Markus said that SPIN will continue to press for both long-term fund-raising and for reforms in the categories not addressed this year. "It makes no sense that LIPP defines qualifying jobs in terms of what attorneys traditionally do. Being a leader or social innovator means doing precisely what is not traditional," Markus said.

The Financial Aid Committee is chaired by Prof. Louis Kaplow. Other Committee members include Amy Oliver '00, Nick Bath '02, Dean Joyce Curll, Prof. Diane Ring '90, and Prof. Allen Ferrell.

BEFORE THE LAW

BY DEREK WINDHAM



BEFORE THE LAW

BY DEREK WINDHAM



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