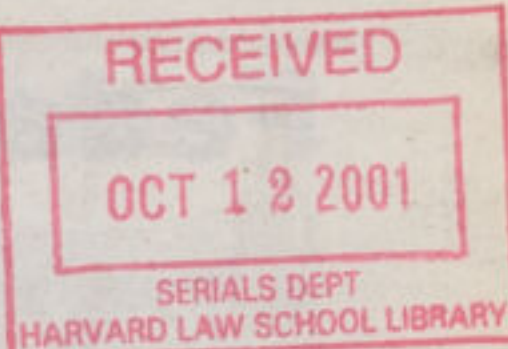




RECORD

—The Harvard Law—



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How to be a bachelor, People style

■ *Matt Damon.
Benicio Del Toro.
Josh Hartnett.
Tiger Woods. And
... Shawn
McDonald?*

by Jonas Blank

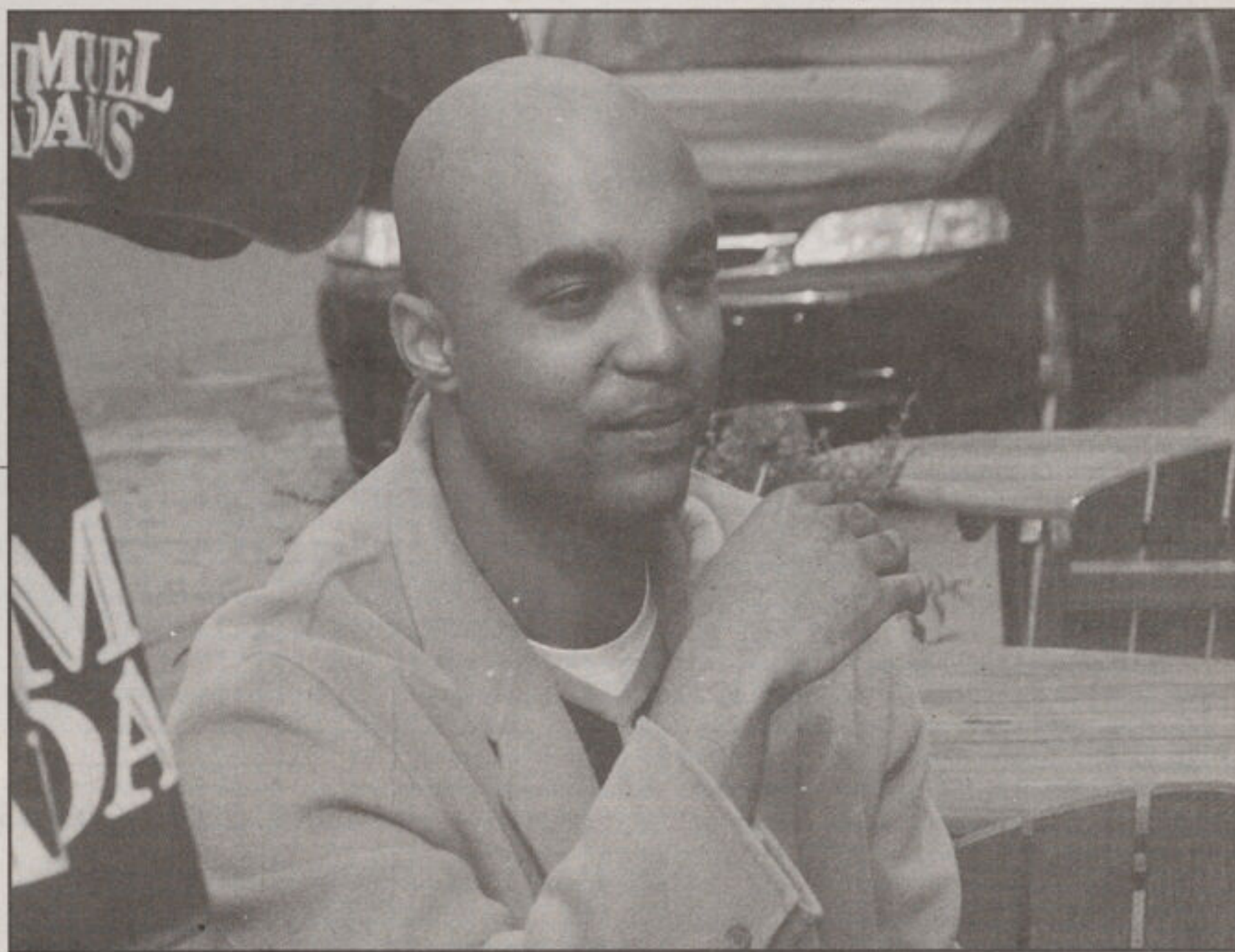
Most men spend a lifetime dreaming what it might be like to have just a taste of fame, a shard of acknowledgment of their studliness. But 3L Shawn McDonald didn't even have to wait until graduation — he's already joined some of Hollywood's hottest on People magazine's "50 Most Eligible Bachelors" list.

Call this the "foot in the door" theory — guys think that it's their exposure to women, not their actual charm skills, that are lacking. If they could just meet the supermodels and pop icons of the world, guys figure, they could charm their pants off — literally.

But of course, the guys with exposure are the Damons, the Afflecks and Hartnetts. They sure as hell aren't 3Ls at Harvard Law School. At least, not until Shawn.

Sure, he's tall, he's in decent shape and he's a pretty nice guy. That's half the male HLS population. So why this guy? What is it that makes Shawn McDonald more eligible than the other thousand or so HLS guys?

He's clearly practiced giving the modest answer: "A good friend of mine at the law school's girlfriend is a writer for People magazine. Each writer gets to nominate 50 or so people to be in the issue. So she asked him to name maybe six or ten people from the law school who are friends of his." The lucky



NILUFER SHAIKH/RECORD

Shawn McDonald, above, one of People's "50 Most Eligible Bachelors."

guys sent in pictures, did phone interviews, and passed a background check ("To be sure you didn't have 40 kids and five felonies and whatnot — I barely passed that."). They followed that up with an in-person interview. Afterward, they took some photos, and that was that. Mr. McDonald's eligible bachelordom had begun.

"I wouldn't say I expected it," Shawn says of the accolade. "It was fun. It was somewhat surreal. There have definitely been good times."

After the People piece ran, the random emails started coming. Then the letters. Then those encounters in the club, the "I can't say how, but I know you from somewhere" conversations. He

tries to stay away from the e-mails at least, since he figures half of those Yahoo! accounts are his friends' hoaxes anyway.

But to hear the Boston Globe tell it, the People story turned the man into a bona fide phenomenon. After one reporter spent a night out with Shawn in New York this summer, the paper ran a tabloid-style spread on him worthy of Prince William himself. The story obsessed over Shawn's clothing choices, his favorite drink, his random conversations. It even informed the casual reader of how long it takes him for a "quick shower" (four minutes, according to the story).

"I thought nobody would see it," he says of the story, which ran dur-

ing the summer. "That'll give plenty of material to the Parody."

Though the greater Boston area now knows more about his hygiene habits, the story hasn't changed Shawn's life all that much: He still goes to class — two days a week, anyway. He's still not hooking up with actresses, or supermodels, or rock stars, though he'll cop to one obsession: "I have a major crush on Nelly Furtado. I'm currently stalking both her and Beyonce Knowles, to no avail as of yet." He's trying to get his famous cousin, Mariah Carey, to set that one up.

Thanks in part to Carey, Shawn's life already reads a lot

Please see McDONALD p. 2

Smoking the 'consensus' against pot

by Sarah McGonigle

The Harvard Law School Forum kicked off its academic year Tuesday by sponsoring a speech by the founder and current executive director of the National Organization for the Reform of Marijuana Laws (NORML), Keith Stroup. Stroup's speech, which at turns drew laughter and sober silence from the audience, argued forcefully for the legalization of marijuana. About 35 attended the presentation at HLS Tuesday night, including HLS and other students, and local supporters of NORML.

NORML supports the decriminalization of marijuana use, including "the removal of all penalties for the private possession of marijuana by adults, cultivation for personal use and the casual, nonprofit transfers of small amounts" of marijuana,

according to its organizational literature.

Stroup noted that "tens of millions" of Americans have used marijuana recreationally, making it the most popular narcotic besides alcohol and nicotine. "Clinton, Gore ... Newt, I don't know about the current team, but if there's a book out there saying that [Bush] snorted up half of Bolivia I would assume — I don't have personal knowledge — but I would assume that he would have" used marijuana "a time or two," he said.

The "point about this is that we need to be careful that we don't assign ourselves a goal that is unobtainable. We should be developing a social policy that makes a distinction between those drugs that are ... safe and those are far more dangerous, and try to direct people" to those safer drugs, Stroup reasoned.

Stroup also argued that it was only based on "ignorance, misinformation and prejudice that marijuana became illegal in the first place." He recounted the 1937 criminalization in some

'The only risk posed by a [heavy pot smoker] is to a bag of potato chips,' Stroup said.

detail, noting that the American Medical Association opposed the move and that the Marijuana Tax Act passed the House committee after "only two hearings lasting one hour — that's entire time they devoted to finding out whether this was something we needed to legalize in the first place." Then, Stroup added, the bill literally "got 90 seconds of debate" in the House before passing on a voice vote.

This policy of "prohibition is a dismal and costly failure for a number of reasons," according to Stroup. He detailed three specific reasons. "First of all, it is an enormous waste of resources that should be focused on ... violent crime."

"What if we took the 7.5 to 10 billion we spend every year in a futile effort to identify and arrest

Please see NORML p. 2

Federalism survives Sept. 11 says Rep. Cox

■ Republican Rep. argues that federalism does not mean competition between state and federal governments.

by Mike Wiser

The principles of federalism should not be a casualty of the September 11th attacks, Rep. Chris Cox '77 told an audience in Austin East Friday.

Speaking to a crowd of more than 50 students gathered for his talk entitled, "Saving Federalism from Conservatives and Liberals Alike," Cox said federalism was simply the doctrine of allocating power to the proper spheres of government.

"A lot of what has passed for a debate about federalism has really been a debate about something called state's rights," he said. "Federalism has been used as a synonym and a stand-in for states' rights. It ought not to be that way."

The California republican added that federalism is about "an allocation of responsibility and not a competition."

Cox pointed to a number of areas in which the federal government has overstepped its proper role to the disadvantage of all involved. Congress, he said, has found it necessary to pass criminal statutes that are almost exact duplicates of existing state laws.

"The need for this is not just suspect, but it is logic stood on its head," he said.

With thousands of federal laws to enforce, Congressman Cox argued, the FBI has been chasing down carjackers instead of focusing on terrorists and solving other crimes that were traditionally reserved for the federal government.

In responding to the threat of

terrorism, Cox is not convinced that the federal government should be the sole player.

Cox said that he did not think that the Federal government was any more competent to handle security issues than local or state agencies that are sometimes subject to charges of ineptitude. "Even if you want to limit yourself to the four corners of September 11th," he said, "you can pick up any newspaper in America right now and read some pretty hair-raising tales of incompetence in our intelligence services."

The Constitution, for Cox, guides the principles of federalism. Like a children's soccer team, he said, government works best when everyone sticks to their position instead of bunching around the ball.

The powers allocated to the state and federal governments, Cox said, were allocated with a purpose. "If you do not have a system in which the respective spheres of government are drawn, then there isn't any limit to either. There isn't any limit to the extent that government can grow," he said. This balance protects liberty.

"Neither are the states or the federal government sovereign," Cox told the audience. "The people are sovereign."

The position given to the federal government, according to Cox, provides it enough authority to respond to terrorism.

"Constitutionally the federal government is given almost all of the power when it comes to defense of the country, so if that is



MIKE WISER/RECORD

Rep. Cox discusses nuances of federalism with HLS students.

what people are clamoring for, the Constitution has no objection," he said.

Rep. Cox also emphasized the

Like a children's soccer team, government works best when everyone plays their position.

importance of protecting civil liberties in the wake of the attack.

"I don't find in the current

national emergency or any we have faced throughout our history justification for having a different standard at war time than we have at any other time," Cox said.

Specifically, he said that he was concerned about the proposed legislation that would have provided indefinite detention for aliens.

Cox criticized the idea of a "sunset" clause in the legislation, which would make changes to wiretap and other laws last only a few years. He said either they are powers the government should have and it is a mistake not to make them permanent, or they are powers the government should never have.

Cox seemed positive about the future of federalism, but denied that there had been a recent ren-

naissance. While welfare reform and limiting unfounded mandates were positive steps, he said that Congress still does not stick to its own sphere.

"We think we, through bribery, can obtain what we cannot do outright," he said. "We have the power to, so we make federal resources contingent on fulfilling the federal requirement."

The fourth-ranking republican in the House also pointed to what he called a "one-way ratchet" in the courts. Even if nine out of ten judges read the law narrowly, he said, the tenth, more activist judge can then change the meaning. The other nine judges, who respect precedent more, will then feel bound to follow the activist judge.

McDONALD

Continued from page 1



NILUFER SHAIKH/RECORD

McDonald in Harvard Square.

like a fairy tale.

"Life was totally different before I was 13. I lived in a poor area, my family was scraping to get by," he says. "But, once I hit 13, Mariah got a record deal and things changed. I moved to Manhattan and I was given the opportunity to go to better schools. I was given the opportunity to succeed, and I take that opportunity very seriously."

After the eligible bachelor-to-be finally made it to HLS, he says he was pleasantly surprised. "I personally think there are a lot of good looking women here," he says. "Maybe because I expected absolutely nothing."

Still, if the pickings get slim, "it's always good to have your own little outsourced stable here or there."

But now that he's made the rounds (a few of them, at least) with the HLS female population, Shawn ought to be in position to give some much-needed dating advice to the 1Ls among us.

So, how is dating at Harvard different?

"We get a lot of flak for being too big of a law school, but if it were any smaller I think I'd die," he says. "People are very gossipy. It's hard to fly under the radar a little bit, if that's your style. And obviously the females are very, very intelligent ... you have to come correct."

And then you do get your lazy ass

off-campus, please, please, please, be careful what you do with the proverbial "H-Bomb."

"In my 1L days, I was known, on occasion, to try that tactic," Shawn admits. "Girls are skeptical — I've seen them actually ask guys for ID." While he admits that the H-Bomb can melt hearts from time to time, it usually comes off like a bad pickup line.

These days, Shawn contents himself to splitting time between HLS and Manhattan, where he likes to spend most of his weekends. And as far as the whole "eligible bachelor" thing, the emphasis is still very much the "bachelor."

"Umm, no," he says of immediate marriage plans. "If all goes well, 30, 31. Certainly no hurry. Life's too short."

So is this eligible bachelor just another player in disguise? He won't tell you that on the record. But he will cop to one rather curious rumor about a certain vibrating couch he has set up at his place in Cambridge.

Finally, he gets a little flustered. "Look, alright, I'm a slacker ... no wait." He tries a different version. "Look, I have a nice little room set up where you can kick back and there's a button you can hit on the couch to get it to massage you. It's actually quite comfortable. I don't use it often."

Sure, he doesn't. After all, an eligible bachelor never tells.

NORML

Continued from page 1

marijuana users and used that" to fight more serious crime, he asked, noting that someone is arrested for marijuana possession or use every 43 seconds in this country.

Second, he argued, prohibition "invites [the] government into areas of our private lives that are simply inappropriate ... There's a lot of humor associated with legalizing marijuana ... I like Cheech and Chong movies as much as anyone else. But [it's] far more than about getting high — it really is about personal freedom."

Finally, current U.S. policy "needlessly destroy[s] the lives and careers of" good citizens. Stroup brushed aside the notion that pot smokers are marginal, "weirdo losers," and said that the time has come for the millions of upstanding citizen users to admit to smoking pot or at least demand that local politicians support legalization.

"We've got to break public officials of their addiction to war on drugs," he said. NORML seeks to debunk the "myth of consenses" against recreational, responsible marijuana use.

One-L Chris Monsour asked Stroup if this policy extends to legalization of other drugs. Stroup replied that, "The vast majority of illicit drug users in this country are marijuana users — politically marijuana is in the mainstream ... and in order to change laws in this country, you have to have mainstream support ... so we elected [when we set up NORML] to focus on [legalizing] marijuana."

"Let's legalize marijuana and see what happens for a few years ... I think inevitably we'd legalize other drugs." But even if U.S. policy on heroin and cocaine never changes, Stroup said, "Let's not waste our money and their lives by sticking [addicts] away in jail," when we can offer treatment instead. After all, he exclaimed, compared to jailing an addict "it's cheaper to send 'em to Harvard, for Christ's sake!"

Discovering the joy of a semi-automatic

■ *The RECORD tags along on the first outing of HLS' proposed shooting club.*

by Meredith McKee

It's 10:30 a.m. on Saturday, and I am at a target shooting range trying to learn how to fire a .22-caliber revolver.

"Well, first you have to pick it up," Sasha Volokh tells me, pointing to the silver gun lying on the ledge.

I'm nervous, so I fumble with the revolver. I can't figure out how to hold it, so I try to do the casual Law & Order grip. But then realize that everyone I've ever seen on TV is right-handed. I'm not.

Sasha patiently shows me the correct hold, and we practice loading the gun. His manner is matter of fact even though I'm not good at keeping my finger off the trigger. Finally, Sasha moves back and tells me to cock the hammer, aim at the bull's eye and pull the trigger.

After a few false starts — I need two thumbs to cock the hammer — I manage it. To my relief, the revolver fires like a cap gun and barely kicks back.

Since I'm using an old target, I can't tell if I've hit anything. At this point, I could care less. I'm just happy I managed to fire the gun without dropping it.

HLS' Newest Hobby

I am spending a day at a New Hampshire firing range with about 15 HLS students interested in target shooting — a group that, under the guidance of Sasha Volokh, hopes to form into HLS' first target shooting club.

"I decided to start up a club last year," Sasha explains. "I had already taken some classmates of mine shooting, and also I put up a trip to the firing range at the Public Interest Auction, and I just thought this would be a fun thing to do on a more regular basis."

Sasha says he was unsure how students would respond to his plans for a target shooting club.

"I know that because of the political climate of the school that a lot of people are anti-gun," he says. "I was expecting some amount of antagonism or hostility to the idea of having a target shooting club. And I was very pleased that, while people still disagree on gun control and the Second Amendment, that no one has come up to me and said, 'Why are you even having this club? It's inappropriate,' or anything like that."

Though the club has not yet been approved by the administration, Sasha has received expressions of interest from about 70 students.

"I'm very pleased with the amount of interest," he says. "I really had no idea how much I was going to get."

Stepping It Up

The guns are stunningly loud, and the sound of so many firing in an enclosed space is a little disorienting. I can't imagine



Photos by MEREDITH MCKEE/RECORD

Sasha Volokh, above, shows how to put lead on the target while Niki Christoff, below, displays the proper form when aiming downrange.



what it would be like to hear a gunshot without the ear protection we're wearing.

Once you get used to the noise, though, target shooting is a lot like playing darts. When I aim well, I get the same sense of satisfaction as when I win a game. The only difference is that, here, the darts are bullets.

Nor are my classmates the gun-toting loonies I was hoping for. The firing range itself has its share of interesting folks — a skinny teenager emptying a clip into a human silhouette at the end of the range gives several of us the creeps. A couple of HLS guys purchased targets with bin Laden's photograph over the bull's eye, but for the most part, my HLS companions are astonishingly normal.

After getting comfortable with the .22s, Niki Christoff urges me to step it up a notch and try the 9 mm semi-automatic handgun.

"It's a totally different experience," she says.

"Ask Lisa [Giroux] to show you," she continues. "She's really comforting and maternal."

Guns and maternal women? Not something I'd put in the same sentence, but hey.

Lisa is, indeed, comfortably maternal as she shows me how to load the clip. The 9 mm has a much more powerful feel, more

kick back and more noise. Somehow, it's more satisfying.

My shots all fall at the bottom of the bull's eye. Lisa says it's because my brain is anticipating the kick back and pushing my aim down.

There's more to this shooting thing than I expected.

The Great Divide

After about two hours at the range, members of the as-yet-unofficial target shooting club adjourn to a local steakhouse.

During lunch, several students ask me not to disclose that they own guns. They cite the value of the guns as the reason, but we all acknowledge that there is a deeper issue — that some classmates may not understand.

I confess: I am, or was, one of those people. If one of my classmates had told me last week that he or she owned a gun, I would have been more than a little alarmed.

"You shouldn't be alarmed until they offer to show you the gun," Jeremy Anderson jokes.

I suggest that my reaction may be because all this is new to me.

"I think everyone here grew up around guns," Niki agrees, looking around the table. "My mom is a kindergarten teacher, but she carries a .38 in her purse. It has a mother-of-pearl

handle so it's kind of a feminine gun. My dad and most of my family hunt a lot, and my great-grandfather actually shot polar bears in Alaska. So there's a lot of boar's heads hanging on walls and stuff."

She continues, laughing: "I didn't think it was weird until I came to college and realized that other people's families didn't have boar's heads hanging all over their walls."

What we have here, I realize, is a cultural divide.

Before Saturday, my gun experience was of the Hollywood variety — stars like Arnold Schwarzenegger and Bruce Willis firing with a gun in each hand and forgetting to aim.

For liberals who grow up in suburbia, guns become news when some 80-year-old man takes aim at his postal carrier (or the postal carriers at each other). Stories of family members accidentally killing each other and of students gunning down their classmates make the NRA's claims that guns are an integral part of the "American way of life" less than convincing.

But, I am beginning to understand, a substantial section of the American population comes of age in rural areas where hunting and target shooting are widely accepted pastimes. (And, for a few, a source of food.)

Not that there isn't a "soldier-of-fortune" quotient to this whole shooting thing, as one of my companions pointed out.

When we were leaving the range, the guy behind the counter had pulled out a .45 semi-automatic handgun equipped with a silencer and laser sighting, and rhapsodized about its capabilities.

"Just imagine coming up out of the water with this thing . . .," the guy had said, getting a far-away look.

Once in the car, I asked the others whether there was any

legitimate purpose for such a gun. The consensus? Laser sighting — maybe; silencer — no way.

"A lot of these people, they will never be Marines," Jeff Rowes said. "So they come down here and pretend what they would do if they had a chance. These guys won't get to shoot Osama bin Laden, so they pretend."

For many, ego must also play a role.

When we first arrived, Niki and I looked into the range through a window and saw a 300-pound, tattooed guy firing what could only have been a .45. With every cannon-like shot, flames shot out from the end of the barrel about six inches.

After he finished, the man turned around and caught us watching him. He gave us this "yes, I am 'The Man'" kind of smile.

But even more alarming, less than an hour later, I caught myself feeling almost as cool as I slid a clip into a semi-automatic pistol. I felt a little like Rambo myself.

Knowing the Enemy

"I think it's very important for both pro-gun people and anti-gun people to go shooting, because the anti-gun people should know what it is they want to ban," Sasha says when I tell him about all I am learning.

After her first day of shooting in six years, Niki agrees: "I learned a lot about semi-automatics and the different calibers and everything."

"I kind of had a misconception about them," she explains. "I thought I was always against semi-automatic weapons, but then I went and shot one and realized that they're the only fun ones to shoot. The revolvers were big and clunky."

For those of us advocating gun control, Sasha and Niki may have a point. It's hard to come up with workable solutions to the gun control issue when I don't know anything about the weapons I'm trying to regulate.

In the End

I came out of this experience with a new appreciation for gun-owning Americans. Target shooting is a real sport, and a fun one, at that.

That doesn't mean that guns aren't used by many for suspect reasons and in unsafe ways. But while I will continue to press for more stringent controls, I'll think twice about the limitations those controls might put on Americans who have gun-related hobbies.

For the first time, I "get" target shooting. I even brought my target home and hung it on the fridge for my roommates to admire. And, if invited, I might go again.



For the RECORD

Keep the pressure on

When the Strategic Plan was announced last year, students applauded significant changes to the 1L curriculum, especially the replacement of the oft-maligned LRA with First-Year Lawyering and the creation of seven "law colleges" to replace the traditional 1L sections.

Results from the first six weeks of the school year are in — and they are mixed.

The creation of seven law colleges was billed as more than a simple reduction in class size; the new structure was supposed to reinforce a sense of community at HLS through the creation of smaller, unified groups operating under the supervision of college leaders. Those leaders are supposed to sponsor out-of-class educational and social activities.

Some section leaders have been pursuing those goals with a vengeance. Prof. Westfall, for example, has invited his stu-

dents out for drinks and over for dinner and arranges semi-weekly speakers on topics of interest to the college. In Section 3, Prof. Hay has already organized at least one social event for his section.

Other section leaders, however, have been less attentive.

Much like LRA, FYL has evoked criticism from 1Ls on the Sound-Off Board. One writer, hopefully exaggerating, calls the class "an affront to human dignity." Others have echoed the sentiment with similar postings, while one has defended the new program.

The most common complaint seems to be that FYL classes waste substantial amounts of time. Others say that the all-section lectures lack purpose and direction. After attending a lecture on "Legal Ethics," one 1L said that all he had learned was who in the section did not

have any.

Several 1Ls have also complained about the FYL grading system, where students can earn high-pass and low-pass grades, contrary to LRA's binary pass/fail system. These new categories add the stress of a multi-tiered grading system without affecting a student's GPA. In other words, doing well in FYL will not help a student, but a low-pass could raise awkward questions during interview season. The grading system sends students mixed messages: Either FYL is important enough to stand equally with classes like Contracts and Torts, or it's not.

HLS has long been thought of as a cold, competitive place, and many students who choose to attend do so expecting their quality of life to drop off substantially. Fortunately, students are almost always pleasantly surprised with life at Harvard

Law. But reforms like those envisioned with the law colleges and FYL plans are vital to transforming the school's reputation.

Even more important, these reforms were enacted to address real needs — the needs of students to feel like members of a community, to develop relationships with professors and to learn practical lawyering skills.

Six weeks into the semester, changes to the 1L experience are being implemented with varying degrees of effort and with varying degrees of success. It is still early, and that is to be expected.

But the hard work is just beginning. For these proposals to be effective, the faculty and administration needs to tweak the new programs in response to student feedback and keep the pressure on effective implementation.

Prescription for profit

by Clifford Ginn

Thanks to an aggressive public relations drive by the pharmaceutical industry, most people believe the high cost of prescription drugs results from research and development costs. A report by Public Citizen, reviewed by economic and pharmaceutical industry experts at various universities and medical schools, reveals how deceptive this claim is. Since the drug companies refuse to reveal their R&D records to Congress and independent auditors, the report is based on government studies, SEC filings and documents obtained through the Freedom of Information Act. Congress's unwillingness to subpoena R&D records may have something to do with the \$262 million the industry spent on lobbying, political campaigns and "issue ads" promoting candidates in 1999-2000.

The \$500 million figure that drug companies cite as the R&D cost for developing each new drug includes tax-deductible costs and unrealistic risk scenarios. The actual after-tax cost can be estimated at between \$57 million and \$110 million, including failures. Furthermore, the government bears a significant portion of this cost. Taxpayer-funded scientists conducted 55 percent of the research projects that led to development of 1995's five largest-selling drugs.

Given the "high risk" the drug industry confronts in developing its products, its status as the most profitable industry in the U.S. every year since 1982 seems most curious. The industry's return on revenue is three times the average for other industries represented in the Fortune 500. Of course, the fact that 22 percent of the drugs produced are copies of existing drugs, rather than innovations, partially explains this mystery. To make life safer for these bold entrepreneurs, the government also essentially pays them \$600 million per year to perform \$100 million of tests on the safety of these drugs for children.

In fact, while drug companies spend 12 percent of their revenues on R&D, they spend 30 percent on marketing and administration. The latter figure has been increasing by 40 percent a year

since the government lifted restrictions on direct marketing to consumers.

Given this state of affairs, Congress should give Medicare the authority to negotiate drug prices with the industry. According to a Merrill Lynch report, such an approach could produce 30 to 40 percent more savings than any plan currently under consideration, but

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would only cut drug company profits 3.3 percent (as demand would increase). Maine is taking a similar approach in its dealings with the drug companies, and could provide a model. Congress should also exercise more control over the prices of drugs produced with taxpayer money.

Furthermore, Congress should require greater disclosure of: the role taxpayer funds play in individual drug development; R&D costs; best domestic and foreign prices for drugs; and drug researcher conflicts of interest. The U.S. government should end corporate welfare programs like the pediatric incentive and supports for patent extension and abuse. Congress should also strengthen regulations on pharmaceutical advertising and beef up FDA enforcement.

Of course, prospects for reform are dim. While the drug companies allow their employees in Congress to make speeches to constituents about "taking on the drug companies," they will not likely allow any of the above policies to become law. Both major parties recognize that they can get away with doing the industry's bidding, because their

constituents will not punish them. Anyone who knows the extent of their representatives' betrayal knows that the other major party is merely pursuing other betrayals.

There is, however, a system whereby citizens can realize their collective will. It is called "voting." Every year, more and more parties appear on the ballots, representing an ever-broader range of political views. Many third parties oppose the bipartisan abuses of which people most complain. The Greens, the Libertarians, the Reform Party, and a number of other third parties oppose corporate welfare and political corruption, albeit for different reasons. In local, state and national elections, the cost of voting for a third party is invariably small — most jurisdictions are overwhelmingly dominated by one major party.

Voting for a third party accomplishes much more than "protest." It brings new viewpoints into political debate, and promotes discussion of issues the major parties would otherwise avoid. In many states, third parties gain access to public funds once they achieve a certain percentage of the vote, allowing them to spread their message.

Throughout American history, strong third party movements have often played a role in forcing the major parties to place the desires of their constituents above the orders of their corporate paymasters. Unless Americans start voting their hopes, instead of their fears, the pharmaceutical industry will continue to have an absolute veto on health care legislation.

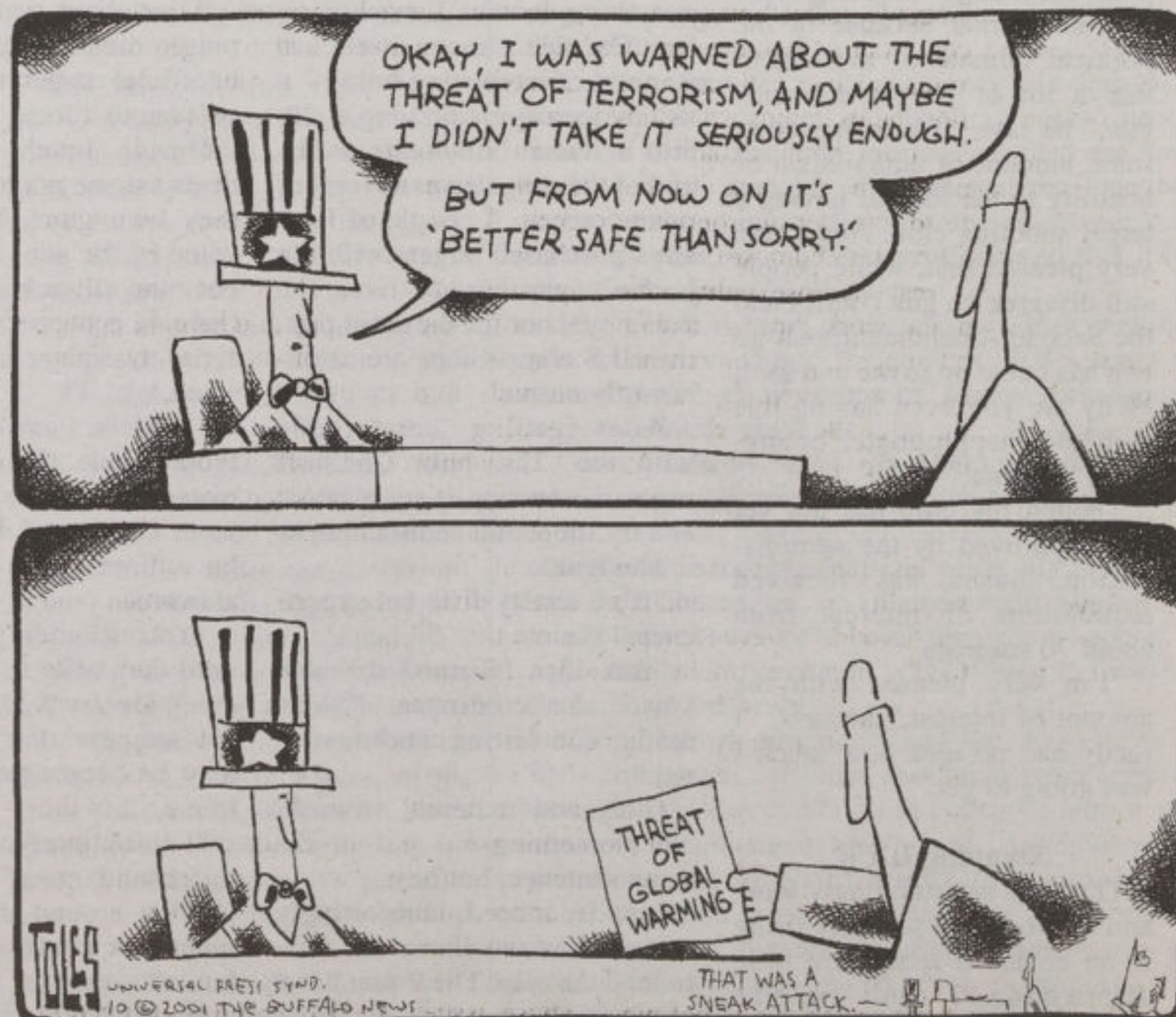
Phallus Pedagogy

While I can not speak for the experience of this year's class or those of years past, I am writing to note that during the spring semester last year Prof. Nesson ably taught evidence — *really* taught evidence — during every class session that I attended. In addition to presenting a (seemingly) comprehensive lesson plan addressing evidence law — which we apprehended vis-à-vis traditional case study and consideration of numerous hypotheticals — Nesson encouraged his students to think critically about the relevance of rhetoric, professional responsibility, legal ethics and courtroom strategy to the study and practice of evidence law. While he may, as your editorial suggests, have gone astray recently, last year Prof. Nesson displayed a remarkable degree of interest in his responsibilities as an educator.

(Incidentally, independent of context, who is to say that Nesson's alleged reference to his penis size in class was not pedagogically expedient? Indeed, something to the effect of "the list of exceptions to the hearsay rule is long and, indeed, continues to grow, much like my penis" would seem to get the point across rather effectively. Likewise, Nesson's posting of a faculty email discussion on his course webpage may have been relevant to his educational goals inasmuch as it underscores the implications of technological innovation — here electronic evidence — to privacy interests. Or perhaps it was just an unfortunate indiscretion.)

In any case, while I agree with the RECORD that we ought to celebrate Nesson as an iconoclast, I think that it is unfair to suggest that he is a poor teacher.

Keep bangin',
Mike Naf



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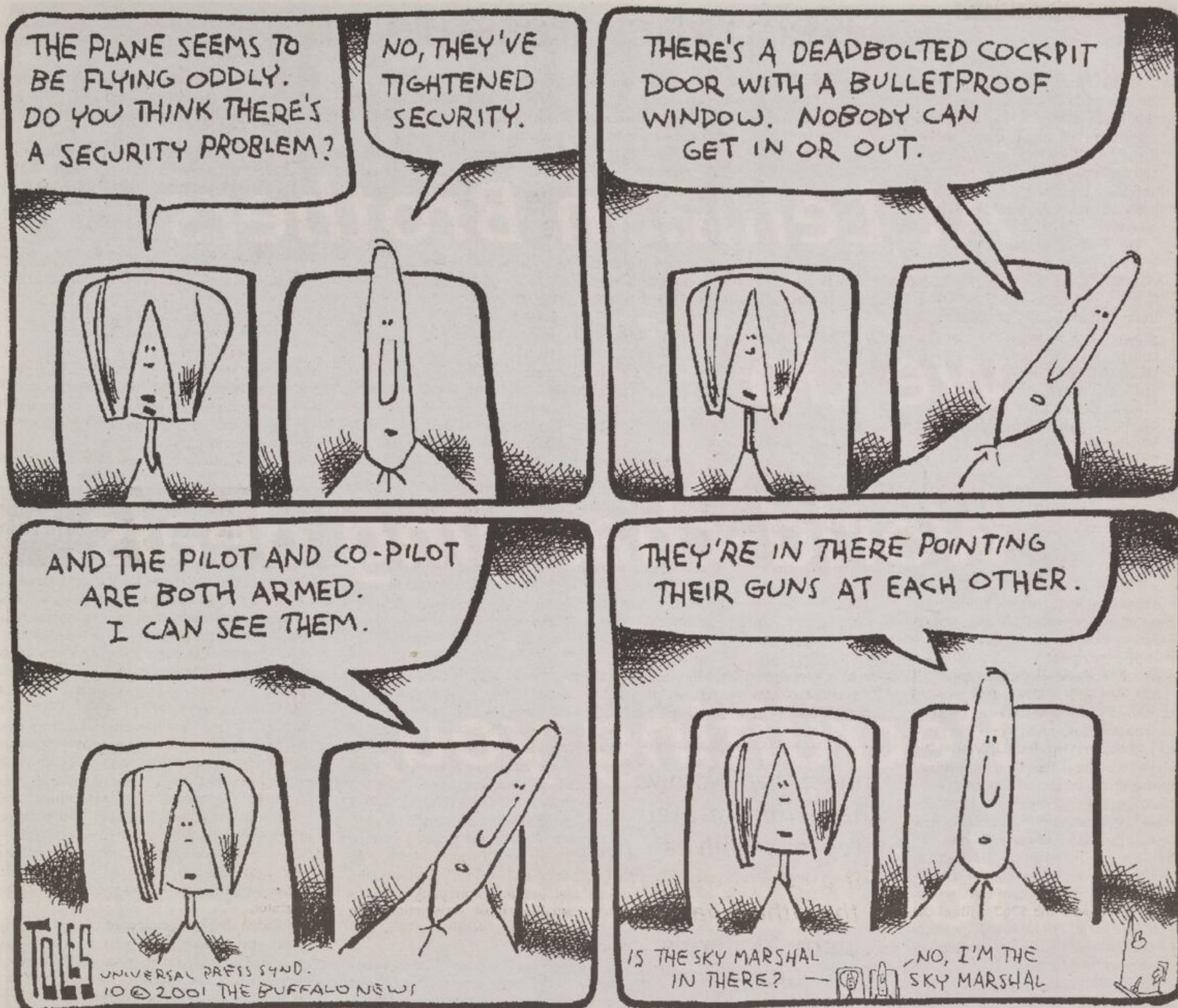
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The Right Side: Coming out of Homosexuality

by Kelly Hartline

Today is National Coming Out of Homosexuality Day, a day dedicated to helping homosexuals overcome their sexual tendencies and move towards a healthy lifestyle. Compassionate people nationwide recognize this day, rather than the more publicized "National Coming Out Day," because they want people to live and enjoy their lives to the fullest.

Hundreds of people reject homosexual lifestyles and come out of homosexuality every year. Exodus, an international non-profit organization, helps homosexuals liberate themselves from homosexuality. It was formed partly in response to the Church's failure to minister appropriately to people struggling with homosexuality.

Rather than treat homosexuality like every other sin and work through it with prayer, love and support, the Church has generally ostracized homosexuals. Part of Exodus' mission is challenging churches to welcome and help homosexuals, for they are merely sinners like everyone else (Romans 3:23).

Exodus also challenges those who believe homosexuality is an acceptable sexual preference. Exodus believes heterosexuality is God's creative intent for humanity and homosexuality is behavior outside of God's will. Accordingly, the sin of homosexuality can be redeemed through Jesus Christ. As homosexuals work through the process of coming out of homosexuality, Christ will be with them in their daily struggle and will enable them to experience their true identities.

Homosexuals can come out of homosexuality because their preference is not bio-

logically mandated. Unlike race or gender, homosexuality is a choice. Dr. Robert Spitzer of Columbia University, one of the principal scientists behind the American Psychiatric Institute's 1973 position that homosexuality is inborn and cannot be changed, has recently reversed his position. He interviewed over 200 former homosexuals and concluded a legitimate and authentic change in homosexual preference is possible.

In fact, hundreds of people have been able to renounce their homosexual lifestyles and become healthy, happy heterosexuals. Two of the most famous former homosexuals are John and Anne Paulk. Both John and Anne came out of their homosexuality, began following Christ, became heterosexual and eventually married each other. They tour the nation sharing their testimony and helping homosexuals come out of homosexuality. Their story is told in their book, "Love Won Out."

Through working with several thousand homosexuals, Exodus has found that the most common cause of homosexuality is sexual molestation during childhood. Eighty-five percent of the women and more than 50 percent of men seeking help from Exodus' 135 ministries worldwide have been sexually abused. Aside from molestation, nearly every homosexual who has sought help from Exodus has come from a family where there was a rift in the father-son or mother-daughter relationship, and feelings of exclusion from peers during childhood and adolescence.

Coming out of homosexuality requires working through underlying relational and abuse issues. It also requires dedication

and perseverance. To assist in attaining freedom from homosexuality, Exodus recommends that homosexuals participate in pastoral counseling, accountability groups, personal prayer and Bible studies.

Coming out of homosexuality is not a process that is motivated by guilt. People want out of homosexuality because they are unhappy or know their moral beliefs conflict with their sexual choices.

It is also not a process that results in repression of continuing desires and attractions. Science has proven homosexual preferences can be authentically changed.

Homosexuals are not depressed or suicidal after coming out of their homosexuality. Programs like Exodus' give them hope for a fulfilling life. Many former homosexuals are jubilant, proud and uninhibited. They eagerly share their stories of redemption, restoration and freedom.

Coming out of homosexuality can be a long process that requires persistence and encouragement from friends, support groups and the Church. Progression out of homosexuality can take many forms including abstinence from homosexual

behavior, the lessening of homosexual temptations and the strengthening of masculine or feminine identities. Change is not measured by temporal manifestations, but by spiritual growth and obedience.

For general information on coming out of homosexuality, contact Exodus at www.exodusnorthamerica.org. Exodus will be holding its "Setting Love in Order" conference in Boston on November 9-10. Email rlivesmin@aol.com for conference-related information. Also check out the following books: "Pursuing Sexual Wholeness," "Desires in Conflict," and "Coming Out of Homosexuality."

If you or people you know are homosexual, this day is for you. Share the message of hope. There is a way out of the homosexual lifestyle. There is no reason to be controlled by the 'once-gay-always-gay' rhetoric used to advance political agendas. On this day, begin your journey out of homosexuality.

Exodus' website and quotes from Bob Davies, Exodus' executive director, and Robert Larimer, Washington for Traditional Values, were used in writing this article.

Forum

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A trip down memory lane: The Strokes cover the past

■ Lovingly rendered but ultimately more a reminder of why the musical past was cool than a hint of how the future could be promising.

by Jeff Leven

Some secrets do not keep very well. Case in point: the big to-do that is the Strokes these days. Rumbly in the English magazines — reviews lavished in wild tones of indulgent reverence that the Brits only reserve these days for Radiohead or, on a slow Thom Yorke news day, Travis. Rumors of revelatory live shows, and a thousand uttered predictions of earth-shaking rock ascendancy: Defenders of the faith. Rock 'n' Roll reborn. Things you just do not say lightly. Or should not. On the strength of one single and one three-song EP (four songs!) and an early release overseas (undoubtedly calculated to bring the hype to fever pitch), the Strokes find their U.S. release of their debut album, *Is This It*, riding a tremendous and increasingly fervent wave of publicity, slowed only by a last minute change in release date from September 25 to October 9 prompted by the group's decision to replace their original song "New York Cops" (featuring the line "New York cops, they ain't too smart")

with a newly recorded one in light of recent events.

But now that my copy has finally come, I am just that little bit hesitant to actually hear these guys. There is just something fishy about this whole thing. I'm looking at the leather-and-booty cover art which, by the way, might well be the preempted original cover to *Smell the Glove*, and I am staring over their grimy booklet mug-shots thinking that they look very, very much like Kotter's Sweathogs and I am thinking about all the hype and I am wondering whether or not any supposed greasy guitar-slingers who look like the Sweathogs should really be getting this kind of nearly blind attention on the strength of a few songs all around the big wide world unless we, the collected rock lovers of the planet, are well on our way to being had. Baited breath, give it a spin.

I am gonna level with you: This is cool. Very cool. Perhaps even important in these days of boy bands and Britneys. But by no means a revelation. I was hoping for steely-eyed street-walkin' cheetahs with hearts full of napalm and some singed eyebrows and frenzied Bowery angst and maybe the ghost of Johnny Thunders puking in the shadows and instead what I got was essentially a Velvet Underground/lat-

THE STROKES IS THIS IT



ter day Iggy Pop tribute with an accomplished pop sensibility — lovingly rendered, tastefully executed, but ultimately more a reminder of why the musical past was cool than a hint of how the future could be promising.

The first thing that strikes you about the album is how frighteningly good singer Julian Casablanca's Lou Reed and Iggy Pop impressions are. In some places it's absolutely eerie. On a song like "The Modern Age" his fuzzed-out lower-register gutter yawns could almost be sampled from "The Passenger" or, alternately, "Heroin." Aside from the initial novelty of these impersonations, though, the vocals on the whole probably hurt the album.

These guys are not as haplessly derivative as they initially look or sound.

Admittedly, the band itself does little to hide its huge debt to the Velvets in particular — on songs like "Soma" or "Someday" rhythm guitarist Albert Hammond Jr. often appropriates (and nails) that Gretsch-and-a-Vox chimney grit tone that Reed so

buoyantly clanged out on songs like "Rock and Roll" or "Sweet Jane." But *Is This It* has a certain concision and power pop sweet tooth to it that does not necessarily follow from its obvious influences. You would be hard-pressed to imagine Ron Asheton playing as understated and tuneful a solo as Nick Valensi does on "Trying Your Luck," and the inflections on "Hard to Explain" are airy and anthemic in a way that suggests a revved-up Big Star playing a Coney Island boardwalk.

Ignoring the genealogy of it all, I can safely say that there is not a bad song in the lot. The riffs are uniformly good, the beats themselves generally seamless if not overpowering, and you can hear the potential for some truly stellar live adaptations of the material. Best of all, the Strokes pull it all off with a genuine confidence that is truly impressive in such a fledgling act. One can only hope that this wherewithal allows these particular rock Sweathogs to survive the growing critical circus surrounding them and develop a more unique voice that capitalizes on their already staggering command of the NY punk past.

But for now: Welcome back, welcome back, welcome back.

Travis was happy because the Orpheum was happy

by Thomas Cmar

From the very first time I heard the new Travis album, *The Invisible Band*, which was released this past summer on Epic Records, I have been telling anyone who will listen that it is "bottled happiness, burned onto a CD." Not that I was particularly sure what that meant. But after seeing them live for the first time last Friday night at the Orpheum Theater downtown, I somehow understand.

From the set's opener, the recent single "Sing" (featuring the chorus, "For the love you bring / won't mean a thing / if you don't sing / sing, sing, sing") to the final number, a song off their first album, *Good Feeling*, that is simply entitled "Happy" (in which lead singer Fran Healy repeatedly sang, "I'm so happy, 'cause you're so happy!" while jumping up and down as if on a pogo stick), Travis was intent on imparting their own special brand of mirth to the packed house at the Orpheum. And from the enthusiastic ovations the band received throughout the evening, the crowd of fans that had assembled was just as intent on receiving it.

It was in these interactions between songs that the special relationship between Travis and its fans became apparent. Not everyone has heard of Travis, but among those who have, the band seems to inspire a uniquely devoted following. This included the gruff, slightly balding man in the seat next to me, who looked better suited for banging the glass at a Bruins game than attending Britpop concerts. But when, during the encore, the band busted out "20," a little-



Travis dishing out "bottled happiness" at the Orpheum.

known b-side off the first album, he had an oh-my-God moment and began frantically waving his arms in the air as he sang along with all the words.

At one point, Healy confided that the band had not been sure of whether it was appropriate to undertake a tour of America in light of recent world events. But then, Healy said in his Scottish brogue, the band checked with their fans on their web site: "And everyone was like, for Christ's sake, just come!" Healy would frequently indulge in miniature monologues between songs, transitioning seamlessly from a thickly accented speaking voice to an immaculate, anglicized singing voice.

Travis is the kind of band, rare in contemporary music, whose music always

leaves you smiling. The Glaswegian foursome has developed a pop-rock sensibility that harkens back to the days of Beatlemania. Just like the early Beatles, Travis has mastered the art of the deceptively simple pop song, delivered with disarming sincerity. What sets Travis apart from other groups who have followed in this grand tradition is the vocal talents of Healy, whose voice is so pure and soothing that even the most jaded consumer of post-modern pop culture cannot deny its authenticity.

Travis is certainly not the second coming of the Fab Four, but they are one hell of a pop band. Healy, who quixotically sports a miniature mohawk (which he had dyed pink for last Friday's show), is so gosh-darn cute that he can't help but draw

the lion's share of fans' attention. On this particular night, he was sporting an orange Charlie Brown t-shirt tied around his waist that proclaimed, "I Need All the Friends I Can Get!" In the stage-presence department, bassist and backup vocalist Douglas Payne comes in a clear second, smirking and shaking his hips back and forth while he takes turns making eyes at individual members of the audience. Payne showed off his own vocal stylings on a cover of David Bowie's "All the Young Dudes." (Unfortunately, this was the only cover of the evening; I had been hoping to hear the band's infamous version of "... Baby One More Time.")

Faced with these antics, the band's less flashy half could not help but be overshadowed. Lead guitarist Andy Dunlop roamed his corner of the stage as if in a daze, connecting with the crowd only through the occasional solo, during which he would grimace and stare blankly over our heads. And while I vaguely remember what drummer Neil Primrose looks like, I do not think I had occasion to look at him once during the entire show. Travis' style does not exactly lend itself to memorable drum solos.

What their music does lend itself to is, quite simply, making the world a little bit brighter place to live. Some may call this (and Travis themselves) a cheesy sentiment, and under most circumstances I would be inclined to agree. But not with Travis, whose music is so earnest — and honest — that it never fails to cut through my cynicism. Seeing them live was cathartic, in the truest sense of the word. And that would make even Aristotle happy.

BEFORE THE LAW

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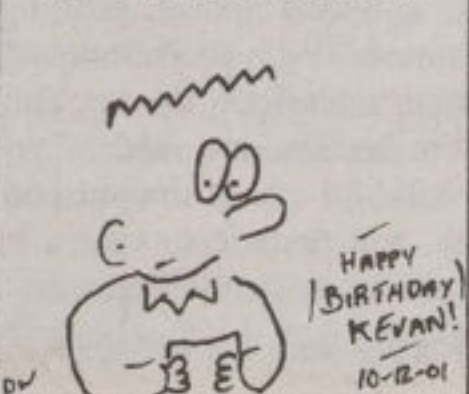


IN ADDITION, 1Ls ARE NOW SUBJECTED TO THE HEADACHE OF ENDLESS PROBLEM SETS, ASSIGNMENTS, AND QUIZZES IN FIRST YEAR LAWYERING, AND GRADE PRESSURES WERE AGGRAVATED BY ADDING HONORS AND LOW-PASS TO THE TRADITIONAL PASS/FAIL.



BY DEREK WINDHAM

I JUST HOPE I GRADUATE BEFORE THEY TRY TO MAKE IMPROVEMENTS FOR UPPERCLASSMEN.



Etc.

Sneak Preview: "From Hell" Excels at subtle terror

by Ken Walczak

Johnny Depp is the finest actor of his generation, if not the finest actor working today. His performance in the Hughes Brothers thriller "From Hell" allows him to reclaim effortlessly this title, overshadowing more questionable recent career choices and inviting comparison to another bright-eyed master of understatement, whose last great role was alongside Depp in 1995's *Dead Man*.

Like Robert Mitchum, Depp consistently delivers laconic, almost detached performances that live and die by the nuance. His characters take shape through the almost imperceptible lifting of an eyebrow, the careful directing of a gaze or glance. Like Mitchum, Depp is capable of conveying desire, enthusiasm, even fevered anguish when such emotions are demanded of him — yet he never loses the aura of unflappable cool that defines his movie-star persona. Because he is prolific — appearing in seven films in the past two years alone — his less memorable roles are easily forgiven as detours along a carefully plotted route toward the creation of a true Platonic form, the Depp Character.

That being said, it is clear that this stop will be a little different for Johnny. Sure, he again plays a detective. But the Hughes



Brothers bring a resume vastly different than that of Roman Polanski or Tim Burton. Their CV, which features "Dead Presidents" and "American Pimp," bears witness to the visceral appeal of the style they bring to the screen. Their telling of the Jack the Ripper story is scary, in a way few contemporary movies manage. It pulls out all the proverbial stops, using the sound of an unsheathing sword to accompany Jack's descent from his black carriage, and revealing clues to the mystery through Depp's hallucinations, conveyed via an opiated cinematic haze.

Perhaps the Hughes' greatest achievement, however, comes in their superb strate-

gy for depicting the killings. The Ripper, after all, mutilated his victims in truly repugnant fashion; the easy way out here would have been merely to stun the audience into submission with set pieces out of a surgical instruction film gone horribly awry, or to crib Argento's *Suspria* technique, and display the eviscerations from the inside out. Instead, Jack emerges as a figure couched in perpetual shadow, and his first killings are masterfully efficient and stylized. And though the gore quotient increases somewhat by the end of the film, one cannot help but feel much more is left to the imagination than splayed across the screen. This is a terribly good idea. Not only does the film avoided the potential to look dated in a near future of superior gore-effects, but it also evokes the subtle psychological terror pioneered by the first (now classic) examples of the nascent American genre.

Yet "From Hell" would remain nothing more than an average comic-book-turned-inferior-movie, were it not for the substantial talents of Peter Deming. Deming was last nominated for an award in 1990 — for "House Party," no less — but he is due for one this year. His work on the Ripper Story is a close cousin to his grimy shadowplay in the phenomenal "Mulholland Drive," and it is immensely effective. Deming's London is

a seamy, festering place of perpetually crimson skies. Chiaroscuro doesn't even begin to describe it. The stench emanating from the Londoners he films is almost palpable; the audience cringes not only in anticipation of Jack's next ghastly deed, but also at the foul sneers of the hookers who constitute the film's protagonists ("I could suck the Thames dry ..."). Brilliant work.

In fact, there are but two small caveats I would add to my glowing praise of "From Hell." First, be careful where and when you see the film. Pick the wrong theatre, and you may well be subjected to the sneers of elitist comic-book dorks, moaning that the movie did not succeed in reproducing its source material 100 percent faithfully. Second, know your history. The film and comic both rely heavily on the Royal Conspiracy theory of Ripperology, a hypothesis about the killings that appears to be hackneyed and confused Hollywood plotting, until you understand its substantial support in the historical evidence. I personally enjoyed the plot considerably more after consulting www.casebook.org, an exhaustive Web resource on the topic. Come for quality information, stay for a good laugh — particularly in the authors' vehement dissection of claims that Lewis Carroll was the killer.

Eat your art out

by Renée Kaplan

"Eat Art: Joseph Beuys, Dieter Roth, Sonja Alhäuser"

October 5 through December 15, 2001
Busch-Reisinger Museum

"Eat Art," commands the exhibit, and so we do — big chunks of popcorn-studded dark chocolate, shards of spun sugar, and a crust of blue-dyed white chocolate, all of which were — still are — the disappearing remains of an artwork on display. Last week, when the exhibit first opened at the Busch-Reisinger Museum, you might have been able to nab some marzipan and caramel objects, too, but those were eaten up in the very first days. By now, all the corners and edges of the large rectangular boxes have been bitten and gnawed at.

The whole exposed, edible, crumbling installation is kind of gross. But it is also cool: You get to eat it. The chocolate is not half-bad and it turns out that defacing art is fun, that there is a taboo thrill to chomping at it, or walking on the crumbs of the messy chomp-job of some previous viewer — and consumer. It certainly changes the idea of what it means to take in art.

And that is the point. "Eat Art," is a small exhibit of the food-related works by three prominent German artists, Joseph Beuys, Dieter Roth and Sonja Alhäuser. All of the works either use food or represent food in sculpture, drawing or installation format. And all of them use the apparent inappropriateness of food-as-artistic-medium to challenge the whole idea of art and the conventions of exposing art. The edible chocolate work was created on-site by Sonja Alhäuser: Its pale blue chocolate bases, translucent spun-sugar cases and marzipan objects on display within were meant to mirror in delectably edible form the actual display cases of the exhibit itself, a tongue-in-cheek (and food-in-mouth) parody of the tradition of distancing and protecting art from the viewer. Never mind the old rules, her works insist dig in, taste, enjoy.

In Dieter Roth's 1975 "Hunting Ducks," small toy soldiers in knight's armor stand knee-deep in a swamp of nasty, hardened chocolate. They are battling little armies of toy ducks and roosters twice their size. The whole battle scene is encased in a neat pine box marked "Duck Hunting," like some portable board game, the Ducks 'n' Knights version of Shoots and Ladders. Roth's work is whimsical and weird, a strange mix of incongruous materials. He suggests the ideas of playing with your food and playing with your art, light-heartedly thumbing his nose at two deep-seated taboos of civilized society.

Nearly all the works in the exhibit question the typical preconceptions about art — the idea that art is something eternal and often untouchable, its pleasures intangible. There is nothing eternal or intangible about Roth's decayed "Chocolate Lion" sculpture (rancid, cracked chocolate from 1971) or



Alhäuser's piece of disappearing chocolate art. The first questions her chocolate installation brings to mind are less about beauty or transcendence than they are about public hygiene and the idea of swapping spit on a piece of cocoa-butter sculpture. Suddenly art has become interactive and communal — and even commensal — a succession of diners (or nibblers, really) sharing in the work's evolution. Yum-meeee.

Food also seems very much out of place in art, inappropriately earthly and dirty in the context of art's allegedly sublime meaning. Roth's 1971 "Big Cloud" painting made of mayonnaise and ink on paper is, in fact, disgusting. The ancient, crackling, grease-stained paper framed behind a glass panel is covered in layers of black mold, a mold so old it's turned into a dry dust, like a corpse gone to ash. But if it were not made of 30-year-old grease stains and mold, the work would have a beautiful evanescence: a blurry cloud of white on white behind a dusting of lacy black, evoking the spare aesthetic of Asian pen and ink art. Maybe art really is just what you think into it, or what you suspend disbelief long enough to see into it. Maybe materials and meaning matter less than the moment in which viewers engage the work and make of it what they will.

This kind of freedom, and revulsion, make each of the works in the exhibit a taboo novelty. "Eat Art" desanctifies art and demands that you reconsider the proprieties of making and viewing it. Art rarely has this kind of physical appeal, pushing the naughty gross-out buttons. With food decaying behind glass and crunching underfoot, the unclean essentials of everyday life become art. And as you bend down under the watchful eye of the museum guard, open your mouth, and prepare to take a bite out of the sculpture, eating in public takes on a whole new meaning, too.

Fenno

Fenno stepped off of the elevator on the thirtieth floor of the skyscraper. A beautiful, dark wood surrounded him. The reception area of the law firm was completely quiet. He tried to steady the shaking of his hands. Of his forty-eight interviews, this was the only callback that he had received. He had to make this one work.

"Hi, um, my name is Fenno. I'm here to speak with Mr. Davis."

"Down that hallway — room 3005," said the receptionist. She didn't even look up.

Fenno walked towards the room trying to assume an air of power. He walked into room 3005. The hiring partner was on the phone, but he looked up long enough to gesture to Fenno that he should have a seat. Fenno wondered who he could be speaking to so harshly. "That's right I don't care...No, you will definitely be working all this weekend...Did we ever say that we guaranteed a braces-for-your-kid-bonus? He'll learn to live with a lisp...Yeah, and after you do that call my broker and have him short some more airline stock," said the partner. He slammed the phone down.

"Fenno! Sorry about that. I'm so glad you were able to make it down here."

"Well, I really appreciate your inviting me down here."

"It is our pleasure, Fenno. Mind if I smoke?" He lit a cigar and began blowing smoke rings. Fenno couldn't be sure, but it seemed that the partner was taking extra care to blow the smoke directly into his face.

"Fenno, we think that you could potentially be a great part of our team."

"Well, I really appreciate you saying that sir. I have a great deal of admiration for the lawyers who make up your litigation group particular."

"What did you say?" asked the partner. Fenno cocked his head in confusion.

"Did you say something about law? You think we want you for law Fenno?" The partner exploded

ed in laughter. He picked up Fenno's transcript off of the desk and released a series of chortles and snorts that were very hyena-like. Then the laughter stopped. He put the transcript down and put his cigar out on it.

"I didn't bring you here to crack jokes, Fenno, though what you said was very humorous. I thought that your resume and transcript would have made clear that we could never want you for any law job."

"We want you to work as a summer cook in our kitchen. I saw at the bottom of your resume that you listed gourmet cooking as one of your interests."

"But I go to Harvard Law School! Cooking is just a hobby!"

"Hobbies are what we call jobs during bad times, Fenno! In a depression, there are no hobbies. Do you want the job or not?"

Fenno pressed his temples. This could not be happening. He refused to accept that timing alone could make his fate and Mark Cuban's so different.

"Can I think about it until tomorrow?" said Fenno. The partner nodded as Fenno stood up and walked out of the office. He felt heavy as he approached the elevator.

"Hi Fenno," said a passing voice. Fenno picked up his head long enough to see that it was a jubilant Dave Min heading to an interview. Min paused and barfed in a trash can just before leaving the reception area. He seemed to suck his teeth for a moment, and then in a heartbeat he was smiling again, headed down towards room 3005. Fenno hoped that he would not be working in the kitchen too.

As Fenno rode the elevator down, he wondered if working in a law firm's kitchen would fit within the LIPP guidelines. He pondered whether or not the Bush administration would reinstate debtor's prisons. He hoped so. It would be like an HLS reunion, if things kept up.

When Fenno got back to Harvard, he climbed the steps out of the subway station. He decided to head to OCS to see what they could do. As he walked, Fenno glanced to his left and noticed the graveyard on Mass Ave. He started whistling.

He Said, He Said, He Said: Taco Bell/KFC

by Andrew Jacobs
Davis Wang
Dave Bitkower

Andrew Jacobs

"YUM," the stock symbol for Tricon Global Restaurants, among whose operations are Taco Bell and KFC, is misleading — to say the least. Perhaps "YUCK," "ICK" or "PUKE" might have been more appropriate. Need I say more about our "dining" experience at Taco Bell and KFC? Mais je veux faire ça comme il faut.

Our weekend jaunt to the Taco Bell/KFC near Porter Square was something of a birthday celebration: Tricon, spun off from PepsiCo on Oct. 6, 2001, has just turned four years old. But this was a birthday party that I was not looking forward to attending. (For how much fun can a birthday party be without cocktails — preferably Bombay Sapphire martinis? The Tricon restaurants

*The pink and grey
décor evoked more
garage sale than
Guadalajara.*

do not even have wine lists.)

Judged purely on its products, Tricon is one of my least favorite spinoffs. After all, Tricon lacks the adolescent sex appeal of Abercrombie & Fitch (ANF, \$20.53 — Hello, Davis!), the techno-geekiness of Palm (PALM, \$1.49), and the wholesome middle-America-ness of Delphi (DPH, \$12.01). And don't even get me started on my favorite tracking stocks! But I digress...

Taco Bell's mission is a worthy one: to bring Mexican culture to the masses. At what other restaurant can you get a mini vacation to Mexico for \$1.49 plus tax (Chicken Soft Taco)? But ultimately, Taco Bell fails to live up to its promise. The pink and grey décor (if one can call it that) evoked more garage sale than Guadalajara. The temperature inside the restaurant seemed more like Canada than Cancun (does this establishment have any climate control?). To be fair, however, the lack of cleanliness did vaguely remind me of Mexico City, albeit somewhat less smoggy.

But on to the food. We chose to order à la carte (there was no dégustation menu — and only one in our party even got a tray!). My "Super" Chicken Burrito seemed to be mainly sour cream or mayonnaise (or some such white, fatty substance) and extraordinarily runny refried beans. There appeared to be virtually no chicken in the burrito,



Taco Bell/KFC
Porter Square

Vol 2, #4
(Ratings out of 5★)

Andrew's Rating

★★★★★

Davis' Rating

★★★★★

Dave's Rating

despite its name. In fact, I recall more edible food on a sketchy charter flight from Boston to Puerto Vallarta. Only the Fire Sauce made the burrito pass the minimum threshold of acceptability. (I note, for those who are interested, that Fire Sauce also polishes pennies to brilliant shine. If it can do that to coins, imagine what it does to your stomach!). The chicken soft tacos were only slightly better. Sadly, the highlight of our meal came from the KFC side of the menu, and it was not even the chicken but rather some more pedestrian potato wedges (\$1.19). At least they were pleasantly seasoned.

For the real Mexican experience, save those polished pennies (and all the money you made from short-selling PALM) and head to the Four Seasons in Punta Mita.

Davis Wang

The service at the combined Taco Bell/KFC was very professional. Food was prepared quickly, and the counter staff was helpful when I was bewildered by the choice of prix-fixe options (known as "combos"). Service was decentralized, so that each patron was on alert for his or her own order. Such a system ensures that there is no undue delay between order and ingestion (the warmth of the food may make it less harsh on one's alimentary system), and that the potential for altercation with members of the wait staff, over the size of the gratuity, is minimized. Indeed, although there were no Abercrombie boys there, everyone who patronized the restaurant during the entire half hour we were there was friendly and laid back, including a gentleman of advanced years who, according to an olfactory report from one of my dining companions, had evidently forgotten himself before he entered the restaurant. Yet no one made a fuss — it's that kind of a place!

The décor, in delightful pastels, was a welcome relief from the drab fall and winter that will soon envelope us. In a nod to the current fashion of interactive dining, the chef and the sous-chefs all prepared food in an exhibitory area. It was not just their consummate skills in deep frying, reheating

and wrapping that were on display, but also the more esoteric aspects of pre/post culinary preparation. One sous-chef, for instance, squatted on the floor, supported a large pan of refried beans vertically with one hand, and scraped them into a horizontally placed pan with the other. I was not able to confirm whether the beans, thus scraped, were saved for a special recipe, or for another day or for eventual disposal.

Of the two types of cuisine offered at the combined location, I would have to admit I have a slight preference for the KFC side. (The establishment has yet to offer a fusion menu.) My chicken soft taco (\$1.49) was good, but, as noted by my fellow reviewer, the taste of the chicken was not salient. I think the preparation was too flavorful. With so many other exotic spices, cheeses and lettuce, the chicken was submerged and did not stand out. The KFC chicken legs (\$4.69 for a combo with two pieces, a biscuit, a side dish and a drink from the automatic sommelier), however, were all the chicken one could want. They were incredibly juicy and succulent, especially given that the crispy coating, of a dark brown color, seemed at first-sight hard and impenetrable. Best of all, the accompanying biscuit (complimentary) was compact, well-salted and just greasy enough to make the entire experience feel a bit sinful.

All in all, I have to say, my dining experience was a wholly satisfactory one at the combined TB/KFC. Now, two days later, I continue to function normally, and no aberrant levels of bacterial activity have so far been detected.

David Bitkower

At long last, and after a summer of slumming at various pretentious New York establishments, we were able to convince the editorial staff of the RECORD to send us on a run to the border: Sunday we dined at Taco Bell.

Actually it was a Taco Bell / KFC, located on Massachusetts Avenue three blocks north of Porter Square. (For diehards, there are also Taco Bell locations a block away from Koreana (see our review in this space

last month) and in the Cambridgeside Galleria — or use the handy location finder at <http://www.tacobell.com/ourcompany/fr.htm>.) And I would add that whatever dicta my esteemed colleagues muster in detraction (or sarcasm) is inevitably ascribable only to the presence of the plebian KFC. I will never understand why a parent company would so foolishly mix the quality and wholesomeness that are Taco Bell with the low-rent simple tastes of KFC. You don't see Lamborghini/Dodge Neon showrooms, or joint embassies for Great Britain and Canada.

Yet the food always prevails in the end. What Taco Bell truly offers, other than crypto-racist ad campaigns, is a top-notch taco for under a dollar. And, granted, the slop they call meat, the plastic-gloved handful of lettuce, and the three or four strands of cheddar cheese are not in themselves enough to draw a crowd. But just combine that 79¢ of filler (only 210 calories, only 110 from fat!) with one special packet of the elixir known as "Fire Sauce" (free), and you have a combination that cannot be beat from Calgary to Tierra del Fuego.

Fire Sauce is, perhaps, the most important culinary advance of our generation

*In a nod to
interactive dining, all
food is prepared in
front of patrons.*

(with the possible exception of certain microbrew root beers, but that's another review). It is potent enough to occupy your taste buds completely, yet not so potent to prevent you from savoring the burning sensation for minutes without turning to your beverage. I confess, the Fire Sauce is the only thing that draws me back to Taco Bell time after time. But after a month away, my mouth begins to water, my jowls tingle in anticipation. I try to resist, to occupy myself with games, or fool myself with Newman's Own "Hot" Salsa. But, eventually, I always come back to Taco Bell.

That my colleagues do not share my appreciation I can understand. But all that remains between the darkness of another display of accent-mark studded pretense or irony and "news you can use" is a single, flickering flame. Davis's whine that we go somewhere "nice" gave little reason to hope that this flame would cast much light. But now, just when so many expected the darkness to fall, the Fire Sauce has grown bright.



IAN HUMMEL

October has arrived and once again the attention of the sports world has turned to HLS intramural football. There were games on September 30, but the sports world wasn't interested in them, so we turn directly to October 7 and Week 2.

In the much anticipated "Game of the Week," once top-ranked Mr. Sparkle (2-1) faced undefeated Duress (2-0). The game had all the hallmarks of exciting football: arguments about what down it was, abounding penalties and, of course, low scoring. When the dust cleared, Duress prevailed 7-6. The victory was due in part to the effort of DB Trevor, who knocked away a pass at the risk of being impaled on the tent that inexplicably sits in the middle of Field 2. Less impressive was flanker Wade, who

dropped a first-down pass and quit the team. For the losers, a strong performance was given by Mr. Sparkle's two-way sensation, Tom Simek. Also notable for Sparkle was Karl Fanter, who blamed himself for the loss, a sentiment with which his teammates readily agreed.

In other action, the International All-Stars (2-1), in an attempt to impress the voters, gave no quarter to the JLPP Patriots (0-3) in a 48-0 romp. The Patriots, discouraged, decided to disband and join other teams. David Marshall, the All-Stars captain, wanted to thank the fans and "send out a shout to the family dog, Goober," who is presently undergoing surgery.

Riding high from a convincing win by forfeit, the AstroGliders (2-0) defeated Black By Popular Demand (0-1) 20-14. The Gliders' Brian Lutz had a big game, scoring two touchdowns and picking off two passes. Evan Belosa deserves commendation for his QB work, as does Wes Warren for his game-ending interception. "FINALLY! FINALLY!" exulted one AstroGlider after the victory over longtime rival BBPD. It was refreshing to hear one player who understands just how important flag football is.

Animals Taste Good (1-1) "eeked by the undermanned but overtalented Sashi's Team (2-1), 32-30," reported Animals captain Eric Zacks. Leading the Animals were Matthew Zisow with three touchdown receptions and Adam Henslovitz, whose catches were said to be inspirational. John Mello, forsaking his surname, provided vicious pass rush. The game went the distance, with Sashi's Team having a chance to tie the game with a two-point conversion, but the attempt was batted down by a diving Dan Bennett of the Animals.

Section VII Deadly Sins (0-2) took a 6-0 lead into halftime against the undefeated Boar Hogs (2-0) with a defense likened to a pack of ugly, rabid dogs. But the Boar Hogs broke out in the second half and came away with a 26-22 victory. Details of the game remain a mystery, but it was reported that Boar Hog Kwaku Akowah had a big game in Week 1, so I can only assume that he must have done something good in Week 2.

In the other games, the Fightin' Greg Lippers (1-2) shutout the Mad Turtles (1-2) 18-0. Sashi's Team rebounded from their close loss in their first game and defeated the Fightin' Greg Lippers 27-18.

Week 2 Standings

	W	L
Duress	2	0
AstroGliders	2	0
Boar Hogs	2	0
Law Dawgs	1	0
Int'l All-Stars	2	1
Sashi's Team	2	1
Mr. Sparkle	2	1
Animals Taste Good	1	1
Fightin' Greg Lippers	1	2
Mad Turtles	1	2
Black By Pop. Dem.	0	1
Sec. 7 Deadly Sins	0	2
Gene's Team	0	3
JLPP Patriots	0	2

Farewell Ode to OpenMail (Old Version)

Oh, OpenMail six-point-zero (old version),
Your interface may be tired
It may be wrinkled,
But you are not depreciated.
Sleep! Sleep, Friend.
A lullaby I sing you,
Rocking you in the arms of poesy,
Ring-a-ding, bing bing bing.

In two years of blissful reciprocity,
I have opened you,
Yes. True.
But more fitting for this paean,
How you have opened me,
Nay! — opened us.

Open, open are the wires
(thanks to you)
That bind and knit us
Into the latticed, cyber-bosom of humanity.
Oh, OpenMail six-point-zero (old version),
That bosom rocks you now,
Protects you in Parnassian verses ...
Against that Scoundrel!

OpenMail six-point-zero (new version),
Newer, aye, but better?
Your vaulting ambition would claim so,
Thou would-be Successor,
Thou mere Pretender,
Thou nasty henchman of the great Zittrain!

Your crimson arrogance remains A.I.! Hah!
Artificially Incontinent and
Artificially Incognizant
Of your lurking Achilles heel,
That deliverer, Log Out Button,
So deliciously inconspicuous,
Seldom clicked, seldom activated,
Yet quietly sparking Langdellian mob violence.

Don't click him, Friends —
And watch Fortune's Wheel turn,
Watch the Pretender
Proud on his "new" throne,
Wither, Dessicate and Die.

—Dave Winickoff

THE 1L EXPERIENCE

by David Baharvar

As a 1L acclimatizing to HLS, I'm still puzzling over the relationships between students and staff. The professors are a mystery, both as individuals and as a whole. In their own ways, they are each enthusiastic and zany, which is marvelous and unique to a place like Harvard. Most of my profs have encouraged us to ask them to lunch, and after most every class a few students stay behind for a couple of minutes to ask a few questions. Some profs have a much more formal manner and others don't seem very adept at basic conversation, but they all are approachable enough. These are good signs that professors are "reaching out" to students, contradicting HLS' reputation for inaccessible and aloof faculty.

But a strong divide remains. For instance, few students have grabbed the opportunity for lunch with a professor, and few have ever gone to office hours. It could just be too soon in the semester. Still, I wonder, is our reluctance to engage them attributable to fear that an intimate lunch discussion might revolve around the class material, or that we might embarrass ourselves by revealing some basic misconceptions we have?

I have gotten the sense that the administration and faculty are trying to change the tone of interaction with students, to make contact more casual and let us know that they value our development as human beings, not just lawyers. It is evident not just in the various new initiatives, but in the everyday actions of professors in class. It is not infrequent that, several minutes after dissecting someone's awkwardly stumbled-out response, a professor will say something like: "Thank you for your answer. That was a good attempt, and you were on the right track." As a very conscious add-on somehow set apart from the rest of class discussion, these belated (but appreciated) validations of student comments often seem too deliberate to be second-nature or "normal."

Considering that so many of our professors went to HLS or other traditional elite law schools, and given the reputation of such schools for strongly dividing students and professors, are our professors trying to treat us in ways contrary to their own experiences as students?

Similar questions occur to me about the administrators, although as I have had few dealings with them so far. What do the various deans do, how do they interact with each other and, most of all, how do they see us? For now, they are a curious, neutral presence in the background of our law school experience. The other day I was having lunch in the Hark Cafeteria when Dean Clark and another colleague from his office strolled in with their trays, sat together at a table and began to have a casual meal. I considered asking if I might join them and find out what the Dean's job was all about. What does Dean Clark see as he looks at the students at their tables, as he walks through the halls? Is he proud of the bright, multi-faceted people around him? Does he want to engage us in conversation? Or is his mind on more abstract concerns such as fundraising or on the "image" that we, as a whole, present for visitors who might be around? What worries him the most about us?

I also wonder how much Dean Clark and the various deans really know about each one of us? With over 500 students in each entering class, I doubt they can know many of our faces, especially because I rarely see them around campus. Which is probably why — besides my shyness — I decided against walking over to speak with him. I was not sure it would be appropriate, or if he was too busy despite the casual appearance.

People joke that you will see Dean Clark twice in your life: at orientation and graduation. I already know that is not the truth, but is it far from it? Or is he, too, trying to break down traditional divides? Did he come to the Hark hoping to strike up a conversation with us? No one did stroll over to his table, but maybe next time I will.

With comments or to begin a dialogue, please email dbaharva@law.harvard.edu.

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Monday, October 22
and
Tuesday, October 23, 2001

to interview
second- and third-year
law students
for
summer and permanent positions

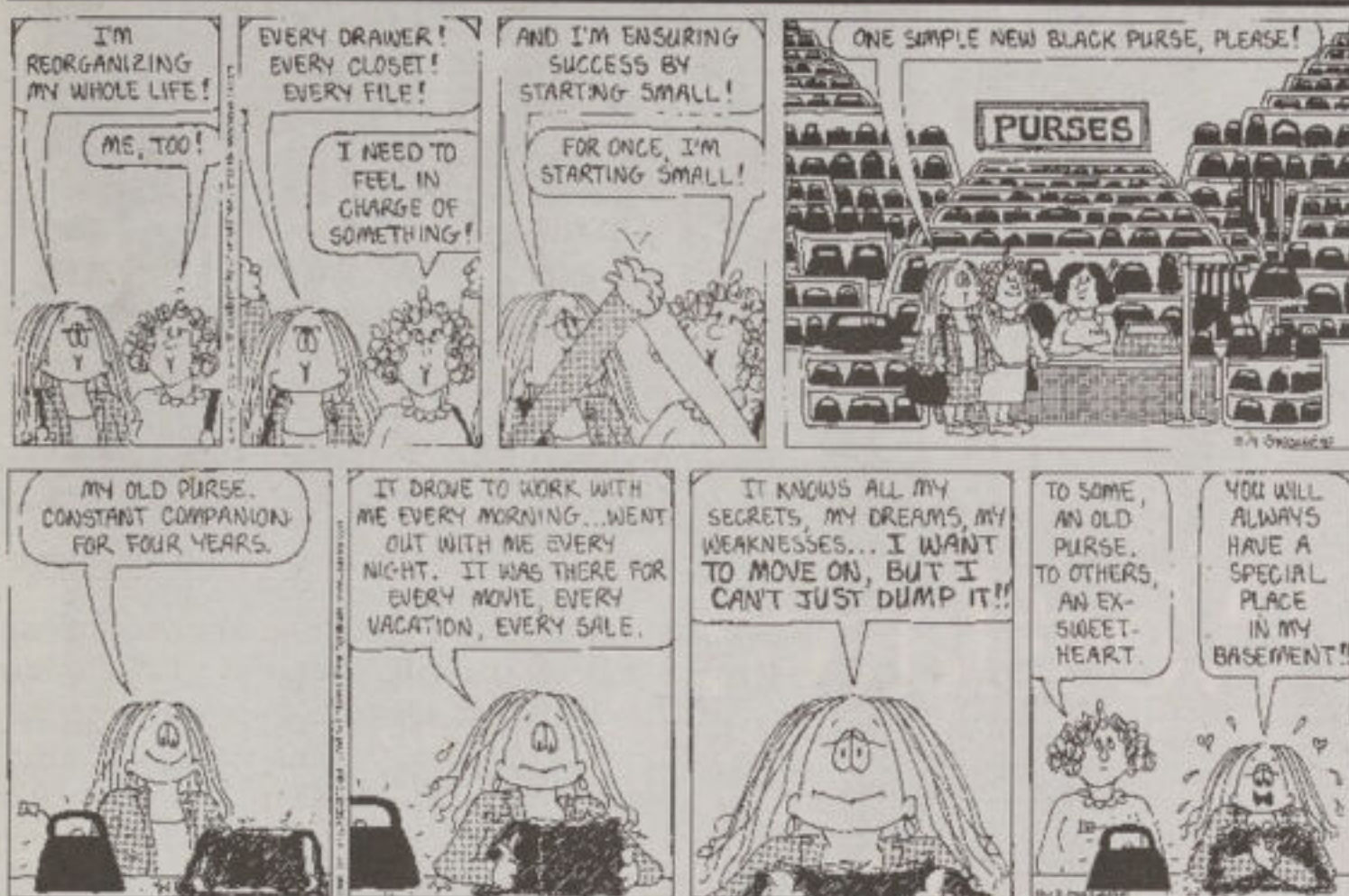
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at the
Career Services Office

THE WHOLE BALL OF WAX

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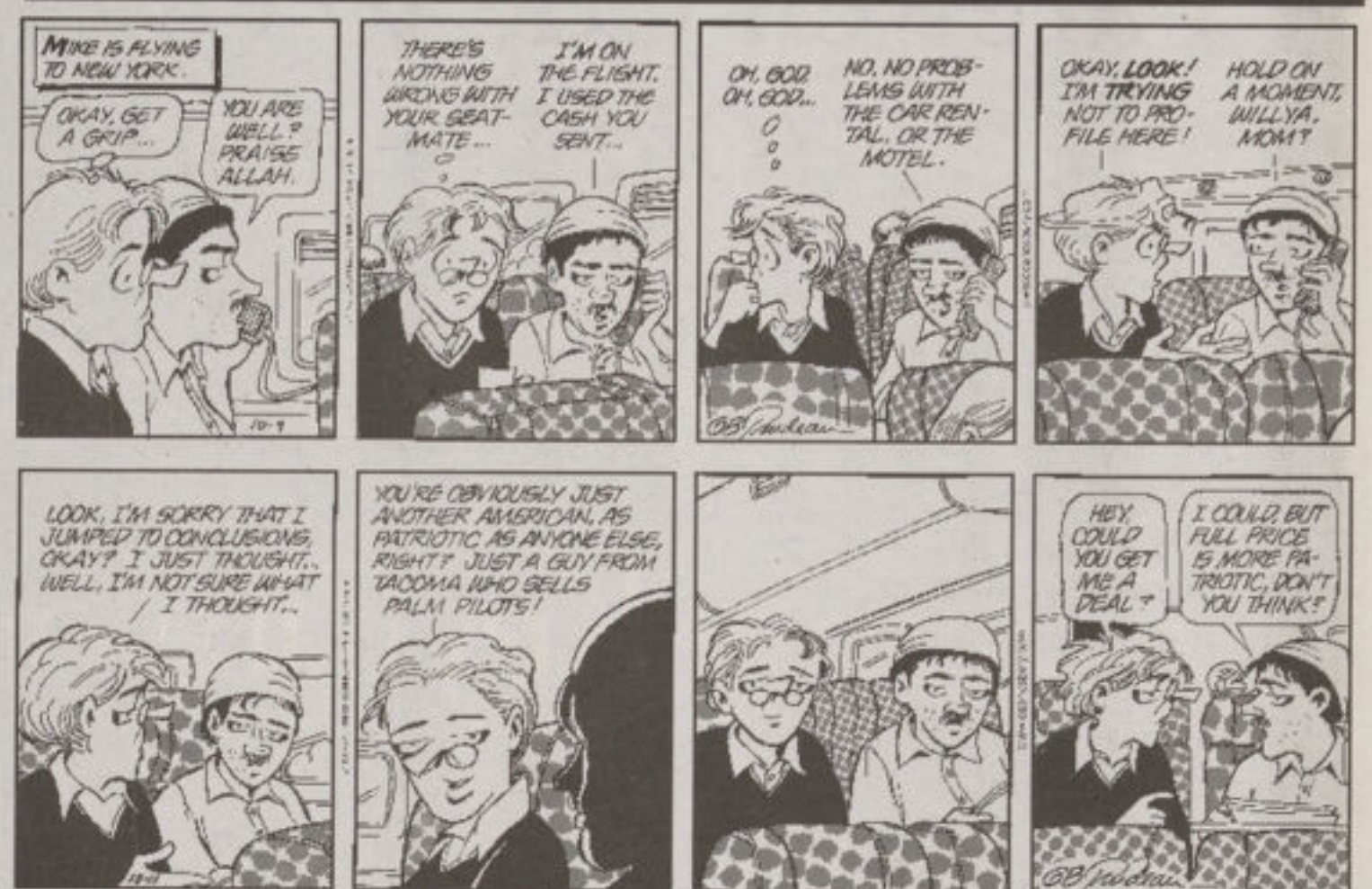
Cathy

by Cathy Guisewite



Doonesbury

by Garry Trudeau



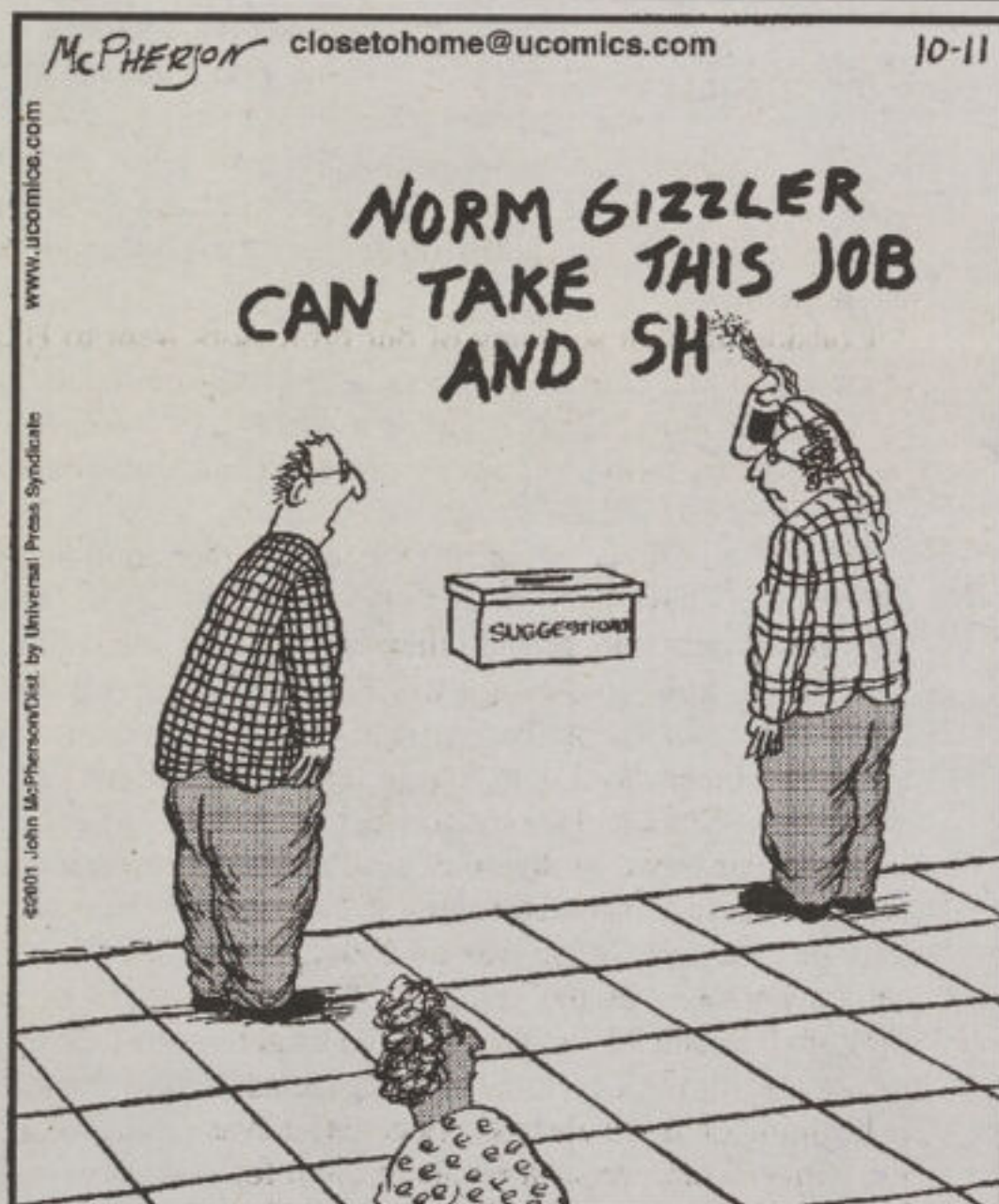
Non Sequitur

by Wiley



Close to Home

by John McPherson



"Uh, Phil? I think suggestions are supposed to go IN the suggestion box."

Crossword 101

"The Whole Ball of Wax"

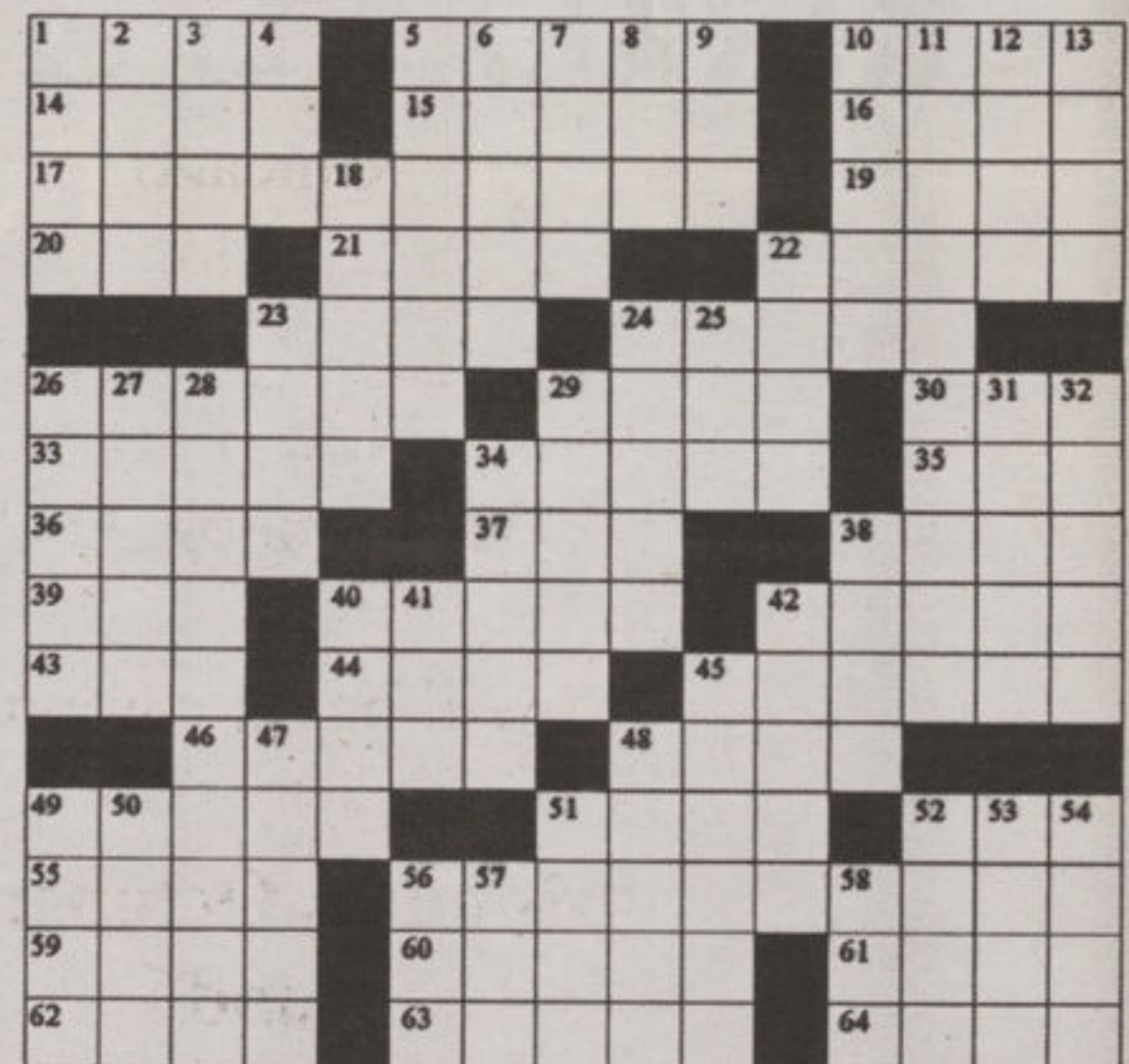
By Ed Canty

ACROSS

- 1 Murder
5 Transported
10 55 Across Garments
14 Horseless carriage
15 Surrender cry
16 Wise guy
17 Shortstop's forte
19 Crossword puzzle aid
20 Theological sch.
21 First mate
22 Felt ill
23 Higher
24 Ham specialty
26 Holy
29 IOU in a way
30 Fed. protection agcy.
33 Fruits
34 Daytime dramas
35 Suet
36 Sea eagles
37 Sculler's need
38 Detergent brand
39 Vietnam Veterans Memorial sculptor
40 Hauls
42 Wrap
43 Constellation
44 Brews
45 Coercion
46 Christens
48 Capital of Latvia
49 News Network
51 Body fluids
52 Newspaper: Slang
55 Riyadh native
56 Chubby person
59 High Stadium
60 Pushers' customers
61 Summit
62 Colorless
63 Railroad station
64 North Carolina's Smith

DOWN

- 1 Droops
2 Angler's need
3 Particle
4 bet



- 5 Started to flower
6 Open, in a way
7 Bamboozle
8 Building extension
9 Pa. neighbor
10 Computer acronym
11 Dynamic person
12 Chills and fever
13 Follows top
18 Church parts
22 Turmoils
23 Hockey great & family
24 Raises
25 Current unit
26 Hex
27 High nest
28 Ungraceful dive
29 Trenches
31 Male parents
32 Belongs to sun god
34 Infections
38 Scarlett's home
40 Arrived
41 Brew

- 42 Sweet thing
45 Most critical
47 "Three Tall Women" playwright
48 Backward: Prefix
49 Vacation home
50 Song
51 Up or down lead in
52 Indy 500 e.g.
53 Mater
54 Singer Campbell
56 Comedian Abbott
57 Employ
58 Evil

Quotable Quote

"The physician can bury his mistakes, but the architect can only advise his clients to plant vines."

... Frank Lloyd Wright

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For this week's solution please, see p. 10

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—First Amendment, U.S. Constitution

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