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Allston 'a live option'

■ *Dean appoints faculty committee to explore HLS move to Allston*

by Mike Wiser

Speaking to an intimate audience in the Ames Moot Courtroom Thursday, Dean Clark announced that the school had formed a committee to explore the possibility of moving all or part of the law school to Allston. Clark said that the committee, chaired by Prof. Elena Kagan, was charged with gathering information for a decision that could be made within the next year or two. While that judgment could be made soon, Associate Dean for Research Howell Jackson told the 14 students in the audience that the school would not move before they graduated or even before their fifth reunion.

Referring to Allston as "that place across

the Charles River," Clark said that the decision to form the committee resulted from the inauguration of Lawrence Summers as President of the University.

"We have a new president of Harvard, President Summers," Clark said. "He said very explicitly from day one in all of his public speeches that all physical planning, from now on, has to be done in light of the amazing, historic opportunity presented by Allston."

Clark characterized Summers' approach to Allston as different from former President Neil Rudenstine. Under Rudenstine the Law School was told that it would not be moved unless the faculty approved.

In September of 1999, Clark said, "something ominous happened." That ominous thing, he said, was a faculty motion that passed almost unanimously and said, according to Clark: "We object. We don't want to think about it." Summers, the Dean said, has reversed Rudenstine's policy and

is now forcing a number of the University's schools to consider a move across the river.

"The Law School has to now recognize that this is a live option," Clark said.

With the Business School already located across the river, the University sees Allston as an attractive place to move other schools because the amount of land that the school has there and because it would be easier to gain permission to build. Clark described Cambridge as one of the densest cities in the United States and said that "restraints on building are very severe." While he did not mention it on Thursday, the administration has in the past claimed that major renovations to parts of the campus were impossible because of building codes and the danger that local groups would move to make buildings such as the Gropius Complex protected historic sites.

Beyond the Kennedy School and the Law

Please see ALLSTON, p. 2

Faculty calls for peace

by Trevor Gardner

Law students are taught to appreciate the dissent in order to understand the breadth and particular meaning of an opinion. The panelists of the discussion entitled, "Why Peace? Why Now?" cautioned that the appreciation of dissent is also an essential tenet to the functioning of a meaningful democracy.

Last Tuesday the audience at Langdell South filled the chairs, the aisles, the entrance and trickled into the foyer to hear from the Harvard faculty opposed to the United States' military initiative in Afghanistan.

The event's organizer, People's Initiative for Justice and Peace, began the meeting by calling for an immediate halt to the war in Afghanistan, describing its stance as "the only humane option." Yi-Ping Ong, a first-year Philosophy graduate student, read a statement on behalf of the group. She urged the audience and America to rethink its definition of terrorism, and to expand the concept of terrorism to include any action creating fear and hysteria.

"How is [the fear of domestic terrorism], my fear, any different from the fear of those fleeing from U.S. bombs?" she asked. Ong said that the country must begin a dialogue evaluating on what basis brothers, sisters, fathers and mothers in Afghanistan should die for our own security.

Please see WAR, p. 2

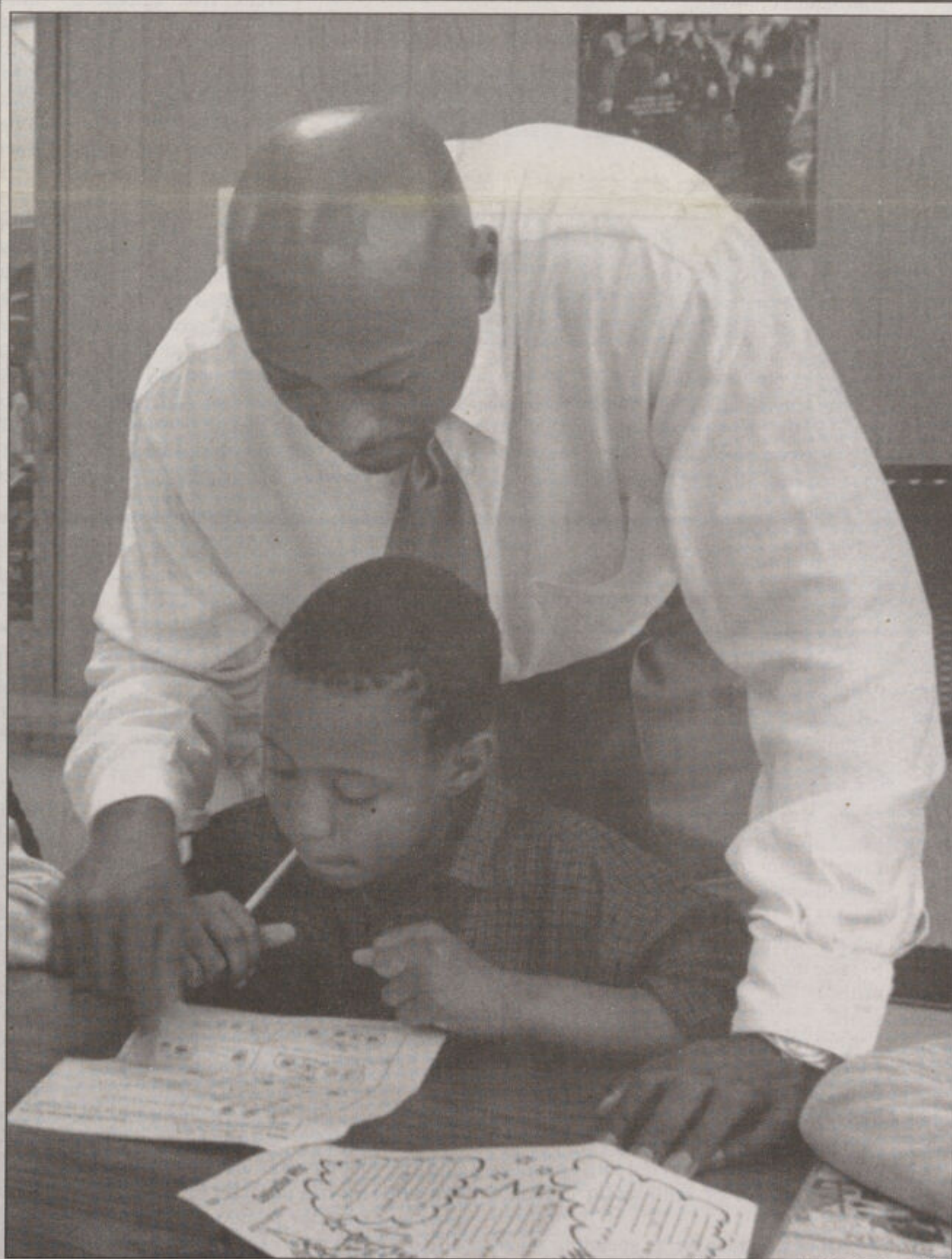


Photo courtesy the B.E.L.L. Foundation

Ringling the school B.E.L.L

From its inception in 1992, Earl Phalen '93 (above with student) has played an active role in the Building Enterprises for Learning and Living (B.E.L.L.) Foundation. Today, under his leadership, the Foundation provides educational assistance to almost 1,500 students in the Boston area. Story on page 3.

One-L wins cash award for community service

by RECORD staff

Rita Bolt was awarded HLCentral's first 1L Community Award, a cash prize of \$1,000, said Ariane Decker, an executive board member for HLCentral.

"[Rita] ... really appeared to work hard and make an impact," Decker said, explaining why judges selected Bolt. "Her essay convinced us that she strived to make a positive impact [at Clement University], and her activities showed an impressive amount of dedication."

The award is given to "the incoming 1L who showed an active commitment to being involved in and bettering his or her undergraduate community," Decker said, and is paid for with funds from HLCentral's sponsors.

Applicants were asked to submit a one- to two-page essay discussing their actions to better their undergraduate community. All applicants were judged



Rita Bolt

anonymously. Decker, TJ Duane, Rick Coe and Jill Mulligan each scored the essays on a scale of 1 to 10. Once those scores were averaged, two outside judges (students at the Kennedy School) and the four original judges reread the top five essays. Bolt's essay was unanimously picked as the winner by all six judges.

"We wanted to see initiative, effort and an impact," Decker said. "We generally looked for folks who participated in more than one activity, but with a heavy commitment to at least one of those activities."

Bolt, who works on the community

service committee for HLCentral, was one of approximately 30 applicants for the scholarship. In her winning essay, she discussed her work with many student organizations at Clement University, including her work in the Greek system and as student body president.

Decker said the blind judging system prevented Bolt's work with HLCentral this year from creating a conflict of interest. "We are, however, excited that she has continued with her commitment to serving her community," Decker added.

Of her many activities at Clement, Bolt said her work in organizing a Habitat for Humanity "Blitz Building," where students and community members worked to build five houses in two weeks, was the most meaningful.

"Not only did we figuratively build community among the student body, but we also built literally a community for families," she said.

About her leadership experience, Bolt said: "I think that being a leader in student organizations these days isn't nearly as focused on fostering leadership in other people as it should be."

HLCentral plans to give out the 1L Community Award yearly, Decker said. The organization decided to begin the scholarship to "encourage, generally, people who look to make a difference around them," she said.

"We feel that the award is something that the winners deserve — we like to see long-standing commitment generate reward," Decker said, noting that HLCentral also co-sponsors the Bellow Award for public service.

Bolt said she probably will use her award to fund her education.

"Honestly, I plan to apply it to my tuition," she said. "I'm going to school mainly on loans, so it'd be nice not to have to borrow that \$1,000 more."

WAR

Continued from page 1

The panel of professors, sensitive to the country's skepticism toward anti-war advocates, focused the bulk of their comments on the role of dissent as an essential element of a substantive democracy. Professor Cornel West of the department for Afro-American Studies called on Americans to recognize their duty to "get out of our skin" and imagine what it is like to be in the skin of someone else.

"It is the role of [a] member of a democratic republic to have the courage to think critically."

The second speaker, Professor Brian Palmer, lecturer on the study of religion, didn't openly oppose the war effort, but questioned America's expressed objective and explored how politicians could exploit the vague definitions of terrorism to further agendas that found little support before September 11. Palmer said that national leaders are pointing fingers and consequently, the number of groups deemed "terrorist" is rapidly expanding. He suggested that Prime Minister Tony Blair's bold stance against international terrorism is in part motivated by his desire to marginalize the IRA by marking them as terrorist, in effect, resolving a

contentious issue that has been a thorn in Britain's side for many years.

Palmer also cautioned Americans to avoid the assumption that their leaders will act in their best long-term interest. The suspension of the financial transactions of Arab individuals and companies won't necessarily improve the unfavorable opinion much of the Middle East holds toward the United States, Palmer said.

"If the money [a Somali family] tries to send back to their people is intercepted, what does that do for the relationship of Arab people around the globe and the United States?"

The conversation eventually steered toward the nature of the attack on Afghanistan, particularly the psychology of bombing. Roger Owen, Professor of

Middle East History, said that bombing as a method of attack creates distance between the attacker and harm caused by his or her action.

Owen said that Americans found the bombing enchanting, as well as a source for entertainment and short-term relief from agitation. "We will continue with the bombers' pleasure of distance and disengagement," Owen said.

Contrary to most popular conceptions of an anti-war forum, the night's critique of the "war on terrorism" was coupled with frequent pro-American statements.

Professor West lauded America's unique speech rights of the 1st Amendment. Professor McCarthy, lecturer of History and Literature, said that his affection for America spawned his criticism of poli-

cies that he felt undermined the prosperity of the nation.

"I love America. I love freedom. I'm also opposed to this war," said McCarthy.

McCarthy informed the crowd that because of his direct and consistent criticism of America's policies a conservative think tank headed by Lynn Cheney had begun circulating a list of 100 American scholars "short on patriotism" which supplemented an article entitled, "Defending civilization: How our universities are failing America."

McCarthy referred to American author James Baldwin who shared a similar sentiment.

"I love America more than any country in the world and exactly for this reason I insist on the reason to criticize her perpetually," McCarthy quoted.

The professor then asked that Americans examine and unpack our present notions of patriotism, saying that it was easy to wave flags, but much more difficult to envision the subsequent actions that take place overseas.

"It's much more difficult to envision sending our brothers, our sisters, our lovers, our fathers to kill," he said.

"I love America more than any country in the world and exactly for this reason I insist on the reason to criticize her perpetually."

ALLSTON

Continued from page 1

School, Clark did not say which other schools might potentially move across the Charles. The Dean also emphasized that no decisions had been made and that the schools are only at the information-gathering stage. The Committee on Locational Options, unofficially known as the Allston Exploration Committee, has a very limited mandate.

"Their job is to find out all about it," Clark said. "Not to plan, not to negotiate, not to recommend a vote, but to find out the information."

Despite their former opposition to considering a move to Allston, Clark said that the faculty understood the situation and described their reaction to the developments as "very positive."

Neither Clark nor Rudenstine said how the possible move to Allston could affect current construction plans. The school currently has plans to develop the area between Pound Hall and Everett Street. The plans include razing the current parking lot to make room for new buildings. Clark did say, however, that such plans would only ensure that the school had enough space for the next 20 years.

"But what after that?" he asked.

State of the School

In addition to announcing the possibility of moving the school to Allston, Clark delivered an informal "State of the School" address.

"In many respects, the Law School has never been stronger," he said.

However, he emphasized that the school is in a period of "momentous change." Clark was pleased with the changes to the first-year program, but said that to further implement the Strategic Plan the school would need to raise around \$400 million in seven years.

According to Clark, he felt it was important to immediately implement changes like smaller sections for first-years, but those changes came at a cost of millions of dollars a year.

"All of a sudden we're spending several million dollars more in our budget than we would have been in a normal up-tick year. Alright?" he said. "So we're spending down our cast reserves."

Clark said that without a campaign and if the stock market didn't recover, "we'll have to downsize something."

Essentially, the Dean argued, the school could not implement further changes outlined in the Strategic Plan

unless the school could raise more money. Describing himself as a "busy beaver," Clark said that he had tentative pledges of \$100 million before a campaign was even launched.

Clark cautioned students that raising money was not as simple as it sounded. Most donors want to donate to a specific cause and the administration has to try to find donors who are willing to donate to the school's goals.

"It's kind of a dance between the dean of the school

and the faculty who are trying to press priorities for this program or initiative or plan and what the people out there actually want to write checks for," Clark said.

With economy in recession, one big question for the administration is when to begin the campaign and how successful it will be. Clark said that he was cautious in the short term but very optimistic for the school's fundraising potential in the long term.

In response to a student question, Clark said that the school was working to improve diversity of both students and

Summers, the Dean said, is now forcing a number of the University's schools to consider a move across the river.

faculty. The problem, he said, was not attracting diverse faculty but actually hiring them.

"People want to come to Harvard," he said. "So attracting is not the question. The question is can you get two-thirds of the faculty to agree. Yesterday, we had a faculty meeting where an overwhelming committee recommendation lost by one vote."

Clark said. He described the unsuccessful candidate as a "fantastically popular teacher" who scored extremely high on student evaluations while he was a visiting professor but still failed to get the necessary votes to receive a position.

Clark also said that the school's decision to not shrink the size of the student body helped to preserve the "critical mass" that is necessary in order to preserve the diversity of the student body. Reducing the student body, he said, would have been a quick fix to the faculty-student ratio, but would have had a negative impact on the long-term diversity of the school.

Dean Clark's thoughts on how to improve the school were not limited to moving to Allston, fundraising and diversity. Commenting on the low turnout for the event, Clark told LSC President Mike French that perhaps next time the event would attract more students if free drinks were provided.

Alumni Profile

Making a difference, one scholar at a time

■ *Earl Phalen and the B.E.L.L. Foundation bring academics, role-models and confidence to struggling elementary school children.*

by Meredith McKee

In 1993, school was losing its grip on fifth-grader Shavonne Reddick.

"I wasn't really getting my homework done," Reddick remembers. "When you're young, you go to school because you have to; you don't really think about the value of education. I was having trouble in some classes, and I was the kind of person who, when I was having trouble, wanted to give up."

Today, Reddick is a freshman studying business administration at Newbury College, an achievement she credits largely to the B.E.L.L. Foundation. HLS students started the Foundation in the early '90s as a non-profit organization to provide mentoring and academic assistance to struggling elementary school children. Today, under the leadership of Earl Phalen '93, the Foundation serves more than 1,400 students with a budget of \$3.7 million and is growing.

"They taught me to be strong and get the help I needed so I wouldn't give up," says Reddick, who participated as a program "scholar" for two years.

With a gravity that speaks volumes about the alternatives, she adds: "If I didn't have that program, I'd probably be somewhere else, doing something else. My life wouldn't be like this."

Modest beginnings

The B.E.L.L. Foundation grew out of the efforts of five Harvard Law students who worked together on the Black Law Students Association's community affairs committee in 1991. While serving on that committee, the students started a project to mentor children at the Roxbury Boys and Girls Club.

Confronted with 13 to 15-year-olds who were struggling with basic reading skills, the law students didn't feel right "being mentors and playing basketball" without trying to do more, Phalen says.

"They said, we're seeing our second- and third-graders saying, 'Why should I work hard? My uncle didn't make it to college. I don't have to go to college,'" Phalen says. "So [the children] were starting to check out and not do their homework and not think they were smart, so the parents said, why don't you come in and work with our elementary school children."

With that, the B.E.L.L. (Building Enterprises for Learning and Living) Foundation took root in 1992. The organization was named in honor of Prof. Dek Bell, a force for change on campus at the time.

After two years of recruiting other law students to work with the students at Agassiz, the five founding students graduated from HLS. Phalen decided to "keep the momentum" going and took on the B.E.L.L. Foundation as his full-time, post-law school job.

With a first-year budget of \$14,000, raised through a fellowship grant and private donations, Phalen began running an after-school program for 25 students with 15 to 20 volunteers. Today, that effort has blossomed into after-school and summer programs for almost 1,500 students, run by 37 full-time staff members, undergraduate work-study students and volunteers.

The program focuses on those students with the greatest academic and financial need (the average B.E.L.L. family is surviving on an annual income of \$15,000), students who often come to the program from teacher and administrator recommendations. At a cost of \$3,000 a student, Phalen says, the B.E.L.L. Foundation is



Photos by Imraan Mir/RECORD (photo above courtesy the B.E.L.L. Foundation)

Earl Phalen '93, with scholars (above) and discussing the future of the Foundation (below).

unable to provide services to all those students who are interested. (Four students apply for every seat in the summer program, while two apply for every after-school program seat.)

The program attempts to provide academic instruction in reading and math, and to foster academic self-confidence. The after-school program includes "community time," in which students and tutors gather to discuss events in each other's lives, as well as engage in small group work in reading and math, receive homework help and enjoy "free time" for educational games like chess and Uno.

"By the time the year's over, in theory, they'll be caught up to where they're supposed to be," Phalen explains. "Sometimes a scholar [student] will be two grades behind, so that's not going to happen, but they will at least have made significant progress."

The work, Phalen says, is individually tailored to each student's needs.

The program also emphasizes mentoring and role-modeling, exposing students to their many options by asking young tutors to share their experiences.

"We have this one young woman who's 19 and studying to be an astronaut over at MIT," Phalen explains. "It's good exposure for the scholars. Now they know MIT, they know Harvard, they know Tufts, so they know what's around here. And they know what's possible for them."

Penchant for social justice

Phalen says he knew from the age of 8 that he wanted to work for social justice. He was adopted when he was 2 as the only black child in a white family by parents who expected the best from him. Despite athletic, academic and social success, Phalen struggled with his situation as he grew up in an all-white town.

"I had a very negative self-perception because of my race based on a lot of things that happened to me, and to my sisters when folks would say derogatory things to them when they were with me," Phalen says. "So as early as the third grade I remember



telling kids, 'I'm going to do something about social justice. I'm going to make this a better place.'"

That drive gained focus when Phalen worked for the Jamaica Council for Human Rights during the summer after his 1L year. While there, Phalen volunteered at an education program at a local orphanage, where he was thrown into leading the entire program.

"It was such a powerful experience, that I said I'm dropping out of law school, going into education," he says. "My parents negotiated me into finishing my law school, which was a good idea, but by the time I graduated I was absolutely ready to go."

Though, had he foreseen the slow pace of progress, Phalen says he might not have chosen the B.E.L.L. Foundation as his vehicle for social change, he envisions a grander future.

"Our original mission was to serve 1,000 elementary school children, help them reach high academic and social standards," Phalen says. "It's taken a lot longer to get here than I thought it would. And we're here — we have more than 1,000 children now."

"But it's still not social change," he continues. "It's social change for the children that we serve, but in terms of, is education in America better because we existed? No, it's not today, and that's really still part of the goal."

Phalen hopes to nurture B.E.L.L. programs in Boston to provide a "model" for other cities to emulate.

That plan has already worked with at



least one city — Cleveland. Educators there approached the Foundation after hearing about its work in Boston, Washington, D.C. and New York. Next month, Phalen will hear whether Cleveland's city government will approve a \$20 million-plus package to fund B.E.L.L. Foundation programs in that school district. Through similar cooperative agreements, Phalen hopes to extend the B.E.L.L. Foundation's reach.

"If we reach our goal of serving 100,000 children and engaging 100,000 families, then we'll have the type of social impact that I want us to have," Phalen says.

In the meantime, Phalen can take comfort in social change that he and the B.E.L.L. Foundation are fostering on a more immediate scale. Shavonne Reddick, once a fifth-grader who wanted to give up on school, now plans to develop an educational teen center.

"I want to do something very similar to the B.E.L.L. Foundation," she says. "But I want to work with older children."

For the RECORD

Winds of change

Allston or bust?

It appears rumors about the Law School moving to Allston weren't quite as unsubstantiated as students thought. Dean Clark's announcement of the formation of a Allston exploration committee and President Summers' enthusiastic endorsement of expansion across the river mean we can't blithely ignore the possibility any longer.

Equally startling is the division between the administration and the faculty on this issue. The faculty voted almost unanimously to reject a move to Allston last year, but President Summers has now said that faculty agreement is unnecessary.

The Allston issue is sure to spur contentious debate among students, faculty and administrators. Many will have strong feelings about staying in Cambridge and refuse to consider the Allston option.

The Law School's ties to Cambridge are not easy to dismiss: This campus boasts Langdell Hall, proximity to Harvard Square and the College, and hundreds of years of history.

But saying the Law School should stay in Cambridge isn't enough. This Law School has very real needs for space that are limited by Cambridge building codes and restrictions on alterations to the oft-maligned Gropius Complex. Those who will argue against a move must strive to understand the Law School's needs and think of alternate ways to meet them.

Nor should Dean Clark abandon his responsibility to weigh faculty sentiment. President Summers' new policy aside, faculty endorsement of setting up camp in Allston would be key to such a move's success.

For us, the jury is still out. And we hope that the students and faculty who have not fully considered the options will do so with an open mind. This is a tough issue, but it shouldn't fracture the school.

We're begging

We were cautiously enthusiastic about the new version of OpenMail that debuted this year, though some of us remained attached to that old slogan, "If it ain't broke, don't fix it." But recent events have encouraged us to reconsider our benevolence.

Want to check your email? Have you got 30 minutes? You'll need it.

If you aren't one of the few gifted with endless patience, you might consider logging on to the system in the "off-peak" hours, which seem to fall between midnight and 7 a.m. Otherwise, prepare for long delays and infuriatingly cutesy error messages like: "The server made a boo boo."

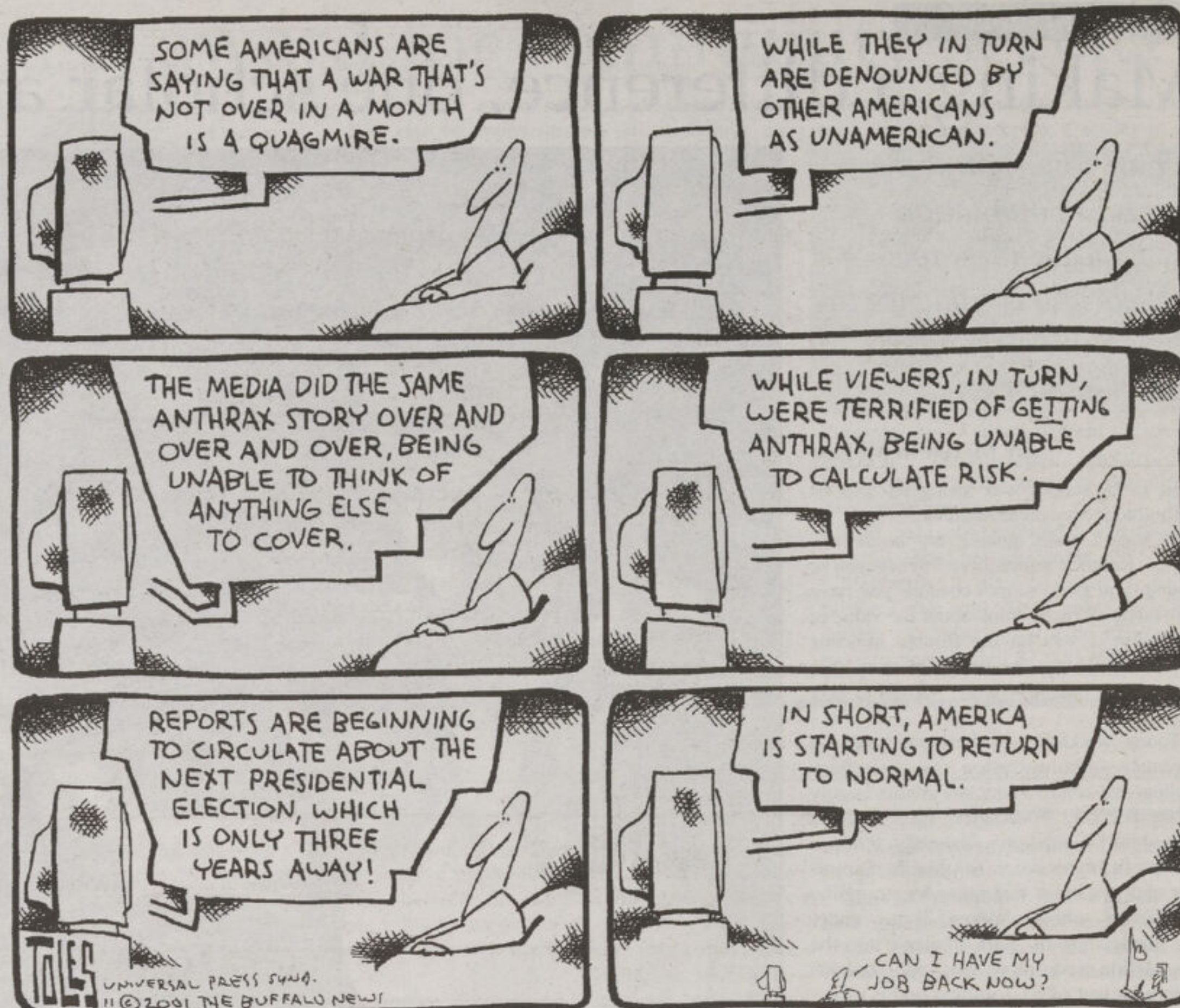
We know students' failure to log off of the system is slowing down OpenMail for everyone. But what genius decided to hold the efficiency of our email system hostage to the collective memories of 1,600 law students?

Now that we're in this predicament, we at the RECORD will do our part with a public plea: For the greater public good, PLEASE LOG OFF OF OPENMAIL.

Somehow, we don't think that's going to solve the problem.

ITS: We know you don't get the public appreciation you deserve. When everything is going smoothly, we forget to thank you. We're sorry.

But please fix the email system.



Unilateralist: The next dirty word?

by Nathan Daschle

One of the defining moments in the 1988 presidential elections was when Republican George H.W. Bush called Democratic nominee Michael Dukakis a "liberal." This word, once the common characterization of those in the Democratic Party, had become a political lightning rod. Democrats across the nation ran to the nearest exit to escape being tarred with the dirty "L" word. Many Democrats began to identify themselves with euphemisms like "progressives." Ironically, the offspring of the first President Bush is creating a new feared word in American politics: "unilateralist."

Unilateralism is more an attitude than a philosophy. It is the idea that our dominance give us a green light to pursue our national interests free of the obligations of treaties, accords or other international norms. Multilateralism, by contrast, recognizes our dependency on our foreign neighbors and the strength in collective action. It is a rejection of the image of America as an oppressive regime and an acceptance of its role as a partner in the international community. Multilateralism is a realization that we must sacrifice in order to ask others to sacrifice.

Recent attempts at revisionism notwithstanding, President George W. Bush came to the White House on a foreign policy platform that was unapologetically unilateralist. He spurned an agreement to enforce the 1972 chemical and biological weapons treaty, angering friends and foes around the world. He then reversed a policy from the Clinton administration and walked out of negotiations over the Kyoto Protocol, a pact to which over 80 nations — including the seven other largest industrialized nations — had agreed.

Much of the impetus behind Bush's unilateralist policies came from those who early on dominated his foreign policy team. Before September 11th, Defense Secretary Donald Rumsfeld was zealously pursuing a missile defense shield that would contravene the 1972 Anti-Ballistic Missile (ABM) treaty. Rumsfeld justified his policy by claiming that the treaty was "outdated" — never mind that treaties have the force of law. National Security Advisor Condoleezza Rice put her own unilateralist stamp on U.S. foreign policy. Rice advised Bush that the U.S. needed to reduce its peacekeeping forces overseas and that the U.S. had no interest in helping poor and destitute nations, such as Afghanistan after the Soviet invasion, develop themselves — a practice pejoratively called "nation-building." At the same time, the absence in Bush's foreign policy circle of Secretary of State Colin Powell, a believer in multilateralism and the Cabinet member with arguably the highest international stature, was so pronounced that TIME magazine ran a cover story on Sept. 10, 2001, with the headline, "Where Have You Gone, Colin Powell?"

My, how far we have come. President Bush is now leading an international coalition against terror. Secretary Powell has emerged as a leading figure in the war on terror and has been traveling the world to ask other countries to lend us a hand. America is playing a central role in making preparations for a post-Taliban government in Afghanistan (read: nation-building). And, just this week, Bush met with Russian President Vladimir Putin to work out a compromise exit from the ABM treaty.

What happened was September 11th. A stealthy enemy coming in the form of 19 suicidal men launched the most devastating attack in U.S. history and, in doing so, exposed our immense vulnerability. Our attackers were born of an immense hatred of America that many of us previously did not know existed. This animosity stems from years of resentment at seemingly oppressive U.S. foreign policy, layered on top of a growing economic frustration and envy of the riches of America. It is hard to underestimate how widespread anger at America is, but we should not doubt that it has a presence even in our closest Western allies.

We are now faced with the reality that

we cannot win this war — much less survive as a nation — alone. To defeat an enemy who lives in the shadows, we need the military and intelligence support of our allies, as well as the political support of many other nations. This support will not come without a cost. We will have to compromise and sacrifice to get other nations to do the same, and we will need to prove that we are serious members of the international community. The first order of business is changing our unilateralist ways.

On this score, President Bush deserves credit. In addition to crafting an impressive international coalition, Bush has also signaled to the world a new willingness to cooperate. This multilateral effort is not a concession; it is a strategy. And the strategy is working. To date, virtually every nation has allied with the U.S. We have also been able successfully to manage anti-American dissent while pursuing a thunderous military campaign in Afghanistan. The strategy is also paying off for Bush's political agenda. Russia has agreed to negotiations over the ABM treaty, and you can bet that Bush's recent show of respect for Russia's sovereignty and gratitude for its assistance helped give Putin the domestic political cover to make this concession.

As Bush changes the tenor of his foreign policy, Democrats, too, should embrace greater multilateralism. For years, many Democrats have objected to international trade agreements for fear of their impact on workers and the environment. These are important concerns, but they do not justify isolationism. Free trade opens markets and helps build democracies. Members of the democratic world are intricately linked to one another by both politics and economics. This is why democracies do not go to war with one another. Engaging the world through trade should be a fundamental component of our new foreign policy.

Like liberals in 1988, unilateralism is out. It is time to rethink our international role and the direction of our foreign policy. If we do, our prospects for security and prosperity in the new world are good. Remember, four years after Dukakis lost, the Democrats came back and won the presidency. By avoiding the "U" word, America can make a comeback, too.

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Ethics & MPRE

by Arkadi Gerney

Last Friday, I and hundreds of other Harvard Law students took the MPRE, an exam about uniform legal ethics rules that you need to pass for admission to the Bar. The MPRE is based on the ABA Model Rules, which form the pedestal of ethical requirements in all 50 states. The first thing I learned from the MPRE was who the other procrastinators are at HLS. You see, I took the test at Roger Williams College of Law in Bristol, Rhode Island, along with a few other HLSers who registered for the test on the last possible day.

I also learned something else.

While you are taking the MPRE and in the few short hours you spend studying for it, the main thing that you learn is that ABA "legal ethics," like so much of the rest of the law, is a Swiss cheese of holes and exceptions. Let me provide some examples:

- You might be relieved to learn that as a lawyer practicing in the jurisdiction of a judge who is running for office, you *cannot* give money to the judge for his campaign. However, you can give money to the judge's campaign committee. So, in a few years, when you're lunching with a judge at Morton's steakhouse, remember to hand the wad of twenties to the committee person on your right and not directly to the judge.

- You might be relieved to know that you as a lawyer cannot make a knowingly false statement in court. However, go ahead and lie if the statement is not material, or if the lie takes that softer form of simply not disclosing some fact you know to be material.

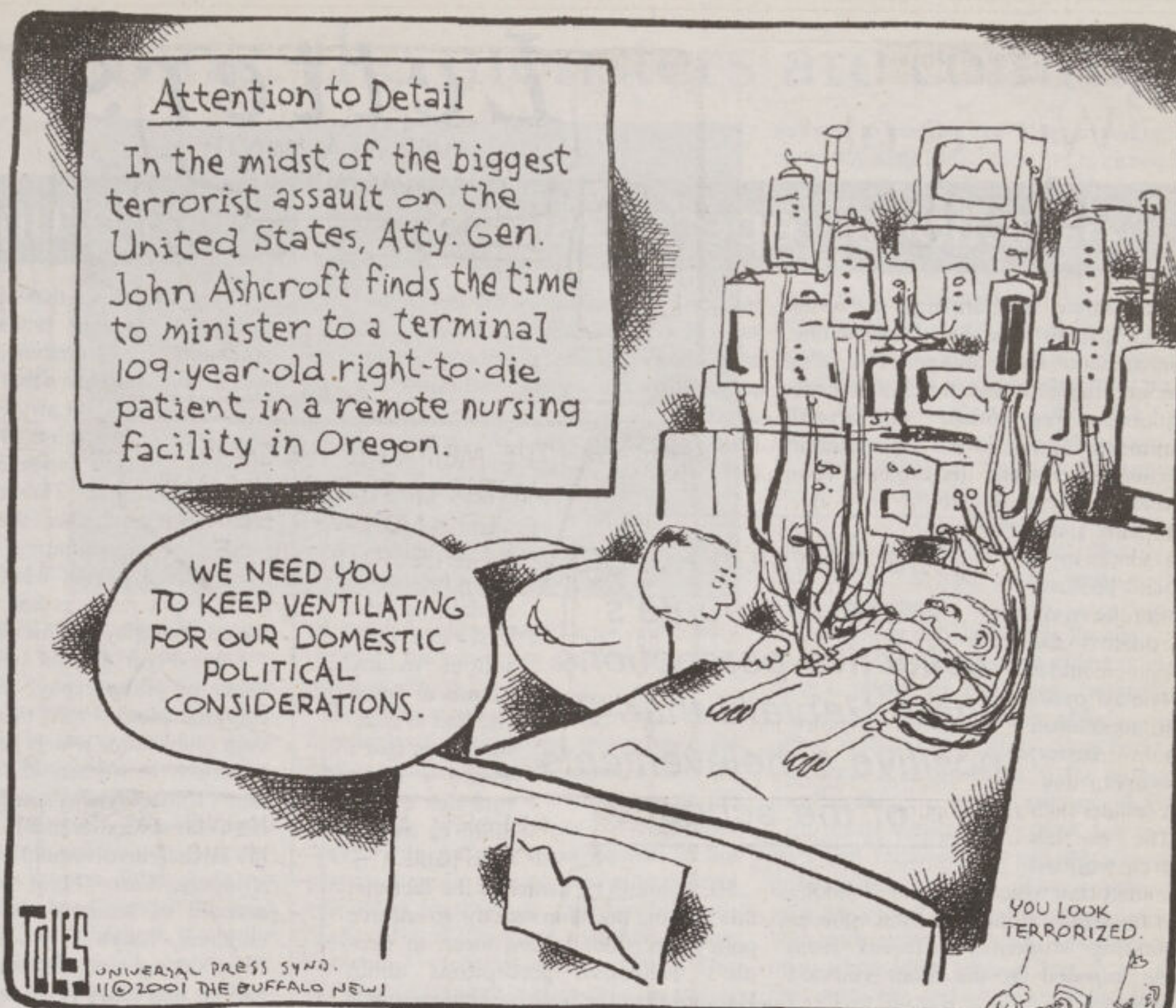
If there is a guiding principle in the mush of the MPRE, it is a dedication to the adversary system, an allowance of maximum flexibility for lawyers vigorously to advocate for their clients. What becomes clear is that ethics, in any meaningful sense, are not *intrinsic* to the law. Simply complying with the ABA Model Rules does not answer moral questions, such as: Are you doing good? Is what you're doing right? These answers exist mainly in reference to the extrinsic frame of a moral or political worldview. If you are to have ethics as a law student and as a lawyer, you have got to bring them with you from somewhere else, because you won't find them in the MPRE or in some dusty treatise on contracts deep in the bowels of Langdell.

Ayn Rand is an idiot, and libertarianism is the worst form of political hedonism.

As a lawyer, the most frequent and most important issue of ethics (in the meaningful sense, as informed by an extrinsic moral and political philosophy) is choosing whom you represent. Spending 25 years litigating on behalf of tobacco companies and spending 25 years working in legal aid are endeavors of distinctly different moral worth. If you are a lawyer, it matters on whose behalf you advocate. If you carry the legal baggage of Big Tobacco for 25 years, you *are* Big Tobacco. Professional ethics in the MPRE-sense are the barest prophylactic and should in no special way exempt you from being the moral equivalent of what you represent. We would never exempt a diplomat from responsibility for the principles that he or she advocated simply because that person comported with the minimalist notions of diplomatic protocol. At Nuremberg, we hung Joachim von Ribbentrop, the Nazi foreign minister, on that principle. Many Nazi lawyers and justice officials went to jail as well.

Some people, of course, hold moral and political philosophies that would create no impediment to working for Big Tobacco. For example, libertarian lawyers might contend that by defending Big Tobacco they are in fact protecting every American's basic freedom from Big Government paternalism. I would counter that Ayn Rand is an idiot, libertarianism is the worst form of political hedonism and most libertarians can fairly be caricatured as a bunch of rich college folks who want to get stoned everyday and not pay taxes. Putting my contempt for libertarianism aside for the moment, my more general point is that the moral ground on which we should judge ourselves exists outside the narrow confines of the ABA Model Rules.

We all came to law school with our own moral philosophies informed by each of our unique experiences of life. Maybe it was watching your mother die, maybe it came from church, that news story you saw on TV, the time you were pulled over by the police or that book you read in high school. We each came in the door with our own moral worldviews. We should all try to hold on to these moral instincts, and to refine them without sacrificing them either on the altar of Harvard Law School or the American Bar Association.



The Right Side: Relative reality

by Kelly Hartline

Harvard Law is largely dominated by moral and epistemological relativism. Moral relativism is the view that all morals are subjective and there are no universally objective "rights" or "wrongs." Epistemological relativism is the view that knowledge is what each individual perceives to be true, and objective truth (truth independent of the knower and his or her consciousness) doesn't exist.

It is through embracing relativism that we perceive ourselves as "enlightened" and advocate social values like tolerance and open-mindedness. After all, if there is no right and wrong, and no truth, then all points of view are equally valid and we cannot make "judgments" or "force" our personal views on others. A relativist world seems so honorable!

Alas, the deception. In reality, relativism is a self-contradictory, circular philosophy that harms society, especially universities.

For example, take the basic premise of relativism that there is no "truth" or "right." This statement is self-contradictory because it is an assertion of a truth in itself: The only view that is right is the view that all views are right. If, as relativism espouses, there are no "rights," then relativism can't be right either.

Placing its inherent contradiction aside, applying this "no truth" rule to everyday life produces atrocious results: It wasn't wrong for the terrorists to attack the U.S., it wasn't wrong for Hitler to initiate the Holocaust and it wasn't wrong for the U.S. to institute slavery. In a relativistic world, there are no wrongs or rights so nobody is allowed to decry these horrific tragedies as "wrong."

Instead of the "no truth" premise, take the value of tolerance, considered to be one of the key virtues of relativism. Relativists argue that since morals are subjective and non-universal, we should "tolerate" the viewpoint of

others and not pass judgment on their behavior and attitudes.

This, too, is self-contradictory for two reasons. First, if, as relativists argue, there is no universal moral truth, then there is no foundation from which to argue that people should (morally) tolerate others. Second "tolerance" implies disagreement: You don't "tolerate" someone with whom you agree — you support them. Tolerance is reserved for those who have views contradictory to your own. If, as rel-

Non-relativist tolerance declares that all people should be respected, and all ideas that are intelligent and all behavior that is moral should be tolerated and accepted.

ativists believe, all thoughts and acts are equally right, there is no reason for disagreement, and thus no reason to "tolerate" others' views.

Finally, relativism is a self-perpetuating, circular philosophy. Because relativists believe there is no truth, they don't search for truth. So they don't find truth and, thus, conclude there is no truth. Put this way, relativism seems so childish and unintelligent, it's difficult to understand

how intellectuals get sucked into its pit.

Since relativism is internally inconsistent, impractical, circular and flawed, then some universal moral laws and objective truths must exist. Discovery of these morals and truths should be actively pursued at universities, especially Harvard, given its creed, "Veritas."

The value of non-relativist tolerance should be promoted in communities like ours where the discussion of ideas and the pursuit of truth are critical. Non-relativist tolerance declares that all people should be respected at all times, and all ideas that are intelligent and all behavior that is moral should be tolerated and accepted. This kind of tolerance would encourage the discussion of all viewpoints while ensuring that the best ideas (those that would bring the greatest social benefit) would prevail.

It is in the pursuit of truth that I write articles on controversial issues like homosexuality and abortion. On our campus, a number of views, generally labeled "conservative," are silenced. People with these views are targeted in classrooms, attacked in the RECORD and prohibited from posting flyers in the tunnels.

With such a sentiment, how can we ever discover the truth or become open-minded? How can we ever become tolerant, as relativists would like us to be, if we don't ever engage in or expose ourselves to contradictory views? This column, "The Right Side," is intended to give views silenced at HLS a bit of a voice and challenge our community to improve itself, sharpen its intellect, open its mind and become tolerant.

Inspired in part by Beckwith and Koukl's "Relativism."

Forum

Letters

Sanctions' repercussions

Back home in Germany, not only quality papers like the *Süddeutsche Zeitung* and *Der Spiegel* but also tabloids like *Bild* and the *BZ* covered the Living Wage debate at Harvard University. Hence, quite a big audience was informed about the ongoing protests and events.

For sure, the University's official position during the overall process did not make Harvard's overseas reputation any better. However, matters turned even worse as the papers reported

the sanctions which the Law School's Administrative Board imposed upon its protesting students, different from those imposed by the other Harvard schools.

Quite a few people, friends, colleagues and even neighbors, have spoken to me about this issue, knowing that I planned to return to HLS. Ironically, one of my reasons for coming back was that my experience at Harvard was one of being part of an open society that very much encourages debates on, and critical inquiry

into, politics and human matters. Now I saw myself confronted with the flipside of such a mythical picture: a Kafkaesque response by an institution that appears to be in a huff because responsible students disturbed University officials in their activities and because

those students were not willing to leave. I had a hard time explaining the University's actions to my friends at home and had to reassure them that I would make sure that everything is on the right path.

HLS should be aware of the fact that this passing decision strictly to enforce policy decisions added more to people's collective perceptions about Harvard than the positive achievements of the school. Moreover, this picture of HLS as a bureaucratic institution does not attract open-minded students from the U.S. and from overseas. If HLS desires the opposite, it should continue its present course.

Claus Binder, LL.M. '99
current visiting researcher

This decision added more to people's collective perceptions about Harvard than the positive achievements of the school.

Fighting a just war

In last week's RECORD ("Moral consistency" can't sustain war, Nov. 8, 2001), Mr. Chaudry asserted that America's bombardment of Afghanistan is an "egregious crime." Having lived among Afghans in Kuwait, I don't believe that my opinion reflects the "constraints of education upon thought." Rather, I refuse to dismiss the centuries of distinguished thinkers — Jewish, Christian, Muslim and others — who justify war under a variety of theories and in a variety of circumstances. To the extent that America's actions in the Middle East are constrained by principles of justice, I support them.

At the Ralph Nader event on Saturday and a Cornell West event on Tuesday, many speakers categorically denounced "America's New War." However, they failed to propose a viable alternative to the use of force. When pressed, Prof. Roger Owen suggested that the United States should pursue further negotiations, applying pressure through the Saudi or Pakistani governments until bin Laden is surrendered.

Perhaps pressure over time is more effective at achieving justice than bombing and invading. This week, a German court found guilty the individuals who carried out a 1986 bombing in a German discotheque. America responded weeks after that attack by attempting to assassinate Muammar Qaddafi, to which Mr. Qaddafi responded by bombing Pan Am Flight 103 over Lockerbie. The suspects in that case were also tried, this time by Scottish judges applying Scottish law in The Hague, and one was found guilty last year.

In the struggle against bin Laden, greater speed is warranted for at least two reasons. First, bin Laden's organizational reach has increased tremendously since the first Al-Qaeda attacks. An unknown number of lives will be lost in the next Al-Qaeda attack, and bin Laden shows every intention of attacking again. Saving lives demands forcible apprehension of bin Laden with all due haste.

Second, our civilization remains at risk

by our own domestic response to terrorism. On Tuesday, President Bush approved the use of special military tribunals to try alleged terrorists, the first such use since World War II. Echoes of the Japanese internment camps resound, and while this generation of students listened to civil rights discussions last week, a previous generation of distinguished HLS alumni, including Secretary of War Henry Stimson, indicted the entire Japanese race and shredded the Constitution in the name of national security.

If speed is of the essence, then the ultimate question is what policy will most readily bring those responsible for atrocities to justice. Years were spent dickering over procedures, such as whether to try the Lockerbie suspects in The Hague, America or Scotland. Every time a major international incident occurs, more years will be spent repeating the same dickering, while terrorists remain free and constitutional freedoms are held hostage. American courts could bypass this delay by asserting global jurisdiction — an imperial claim with disastrous implications — or American politicians could support a permanent International Criminal Court.

There is reason to believe that even the Taliban would consider submitting bin Laden for trial to an impartial, independent International Criminal Court. Sadly, American politicians would rather protect themselves from prosecution than protect the lives of enlisted men and women by avoiding this war. They would rather hire marketing consultants to sell McWar and Justice Cola than embrace justice itself by constraining America's actions in Afghanistan to the very narrow requirements of enforcing an international prosecution against an international miscreant. No matter what slogans are coined, the coalition against terrorism will only hold so long as it pursues bringing the guilty to justice.

Donovan Rinker-Morris

Forum failed with Flynt

Everyone knows that pornography is protected speech under our First Amendment jurisprudence. Even so, I was dismayed to learn that Harvard Law School had invited Larry Flynt, publisher of *Hustler* Magazine, to be the distinguished Forum speaker on First Amendment rights. The invitation made me wonder whether the students in charge of coordinating HLS Forum events are aware of what kind of man Larry Flynt really is and the nature of the pornography in which he specializes.

Larry Flynt did not begin as a publisher of pornography; he began as a common pimp. From there, he opened strip clubs from which he continued to prostitute the women who worked under him. (Tonya Flynt's Statement, NOW — NYC Press Conference). In addition to his sexual involvement with underage strippers, Larry Flynt has also been accused of sexually abusing his own children. Tonya Flynt, one of Larry Flynt's daughters, has made public allegations that Larry Flynt sexually abused her as a child. She accused him of acts including penetrating her with his fingers and forcing her to perform oral sex on him. Theresa, another of Larry Flynt's daughters, has also alleged child sexual abuse. (Tonya Flynt's Statement, NOW — NYC Press Conference).

Larry Flynt has also profited from selling the idea of child sexual abuse to others. "Chester the Molester," a regular cartoon feature of *Hustler* Magazine until 1990, depicts a man who stalks and molests young girls. Chester was discontinued in 1990 when the cartoonist was convicted for sexually abusing his daughter (later overturned on a technicality). (The People vs. Larry Flynt: a Feminist Critique and Protest, Diana Russell, Professor Emerita at Mills College)

Larry not only sexualizes child molestation, he also employs the pages of *Hustler* Magazine to sexualize rape and violence against adult women. One particularly notorious example of this was the feature "Dirty Pool," (January 1983) which depicted a woman being gang raped on a pool table. While the feature was not unusual for the content

of *Hustler* Magazine, it achieved notoriety when, a few months after its publication, a woman was gang raped on a pool table in New Bedford, Mass. Larry Flynt took the opportunity to publish a postcard of another nude woman on a pool table with the caption "Greetings from New Bedford, Mass. The Portuguese Gang Rape Capital of America." Perhaps even more sinister was the spread entitled "The Naked and the Dead," which portrays a naked woman in handcuffs shaved, raped and apparently killed by guards in a concentration camp setting.

The publisher's lust for violence is amply demonstrated by illustrations like the one showing a "charred expanse of what looks like human skin, with photos of dead and dismembered women pinned to it." ("Hollywood Cleans Up Hustler," Gloria Steinem's New York Times op-ed, Jan. 7, 1997). *Hustler* has also been criticized for targeting women of color for violence and discrimination (Norma Ramos quoted in NOW — NYC press release, January 7th 1997) and publishing racist, homophobic and anti-Semitic jokes. (NOW — NYC press release).

All of this makes me wonder how the HLS forum could bring a person like Larry Flynt to campus for any reason other than to investigate the deep societal issues exposed by his work. If the forum were serious about addressing the position of pornography under the First Amendment, they should have done just that: invited First Amendment lawyers (i.e. not Larry Flynt himself) to lead the Harvard community in real discussion.

The forum's lack of attention to the underlying social issues brought up by *Hustler* Magazine is symptomatic of the simplicity of current discourse on the First Amendment. The overwhelming emphasis on pornography as the pre-eminent First Amendment issue distracts us from the more critical matter of our rights to political speech and access to information, rights that have been consistently abridged throughout the history of our nation.

Danya Reda
Jill Zimmerman

FYL feedback

In an attempt to evaluate the success of the revamped FYL [First Year Lawyering] program thus far, the 1L representatives of the Law School Council surveyed, both formally and informally, their sections soliciting opinions on the program's success.

Students indicated that they recognize the overall value of the program and the importance of the skills that it seeks to teach. They found the memo-writing exercises extremely valuable and appreciated the training they received in legal research. In addition, most students had high praise for their BSA instructors.

However, three main concerns appeared across the sections:

- Class time in the large lecture is not used productively.

- Lessons taught in the large lecture too closely mimicked assigned readings.

- Large lecture research training was ineffective; smaller workshops were sufficient.

Three suggestions for addressing these concerns were:

- Reduce large lecture time to the time absolutely necessary for covering the material.

- Use large lecture time to expand upon rather than simply recite assigned readings.

- Eliminate large lecture computer research sessions for next year.

Additional concerns and suggestions voiced by smaller number of students included:

- Offering more practical lessons, e.g. speakers, trips to courthouses, etc.

- Abandoning standardization in favor of greater flexibility for lecturers.

- Tying subject matter of memos to material learned in class.

Two additional concerns about FYL grading policies emerged:

- Severe disparities existed in many cases between feedback received from BSA instructors and lecturers.

- High-pass gradation fostered unnecessary grade consciousness.

The Law School Council has shared this information with Dean Rakoff and other faculty involved with the 1L curriculum. Feel free to send any comments or questions to Maya Alperowicz at malperow@law.

Mike French
LSC President

The monsters are coming, the monsters are coming

by Lynn Lee

"Monsters, Inc." is a cute movie — almost too cute for its own good. Underneath the razzle-dazzle of Pixar's computer animation and the constant fire of up-to-the-minute, convention-reversing humor, it's just pure old-fashioned Disney sweetness. In that respect, it has less bite than Dreamworks' fractured fairy tale "Shrek," which did a much more thorough job turning the Disney tradition of cuteness and sweetness inside out. It also suffers somewhat in comparison with Pixar's own "Toy Story" and "Toy Story 2," both of which smartly avoided the sap trap yet still managed to strike some genuine emotional chords. That said, "Monsters" is engagingly funny, energetic, visually inventive and nearly, if not quite, as endearing as it wants to be.

The premise is remarkably original. The monsters that lurk under children's beds and in closets are there for one simple reason: They need to scare the kids into screaming, because children's screams are the source of energy that power the monsters' world — they make the engines go, the machines run and the lights turn on and off. Alas for the monsters, in these degenerate times kids don't scare as easily anymore, so power supplies are low and "rolling blackouts predicted."

Still, at the power company of Monsters, Inc., the employees continue to work with praiseworthy diligence. It's a streamlined process: each monster is lined up with a door that connects the monsters' world with a child's bedroom; he enters, trying to look as terrifying as possible, collects his scream (or not) and is given a new door. The kick-

er to this is that the monsters, for all their businesslike efficiency, are more afraid of the kids than the kids are of them. They view the human child as a kind of virulent biological or chemical threat — so that when a monster is careless enough to return to his world with a sock stuck to his fur, he is immediately swarmed and decontaminated by a

rubber-suited squad of monster-FBI agents. (No anthrax joke intended.) Complications arise when a little girl wanders into the monster world through a door left open after hours and is discovered by Sully (voiced by John Goodman), a big, fuzzy, good-natured blue beast who may be the top "scarer" at Monsters, Inc., but who quickly falls for the toddler's goo-goo cuteness. Sully spends the rest of the movie trying desperately to hide and protect the child whom he calls "Boo" (because that's the word she says most often), despite the threats posed by the omnipresent rubber-suits, a slithery rival named Randall (Steve Buscemi, playing with less than his usual effect), who has ulterior motives for recovering the lost tyke, and Sully's own sidekick and point man, Mike (Billy Crystal), a green eyeball with stick-legs and one hell of a mouth. Mike, at first clearly aggrieved by the unnecessary risks his partner is running for a stupid kid, is ultimately won over by



the pair's combined aww factor, and collaborates in the project to get Boo, like E.T., safely home.

The film moves at a lively clip, which accelerates to a breathless pace toward the end as our heroes' frantic efforts to find the right portal results in a madcap ride on the company's assembly-line of bedroom doors. With the villainous Randall in hot pursuit, they slip through door after door, in and out of locations as varied as blizzard-cloaked Nepal (complete with Abominable Snowman), a tropical beach and Paris. This is the most inspired sequence in the movie and is good for some really hilarious sight gags. Unfortunately, once past the climax the film wades into a sea of treacle, finally settling into a gratuitously warm and fuzzy ending.

Not that it ever showed even a glimpse of anything grittier: with the exception of the sinister Randall and one other villain who's more slimy than scary, the monsters are

reduced to amiable candy-colored muppets early on, with Sully, their prize champion, the biggest softy of them all. The creepiest thing in the movie may be the preternaturally adorable Boo, whose baby charms have a metallic, slightly uncanny quality. The point is reinforced by the joke of a kid-in-bedroom simulation used by the monsters to practice their scaring techniques, which looks just as convincing to us as the "real" thing. Like the underrated "A.I.," and more than the traditional Disney animated feature, "Monsters" raises some questions about the artificiality of cuteness, and how much we're being technically manipulated into our perceptions of what's lovable. So did "Shrek," except "Shrek" wasn't afraid to be anti-cute.

But all this may be to take the movie far too seriously. Questions of cuteness aside, there's plenty of edge and freshness to "Monsters, Inc.," between Mike's sound-offs (Crystal's in fine comic form here) and the visual feast provided by the monsters' parallel universe, reminiscent of "A Bug's Life" in its wealth of sly blink-and-you'll-miss-'em references to our world's urban industrialized culture. Pixar's animation gets more and more amazingly nuanced with each new film; keep your eyes wide open when Mike takes a date to an ultrachic sushi bar, and whenever Randall, who can blend in, chameleon-like, with his surroundings, moves so fluidly between visibility and invisibility. It's almost enough to convince even the most skeptical that fully computer-animated features will some day dominate the film industry. Whether or not that proves true, it's exciting to think they'll continue to improve on the work of "Monsters, Inc."

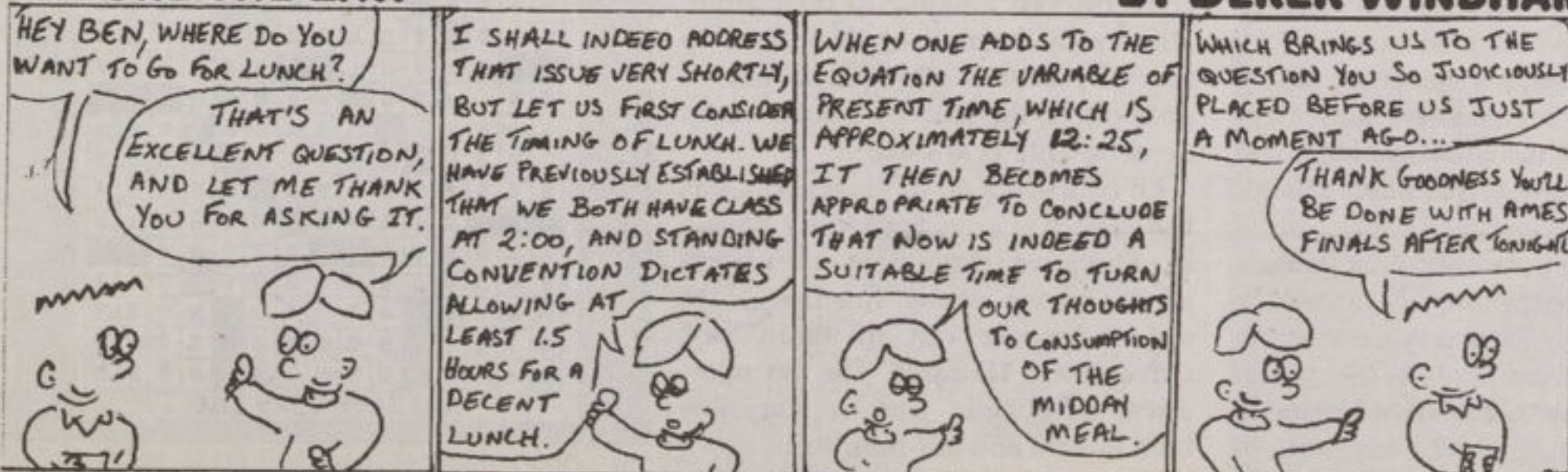


Photos by Erin Bernstein/RECORD

At Saturday's Texas Party in the Hark, HLS students experienced what life is like in the Longhorn State. Coronas, Dos Eques, Shiner Bocks, Margaritas and fajitas were all provided courtesy of the Texas Club and several Texas law firms. And it wasn't too many Coronas into the evening before a large crowd gathered to show their line-dancing moves. The Texas Party is billed as the best party at HLS, but was it better than last year?

BEFORE THE LAW

BY DEREK WINDHAM



Etc.

Victoria's brings out the sexiest night on television

by Renée Kaplan

Victoria's Secret Fashion Show
9 p.m. Thursday, Nov. 15 ABC

Yesterday, in Kabul, women dared to emerge from beneath their burqas and reveal one eye and a small portion of their face for the first time since the Taliban took over five years ago. Tonight, on ABC, America will see some of the world's most highly paid CC and DD breasts, pushed up high on satin balconet

*Let us briefly
consider the place of
Victoria's Secret in
our culture.*

semi-bras, prancing down a runway. And that's just the beginning: There'll be Tyra Banks and padded push-ups! Gisele Bundchen! Corsets, bikini briefs and Heidi Klum! Lace, Mary J. Blige and leather boots! Molly Sims, merrywidows and thumping music! And, strangely, Andrea Bocelli. It's the Victoria's Secret Fashion Show in New York City, in its first-ever network broadcast tonight, and the operatic sensation will be opening the show.

Perhaps he is intended as a touch of class amidst all that finery and rock-'n'roll. Or a touch of gravitas. We mustn't forget that New York is still recovering from the tragedies of the September 11 attacks. Indeed, as the company's party line goes, the show is about helping the recovery. It's part of the patriotic effort to rebuild the city, reminding the

nation of New York's glamour and charm. "We support New York!" Victoria's Secret is saying, and indeed they do, in many more ways than one. As a nation, we may impeach presidents for sexual improprieties, but there is nothing wrong with some healthy, prancing girl-flesh on prime time network TV in this moment of national vulnerability and reassessment. Get out there and buy bras, people!

Once upon a time, in the mid-'80s (and this may be a little too much information for most men who did not actually pick up their first catalogs until some time in the 90's).

Victoria's Secret was a much lower-brow, smaller-time operation. The catalog sold stretch lace bras, cheesy Guess?-jean knock-offs in acid colors and Hawaiian Tropic-style bathing suits. And in that supermodel heyday, there was not a supermodel in sight in those pages — way too down-market.

But something caught on, women started buying, and the catalog started coming as frequently as J. Crew and L.L. Bean. The clothes got a little less Pamela Anderson, every girl owned Victoria's Secret lingerie, and the stores started to open in malls everywhere. The catalog began to migrate from the kitchen table to the bathroom, via male-initiated transport. Then mega-model Laetitia Casta



appeared on the Christmas cover spilling out of a gazillion-dollar real-diamond bra for the likes of a Saudi prince (back then at least), and finally, triumphantly, writhing on a black background, came the TV spots with Gisele — today's ultimate status model. Victoria had arrived.

Who knew that technical lingerie terms like "push-up," "demi-cup," "corset," "camisole," "V-string" and "Miracle Bra" would become common parlance? The nation would not have known just what kind of nasty Monica was getting up to in the Oval Office if it weren't for the extraordinary mainstreaming of lingerie-speak brought about by Victoria's Secret. In the administration preceding Clinton's, a "thong" described a kind of shoe. Somewhat less exciting to expose, to be

sure, although thong-shoes do reveal quality toe cleavage, which is different from butt or boob cleavage, but not without a certain appeal.

In any event, probably as an unspoken thank-you gesture from one voluptuous, flirty girl to another, the Victoria's Secret website now features in their panty selection a model showing a thong in the Monica-pose: Back to the camera with pants pulled down just low enough to expose the tell-tale triangle.

There is something heady, in that mind-tripping kind of way, about watching famous, impardonably flawless bodies do the attitude-walk to sexy soundtracks — in bras and panties and stiletto heels (yes, Manolos). With everyone in recent years clamoring to get into their runway show, Victoria's Secret has succeeded in elevating commercial tittle-mag voyeurism to the ranks of an A-list fashion event. And now anyone can watch it on prime-time TV like it's the Golden Globes. "The Sexiest Night On Television!" is how ABC is billing it. The unapologetic exploitation of sex has never been so mainstream or legitimate. Women in satin corsets have come a long way since Gloria Steinem went undercover as a Playboy bunny. (Oh, and F.Y.P. — that's "For Your Palm" — Playboy and Wonderbra have both launched Webcast runway lingerie shows as well).

It's like this: Victoria's Secret, instead of paying millions of dollars for prime-time advertising, kind of gets paid millions of dollars for the national broadcast of their celebrity-hosted, model-studded, hour-long, musical infomercial. In brief, patriotic broadcasting like we haven't seen since Hollywood's World War II propaganda films, but with an even clearer message: If you're going to get hijacked, you don't want to be wearing dirty underwear.

Fox never allows repetitive '24' to let up on the hype

by Ken Walczak

Fox wants you to like "24." They REALLY want you to like "24." You know that song where R. Kelly is like "radio stations radio stations You're getting slee-eeepy/ Play this"? Fox would do that in their ads for "24" (substituting "TV viewers" and "watch this" where appropriate, of course), if they thought it would get you to tune in.

Not that I blame the network for seeking to increase its ratings, or even for the full-frontal-assault nature of this particular marketing campaign. At least in certain areas of the country, baseball playoffs brought the Fox folks a more or less captive audience, and I can understand them wanting to use it to push their new fall season as hard as possible, in pursuit of (understandable) ratings goals.

Nor do I blame them for focusing the brunt of their efforts on "24." A new series, and an ostensibly innovative one, "24" details in real time the events of one action-packed day. Just from the premise you can understand Fox wanting to convey to you the absolute importance of getting in on the ground floor, tagging along at 0000 hrs. to comprehend all that follows. In other words, people usually need convincing to add a new show to their TV-watching routine, and word-of-mouth just wouldn't cut it with this one.

What I don't quite understand about all of this is why it doesn't seem to end when the opening credits roll. Having already convinced me to watch (with some help from my enthusiastic editor and some unexpected praise from Salon.com, but still), I would have figured "24" could now relax and concentrate on entertaining me. No such luck.

We begin with a considerate "Previously On ..." segment and a textual preface. The latter reads: "The following takes place between 1:00 am and 2:00 am, on the day of the California

Presidential Primary. Events occur in real time." The second sentence is already redundant – simple math would have told us as much. Yet this is by no means our last reminder of the real-time gimmick. Every few minutes for the next hour, we are treated to an onscreen clock, an hh:mm:ss display that pops up before commercials, after commercials, and a hundred times in between. Never mind that the opening explanatory language, coupled with a glance at the display on your cable box, would easily serve the same purpose. (Tape the show and stay up late enough; you won't even have to mentally adjust the hour ...) Never mind that the intercutting of characters and locations conveys all the synchronicity you need to follow along. The clock is there, and it's not going away.

I don't mean to overstate — the thing is hardly a chronological menace, garish or ubiquitous enough to make me want to switch off the television altogether. What it is is emblematic of the show's general need to calm down, to quit selling itself, to

give its viewers a little credit. Naturally other such emblems also abound. Kiefer Sutherland's boss has told him that the conspiracy to assassinate a Senator reaches high levels of the CIA; we are reminded of this revelation three times. The agent who first linked the plot to the Agency, a man who gets about three minutes of "real time" on screen, reminds his boss that he is in danger — three times. Kiefer Sutherland's good-looking second in command is apparently sleeping with his office rival; we get three separate conversations alluding to their affair. Hilariously, several of these lead to the oft-repeated admonition not to goof off on the job: "A United States Senator's life is at stake!!"

Of course not all of the repetition is bad. The bad guys apparently have a sex operative (that's right, a sex operative) whose whole function is to seduce people out of their, say, Government ID cards. The sex operative, a brunette who is somehow both buxom and rail-thin, strips down

to the minimum clothing allowable by prime-time network standards no fewer than ... yes, three times. When Kiefer and his boss hunt for snipers, the music and camerawork scream "Suspense!!" so loudly and repeatedly that you can't help but feel a little tense. (In fact, the whole sequence has a nice Castle Wolfenstein feel to it, all ducking around corners guns pointed, and racing to the trigger once the enemy pops up).

All of this is merely to say that during some portions of the program I was more than happy to be manipulated, but I think I've made it clear in the past that I ask no more from the television than skillful manipulation. Besides, somewhere in here is a line between exploiting attractive actors for my voyeuristic enjoyment, and wasting my time and energy so some lowest common denominator can follow the plot. One end of this spectrum is like "Sex & the City," the other "V.I.P." I worry that by trying too hard to sell itself, 24 might veer too far toward the latter.

If I haven't succeeded in deterring you or if, like Salon, you're simply hot for Kiefer, you can catch a "Special Encore Presentation" of episode 2 of "24" this Friday at 9 pm.

Crossword Solution

DABS	S	C	R	O	B	E	F	L	L
VAXLE	P	R	O	B	E	F	L	L	
LEAN	R	I	L	E	S	T	O	E	F
ESCS	S	E	E	E	T	O	E	F	
KNEES									
STEEERS	D	A	V	I	D				
PAYLEE	P	A	C	E	S				
AGED	T	I	R	E	D	H	E	A	L
MSS	P	O	K	E	D	T	I	E	R
PAGES	D	E	F	I	N	E			
ATIRRE									
GYM	R	E	V	I	T	E	E	S	
SAME	H	A	R	P	S	S	E	A	M
SEDER	E	S	S	E	S				
SERS	R	E	E	D	Y				

School is in — crack, hookers and the law

by Timothy Kiefer

Brush with the Law

By Robert Byrnes and Jaime Marquart '98

Los Angeles: St. Martin's Press/Renaissance Media, 2001
\$24.95, hardcover, 304 pages

It seems that every decade produces its own HLS student memoir.

In the 1970s, there was Scott Turow's "One L," which exposed the terrors of the 1L year in an era when the Socratic method ruled. In the 1980s, there was Richard Kahlenberg's "Broken Contract," which chronicled the author's struggle to maintain his public interest idealism in a decade when "greed was good."

And now for the 1990s, we have "Brush with the Law," which is actually a double memoir written by two Class of 1998 students who attended law school at the same time but at different schools: Jaime Marquart at HLS and Robert Byrnes at Stanford Law. (In the interests of full disclosure, I should mention that I was a classmate of both Marquart and Byrnes, as I did my 1L year at Stanford and then transferred to HLS for my 2L and 3L years. I was a casual acquaintance of Byrnes while I was at Stanford, but to the best of my recollection I have never met Marquart.)

Years from now, readers may well see "Brush with the Law" as a quintessential product of the '90s. It was a decade when

the word "slacker" entered the popular lexicon and when revealing raunchy secrets on talk shows such as "The Jerry Springer Show" became a national fad. "Brush with the Law" manages to achieve the dubious feat of combining both the slacker genre and the Jerry Springer phenomenon in a book which purportedly is about elite law schools.

Both Marquart and Byrnes qualify as slackers — neither seems to have any interest in law, and neither spends much time in class. Marquart goes so far as to invent an elaborate course-selection procedure he dubs "The System," which enables him to pass his classes without actually attending them. I give Marquart credit on this score — I attended almost all of my classes and kept up with the assigned readings reasonably well, yet my grades were about the same as Marquart's.

The "Jerry Springer" aspect of the book makes the book an entertaining read, albeit a guilty pleasure. Marquart spends his time and his financial aid checks gambling at Foxwoods and Atlantic City. In a memorable scene near the end of the book,

Marquart spends an interlude with an Atlantic City prostitute who takes a break to pass gas, explaining, "I just had seafood with my boyfriend."

Not to be outdone, Byrnes spends much of the book smoking crack in the bathroom of a San Francisco bar. He also participates in a 1L student orgy. I and everyone else in the Stanford 1L class had heard rumors of this orgy and Byrnes' participation in it, although I never believed those rumors until I read the book. It was a great disappointment to me that Byrnes' use of composite characters makes it impossible to verify which of my other classmates participated.

The unusual double-memoir format works reasonably well. Byrnes and Marquart brush by each other at several points in the narrative and end up working at the same law firm in Los Angeles — Young & Mathers in the book, Quinn, Emanuel in real life. Of the two authors, Byrnes is the better writer. Marquart's dialogue tends to sound stilted — even at HLS, nobody really talks the way his characters do.

Having attended both HLS and Stanford Law, I was disappointed that the authors could not have better illustrated the great differences between the two schools — the sometimes claustrophobic sense of community produced by Stanford's small class size versus the relative anonymity at HLS; the gray skies and damp cold of Cambridge versus the California sun of Palo Alto, and the venerable history of HLS versus Stanford's "upstart" identity, just to name some of the most obvious distinctions. But in any event, the authors spend more time gambling and smoking crack than they do at their respective law schools, so such comparisons would perhaps have been tangential to what seems to be the main point of their narratives.

I wouldn't want either Byrnes or Marquart to represent me as my lawyer. And I question why either Byrnes or Marquart ever bothered to go to law school given their obvious lack of interest in law either as a profession or as an academic subject — a question which could equally well have been asked of many of my other law school classmates.

Nevertheless, the sheer depravity of Byrnes' and Marquart's tales makes "Brush with the Law" hard to put down — it's like a gruesome car wreck that you can't help but rubberneck at as you drive by.

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'Brush with the Law' manages to achieve the dubious feat of combining the slacker genre and the Jerry Springer phenomenon in a book about elite law schools.



IAN HUMMEL

It was cold last Sunday. Cold and windy. It was the kind of Sunday that would have made lesser men seek haven under blankets or in the glow of TVs. But those kind of men don't play Harvard Law intramural football. Harvard Law football is comprised of men who are unafraid of red noses or frigid digits. Harvard Law football is comprised of embittered apostates willing to shun both comfort and Sabbath ablutions for a chance to sacrifice it all [and even suffer the indignity of asking] for the favor of that aloof and capricious mistress, the Harvard Law RECORD.

Which is, of course, why we're here. The "Game of the Week" featured fourth-ranked **Animals Taste Good** versus the No. 3 **Law Dawgs**. The Animals defied the pollsters with a 41-18 victory, an upset that was somewhat less surprising (though no less upsetting) given the names of the teams. Eddie Manheimer was cheered for a key interception and for bringing his SUV with the delightful novelty license plate "4 Ed."

The Animals improved to 6-1 on the season by defeating the **JLPP Patriots** by a 33-12 count. Tad Polley was no slouch with three sacks and an interception, a performance that he insisted was Charles Woodsonesque but which others considered possible for even the Mike Minahans of the league.

Dan Rearick scored two touchdowns, one on a long reception and the other on a long interception return, to lead the **Fightin' Greg Lippers** (3-3) over the **International All-Stars** by a score of 30-6. The All-Stars were beaten soundly, but they left their hearts on the field, an unpleasant

situation for all concerned.

Black By Popular Demand (4-2) picked up two wins Sunday. They defeated the then-undefeated **Law Dawgs** by the convincing score of 28-0. John Couch scored twice and provided stifling pass rush. Dave Min played defense like a man who doesn't have to ask to be put in the paper and snatched many a flag with those legendary sticky fingers of his. In the second half, Mike Dunne broke free for what seemed a certain touchdown before being taken down by an unidentified assailant while high-stepping on the Dawgs' 20-yard line. Of their offensive performance, the Dawgs could only say that it elicited the "yuk" reaction that is the hallmark of everything evil.

Marinelli, trying not to be outdone by Lutz, managed to dislocate a finger, but everyone agreed that it wasn't as cool or as gutsy.

BBPD was no less effective against **Mr. Sparkle**, defeating them 32-24. The **AstroGliders**, not to be left out on the fun, beat Sparkle 22-12. The Glider attack featured a gutsy arm-dislocating performance by Brian Lutz and fear-inspiring runs by Dom Lanza. Matt Marinelli, trying not to be outdone by Lutz, managed to dis-

locate a finger, but everyone agreed that it wasn't as cool or as gutsy.

Sparkle began the season with two wins, but they've been perfect ever since with five straight losses. Ian Hummel played his usual game, watching two touchdown passes go by him while managing to deflect one. He defended himself postgame by saying that he, like the Ancient Mariner, stoppeth one of three.

In earlier fly-out week action, the upstart 1L teams **Duress** and the **Boar Hogs** remained undefeated. The Boar Hogs (6-0) dropped the **Mad Turtles** 50-0, and Duress (6-0) added to woes of their fellow 1Ls with wins against both the Turtles and **Section VII Deadly Sins**. Section VII didn't leave empty handed, however, as they picked up their first victory against **Brian Nielson**.

I don't have the complete standings, but suffice it to say that the Hogs, Dawgs, Animals, Gliders and BBPD look good and that everyone else is either bad or not sending me their highlights.

Saturday at the office...

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BROWN & FORTUNATO, P.C.

An open letter to Larry Flynt: Leave the clown alone!

Dear Mr. Flynt,

Although my impeccable sense of good taste compelled me to boycott your speech at my law school (Harvard), some of your comments came to my attention through a printed account in last week's Harvard Law RECORD ("Flynt Attracts Controversy, Crowd," 11/8/01). Apparently, you discounted President Bush's high approval ratings by stating that, "in the wake of 9/11, people would have rallied around Ronald McDonald." I resent your use of Mr. Ronald McDonald as an anti-charismatic foil; your comment was vicious and debasing towards Mr. McDonald, verging on libelous. And I should know, I'm in law school (Harvard). On behalf of the offended listeners, Mr. McDonald and, indeed, Irish-American restaurant clowns everywhere, I demand an apology.

I'm sad to say that your malicious comments were not out of character, for you have been unremitting in your treatment of Mr. McDonald and his associates. Permit me to refresh your memory:

■ On December 2, 1996, you stated that "Newt Gingrich was a fat, sexless blob — just like that big purple friend of Ronald McDonald — what the f#\$@! is he/she anyway?"

■ On April 6, 1987, you made the per-

verted statement that "The Fry Guys, like many of my return customers, are secretly horny for children."

■ In 1985, in front of the American Amsterdam Society, you noted an 1766

French critics have made their careers by dubbing Mr. McDonald the "defining signifier in American cultural topography" and Grimas "a benevolent Proto-Barney."

usage of the Dutch word kleun — an important precursor of the English clown — to mean 'lusty bouncing girl' (as in 'een plompe boer, kinkel, kleun'), to conclude that Ronald McDonald and other clowns "probably enjoy cross-dressing."

■ You call them "lusty bouncing girl" and "sexless blob," while French critics

have made their careers by dubbing Mr. McDonald the "defining signifier in American cultural topography" and Grimas "a benevolent Proto-Barney." To suggest that Mr. McDonald is some sort of female prostitute, transvestite or girly Dutch Boy simply because he is a clown is, frankly, monstrous. (Lest you discount Mr. Ronald McDonald's ability with the opposite sex, allow me to point out that a close cousin of Mr. McDonald's, a member of my own Harvard Law School, has been featured in People Magazine as one of the nation's Most Eligible Bachelors).

You are a twisted and bitter man. After you lured Birdie, the Early Bird, into one of your degrading films, and into a downward spiral of Wendy's addiction, who was there for her? Mr. Ronald McDonald and his famous House, of course, built one hot apple pie at a time. Likewise, Mr. McDonald's friendship remained true through Grimas's swiftest weight gains and through the darkest hours of the Hamburglar's McCleptomania.

Yes, Mr. Flynt, you have unfairly



insulted a virtuous and charismatic man. I have personally known (and benefited from) Mr. McDonald and his noble coterie for many years now. And let me say, Mr. Flynt, that you are no Ronald McDonald. Through weekly Happy Meals and hours of Saturday morning television he became my friend and leader, just as he has for all Americans, at least those with a taste for cardboard in their beef.

You, Mr. Flynt, use our vaunted First Amendment right in order to hurt. You, Mr. Flynt, should be ashamed of yourself. You can wrap your hate speech in an American flag, but the truth will shine out in red, white and yellow.

Sincerely,
David Winickoff

Fenno

The tall smiling man in front of Fenno took a long drag on his cigar. Fenno had always assumed that the talk of Clinton's overpowering charisma was just Ted Turner-inspired propaganda, but now, in this room, he felt a strange calm seeping into his lungs as he inhaled the former president's cigar smoke. Fenno couldn't help but wonder if Billy was smoking "the" cigar.

"Do you know why I've come to Harvard, Fenno?" said Clinton.

"Uhh ... to cast your shadow on Lawrence Summers, continuing your pattern of allowing no member of your administration to ever escape it?" said Fenno. Clinton laughed.

"No, Fenno, of course not. Though the move to Allston is right out of my playbook. Triangulation," said Clinton. For a moment he looked dead serious, like when he scorned the country about "that woman." Then he exploded in his Arkansas-brand laughter.

"Joking, Fenno. Now, my trip here has a purpose, and you are a part of it. You see, this transcends the hilarity of watching students who voted in Gallup polls for my impeachment scramble for tickets. It transcends even the sum of all the comedy associated with Bob Dole and his exploited impotence. This is serious, Fenno."

He had a finger up and was staring seriously into Fenno's eyes. Fenno could feel the message coming. But then a beep went off. It was Fenno's new Rolex digital, valued at over \$1,000, courtesy of HLCentral. The weird thing was that it had come in the mail and Fenno had never even visited the site. It seemed to Fenno that the folks over at HLCentral were getting more like the Corleone family each day. He wondered when TJ Duane would come knocking for this favor to be returned. But Fenno couldn't worry about that now — the watch indicated that he was late for his oral argument. Fenno looked up at the former president and felt a wave of empathy wash over him.

"Go, Fenno. We'll finish this later. I sense your urgency, and I understand." Fenno ran out of the dark, smokey room in Hauser. As he left, he saw men in Biohazard suits carting a stretcher full of mold out of the building as children played in the lobby. Fenno didn't stop running until he reached Austin Hall. He raced to the Ames Courtroom and ran to the podium just as a strange looking man yelled out the words "Oyez, Oyez!" Fenno composed himself and stared at the judges. Something was missing, but Fenno couldn't

figure it out for a moment. Then, the name Kozinski was announced and Fenno remembered that the presence of a Supreme Court Justice was so notably lacking. He tried to focus on what he had to say as he stepped to the podium.

"May it please the court?" said Fenno. The judges nodded. One looked unsure.

"Uhh ... your honors ... let's cut the B.S. Kozinski, the man who appointed you, is my uncle, by marriage. And, uhh ... the rest of you judges want to retire soon. If I win, I can make that happen. Deal? So, uhh, do we need to really go through with all the rhetoric?" said Fenno. The judges looked at each other as if they were unsure.

"This is highly irregular, Mr. Fenno."

"I know, but hey, it's 2001, and I don't think we're really fooling anybody with this act anymore. Not after last year, if you know what I mean." The judges shrugged. One nodded his head, staring off into space.

Kozinski banged the gavel.

"The winner is Fenno," he said. The losers began to protest, but already the Ames Courtroom had begun to empty. Just as Fenno prepared to light his pre-Castro Cuban cigar, an explosion rocked Austin, and for a moment a blinding white light caused everyone to shut their eyelids. The room was silent for a moment, and then, someone turned the screen in the Ames Courtroom to its TV-tuner mode. Dan Rather was on screen talking, and underneath him, above eight different lines of scrolling news, you could make out the word "Cambridge." But how do they get everywhere so fast? thought Fenno.

"This is Dan Rather in Cambridge, where apparently an accident at the small MIT nuclear research reactor has caused an explosion, rocking Cambridge and destroying a four-block radius of homes and businesses around the reactor. It's not yet clear how much radiation exposure the entire area will be victim to."

The room was silent. All around, you could see in people's eyes the thought that they had wasted \$120,000. Rather pressed his finger to his earpiece, and started to speak again.

"This just in. It appears that the meltdown was not the work of terrorists."

The Ames Courtroom exploded in joy. The song "YMCA" began to play over the loud-speaker system. One of the judges was doing the "Eon" dance with Charlie Nesson. Fenno alone was still disturbed. He sank in his chair and tossed his cigar to the side. As he looked down, he felt an arm wrap around his shoulder. He looked up. It was Clinton. Amid the party going on around him, Clinton alone also looked dejected as he stared into Fenno's eyes.

"I feel your pain, Fenno. I feel your pain."



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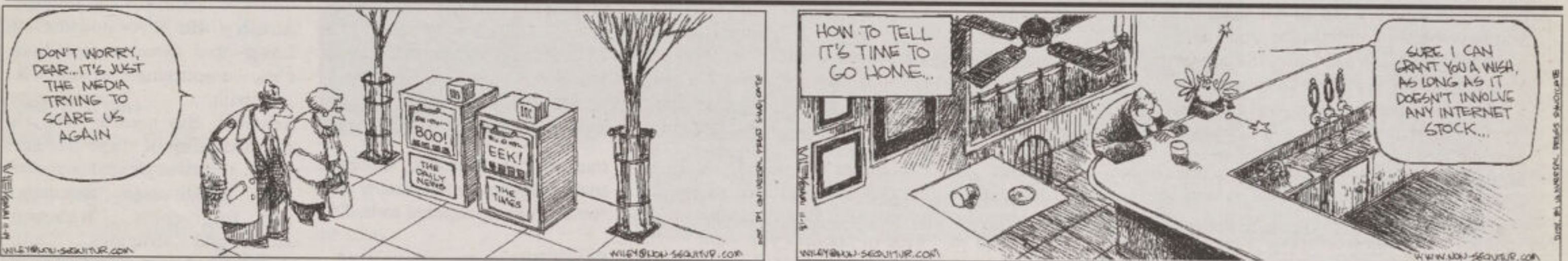
Doonesbury

by Garry Trudeau



Non Sequitur

by Wiley



Close to Home

by John McPherson



Having shrewdly sprayed his resumes with a heavy dose of chocolate scent, Ed ensured that they would stand out among the others.

Crossword 101

By Ed Canty

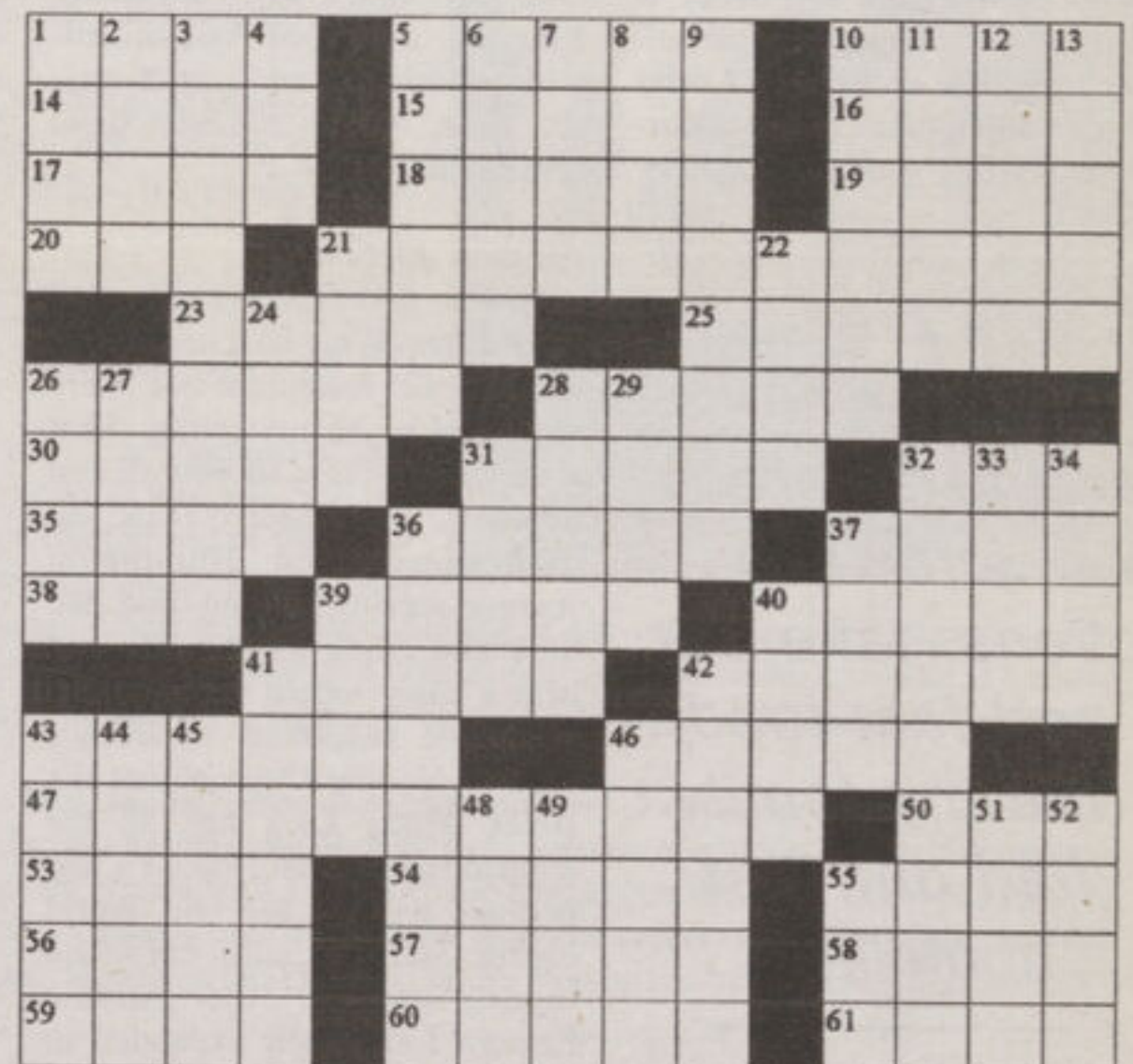
"The Ayes Have It"

ACROSS

- 1 Pats
- 5 Catch of the day
- 10 Current units
- 14 Shaft
- 15 Investigate
- 16 Went down
- 17 Thin
- 18 Stirrs up
- 19 Follows ice
- 20 Computer key
- 21 Agree
- 23 Some joints
- 25 Most scarce
- 26 Navigates
- 28 Goliath's foe
- 30 Name on a check
- 31 Footsteps
- 32 Visualize
- 35 Elderly
- 36 Exhausted
- 37 Mend
- 38 Address abbr.
- 39 Jabbed
- 40 Layers
- 41 Current fashions
- 42 Specify distinctly
- 43 Apparel
- 46 Amtrak asset
- 47 Spade & Mason
- 50 Lead in for bag or shoes
- 53 Identical
- 54 Stringed instruments
- 55 Sewing joint
- 56 German river
- 57 Road curves
- 58 Stringed instrument
- 59 Sun. talks
- 60 Sound like an oboe
- 61 Hankerings

DOWN

- 1 Valley
- 2 Something to grind
- 3 Shiners
- 4 DC VIP



- 5 Binges
- 6 Weeps
- 7 Actor's quest
- 8 Comply
- 9 Earned
- 10 Able to buy
- 11 Riot
- 12 Strategies
- 13 Winter hazard
- 21 Withered
- 22 Bangkok natives
- 24 Require
- 26 Canned meat
- 27 Labels
- 28 Challenges
- 29 Breezed through
- 31 Mass highway
- 32 Kind of dog
- 33 Merit
- 34 Different
- 36 In a group
- 37 Audio system

- 39 Legal lead in
- 40 Green and Black
- 41 Mississippi & Missouri
- 42 Fashionable
- 43 Church recesses
- 44 Swap
- 45 Stopwatch
- 46 Prepared a letter
- 48 Comfort
- 49 Celtic language
- 51 Tall tale
- 52 Salutation: Abbr.
- 55 Cunning

Quotable Quote

"The mind of a bigot is like the pupil of the eye; the more light you pore upon it, the more it will contract."

... Oliver Wendell Holmes

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"Congress shall make no law... abridging the freedom of speech, or of the press..."
—First Amendment, U.S. Constitution

By GFR Associates E-Mail: EDC9432@aol.com
Mail: GFR, P.O. Box 461, Schenectady, NY 12301

For this week's solution please, see p. 8

He Said, He Said, He Said: Betty's Wok & Noodle Diner

by Andrew Jacobs
Davis Wang
Dave Bitkower

Davis Wang

Fusion food is like sex: It is either very good or very bad. The good ones are like Keanu Reeves — although slightly dumb and awkward, still dreamy enough to inspire a certain member of the 1L class to write, in his undergraduate years, an utterly fawning fan piece in the college equivalent of this newspaper. The bad ones are like — well, to take a relevant example, since it is the week of the Jewish Film Festival — mixing being ultra-frum and being gay, frustratingly unsatisfying on every front. (You can get a voyeuristic frum-gay experience for only \$8.95 and without standing in line, by watching "Trembling Before G-d," at the Coolidge Corner Cinema beginning sometime in January.)

Betty's Wok and Noodle Diner achieves, therefore, the almost miraculous: Between the extremes of good and bad, it has managed the via media of so-so. No doubt Mr. Bitkower (poor dear, he so looks forward to being a municipal employé) will like this place. And no doubt Mr. Jacobs will find it somewhat subpar compared to NYC and San Sebastian, although perhaps he will allow that the décor is both joli and chouette. (You will note of course that I do not refer to my colleagues, in the informal ways that Americans do, by

*It was precisely
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their Christian names; since they are not Christian. Indeed, they are barely Reform.) But I find it slightly alarming that a restaurant should advertise the technique of wok-cooking — it was precisely to escape woks, and to embrace microwave ovens, take-out and fast food (see my review of Taco Bell one month ago!) that my family fled our first homeland. In any case, Betty's wok-cooking seems to be limited to deep frying every appetizer, such as Crispy Cabana "Juan-tons" (\$4.95) (and, yes, the fusion starts with the name). The secret to the culinary art here is the sauce, which is mixed with the entrées. I had the madras curry sauce. I didn't know that it would have little curry, but a lot of garlic and "special spices," which would explain its delightfully sweet taste and, somewhat less delightfully, its powerfully regurgitative effect. Mixed with flat Shanghai noodles, chicken and shrimp (\$13.95), it made a satisfying if somewhat greasy lun-ner at 3:30pm. (The delay was due to the fact that the Dick,



as one of my 1L friends so abbreviatingly calls Moby Dick, did not have enough space to take all six of us. So we had to switch restaurants.)

The highlight of the entire experience of course is our waiter. Courteous, efficient, and helpful, he always sports a wonderful smile. And of course, he is cute in that shy, sheepish, Filipino, a-dash-of-Asia-mixed-with-a-dash-of-Latin sort of way. At least some fusions have turned out well.

Andrew Jacobs

As in previous reviews, I'll once again do my best here not to discuss the restaurant we were supposed to be reviewing. That restaurant — just so you all can avoid it — is Moby Dick, an establishment on Huntington Avenue serving Persian food. We took one quick look inside and beat a hasty retreat to the warm '50s-style hospitality of Betty's Wok & Noodle Diner across the street. Moby Dick had all the atmosphere of a McDonald's, but perhaps without the Old World charm and the cute corporate logos; imagine the Middle Eastern food truck expanded to the size of a small restaurant. I suspected as well it might be a health code violation waiting to happen, and we didn't want to test out my theory. Besides, after our Taco Bell experience, I think we'd all had enough with self-service restaurants. After all — so much effort!

So on to better things ... in this case, Betty's. I am disappointed to report another break in my reviewing tradition. I have little in the way of snide comments to make. So, instead, I write a review in the wholesome, good-natured tradition of my Brother Bitkower, who no doubt will use this column space to respond to the accusations that he is both "hypocritical" and "funnier than he intended to be" (whatever that means — and isn't that a compliment? Being funny despite yourself — oh horrors! But I digress ...). The atmosphere at Betty's was great, at least by Boston standards and for a noodle shop (OK, that was a bit snide, but you have to forgive me — I'm just drawn that way), and the service was prompt and attentive. As the

restaurant's name implies, Betty's specializes in noodles. It works like this: You choose the kind of noodles you want — flat Shanghai wheat-flour, Chinese egg, rice chow fun or soba — then choose one of the sauces — fiery kung pao, Cantonese hoisin, Asian pesto, red Thai coconut, madras-curry, Cuban chipotle-citrus or Thai-tiki. You can get the noodles with the sauce alone or in a chicken broth with a "shot" of the sauce of your choice. Or you can forego the noodles altogether and just do it as a rice dish or a stir fry. Many choices, very interactive. To make our difficult choice easier, the waitstaff was kind enough to oblige our request to sample all the sauces.

We started with appetizers, which were ok, nothing special — the egg rolls were your standard egg rolls. (Or maybe that's just my "small-minded intolerance" speaking.) The wontons actually tasted like empanadas, which struck me as strange; but

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then, having taken another look at the menu, I realized that they were actually "Juan-tons" (too cute) and that Betty's styles itself as "inspired by the sensational flavors from Asia, India and Latin America." So that explains that. My chow fun noodles with marinated beef, Asian cabbages and the fiery kung pao sauce were a winner: The noodles were properly cooked, the sauce was sufficiently interesting, if not totally fiery (although I'm not sure it could polish a penny like Taco Bell's sauce — I leave that as an exercise for the reader).

Unlike Metro, which was Boston's (or, rather, Cambridge's) rather inadequate answer to Balthazar, Betty's deserves mention in the same

sentence as Republic. In fact, some might even say that it was "better than it intended to be."

David Bitkower

It's Thursday, which means it's mailbag day at He Said, He Said, He Said. Given the nationwide skittishness at unsolicited, poorly written, anthrax-laced hate mail, the He Said mailroom was pleased to note that the only letter we received this week was, at the very least, anthrax-free.

The content of the letter was a bit more inscrutable. Certainly, every restaurant reviewer must steel himself to criticism, and refuse to compromise his principles in the face of pressure. If not for the integrity which we so jealously guard, how could our readers trust their disposable income and free time to the five-star rating I gave to Taco Bell? But more challenging, of course, are the subtle blandishments of flattery! Had our correspondent satisfied himself with an unbalanced ad hominem diatribe, surely I would have been able to resist any attempt to influence my impartial reviews. Instead, piously, our correspondent pours on the compliments: "Mr. Bitkower ... was, I think, funnier than he intended to be." Oh! Correspondent, if only you knew! Then, toward the end: "[Mr. Bitkower is] sometimes witty[y]." If only my friends were that nice!

Confused, and a bit disturbed at the implications of this new species of hate mail, I set out to discover its source. So I submitted a clipping to the same FBI experts who have so successfully analyzed the New Jersey anthrax letters. Their conclusions were shocking:

1) Expert No. 1 was impressed with the first line: "In his restaurant review cum personal attack, Mr. Bitkower not only wrote about small-minded tolerance, he exemplified it." "That's very nice. Using your own words against you."

2) The author has a basic grasp of the English language or at least some dialect thereof. Says expert No. 2: "Note the frequent use of large words and complex sentence structure. Probably someone who speaks English as a second language who believes

he doesn't get the respect he deserves."

3) The author is someone "on the inside," with knowledge of literature. Expert No. 3 points out: "Isn't the use of the literary device of apostrophe interesting in the second paragraph? The author clearly knew that you were supposed to review [local Persian dive] Moby Dick this week, and slyly mocks the famous first line of that novel with his interjection, 'Call me both weak-minded and morally impoverished ...' And to send the letter on what everyone knows is the 150th anniversary of the publication of Moby Dick! Oh, yes, this author is an educated man and wants us to know it."

4) "Finally," interrupts expert No. 4, "the author clearly has a love-hate relationship with both classical languages and religious imagery. He loves to flex his Latin- and Greek-rooted muscles, employing words like nihilistic, homogeneity, Teicholz. But note as well the inextricability of these passages from negative, sexual connotations. He discusses 'repentance and forgiveness,' 'transgressions' and 'struggles.' 'Guilt' must be 'confessed.' In one sentence, vitriol is 'spewed,' while in the next sentence criticism leaves one 'feeling better.' And most intriguing of all, he combines his demonstrated mastery of Latin with sublimated sexual

*Oh, and Betty's
was very nice.*

imagery to sneak into the very first line a three-letter homonym, a bilingual pun of obvious significance."

Aggregating the wealth of information provided by these experts, it was not difficult to identify our correspondent. Mean, but clever. English as a second language but skill with large words and complex sentences. Knowledge of literature, but also knowledge of He Said's prospective reviewing schedule. And finally, comfort with the classics but a conflicted relationship with sex. Davis, you are unmasked! Get thee to a Nunnelle! Oh, and Betty's was very nice.

Betty's Wok & Noodle Diner

350 Huntington Ave.
Boston
(617) 424-1950

(Ratings out of 5★)

★★★★

Andrew's Rating

★★★ 1/2

Dave's Rating

★★★

Davis' Rating