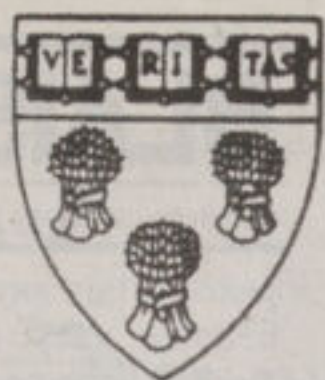




—The Harvard Law— RECORD

35 CENTS

VOLUME 113, No. 11

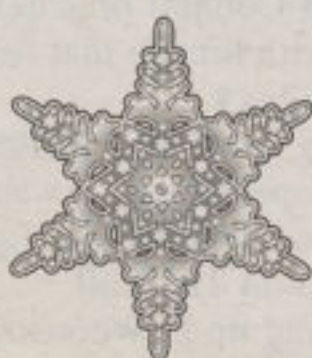
THURSDAY, NOVEMBER 29, 2001

INSIDE

HurryDating: What's it like to go on a three minute date? To find out, the RECORD sent its correspondents to the world of dating services . . . **P. 11**

1L Experience: Profiling a classmate, David Baharvar writes about how his eyes were opened to the diversity in his class **P. 13**

Letter from Berkeley: Allison Margolin writes that Boalt professors talk to students and admit to smoking up **P. 14**



Blackface: Racism, Jonas Blank discovers, is not dead in Boston. For evidence of that you just need to visit your local bar **P. 2**

Timbaland & Magoo: So you've got a lot of questions about their latest album, right? Ken Walczak has got some answers **P. 10**

Yuletide Melodies: If exams are leaving little time for shopping this year, Jonas Blank has a guide to the best gift CDs for the season **P. 9**

Corkscrews & vacuum pumps: Our resident wine connoisseur has got some tips on what to get for the non-wine-lover **P. 12**

CONTENTS

EDITORIAL	4
FORUM	5
CONCERT REVIEW	8
MUSIC REVIEW	9
FENNO	10
WINE COLUMN	12
MOVIE REVIEW	13

HLS zeros in on Allston sites

■ *University growth is inevitable, Clark says*

by Mike Wiser

In the first month after he was named University president, Lawrence Summers put the Law School on notice that the school could be moved, even over the faculty's objections, to a new location in Allston. The Law School administration took Summer's new policy seriously, and, on November 5th, Dean Robert Clark appointed Professor Elena Kagan chair of a committee to look into what such a move could mean to the school.

As Kagan's committee begins its exploration of three or four possible locations, it has been given the narrow mandate of gathering facts. The facts that the Committee on Locational Options gathers, however, are almost certain to be fodder for a fierce debate on whether the school should move, where it should go, and what sort of a deal the school should get for sacrificing its Mass Ave. location.

The University's history with the Allston move has been engulfed in controversy from its purchase of the land to the HLS faculty's initial rejection of even considering a move. The move itself would face numerous hurdles from purchasing property and easements, ensuring land is environmentally safe and figuring out exactly how you move an entire school. Despite the difficulties and almost guaranteed controversy, the University administration, driven by the need for more land,

Please see *ALLSTON* p. 6



Erin Bernstein/RECORD (above), Charlie Nesson/HLS (below)

Soldiers Field Athletic Area (above) — Currently home to most of the University's athletic facilities, the athletic area has the advantage of bordering the river and being fairly close to Harvard Square. Dean Clark warns that moving here might raise the ire of Harvard athletic community. Additionally, there is talk that the riverside fields themselves might not provide idea structural support to new buildings.

North Harvard Street and Western Avenue — One big drawback is that it's currently inhabited by gas stations, warehouses and car repair shops. It's hardly pretty. Moving here, Clark said, "requires a lot of imagination and faith." There also might be some concern that the land would require extensive environmental work (read: cleanup) before you'd want to set up Gropius II in this former industrial area.

Genzyme Property — Harvard is the landlord of this pharmaceutical company, but in order to move in here the University will have to either buy out the rest of the lease or wait until 2057 when the lease runs out. Like the other Allston properties, Genzyme is located near the Business School. It's riverfront location might also add to its charm. Clark sees its potential as the center of a community of professional schools. To move HLS here, the University will have to deal with the same railroad easements that hindered Genzyme's planned expansion.

Watertown Arsenal (right) — This one isn't even in Allston, but Prof. Nesson has become attached to this property. He's been emailing faculty a slideshow of pictures he took there and has even taken students to visit the site. The Arsenal property comes with a ready-made campus on the river, but it has its own problems. Dean Clark says that the location seems a bit too far from the center of the University and that there isn't too much room to expand. However, the Dean did praise Nesson for "thinking outside the box."



One-L elected to Rhode Island city council seat

■ *Brian Blais was elected after placing third in the November election*

by Meredith McKee

One-L Brian Blais won a city council seat in his hometown of Woonsocket, Rhode Island, November 6, when he placed third out of 14 candidates.

"It was a complete shock," Blais said. "I thought I'd scrape onto the Council with the sixth or seventh seat, if at all."

The race for Woonsocket City Council is not segregated by district but is an "open" election where the top seven vote-getters win council seats.

As the sixth-largest city in Rhode

Island, Woonsocket is home to approximately 40,000 people. The city is home to many third- and fourth-generation French-Canadian immigrants as well as a substantial population of new immigrant families.

Blais characterizes his campaign as "grassroots," lasting six weeks, only two of which were very active. He bought radio ads, issued press releases, posted yard signs and gave speeches at high-rises, where many Woonsocket senior citizens live.

Before Blais began the campaign, he said, he was unsure how voters would respond to his candidacy.

"I had no idea what the reception would be," he said. "It's hard to beat the incumbency."

Much of Blais' campaign strategy was based on what he saw as the City Council's biggest challenge: Over the

Please see *BLAIS* p. 2



Nitufur Shaikh/RECORD



Meredith McKee/RECORD

Is it or isn't it? The mural at Harper's Ferry.

Bamboozled in Beantown

by Jonas Blank

The little black doll stares with an impish, big-toothed grin. Its lips are broad, slathered in vaudeville red. Its skin is jet black, blacker than any human, the more to contrast with the reckless smirches of red.

The blackface doll is one of the central metaphors of Spike Lee's "Bamboozled," the director's film about the abuse of African-Americans in the media. It is a relic of an age we cannot wish away, a reminder of insensitivity, bigotry and subjection. It is an image that Lee suggests has not gone away, a symbol of the racism that lingers in even the most public places.

Like bars in Boston, for example.

I stood near the side of the stage at Harper's Ferry, in the heart of the Allston bar circuit, watching a very capable cover band run through yet another rendition of a much more famous band's hits. I was having a good time, enjoying the atmosphere, the lights, the faces in the crowd.

That is, until I saw some faces that I never hoped to see in public.

Hanging on the wall to the left side of the stage was a large mural. Painted at about eye level with the band on stage were two blackface characters, about five feet high. One played the saxophone. They looked just like that little black doll in Lee's film.

I thought that I was somehow misinterpreting the image, so I asked the other students around me if they saw what I saw. They did.

A few weeks later, I decided to call Harper's Ferry and ask them what the display was supposed to be. I was told that it has been there for about ten years and depicts "famous blues artists."

I couldn't understand why one would choose to pay homage to famous blues artists by depicting them via offensive racist caricature. But admittedly, I'm no art expert. Some friends that I talked to suggested that blackface has been used, in more recent times, by African-American artists as a way of reclaiming the offensive image. Just this year, white New York artist David Levinthal debuted his exhibit, "Blackface," a display of old blackface collectibles, in Washington in hopes of reminding people of the horror of racism. Some of Levinthal's collectibles were used in the movie "Bamboozled." African-American artist Kerry James Marshall has painted moving, politicized canvasses such as "Altgeld Gardens," which depicts blackface-like characters in a housing project littered with empty phrases like, "more of everything." And a 1999 musical paid tribute to Al Jolson, a white actor who played many blackface roles early in the 20th century. Controversy ensued when the

director chose not to use blackface in the show.

But I couldn't find any research to indicate that blackface caricature has ever been used as a form of homage. Most of the blackface essays I read included terms like, "abomination," "racist," "embarrassing" and "product of an earlier time." The technique was first in the early 19th century, when white actors would put on black greasepaint to play "black" characters like "Tambo," "Jim Crow" and "Zip Coon." Many shows were crude, comedic imita-

The blackface issue has come up before.

tions of African-American music and dance, while others used blackfaced whites because real African-Americans weren't wanted in the performance. In the 20th century, black actors in blackface appeared in such shows, and they remained popular even into the 1950s. That didn't sound like a history worth immortalizing on a mural — especially not in front of a predominantly white audience.

I never found out who the mural's artist was, so I couldn't ask him what he meant. He may well have had a very good, very historical, very racially sensitive reason for painting what he painted. I can't claim to know.

But my reaction got me thinking. Was nobody else offended by this? Didn't anybody else react the way I did?

Activists and scholars are sure never to let us forget that racism is still alive in America. They point to the flying of the confederate flag, burning black churches, men not being served in restaurants. Yet despite high-profile incidents of racial profiling and racially motivated violence in states across the U.S., I often feel like popular opinion holds that the locus of racism remains in the south, where most of my family is from. Southerners, so the stereotype goes, are the racists, the confederate flag flyers, the Klansmen. Their enlightened betters in the Northeast and West, the reasoning goes, could teach them a thing or two about tolerance.

But Boston, it turns out, it hardly a model of that. This purportedly enlightened city, brimming with intellectuals and professors and college students, has had more than its share of recent racial troubles.

In fact, the blackface issue has come up before. A south Boston bar called Tom's English Cottage faced local outrage last year over a display that included stuffed monkeys, black faced coconuts with large red

lips, and an ape wearing a crown that was displayed during Black History Month. The poor bar owner protested that it was a harmless display meant to convey a "jungle" theme.

If you believe what you read, African-Americans in this city have at least as much to worry about as those south of the Mason-Dixon. Former Boston Globe reporter Kenneth J. Cooper, who is African-American, wrote a piece for the Globe this year in which he noted that he finally felt physically safe enough in this city to go to Fenway Park or get off at the Savin Hill T-stop. In the early '80s, he notes, "I would have done none of these everyday things I would have feared risking verbal abuse, assault, or worse from whites I didn't know and who didn't want anyone who looks like me around."

Just this past February, a 26-year-old teacher at a Jamaica Plain high school was stopped twice within two weeks by police looking for black suspects. The second time, he was publicly patted down just steps from his school. His middle-school students decided to march in protest.

As I suspected at Harper's Ferry, part of the reason so many African-Americans are led to feel "out of place" is because of continuing geographical segregation, to a degree that some say is worse here than elsewhere.

"The black-white divide is the most difficult one to bridge in this country," said William Frey, a demographer with the Milken Institute, a nonprofit economic think tank in Santa Monica, CA. "It's endemic in older cities like Boston. . . . You don't have that same kind of segregation in the South or the West."

Discovering what I did of Boston's racial problems was a sort of pyrrhic victory for me. It validated, to some extent, my belief that the South isn't more racist than anywhere else — that while racism is expressed in different ways in different regions, the underlying tension is the same. I have some ammunition now against the pompous demagoguery of pious professors who snuggle comfortably in their all-white neighborhoods, decrying racism and pleading for unity from the security of their ethnically uniform enclaves.

Yet the tragedy remains intact. Even this city of progress, it turns out, is a city of America and its conflicted legacy.

I'm not happy there was a blackface mural on the wall that night, but I am grateful for what it reminded me: Racism is alive, it's everywhere, and it should be opposed whenever and wherever found. Just don't tell me you have to look south to find it.

BLAIS

Continued from page 1

years, Blais says, the Council had become very politically divided along who supported the mayor and who didn't.

"I campaigned on the idea that we needed to end this blind division around the mayor and decide issues solely on their merits," Blais said.

That emphasis helped Blais do well across most polling stations in the city, he said.

His less-impressive showing in the city's high-rises might indicate some voters' discomfort with his age, Blais said.

"I think there may have been a youth-backlash there," he said. "But I did well enough on the whole to make up for those buildings."

Blais' mayor-neutral stance may now put him in an interesting position. According to Woonsocket's newspaper, *The Call*, he shares the council with six others, three of whom support the mayor and three of whom have declared themselves "independent."

As *The Call* observed recently: "The apparent three-to-three split gives Blais the potential to wield the tie-breaking swing vote on divisive issues."

Blais may be utilizing his advantage already. *The Call* reports that he recently invited members interested in being Council president to "interview" with him so that he can decide who to back.

"In keeping with my campaign theme of independence, I want to give everyone a chance to be heard," Blais told *The Call*.

After growing up in Woonsocket, Blais received his undergraduate degree from Harvard University in 1997. He then worked as an investment banker in New York City for four years.

While he was campaigning, Blais said, he only told two or three of his classmates that he was running for office. He said he didn't want the race to interfere with meeting people and making friends during his first semester of law school.

"I didn't want to be 'that slimy politician guy,' so I kind of kept it under wraps," Blais said.

Still, Blais said he has been interested in politics since he was about 10 or 12 years old.

"One, I'm interested in politics for being able to help people, implementing policies to help people," he said. "Second, the rough-and-tumble of politics is fun in itself."

Blais said the fact that he does not live in Woonsocket while attending HLS was not a big issue in his campaign.

"I'm there enough, especially on the weekends, and people can always get in touch with me," he said.

Still, many of his classmates have asked how he will manage his political and law school responsibilities.

"From a time-management standpoint, it's been OK," Blais said. "I'm caught up in my classes. I just try to be really diligent."

"Part of it may also be because, when I was working as a banker, I was working 80 to 90 hours a week," he continued. "So this isn't so bad."

In the coming year, Blais expects he will be learning a lot about setting property taxes, issuing commercial licenses and reducing odor problems at the local waste-water treatment plant.

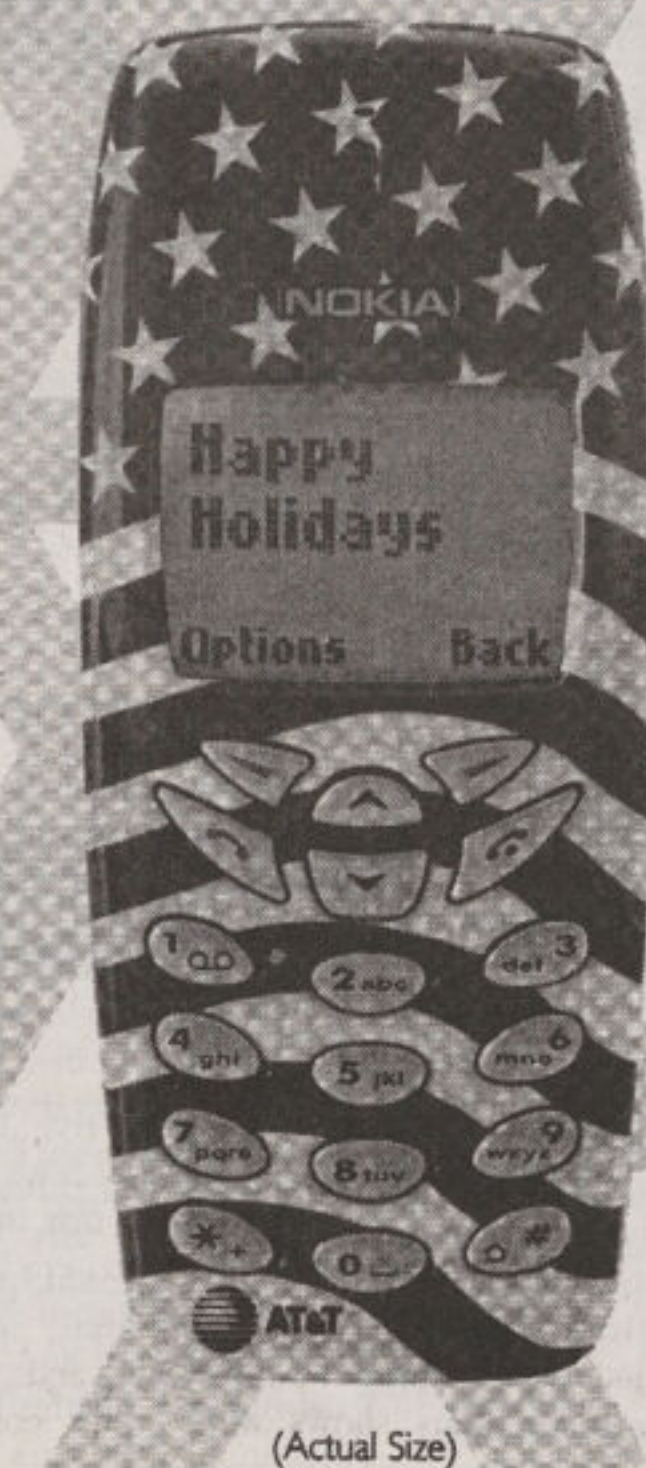
"It's the things you don't normally think about that are the province of local government," he said. "On an intellectual level, I think it'll be interesting."



Visit AT&T Wireless today for up to **\$165** in savings!

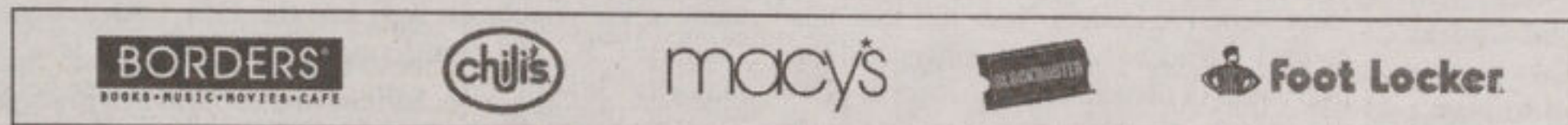
Visit **AT&T Wireless** today and buy a Nokia 3360 or 8260 phone and activate AT&T Wireless service. Get up to **\$165** in savings, including a **\$50** gift card from one of many merchants. Now you can stay in touch with the ones you love and still have a little something left over.

Add the perfect finishing touch with **Nokia Original Accessories!**



\$80⁰⁰	AT&T Wireless Mail-In Service Rebate. Two-year agreement required.
\$50⁰⁰	Mail-In Nokia Gift Card Offer
\$35⁰⁰	Waived Activation Fee. Two-year agreement required.
\$165⁰⁰	TOTAL SAVINGS

Return your Nokia mail-in coupon and get a gift card for use at one of these and other fine merchants. Purchase of a Nokia 3360 or 8260 phone is required. See in-store information or visit www.nokiapromos.com for a complete list.



For details, visit your local AT&T Wireless Store, authorized dealer,
www.attwireless.com or call **1-800-IMAGINE**.



NOKIA
CONNECTING PEOPLE

©2001 AT&T Wireless. All Rights Reserved. May require credit approval, activation fee, minimum of a one-year contract, a cancellation fee, and a Digital multi-network phone. May not be available for purchase or use in all areas. Rates do not apply to credit card calls. Airtime for each call is rounded up to the next full minute. Monthly included and promotional minutes cannot be carried over to any other month and must be used in the Home Calling Area. Roaming, additional minute and long distance charges, other restrictions, charges, surcharges and taxes apply. Subject to Terms and Conditions and calling plan brochure. May not be available with other offers. AT&T 2-Way Text Messaging not available for purchase or use in all areas and requires a compatible Digital multi-network phone. Gift Card Offer: One \$50 merchant gift card with purchase of a Nokia 3360 or 8260 Digital multi-network phone. Also available with activation on AT&T Free2Go Wireless (prepaid) service with a Nokia 5165 phone. Not available with Nokia 5165 phone activated on postpaid monthly calling plans. Phone must be active on AT&T Wireless service for 30 days and when rebate is processed. See store for complete list of participating merchants or visit www.nokiapromos.com. Subject to terms and conditions provided by the merchant you choose. Certain restrictions apply. See Nokia mail-in rebate coupon for details or visit www.nokiapromos.com. Valid 11/04/01-1/26/02. \$80 Mail-In Service Rebate: One rebate per activation on a qualified monthly AT&T Wireless calling plan and a two-year contract. Phone must remain active on AT&T Wireless service for at least 30 days and when rebate is processed. Certain restrictions apply. Not available with any other AT&T Wireless sponsored service rebates, or if you received a service credit at activation. See AT&T Wireless mail-in coupon for details. Valid 11/04/01-01/26/02. \$35 Waived Activation Fee: Activation fee waiver only available if you sign and return a two-year service agreement. You will be charged \$35 activation fee if signed two-year contract not received within 60 days of activation. Offer expires 01/26/02. ©2001 Nokia Mobile Phones. Nokia, the Nokia Connecting People logo, the Nokia Original Accessories logo and the Nokia 3300 and 8200 Series phones are registered trademarks and/or trademarks of Nokia Corporation and/or its affiliates. BLOCKBUSTER GiftCards™: Membership rules apply for rental at BLOCKBUSTER®. BLOCKBUSTER GiftCards redeemable at participating BLOCKBUSTER stores but cannot be used to purchase GiftCards. BLOCKBUSTER name, design and related marks are trademarks of Blockbuster Inc. ©2001 Blockbuster Inc. All rights reserved.

For the RECORD

Report Card

It's the end of the semester, and grades are in!

*In the spirit of HLS, these grades may seem completely arbitrary. That's because, in a way, they are.

Mark Weber — An enthusiastic B+. Let's face it, Mark. The legal market right now ain't so hot, and "challenging" is a transparent euphemism. But overall you've done an admirable job of eliminating some of the more arcane aspects of the OCI process.

Whoever keeps arbitrarily tearing student comments off of the Sound-off board — C-. Someone has to maintain standards of public decency, but a little consistency would be nice.

Charlie Nesson — X. What are grades, anyway? No, really, you get a C. You've kept us rolling in the floors this fall, but we're not amused with the in-class description of your sexual organs.

ITS — W/D. Your reassuring emails are nice, but let's see some results.

The genius at the distribution center who decided to put course packets on the counter — A. We don't have to yell "Contracts with Brewer. No! BREWER!" over the din of the Xerox machines anymore. Plus, now we trust you when you tell us there's nothing to pick up.

Grade reform — F. What reform? If you were trying to make the first year less competitive, why did you vote to add a grade for FYL? And a "suggested mandatory curve" doesn't get a lot of mileage at a school where professors can't agree on when to schedule a speaker.

That white-haired woman who's almost slower than OpenMail when checking people out at the Hark — C-. We have places to be, lady. And, yes, I am a student.

Faculty rumor mill — A+. Thanks for keeping us amused, guys. From now on, a little less national press would be better for the school, but suit yourselves.

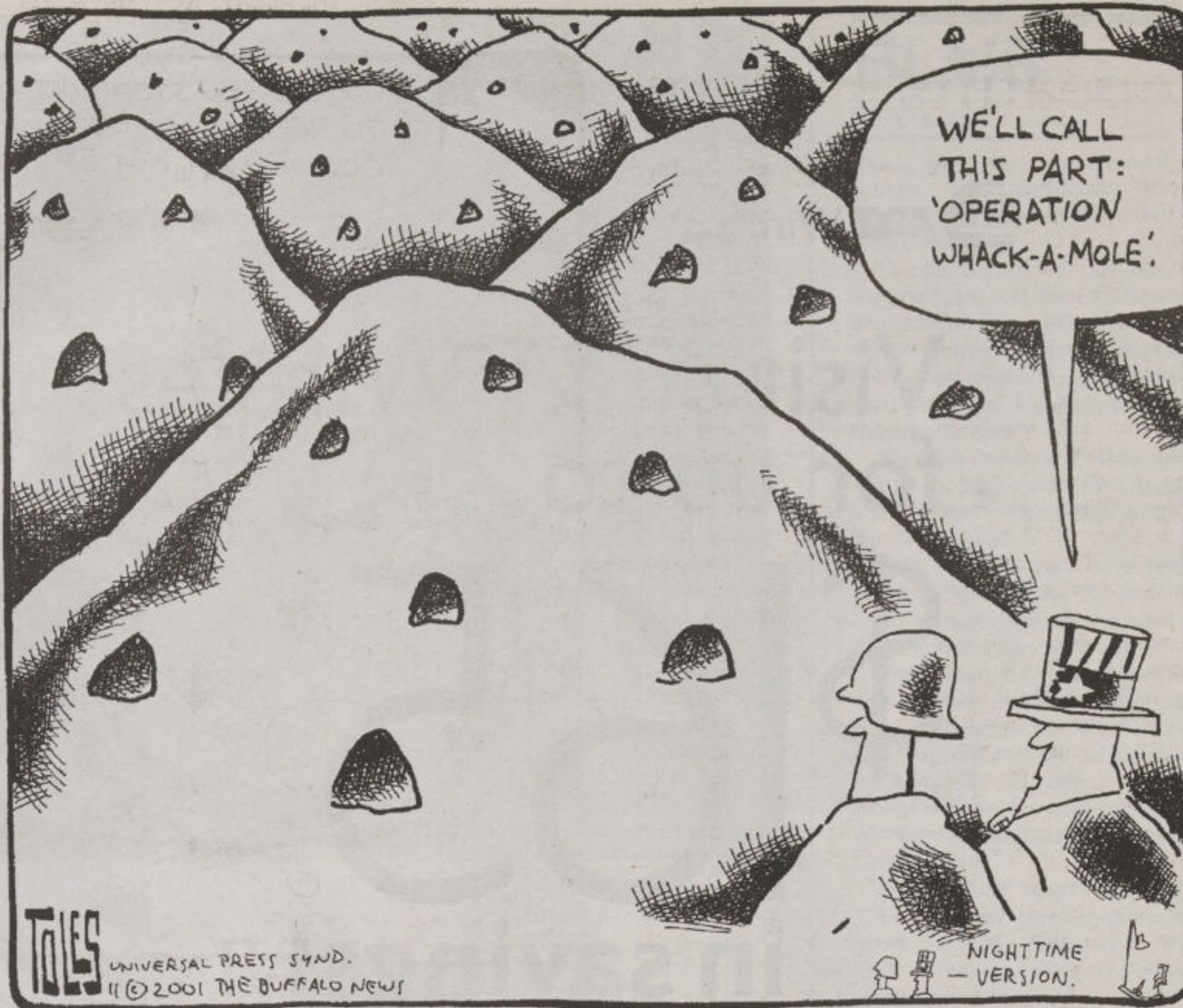
Shawn McDonald — B-. He surpassed Nick Brown when it comes to HLS in the public eye, but we're not thrilled with his comments about having his own "little outsourced stable" of women.

Undergrads who use Hemenway — D-. This campus isn't yours yet. Get off my treadmill.

Dean Clark — GNR. We're waiting to see if you will weigh faculty and student input on the Allston option. But we do like the fact that you've been known to play a little foosball.

HL Central — C+. Bring back TJ! At least then we'll know what your intentions are. All this stuff about community service is confusing us. Can we get points for helping our roommates nurse their bar review hangovers?

And speaking of which ... **TJ Duane — A.** Thanks for the pizza at the MPRE-review class.



The true zero sum: Terror v. democracy

Dear RECORD

"If you have five Jews and kill three Jews, how many Jews do you have left?" One may think that this quote is derived from some Nazi-era literature. Actually this is a quote taken directly from a math book approved and published by the Palestinian Authority, taught by Palestinian teachers and recited by Palestinian students across the West Bank and Gaza.

Regrettably, the above example is merely the tip of a deeper problem — one that fundamentally threatens any peace deal in the Middle East. Nearly a decade after the signing of the Oslo accords, every significant political organization in the Palestinian Authority — from Fatah to Hamas — calls in its founding documents for the destruction of Israel and legitimizes violence targeted against Israeli civilians — terrorism.

Against the backdrop of legitimizing calls of murder against Israelis and the liquidation of the Israeli state, it is not surprising that America's leaders from Harry Truman to George W. Bush have given Israel strong military, economic and emotional support, and have been reluctant to meet with PA leaders. It is not that this country's leaders have not understood the true tenets of democracy — a form of government that unfortunately does not exist today in Arab countries — or that they see Israeli-US relations as a zero-sum affair. America's leaders support Israel because they have a strong grasp of the difference between polemic and historical truth. Perhaps they understand that it was the Arabs that rejected Security Council and General Assembly resolutions to partition the land and chose instead war. Perhaps they understand it was Arab blockades, troop mobilizations and cease-fire violations that caused the 1967 War. Perhaps

they are aware that it was the Arab states that attacked Israel when the streets were deserted and Jews were fasting and worshipping on Yom Kippur in 1973. Perhaps America's leaders understand that it was Arafat who rejected President Clinton's peace proposal, and instead decided to pursue terrorism to achieve his political ends. After the tragedy of September 11, and later watching Palestinians celebrate in the streets of Gaza and the West Bank in pro-Bin Laden rallies, our country understands well the terror Israelis face on a daily basis.

The authors of 'The illusory zero-sum of U.S.-Israeli relations' [RECORD, November 8, 2001], Sam Foster Halabi and Wendy Pearlman, declare that historical perspectives play a crucial role in viewing the conflict. Unfortunately, the authors tried to dress up polemic as fact by presenting caricatured "Israeli" and "Palestinian" historical perspectives. Yet, few Israelis would recognize their perspective in the article's caricature. Jews returning to Israel joined an already vibrant Jewish community in the Holy Land that had existed for more than three millennia. They knew that the Jewish community had remained a dominant segment of the population well into the 11th Century C.E., and that Jerusalem was a majority Jewish city even before the Zionists began their quest to revive the Jewish homeland.

It is peculiar to omit from the Israeli perspective — or indeed from any unbiased recount — the cold, harsh facts that Jews faced persecution at the hands of Arabs in the Holy Land well before the inception of Zionism, including pogroms in Jerusalem during the 1840's. How can one overlook the Arab massacre of the Jewish community of Hebron in 1929, the Arab revolt of 1936-39, or the hundreds of Jews massacred by Arabs living in what was known as Palestine during the time of the Holocaust? Does the Israeli perspective not include the uncomfortable reality that Haj Amin al Husseini, the leader of the Arabs of Palestine from the 1920's to the 1940's, was a Nazi collaborator who lobbied Hitler for the murder of Jews?

Mr. Halabi and Ms. Pearlman also give an inaccurate analysis of Jewish "settlements." There are over one million Arab citizens of Israel today, living under Israeli control. Are these illegitimate settlers as well? Of course not; they are people who happened to be living in Israel, most of

whom have historical connections to their homes and homeland. And how did it come to be that there were no Jews living in the West Bank and Gaza from 1949-1967? First, Jews were terrorized and killed in those areas during riots in 1929. Then, under pressure from Arab riots in 1936-1939, Britain barred all land sales to Jews in those areas after 1939. Invading Arab troops in 1948-1949 massacred and expelled all remaining Jews. Finally, during the Jordanian and Egyptian rule of 1949-1967 (as during Ottoman rule until 1917, and Palestinian Authority rule today), land sales to Jews were punishable by death. Does this make the Jewish presence in the West Bank and Gaza less legitimate than that of Arabs inside Israel? Of course not.

Just as Mr. Halabi and Ms. Pearlman conveniently left out these crucial facts, one can argue that their Palestinian perspective, too, is askew. For example, it is a fact that during the period of Zionism, the Arab population of Palestine experienced unprecedented growth, fed in part by massive Arab immigration in the background of Turkish efforts to "Islamicize" the Holy Land. Moreover, many scholars believe that (as Palestinian professor Rashid Khalidi writes), Palestinian national identity is a relatively recent phenomenon. These beliefs may or may not be part of an "official" Palestinian perspective; nonetheless, they illustrate the dangerous analytic approach to the Israeli-Palestinian conflict that Mr. Halabi and Ms. Pearlman wish to embark on.

To attempt to characterize Jewish and Palestinian perspectives to give one side historical legitimacy over the other and suggest a policy response on this basis only serves to increase the flames of hate and mistrust on both sides. Instead, we have a responsibility to focus on solutions to the problem. Let us discuss how and why we should force reforms within, or possibly replace, a Palestinian Authority that is both corrupt and cruel to its people, as Mr. Halabi and Ms. Pearlman admit. Let us think about how we can assure, when the terror actually does stop, true Palestinian autonomy and self-determination that is compatible with Jewish autonomy and self-determination. Palestinians and Israelis are spilling their blood everyday; they need solutions for peace not more ammunition for war.

David Peyman

Letters to the Editor may be sent via post or email to:
Harvard Law RECORD, Harvard Law School, Cambridge, MA 02138-9984
RECORD@law.harvard.edu

The RECORD will not print unsigned letters and reserves the right to edit for length.

Publisher: Liza Brann
Business Manager: Jason Blackstone
Photo Editor: Nilufer Shaikh

Entertainment Editor: Trevor Gardner
Staff: Sarah McGonigle, Erin Bernstein, Allison Margolin, J.R. Parker, Jonas Blank, Ken Walczak, Imraan Mir, David Baharvar, Jeffrey Leven, Brian Neumann, Lynn Lee, Justin Dillon, David Min, Giselle Fahimian, Clifford Ginn

Main office — Harvard Law RECORD, Harvard Law School, Cambridge, MA 02138-9984
Telephone: (617) 495-4418 • Fax: (617) 495-8457 • E-mail: RECORD@law.harvard.edu

The Harvard Law
RECORD

Editor: Meredith McKee
Executive Editor: Mike Wiser
Production Editor: Vijaya Palaniswamy

Forum Editor: Pantea Yashar

Repeating history

by Trevor Gardner

A period passed, and as a nation we slowly began to understand the harm caused by the witch hunt we today refer to as McCarthyism. The McCarthy era severed much of the left from the realm of the politically legitimate, for years effectively suppressing certain schools of political thought by damning them with the inaccurate label "Communist."

A period passed, and as a nation we realized that discrimination against Asians and Asian-Americans was, in fact, racism. We realized that the rounding up and indefinite detainment of Japanese-Americans was, in fact a very, very bad thing, a policy that flew in the face of expressed American ideals and the very concept of civilization those imposing the detention allegedly sought to secure. Hell hath no fury like America frightened.

Yet, despite our remorse, our confessions, and our supposed repentance following these episodes, America again appears to have come full circle; once again we are willing to justify nearly any "wartime" action, with little regard for law or efficacy.

At least during WWII Japanese-Americans knew what was coming. In contrast, the Bush administration has been decidedly "p.c." with its rhetoric, initiating what amounts to a public relations ploy. President Bush has been sent to visit mosques around the country; he has urged tolerance for "Muslim folk" in his addresses to Congress and the nation.

Meanwhile, Attorney General John Ashcroft detains hundreds of Arab and Arab-American males indefinitely on what Ashcroft has admitted to be trumped-up charges. These arrests have dramatically increased each time the Justice Department has put the nation on "High Alert," with prisoners released soon after the alert expires. Ashcroft's agency has also refused all inquiries as to the number of Arab and Arab-American males presently held around the country. The FBI has refused a Freedom of Information Act request filed by a coalition of 21 Arab-American and human rights groups demanding to know the names of the individuals jailed in connection with the events of September 11th. Many are being held indefinitely by the INS, while others have been shuttled from prison to prison around the country, in effect, preventing their attorneys from discovering their whereabouts. The hastily passed "Patriot Act" now allows the government to detain citizens for up to seven days without paperwork or contact with an attorney. This authorization is a perfect fit for the "High Alert" racial profiling sweeps that have occurred twice since September 11.

The party that purportedly abhors big government has led the charge toward establishing the largest, most intrusive government in America's history with the passage of the "Patriot Act." References to Big Brother that before seemed trite now feel terribly appropriate. Ashcroft has proposed authorizing government agencies to eavesdrop on heretofore privileged attorney-client conversations when the government believes the communication may produce information on terrorism. And, of course, the agency would be restricted from sharing that information with the prosecutors trying the client's case (wink, wink).

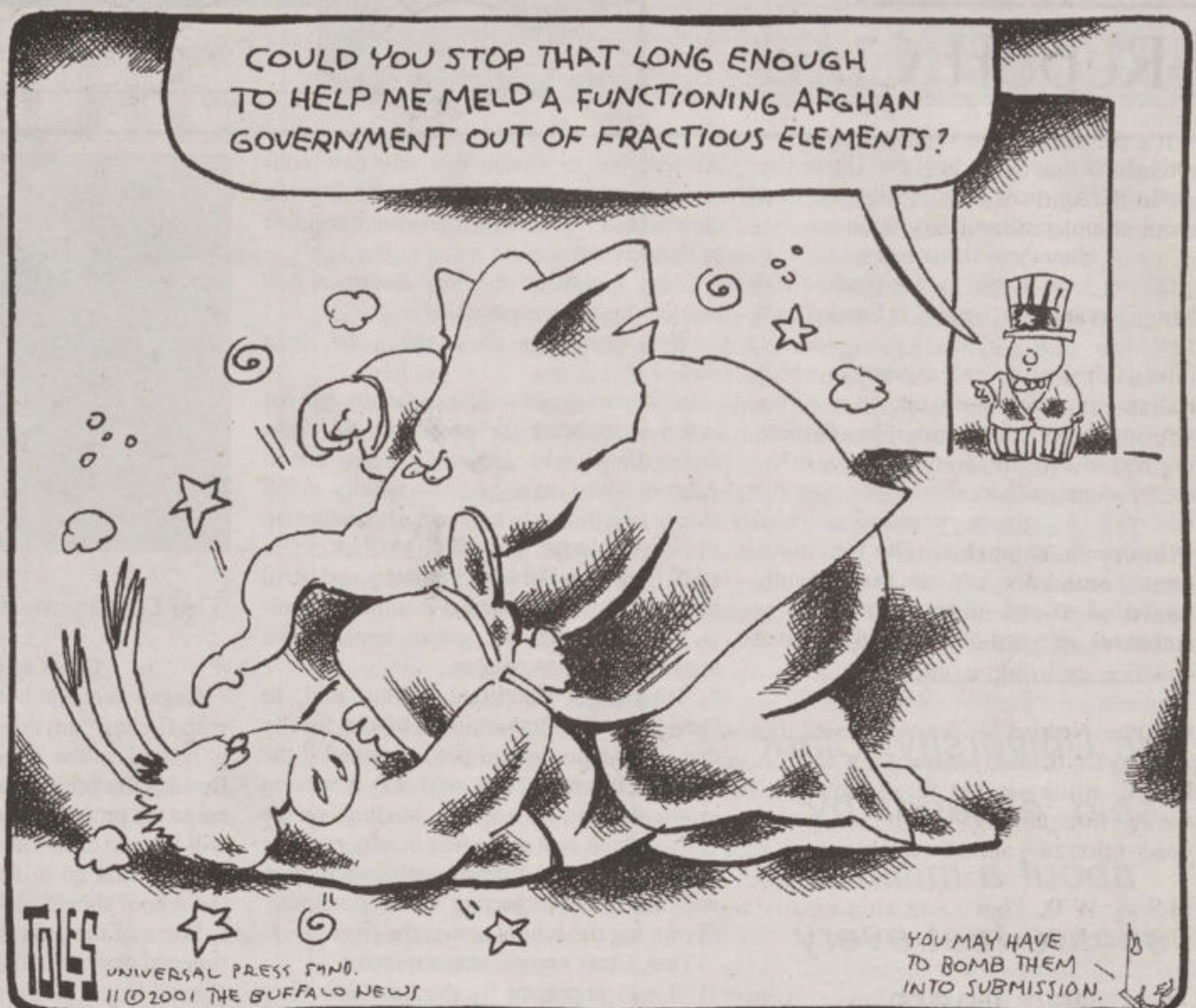
The concept of secret military tribunals also seems suspect. What are the chances that an alleged al-Qaeda underling hears the words, "not guilty," while awaiting the verdict?

It's no secret that our Supreme Court has declared that civil rights may be curbed in wartime. Whether this allowance is paradoxical in light of the definition of a "right" should be secondary to the question of what event could possibly constitute the end of the wartime in this nebulous War on Terrorism. Clearly, bin Laden's death will not suffice. U.S. government officials have initiated rhetoric preparing the global community for future military action against groups America deems Islamic-extremist. The targeted countries include Sudan, Somalia, Iraq, Iran and perhaps even the Philippines.

Given the loose, yet largely unquestioned definition of the present war, America's "wartime" status could continue until every alleged terrorist cell on the earth has been destroyed. But, common sense would suggest that America has never and will never exist without there also being pockets of individuals hoping to bring terror within its borders. The issue is one of response. How will America uphold what Professor Cornell West has referred to as "this experiment called democracy"? Will America's conception of freedom continue to exist in light of this threat? More specifically, can it exist if America is in an everlasting state of "wartime"? I would venture to say that John Ashcroft and the United States Congress have done more to curtail the substantive freedoms of Americans than any terrorist action committed on United States soil.

We should not be easily convinced that the twisted acts that took place on September 11 have forced us to give up on this experiment called America. The ubiquitous displays of patriotism through American flags, to me, seems ironic since our politicians perceive the meaningful unity as consensus permitting them to take away the very rights Americans seek to defend and secure.

When America's anxiety no longer allows it to rationalize a drastic expansion of the police power to counter terrorism, it will again face shame over its ineffective, hasty and highly hypocritical response to its own fear. We are a nation with many regrets and know sad stories quite well. Stories that aren't fully understood until years after the fact. Stories that tell of perceived consensus and a cocky assuredness that nearly any action, no matter how incongruent with America's expressed ideals, is justified in the interest of war. Another sad story in history is unfolding even as you read this line.



More than just progressive talking

by Clifford Ginn

I found much to agree with in the columns that J.R. Parker and David Min wrote in the November 8th issue — liberals have certainly lost their way, in part because they are not "communicating a coherent and engaging message," and no one can seriously deny that the two-party system is a "scary joke." However, I think the liberal disease runs deeper than Min suggests.

The first and most fundamental problem is not that liberals can no longer articulate their core philosophy, but that their "leaders" have betrayed it. The Clinton administration's accomplishments included: "welfare reform," NAFTA, a dramatic increase in incarceration, increases in defense spending, the Defense of Marriage Act, dramatic decreases in EPA-enforcement action, the watering down of the Kyoto treaty, no increase in automobile fuel efficiency, increased restrictions on habeas corpus and immigrant rights, escalation of the Drug War, sanctions that have killed 500,000 Iraqi civilians, decreased FDA enforcement, bold innovations in bending campaign finance laws, gratuitous favors for the wealthy, a dramatic increase in number of Americans without health insurance, an exponential increase in wealth maldistribution, unprecedented corporate consolidation, child-poverty rates that are the shame of the industrialized world and a parade of other rollbacks of the liberal agenda. All of this in exchange for the Family & Medical Leave Act, some midnight regulations, and a few other token measures and platitudes.

Some honest self-scrutiny would go a long way toward revitalizing progressivism. In refusing to acknowledge the Democratic Party's failures and to condemn leaders who depart fundamentally from the left's core principles, progressives have lost credibility. For example, the support that prominent feminists gave President Clinton through the Gennifer Flowers,

Paula Jones, Monica Lewinsky and Juanita Broadrick affairs demonstrated a distressing willingness to place politics over principle.

Disenfranchisement of the poor, the shifting of wealth from the less- to the more-fortunate and short-sightedness are certainly hallmarks of Republican politics, but the Democratic Party is only slightly less guilty. "Corporate welfarists" play an important role in both parties. As the Democrats have relied less on mobilizing their constituents and more on corporate cash, they have eroded their volunteer base, and voters are increasingly staying home, rather than wasting time deciding which business-friendly centrist will betray them for the next four years.

If the Democratic Party can purify itself of the hypocrisy in which it currently engages to please large donors, it can credibly attack both the hypocrisy in Republican politics, and the falsity of its underlying assumptions. Republicans have no problem with "big government;" they just favor different forms of government interference with private lives than do Democrats. No party that advocates governmental scrutiny of private sexual behavior, as well as decreased protections against searches, seizures and arrest, can seriously claim to be "libertarian." Judicial conservatism may embrace "restraint," but the Rehnquist court is probably the most activist court in history. The champions of "free enterprise" and "personal responsibility" are also the primary advocates of corporate welfare, "tort reform" and weakening of laws against corporate crime.

More fundamentally, progressives should question the principles the Republicans claim to embrace. For at least a decade, Democrats have

accepted Republican axioms about the proper role of government: "privatization of public services is good for America;" "increasing criminal penalties decreases crime;" "national security is better served by defense spending than by reducing the sources of strife in the world." They should recall the Reagan years. In the 1980s, the Reaganites had won pretty much every battle on their economic policy, and they were ready to all but destroy social security. A Clinton or Gore might have suggested a slightly watered-down version of the Reagan plan, but Tip O'Neill went on all the talk shows and drew a line in the sand. He made the inhumanity of Reagan's plan clear by giving an honest, heartfelt statement about his own values, and connecting them with the basic fairness and goodness that most Americans share. Whatever their political philosophy, few people would endorse a plan that would return us to days when over 30 percent of the nation's elderly lived in poverty. There were doubtless many in his audience (perhaps even a "silent majority") who found his vision one of government paternalism, but in openly laying out his values, O'Neill was able to shift political dialogue from a sloganeering battle toward a referendum on what values the nation's people shared.

To articulate principles, the Democratic Party must have principles, and act on them. While compromise is obviously part of politics, the Democrats can only generate the volunteers and votes necessary for continued success if they stake out their own moral high ground, invoke it with every legislative advance, however small, and resist the temptation to scuttle it for short-term political gain.

Forum

ALLSTON

Continued from page 6

seems intent on expanding the University across the river and ensuring that the Law School seriously considers its options.

A History of controversy

"If you look at history for the last 100 years, Harvard has grown," Dean Clark said.

The University, he said, expands by about a million square feet every ten years. At the same time land in Cambridge has become more and more difficult to acquire, it has become more and more difficult for the University to obtain permission from Cambridge for its projects. The Education, Kennedy and Law Schools have literally been boxed in and all three have had to resort to housing part of their staff in rented

The University, Clark said, expands by about a million square feet every ten years.

offices around Harvard Square.

The strategic plan that the Law School submitted in the spring called for new buildings on the School's campus, but the space problem as the administration saw it were not limited to the next 25 years or the Law School. All of the schools, including the Faculty of Arts and Sciences (FAS), need space. Expansion, as they see it, is not an option but a law of nature.

Summers, however, sees the answer in Allston where the HBS is already located. Thirteen years ago the University began quietly purchasing land in the Boston suburb, which was once home to slaughterhouses and stockyards but now houses everything from WGBH to a K-Mart. It almost doubled its holdings in the area and soon found itself with more land in Allston than in Cambridge. According to *The Crimson*, the university hired Beal Properties to purchase the land around the Business School quietly. The oldest university in America was a landlord to a Star Market, a car dealership and a number of auto repair shops.

When it was discovered that Harvard secretly owned some of the dingier properties in Allston, Boston Mayor Tom Menino criticized the secret purchases and the University's "arrogance." Since then the University has worked on improving relations with the community. Joe Wrinn, Director of the News Office for Harvard University, described the secret purchase scandal as a "brief glitch in the relationship" for the residents.

When President Summers became Harvard's 27th President in July, he was confronted with an expanding University, a lot of land in Allston, and faculty, students and alumni who were dubious about seeing their school move. From the beginning of his administration, Summers has emphasized that he intends to see the expansion of Harvard University across the river.

"If we make the right choices — if we take full advantage of a physical opportunity across the river in Allston — an opportunity to create a campus that is several times as large as this whole yard — we will have earned the gratitude of future generations," he said in his October inauguration speech.

Besides the Law School, the Education School, Kennedy School and FAS science departments are all considered candidates for a move to Allston. However, Wrinn emphasized that the University administration has not decided what to do with the land that it owns.

"There are no set plans at this point, but what President Summers has asked faculties to do is be creative in exploring options in their long term planning," he said.

Summers has asked all of the schools not only to work on the possibility of moving to

Allston, but to ensure that any new construction takes account of the possibility that their school won't be the permanent resident of the new space.

Clark applauded the way Summers has handed the Allston possibility.

"He's been firm about this," the Dean said.

In the past the Law School faculty has not exactly embraced the possibility of abandoning the current campus for a new one in Allston. Two years ago the faculty voted almost unanimously to object to considering a move to Allston. According to Clark, some staff from the Harvard Planning and Real Estate Office mentioned at a summer faculty workshop that the school could move across the river to Allston.

"People got electrified," Clark said, so President Neil Rudenstine told the faculty that the campus would not be moved if the faculty objected. Clark said that it was an informal statement and "not binding" on the University. It was at the first faculty meeting of the year that the near unanimous motion was introduced objecting to the possibility of moving the school across the river.

That, Clark argues, was a mistake.

"It was important for the Law School to think seriously about whether such a change is a good thing in the long run," he said.

The faculty controversy has not died, but Clark claims that most professors have accepted the fact that the school at least needs to consider a move. More controversy is almost guaranteed as the school starts to look hard at what the options are if the school were to move.

Where to go?

As Kagan's Committee on Location Options looks across the river, it will be focusing on the possibility of moving to three sites around the Business School. According to Clark and Kagan, the school could move to the Soldier Field Athletic Area that borders the river west of North Harvard Street; to the commercial area to the south of the Business School near the intersection of North Harvard and Western Avenue; or to the current home of Genzyme on the river near the Western Avenue bridge.

The Committee will have its work cut out for it when it considers the advantages and disadvantages of these various sites. For one thing, the University owns a lot of land in Allston, but it doesn't own all of the land it needs and there are other hurdles ahead. Genzyme, for example, has a lease on one property through 2057 and constructed a \$112 million dollar plant in the early 1990s. Besides buying out leases, the University will have to deal with railroad easements that run across some of the land.

An even greater problem may be figuring out how to make Allston a place that students and faculty will want to go to. Clark, for example, describes the Western and Harvard property as "unbelievably ugly now." He adds that with a "huge imagination" you could envision a campus that includes all of the professional schools and that creates a critical mass that would create a second, attractive campus with a commercial area for students like Harvard Square.

There is yet another option on the table — moving even farther down the river. Professor Charlie Nesson has recently been drawing attention to the fact that the University owns property in Watertown called the Watertown Arsenal. The former home of a 200-year-old armament supply house, the University purchased the site this summer for \$162 million. It is not clear how the site could fit into the University's plans to develop Allston. Wrinn said that the land was purchased as a form of "land banking" and that the property could be used for anything in the long run. Nesson has suggested that the Law School could move there, but Clark argues that the land has its limitations.

Kagan said the committee would look into the Arsenal option, but added, "I don't know enough to know whether that will assume a large or small part of the deliberation."



Erin Bernstein/RECORD

The Genzyme property, leased out until 2057.

Costs and Benefits

Kagan says that her committee is charged with finding "anything we can think of that is related to the pros and cons of going." Besides the hornets nest of problems inherent to the property at any particular site, they will have to deal with a multitude of considerations that go to the question of whether the school should move.

Some of the considerations are more sentimental than practical. Langdell, Austin and Gannet House all have their own constituencies who don't want to see them turned over to the FAS as the school adopts a new home. That, Dean Clark argues, is a short term problem that would go away in the decades after the school adopted a new home.

"I'm less emotional about a lot of the space stuff," Clark said. Still, a lot of alumni, faculty and students may be more emotional and could put up a lot of resistance to the school being moved.

One of the primary considerations for the committee will be to decide whether the school actually needs to move. Some faculty and students may want to challenge the assumption that the growth of the Law School and University are so necessary that the Law School should be forced to relocate.

For Clark one of the main advantages of moving is that the school could design a new campus from the ground up. Poor facilities, he said, was the No. 2 complaint in the McKinsey survey of HLS students a few years ago.

A major concern of the faculty is that a move across the river would move the Law School farther away from the FAS and could reduce the interaction between the FAS and HLS faculty. However, if a number of the professional schools were to move across the river, then Allston might provide other opportunities for faculty interaction and cross-registration.

If the school decided to move, then it isn't clear what effect that would have on the proposed renovations to the current campus. Right now, the school has put everything on hold, and any development at the University will have to take account of the fact that they could have a different tenant in the long term. Future and current students may also be concerned that the long-term focus on moving could leave them behind with an unimproved campus.

One of the major challenges will be figuring out who would pay for the move. Clark said that if the University took over the Law School campus, then it seems reasonable to assume that the University would at least provide the school with compensation for the property and buildings that they took over along with reasonable moving expenses. Wrinn was less committal on who would pay for any move, saying only that new buildings are usually paid for through a capital campaign.

Considering how many factors there are, Kagan's job will not be an easy one, but balancing the pros and cons and figuring out what to do after her report will be the real challenge.

The road to Allston

Kagan's committee has been charged with reporting back by the spring, but other than that there are no clear dates in the process. Clark says that he hopes the process will provide "some clarity within a year or so," but Wrinn emphasized that no decisions were pending and that the entire process is long term. He said that in thinking about the future of Allston, it was best to think in terms of decades.

For the Law School, however, there is some pressure to reach a resolution on the future of the school before it begins its latest capital campaign. Clark says that he has already received commitments from some alumni, but that he does not want to kick off the official campaign until he can tell people what they are investing in. Also it is not clear what affect a move could have on alumni giving. Some may withdraw their donations, but others may see the new construction as a chance to get their name on a building.

Wrinn said that final decision about what to do with the Allston property would be made by the Harvard Corporation. Before the decision reaches that level, the University's Physical Planning Committee will coordinate the various proposals of the different schools and figure out how to proceed. While the final call will be up to the University, Wrinn said that the whole process would be done in a "collegial way" to bring along the various schools and include them in any decision.

For now there are more questions about the move to Allston than there are answers. Kagan's committee may bring some clarity and focus to the process, but if the University decides to pursue moving the Law School across the river, then it will probably be years before anyone knows what such a move could look like.

Wang Chung Tonight

Dear Record

Davis Wang's preposterous and macaronic restaurant review ("He Said, He Said, He Said: Betty's Wok & Noodle Diner," Nov. 15, 2001) — if it indeed can be called a restaurant review and not epistolary masturbation — contains two unpalatable misstatements. The first is that *The Harvard Crimson* is "the college equivalent" of *The Harvard Law RECORD*. Founded in 1873, and to this day Cambridge, Massachusetts's only daily newspaper, *The Harvard Crimson* is *facile princeps* among all student publications. The fact that Mr. Wang never achieved standing at *The Crimson* (despite his best efforts) should not entitle him to seek vicarious glory in its invocation. The second is that I had the indescribable pleasure of growing up with Keanu Reeves and have nothing but prostrate reverence for his acting and other abilities. Mr. Wang should pour his bitter sauce over someone else. His ill-flavored acrimony might in fact lend a certain *haut-gout* to his own immedicable lust for wait-staff. What it must be like to slurp wet noodles in the lonely recesses of Betty's, I shall never know.

Patrick S. Chung

LOOK FOR THE

HARVARD

LAW

RECORD

IN JANUARY.

GOOD LUCK

ON EXAMS

AND HAVE

A VERY

HAPPY

HOLIDAY!

In defense of Moby Dick

Dear RECORD

I'm writing regarding last week's "He said, he said, he said" review. I was all excited when I heard that Andrew, Davis and Dave were going to go to Moby Dick, a great little Persian restaurant on Huntington Avenue. Well, it turned out that they "took one quick look inside and beat a hasty retreat" to some other place. Moby Dick of Boston does not deserve this sort of treatment!

For the record, Moby Dick is a really excellent fast-food Persian place! I've had Persian food all over the country, and while Moby Dick is no Javan (Los Angeles) or Maykadeh (San Francisco), it's a great place to get cheap, huge portions of yummy kabobs and sandwiches. Their prices are more than reasonable, and unlike Lala Rokh, the upscale yupified Boston version of Persian food on Beacon Hill, Moby Dick's food is simple and authentic. For example, when you order chicken kabab at Lala Rokh (about \$20 after proving that you really do have a reservation and your entire party is present), you get four little chunks of chicken, a small mound of rice and half a tomato. although the food at Lala Rokh is tasty and the

atmosphere is romantic, that's NOT what Persian food and culture is all about! Real Persian food is about huge portions and casual, home-style hospitality.

When you order chicken kabab at Moby Dick (\$10 after you order up front, Aces-style, and the food is brought to you by the owners themselves), you get more rice than you could possibly eat in one sitting, a huge skewer of chicken that lines your entire plate, lots of tomatoes, fresh pita bread and a side of cucumber yogurt.

Oh, yeah, a word about grilled tomatoes. When you ask for extra tomatoes at Lala Rokh — real Persians mush them up in the rice and eat them with kabob — they look at you like you're crazy (none of the waitstaff are Persian) and return awkwardly holding half a tomato on a decorative bread plate; at Moby Dick, the cook/owner comes out with an entire skewer right off the grill, stands at your table, smiles and asks you how many tomatoes you

would like. That's the kind of Persian hospitality you'll find at Moby Dick. It's not fancy, it's not upscale, but it's good.

Giselle Fahimian



Tiffany Petals

The Tiffany Petal Collection
of diamonds set in platinum.

Pendant, \$2,950. Earrings \$5,800.

TIFFANY & Co.

BOSTON COPLEY PLACE 617 353 0222

CHESTNUT HILL THE ATRIUM AT CHESTNUT HILL 617 527 1881

TIFFANY.COM

Renaissance man Jack Johnson faces the music

by Jeffrey Leven

Due diligence. A few months ago my brother tips me off to this album *Brushfire Fairytales*, by this Hawaiian guy named Jack Johnson. I give it a couple spins — great voice, elegant yet simple guitar, an enchanting and mellow Sunday afternoon sort of album. Play it for a couple of friends — unanimous appeal. Ben Harper has a cameo on “Flake,” and Dave Matthews has a rival on just about every song. So it turns out he’s coming to Boston. I set up an interview. I read up on the guy, and discover that, well, he’s a pro surfer, sponsored by Quiksilver, one of the best in the world. And beyond that he’s a cinematographer whose two surf films, “Thicker Than Water” and “The September Sessions,” are award-winning documentaries in their own right. And now there’s this great album. Filmmaker, troubador, runner of the waves. Renaissance man if I’ve ever seen one

For a Renaissance man, Jack Johnson’s a pretty quiet guy. Bundled up against the freezing wind, he makes his way into the Paradise Rock Club with a subdued confi-

‘I used to have a punk band in high school called Liver Chicken, and it was just basically a Minor Threat cover band.’

—Jack Johnson

dence. He looks around, spots me and my tape recorder gives a slight nod. “Let’s bust this interview” he says with a smile, and so:

RECORD: Did you bring your board on this one?

Johnson: Yeah. I’ve only used it twice. I used it out at Charleston and at Myrtle Beach. I brought my skateboard, too, so I’ve been skating every day. It’s good, I just try to find a hill. I’ve found hills in every town.

R: Where did this album fall between “The September Sessions” and “Thicker Than Water”? Did this come after you finished both of those?

J: Yeah, I did “Thicker than Water” and then I did “The September Sessions,” and then I did the album.

R: Was this something you wanted to do for a while and it was just a matter of timing?

J: No, not really. I mean I always made four-track tapes for my friends and stuff like that, but I never really pictured putting an album out. I guess right before I did “The September Sessions,” I already had that trip all planned and then I hooked up with G. Love and Special Sauce and did that song “Rodeo Clowns” with them. And that’s what jump-started the whole thing of having record companies approach me and stuff. It was good and bad timing. I already had the trip all planned, so I basically went off and shot that film and spent a little while making the film and doing all that stuff and then kind of put it off for six months, and then I did the record after that.

R: So you’d had the songs for a while?

J: Yeah, I had the songs for three years or so. One of the songs, “It’s All Understood,” the last song on the record, I wrote while I was in the studio, just kind of made it up right there, and then one song was written on the trip that I filmed “September Sessions” on. “F-Stop Blues” was written on that trip.

R: It’s interesting, I think that one has the most Hawaiian feel on the album.

J: Yeah, people say it feels like the ocean or something.

R: I’m sure a lot of people have been asking about the Ben Harper collaboration. How did that come about?

J: Yeah, basically, J.P. Plunier who is Ben Harper’s producer/manager is a surfer and I knew him for a while, and he just started inviting me to Ben’s shows and stuff, and I was a big fan of Ben’s so I met Ben a couple of times at shows and like a year after I knew J.P. He was just a surfer, and so he would come in when I was editing those surf movies and watch the footage and stuff like that, and so that’s kind of how I knew him, and about a year later he got a four-track tape of mine and gave me a call and — he didn’t even know I played music or anything — just said he really liked it and he was really busy at the time. So it actually worked out — because while I shot “September Sessions” he was real busy, too. I went off for six months and did all the movie stuff and then he did a bunch of stuff — he was on tour with Ben and stuff, and then all of a sudden he had a little break and I had a little break, so we just recorded the record real quick. But I guess in the meantime he had passed off the four-track tape to Ben, and Ben came to one of my shows when I was first just starting to play out live before we recorded the record or anything, and he told me he was really excited to hear it once we had basic drums on it and everything, and then it just happened that he was in town. We spent a week in the studio and he happened to be home for two of the days and came in.

R: Had he worked anything out for “Flake” when he came in?

J: No, I think he just sat down and listened to everything we’d recorded at that point and then just kind of dug that one. I mean, we’d recorded it that way even without him on it and then he just sat down and did that and that was really cool ... It’s my favorite.

R: Who else do you listen to?

J: Contemporary people like G. Love and Special Sauce, too. I like their group a lot. And then going backwards, De La Soul, Tribe Called Quest, that kind of stuff. Light-hearted hip-hop stuff, and then a lot of older stuff like Bob Dylan and Cat Stevens and Nick Drake ... Bob Marley, Jimi Hendrix, the Beatles and John Lennon stuff. Just loads of people, you know? In high school I listened to Bad Religion, Minor Threat and Fugazi a lot.

R: I was going to say, with the surf thing the music runs the gamut from punk stuff to ...

J: I used to have a punk band in high school called Liver Chicken, and it was just basically a Minor Threat cover band. That’s all we did. And then a couple of Fugazi songs. I just listened to everything growing up. I got really into Sepultura and Slayer and stuff for a little while, too. Just because I was learning the guitar, and all that distortion and stuff is fun when you’re learning how to play. But then I started travelling a lot, so I’d always have an acoustic guitar with me, and I’d just start writing songs that way.

R: If you could have any band cover a Jack Johnson song, who would you have cover which song?

J: That’s an interesting question. Usually it’s the other way — “whose song do you want to cover?” I’d love to hear Sade sing a song. Maybe this song “Taylor,” it’s a new song. It would be more fun to pick one off “Brushfire



Jeffrey Leven/RECORD

Fairytales,” so ... let me think ... (“Fortunate Fool”) ... yeah, “Fortunate Fool” would be nice, “F-Stop Blues” maybe ... or to hear the guy who’s playing with us right now, Mason Jennings — we always play each other’s songs a lot, like during soundcheck. Hearing him cover them is pretty fun. Yeah, I like Sade’s voice a lot.

R: Is the plan to go back to the studio and try to cut another album after this?

J: I think so. I’m not positive right now, but I’m thinking I want to do another record sometime this summer, maybe do another surf movie after that, you know take a little break from music after they put out another record. I feel like I have enough material to do another record right now.

R: Do you write on the road?

J: A little bit. No, but to be honest, I just have a lot of stuff that we chose from that could have been on the first record that we didn’t record, and a lot of it I still want to put out. And some of the stuff I’ve been writing along the way. I like to write songs that I can play on a sunny day, you know, sitting out on the front porch. A lot of times when you’re on the road in dark clubs all the time you start writing in a different way. I write songs out here and sometimes they feel kind of silly to play at a barbecue with my friends or something. The context is all different. I’d like to put out another record. I mean, in the end that’s more my personality. These tours are fun, but I feel like I almost have to turn into somebody else for the tour. I get a whole different thing with people looking at me every night and I just sort of change my personality a little bit almost. And then I get home and it takes a few days and I’m like “ah, ok, cool” and I slide back into who I really am. It’s not like I don’t try to write songs out here, but I don’t get frustrated if I don’t. I just sort of wait until... I’d like to do another surf movie maybe and wait another year and see if more songs come out of that.

R: I imagine it’s got to be sort of crazy to go being playing songs that you play for your friends and then all of a sudden you’re a “rock star”...

J: It’s been a trip. It’s been pretty crazy to come back over here. We kinda planned on doing a tour that was roughing about,

playing some shows, but the support on this whole tour has overwhelmed us. It’s been pretty fun, though. There was one night down in Arlington. We played this little club that holds like 200 people and there were another couple hundred outside that couldn’t get in, and so we cruised out to the parking lot and played acoustic guitars for everybody in the parking lot. We all came out of the van and the drummer had a conga drum and we played like six songs out there for everybody. You can tell people really appreciate it. We’re not used to it either, so it’s cool to come to a town and be able to come outside and do something like that for everybody.

R: It’s that thing, though, where you discover and album and you and your friends get into it, and you want them to be successful and all, but it’s also sort of your secret and you want to be able to see them in a small venue ...

J: That’s the nice thing about having a musician that you’re into that’s not just so big, not that everybody knows about. That’s one of the scary things as it gets bigger and bigger — knowing that there are a lot people including myself who have this thing where if somebody gets too big they don’t like it anymore and it’s just not that cool anymore. You know what I mean, if everybody likes it then it can’t be that good.

R: I’m sure you get a lot of idle comparisons to Dave Matthews, and of course he started out in small clubs and now he’s selling out Giant’s Stadium.

J: Yeah. Somewhere you’ve gotta draw the line I think. You’ve got to make the choices for yourself. Bigger is not always better. These kind of clubs are the most fun to play and see bands in, you know what I mean? You can kind of choose. Money always becomes a factor. You can always make more money and play bigger places, but you have to decide — “I can make more money, but it sure would be cooler to play this kind of place” ... I dunno. Hopefully I won’t be reading this interview in two years and thinking “what a hypocrite!”

And with that he takes the stage for soundcheck. A couple takes of the Meter’s “Cissy Strut,” a stroll through “Posters” my personal favorite and a mellow smile from a mellow genius.

Etc.

Tracks for your favorite druggies, teens and techno-heads

by Jonas Blank

For young people especially, Christmas shopping can almost turn the holiday into more of a hassle than it's worth. Figuring out what to get a long list of friends can be a nightmare, not to mention a route to bankruptcy. The onus is on you to prove you're not like everybody else, to give someone something they might not buy themselves, but that they might actually want.

Instead of the umpteenth Grateful Dead necktie or clever little knickknack, there is an alternative that's easy to buy, doesn't require assembly or sizing, is relatively inexpensive AND lets you express your creativity — music. Chosen properly, a CD that somebody didn't think to pick up — but should have — can be an ideal way to show you both know a person and want to broaden their artistic horizons a touch.

It's impossible to know what everybody wants, but here are some suggestions for several sorts of people:

The Indie Rocker:

That's the guy with the black plastic framed glasses. The one who's always dressed sloppy-but-chic on a thrift-store budget and may, at any given time, smell like smoke. If he's any kind of music fan, he's already heard of The Strokes, the media's latest New York darlings. But if you want to impress him, try The Dismemberment Plan's excellent *Change*, an album that finds the D.C. band's frenetic, quirky energy taken down a notch in favor of introspective but original songwriting. Or, if he doesn't already own it, pick up one of this year's best albums: The White Stripes' *White Blood Cells*. It's rock stripped to its essential core, chock-full of the grinding of cheap instruments churning out perfect melodies. Few of its songs clock in at over three minutes, but don't worry — the album has 16 of them to choose from, and they're almost universally brilliant.

The Girlfriend:

For the ultimate in cheese, there's always the new Jewel album. But a purchase that really shows some thought gives her music that, while appealing to women, doesn't scream, "chick music." To that end, try Beth Orton's *Central Reservation*. It came out two years ago, but the singer-songwriter's captivating narratives still sound better than most of what's come out since. You could also get some mileage out of Massive Attack's 1994 classic, *Protection*, a trip-hop masterpiece that still manages to sound sexy, catchy and undeniably cool even seven



Madonna — "her stuff is still far better than Britney."



Try a little holiday Sugarcult to satisfy the need for pop-punk sensibility.

years after its release. For something more current, Tori Amos' recent covers album, *Strange Little Girls*, isn't always the easiest listen, but Tori's ability to deconstruct such macho detritus as Eminem's 1997 *Bonnie and Clyde* or Slayer's *Reigning Blood* more than justifies sitting through its more difficult passages.

The Teenage Guy:

His CD rack is probably littered with Limp Bizkit and Blink-182. For something that combines Blink's pop-punk sensibility with smarter, but still simple songwriting, try Sugarcult's *Start Static*. If this had come out in 1993, they'd be bigger than Green Day. Not a song on the album fails to be catchy, relevant and charming, in that very confused male sort of way.

The Teenybopper Girl:

Well, she watches TRL, so there's not much point aiming very far outside the mainstream. But Madonna now has two greatest hits albums out — including one just released this month — and anyone with ears can tell her stuff is still far better than Britney.

The Techno-Head:

Demystifying techno's myriad genres is nearly impossible these days. So rather than try to explain to a record store clerk why you need the most up-to-date drum and speed garage 2-step breakbeat bass music, stick with something that's still virtually genreless: The Avalanches' *Since I Left You*, a playful pastiche of fluttering, whirring, bleeping snippets that, when blended, turns downright beautiful. Or if you must stick with pure DJ music, try the more recent installments of the *Essential Mix*" or *Global Underground* series, which usually offer high quality, up-to-date mixes by DJs who are probably still somewhere within their 15 minutes of fame.

Dad:

Boxed sets. For anybody. Think of the obvious: The Doors, The Beach Boys, Led Zeppelin, Bob Dylan and The Velvet Underground all have superb collections bearing their names. Oh, and if he's a sucker for men in leather, KISS just put out a new one, too.

Mom:

Do not buy your mother a CD. Save your knickknack purchase for her. But if you must, make her feel young again and give her Madonna to show you think she's kind of hip.

The Mopey Guy:

He's on his eighth breakup of the year and as many broken hearts, and he's wept enough to fertilize a garden of willows. Show him you share his pain and send him a copy of Ben Folds' solo effort, *Rockin' The Suburbs*. The modern era's piano man will help him realize that, yes, there is somebody out there even more pathetic than him.

Your Older Brother/Sister:

They grew up in the '80s. Remind them that the era is still cool, kinda. For the edgier types, try The Clash's excellent box set, *Clash On Broadway* (yes, their best work was in the '70s, but the influence lived on ...) or a best-of from The Pixies. For more mainstream folks, don't stray far from best-of collections from the Talking Heads or, yet again, Madonna. Or you could straight up spite them and buy them Michael Jackson's *Invincible*, reminding them that people from the '80s are, like, so old.

The Hip-Hop Head:

For a more mainstream person, don't overlook Timbaland's latest offering.

Indecent Proposal, where the man who made Missy's hits thump does some more of his own thing. For someone a bit more into the avant-garde, try Cannibal Ox's *The Cold Vein*, where the Harlem duo and producer El P remind us that hip-hop can still be independent, political and uncompromising in the age of Diddy and the Jigga.

The Drug Addict:

If they've tried every hallucinogen in the book and are still listening to nothing but Phish, send them Bardo Pond's trippy, distortion-laden opus *Dilate* and a few doses of percoset. They'll never know what hit 'em.

The Beantown Scenester:

Boston is probably best known for crews like Aerosmith and the ska explosion that was the Mighty Mighty Bosstones. So be different — serve up *The Last Star* by Halfcocked, the band's major label debut. A sonic mutt of '80s metal and that whole "riot-grrrl" thing that ruled the early '90s, this album is almost kitschy enough to be timeless.

The Country Fan:

If "country" means Tim McGraw and Garth Brooks to them, try giving them something that puts the twang to better use. Ryan Adams' *Gold* is a standout, if nothing else because of its moving ode to New York, and Bob Dylan's *Love and Theft* has been hailed as one of his best in years. Neither is really a "country" album, either, so if you hate that stuff, you can listen to these the next time you're rolling in your friend's Dodge Ram.

There's a start. And remember, when in doubt, go to an independent record store and consult a salesperson who actually likes music.

Crossword Solution

HAIR TODAY-GONE TOMORROW

A	C	H	A	C	H		F	L	E	E	C	H	I	P			
A	G	L					D	I	A	L	S		R	I	D	E	
T	H	E	H	A	I	R	O	F	T	H	E	D	O	G			
H	E	M					M	E	S		E	A	S	E	L	S	
S	E	E					M	E	L	T							
B	A	R	O	N	S		S	A	M	E		B	A	T			
A	W	A	R	D			W	I	N	E		C	O	M	E		
H	A	I	R	S			B	R	E	A	D		T	H	W	I	N
T	I	N					Y	E	N	S		A	R	I	S	E	
S	T						S	P	C	A		D	R	I	E	S	T
D	R	E	A	M	S		F	A	M	E		A	L	B			
B	A	L	D				S	B	A	U		T	I	F	U	L	
A	L	E					E	A	T	E	R		M	A	G	I	
S	E	C	S				S	H	A	D				P	R	E	P

Timbaland & Magoo: Your question answered

by Ken Walczak

Timbaland & Magoo *Indecent Proposal*

\$18.97 (\$11.88 from the
Newbury Comics Email Club)

So there's a new Timbaland album out?

Yep. Timbaland & Magoo: *Indecent Proposal*.

Indecent Proposal?

Another rap album that steals its title from a movie?

Hey, at least it's not called *To Wong Foo* ...

Too true. I thought this thing was, like, pushed back to January of 2000 — never or something ...

No, you're thinking of the Neptunes album. This one came out last Tuesday.

OK, let's get to it then. Is this album worth my \$18.97 Suggested Retail Price?

Please. \$15 max. In an age of Student Advantage cards, online coupons and the Newbury Comics Email friggin' Club, the MSRP is for suckers. No one pays it.

But yes, if you had to pay full price, I'd still say go for it. *Indecent Proposal* is a lot of fun, and it should keep the thangs backing up nicely at your next Bar Review After-Party. Of course, maybe you hang out with the 1Ls at Stanford, in which case your parties don't need any encouragement.

But is it hot?

Of course it is. Has Timbaland let you down before? More to the point, has he let you down recently? His tracks on the Aaliyah record: hot. The latest Missy record: hot. Petey Pablo? "Some Like It Hot"? "Holla Hovito"? Hot hot hot.

And the beats here are just as nice. "Drop" is a classic club banger that switches gears to hard house 4 minutes in; "All Y'all" is on

some crazy-flute shit (and nothing, I mean *nothing* beats a crazy flute); "It's Your Night" brings the grimy, synthesized funk. And that's just the first third of the album ...

Wow. I read somewhere that Magoo is a good MC now. Is this true, or even kind of true?

No, it is not. I realize that in interviews with MTV, etc., Tim has been touting the great strides made of late by his protégé. He may not be *lying* — Mags certainly wasn't any good before. That being said, however, Magoo is still not a good rapper by any stretch of the imagination.

For one thing, his newest strategy appears to be slowing it down a notch and dragging out his words more ...

Like Snoop Dogg?

Personally, I would have said "like Da Brat's developmentally handicapped cousin," but yes.

Either way the man is not about to steal the spotlight away from Timbaland. In fact, his producer is the *better MC* on this record. Sample lyrics:

Tim: "Shake that ass as fast as you can/ White girls shake it like you're burnin' from a suntan."

Magoo: "I live life to the fullest/ Drive cars, eat hot food/ Live in a mansion next to Hanson."

Eat hot food?! I rest my case.

Considering the panoply of guests surrounding him, the really sad part is that Magoo is probably the *fourth or fifth* best MC on what amounts to *his own record*. (Maybe sixth — can I count Aaliyah?)

Oh, yes, Aaliyah. She had so much talent, the poor girl. How is her posthumous appearance anyway?

Disappointing. There is nothing wrong with her singing, certainly, and the beat is solid enough, but what an awful concept. It's called "I Am Music" and all the words essentially pound a single reification (Aaliyah-as-song) into your head. You can buy her in the store, she lives in the radio in

your car, etc. etc. Incredibly corny, and therefore such a waste.

Does Beck sing on it? I heard he was going to.

No Beck, thank God.

You know I am always searching for the source of these "gay rapper" rumors. Are there, by chance, any strange homoerotic undertones on the album?

Funny you should ask. To begin with, there is a skit in which Tim goes out of his way to avoid the advances of a crowd of sexy-voiced women, who conclude "you trippin' ..." when he finally succeeds in squirming away. Then there are Tim's reminders to women on "People Like Myself" that he doesn't "want your sex." On "Party People," Magoo makes some muddled reference to biting ears and sucking blood from other MCs, but this is probably reaching.

By far the most striking homoeroticism comes from a character named Sebastin (!), who pops up on several tracks without ever earning a "Featuring" credit, the poor guy. His verse on "Roll Out" makes reference to "eating raw franks." If you've got a less controversial interpretation, I'd love to hear it.

But let's not get carried away, either. None of this should be viewed out of context. There are certainly plenty of references to how much women *loove* Tim & Mags, and the lyrics in general are characterized by an utter disregard for self-contradiction. There are contradictory phrases and moments all over the place.

Such as?

Such as Timbaland alternately exhorting the party people to "get some liquor in the gut," and teetotaling: "I don't drink and smoke/ That's why I love my body." Such as Magoo's above-mentioned "live life to the fullest" lines juxtaposed with his assurances that he "hates the game," and stays home from clubs because the attention bugs him. Such as the hypnotic chorus "People like myself only hang with self," and really all

the words in that song, versus the fact that this album alone has *no fewer than 13 guests* on it, all of them either past associates of Timbaland or new disciples ...

Yeah, what's up with Tim's ever-expanding circle of acolytes, anyway? I mean Beat Club, Blackground ... I can't keep up. Can you explain how this all fits together?

Nope; sorry. It confuses the hell out of me, too.

Anything else I should know?

Well, do you remember how the last 40 seconds of "We Need A Resolution" were far and away the best part of that song? A lot of the stuff on *Indecent Proposal* works that way, too. Listen to the ends of these songs, and the segues between them, and you will be reminded of why Timbaland is the best thing mainstream hip-hop and R&B production have going for them right now.

In fact the whole album is really a triumph of A&R, in both the old and new sense of the industry term. Time was, the A&R guy decided which order the songs went in on an LP — hence the title, Artists & Repertory. *Indecent Proposal* displays immaculate track ordering — everything flows into everything else naturally, allowing the oft-mentioned party people to put down their glasses and still their asses only once every 6 or 7 songs. Skits are minimal, and serve either to flesh out an introduction or to demarcate the LP's thirds (into The Dance Part, The Petey Pablo Part, and The Quiet Part, respectively). It's all superbly executed.

Nowadays an A&R guy recruits and signs new talent for a label, which is of course exactly what Timbaland has been doing for years, and what he continues to do with Tweet, Static from Playa, and even Mr. Sebastin on *Indecent Proposal*. To the extent that they all make distinct contributions to a successful, funky-as-hell record, Tim succeeds here, too.

Fenno

It was a nice day in Cambridge for near December. It occurred to Fenno that the global warming thing wasn't all bad. He took a drag on his cigarette. There was something about the man sitting next to him that soured the taste of the cigarette for Fenno. This guy reeked of ... evil.

"So, Fenno, how much is it going to cost us? Can you do the thing?" asked the man in the trench coat. The voice almost sounded Romanian, but it was closer to the ambiguous, multi-ethnic accent of all European terrorists in '80s movies. It made Fenno feel cold.

"One-point-five million!" said Fenno. He knew they were good for it. It was just a question of how badly they wanted the deed done, and Fenno knew that he was the only one who could do it.

"You'll get what you want, Fenno. Money is no object." The man popped open his briefcase and removed a small vial. "We only need one drop, Fenno, and you'll get the money. Call this number when you have it."

The man got up and walked away, leaving Fenno alone on his bench by the Charles. He looked at the piece of paper that the man had left him. 702-497-9186. Immediately memorizing it, he lit it on fire and tossed the ashes over his shoulder. Pocketing the vial, he turned and ran back towards campus.

Fenno looked at his watch as he entered campus. There wasn't much time. He had to locate the target quickly. Fenno headed for Austin Hall. As he entered he saw Charlie Nesson and several white male students looking officious. Though it was obviously Nesson, and the students were all obviously blond and white, Fenno was confused by the fact that they were all wearing blackface.

"What the hell are you doing?" asked Fenno.

"We're parodying racists, Fenno. Isn't it obvious?" said Nesson. He was smiling in the way that only those with disastrously high IQs can.

"But I thought the whole point was that blackface was inherently racist?"

"Indeed, Fenno. Indeed. However at this moment I am actually playing Hitler playing Al Warren playing Charles Ogletree, so I am not the racist," said Nesson.

"Who is?"

"That's the question, isn't it?" said Nesson. Fenno grabbed him by the shoulders and gave him a shake.

"Listen, I must find Clark. Do you know how to find Bob Clark?"

"Yes. Find COLO, find Clark," said Nesson.

Fenno watched as Nesson's presence disappeared from his body right in front of him. He dropped the limp, sleeping body and ran out of Austin. He had to find COLO, but where would it be? Fenno looked in the sky and it hit him. He ran towards Hauser.

As Fenno entered the building, smiling men in Haz-Mat suits greeted him.

"Welcome to Hauser Hall! We'd just like to remind you that the air quality here has been rated at the 'Russian-prison' level. Enter at your own risk!" Fenno pushed the men out of his way and walked to the elevator. He pushed the button and waited. Several hours later the elevator arrived, and Fenno stepped in. He didn't press a button. The door closed, and, after Fenno was completely still for a moment, the elevator began a high-speed trip down. It arrived at its destination and the doors opened on an

opulent board room. The table was circular, and in the center sat Dean Robert Clark. Surrounding him were the seven faces of COLO! Elena Kagan jumped out of her seat and ran towards Fenno.

"How did you find us here?" she yelled. Her tone was demanding in a way that made Fenno feel that he had to answer. It was heavily ... socratic.

"It was easy once I thought about it. If I wanted to get a law school community out of a city really fast, and I didn't want to risk a Tom Clancy-esque reactor accident, how would I do it? Begin to infect the buildings with 'toxic mold!'" said Fenno. The members of COLO nodded in appreciation of Fenno's intellect. Hal

Jackson looked angry.

"But how did you know how to get into the COROBORO?" asked Jackson.

"Well, that was just a guess, but I reasoned that no modern elevator could really be as slow as the one in this building pre-

tends to be, so it only made sense that the lag time was actually just a front for the time it take the elevator to get back from a secret underground bunker," said Fenno. Again, the members of COLO nodded approvingly.

"Well, Fenno," said Clark. "What do you want. A position on COLO? I think there might be a place for a man with your deductive reasoning skills. How does 'Assistant Dean of Assistant Deandom' sound?" said a smiling Clark. Fenno nodded. This was too easy.

"I accept," said Fenno. "Can we shake on it?"

He outstretched his hand and, as Clark extended his, he jabbed him with the hypodermic vial. It immediately filled

with Clark's blood. Fenno ran back into the elevator and pressed the "door close" button. It slammed shut before anyone could stop him and shot up to the first floor. Fenno pulled out his cell phone and called the number as he ran out of the building.

"This is Fenno. I have it!" he yelled.

"Meet us at the Harvard boathouse," said a woman's voice. Fenno dropped the phone and ran towards the river. He got there and a large boat with the word CLONAIID on the back was at the dock. Fenno ran on and handed the man in the trench coat the vial. All of the Raelians on the boat began clapping as the man held up the vial of blood in triumph. He handed Fenno a briefcase.

"So, now you can clone Clark and replace him with one raised over three weeks in a liberal think tank?" asked Fenno. The trench coated man exchanged a knowing glance with the Raelian next to him.

"There's been a change of plan, Fenno," said the man. Kagan walked out of the back of the boat and took the vial. She put it in a case which had several other vials in it. One was labeled Summers. Another said Fried. Yet another was labeled Ashcroft. Fenno was confused.

"Kagan? A Raelian? But, she was with COLO?" said Fenno.

"Yes," said Kagan. "The Committee On Locational Options and CLONAIID were able to find some common ground. They wanted to make a clone, we had the money and the need to combine the DNA of enough great leaders to make one fit to lead the new, greater law school in Allston. We're calling it COLO Commander!"

"But, that's from an episode of G.I. JOE! And it makes no sense!" screamed Fenno. Everyone around him laughed.

"Life is not a cartoon! It is not a comic book ..." said Fenno. He wasn't even sure if he believed himself.

I reasoned that no modern elevator could really be as slow as the one in this building pretends to be.

One night, 25 dates — Is this love in the 21st Century?

Better than expected

by Jonas Blank

Harvard Law men are bizarre creatures, indeed.

Popular opinion suggests that we're a breed of man near the top of our game. We've got gold-plated educations and astronomical earning potential. We've got bright futures and, if we choose to accept it, a chance to make a real difference in the world.

But when it comes to dating habits, most Harvard Law guys are nothing short of pathetic.

Based on our paper profiles, we budding masters of the universe should be bursting with self-confidence. We should be able to be proud of our accomplishments and glib when expressing ourselves. We should command the social graces that our future careers ask of us.

Why is it, then, that our dominant dating strategy involves such Casanova moves as "dropping the H-bomb" and pulling the latest pickup lines from the pages of Maxim? Why is it that, when it comes to the most basic of human instincts, we're more Screech than A.C. Slater?

Whatever the reason, I got tired of all the carping. I got tired of hearing both that there are no decent-looking women at HLS (a falsehood, to say the least) and that telling non-HLS women that you go to Harvard Law School will somehow impress them. Instead of sitting around hearing, for the umpteenth time, about some cheeseball plan to go to the Kell's and let the old "H-bomb" work its magic, I decided to do something that would almost certainly help me broaden my dating horizons.

I tried out a dating service.

Hurrydate.com, my service of choice, works a bit differently than most web-based singles scenes. Rather than posting profiles and photos on some web site, HurryDate prides itself on promoting interpersonal interaction — for three minutes at least.

The service works like this: You sign up on the website for the next "session." The \$25 fee includes one free drink (which, if you drink right, means you save about ten bucks). On the appointed day, you travel to the chosen location (the uber-trendy Pravda 116), where you're given a scorecard and a name tag with a number on it. After you've got your free drink and your name tag on,

you're ready to start your round. The fun begins when you participate in a round-robin style series of conversations with the women seated around the room. After you've chatted for three minutes, a whistle blows and you move to the next woman. At the end of each conversation, you mark "yes" or "no" next to the person's number on your scorecard. If both parties checked "yes," HurryDate sends you each other's name and e-mail address. It's not quite getting the digits, but it's a start.

By the time I sashayed into Pravda's rear lounge area, all soft red lighting and muted techno soundtrack, I wasn't feeling particularly confident. Actually, I was feeling precisely how someone ought to feel when offering themselves up for a dating service: embarrassed, and maybe a little ashamed.

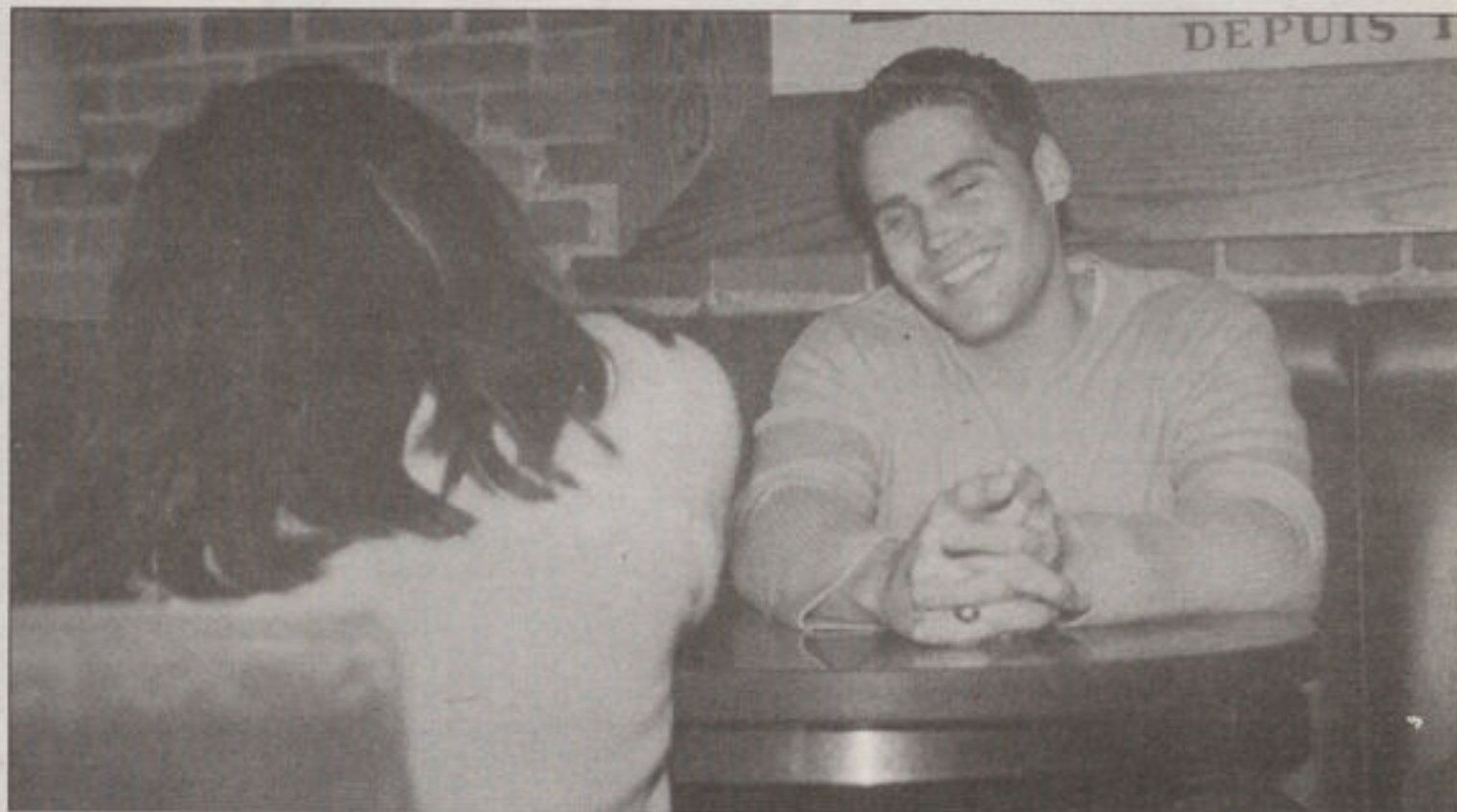
At first, I tried to keep my head down and avoid eye contact. Just get a martini, my inner voice told me ... just make it to the vodka. Vodka will make everything all right. But as I waited for the first of many drinks, I decided to survey the room.

The crowd, female-wise, wasn't the disquieting mob of half-wits, divorcees and hobgoblins I'd expected. In fact, many of the women looked rather ... pleasant. Some of them even seemed — could it be? — attractive.

Not so for the male end of the operation, which more than met all those nasty dating service stereotypes. For one thing, there weren't enough men to begin with — HurryDate employees were already asking men to stay for both of the night's two "rounds" — and the ones there seemed decidedly in need of some combination of Viagra, haircuts, new clothes and gym memberships. That is, except for the one guy in a suit, who was so roaring drunk before the round even started that he nearly knocked me over twice.

My confidence grew. These women weren't half bad! And compared with this gaggle of balding, sagging, sloppy nincompoops, I was hardly a dog's dinner. If I could muster even a reasonable façade of charm and attractiveness, I'd have women "hurrying" to date me!

A half hour and two martinis later, it was time for my round. The helpful HurryDate MC plunked me down at a table and told me women would appear shortly. And before I could fish the olive out of my drink — presto! I was talking to an attrac-



Nilufer Shaikh/RECORD

Jonas Blank and Giselle Fahimian after HurryDating.

tive thirtysomething Australian who worked for Hale & Dorr. While our conversation went swimmingly, she picked up on that whole age gap thing right away. After she asked me how old I was, I knew it was all over. So I checked "no," slid into the seat right next to me, and started the next of the 24 conversations to come.

HurryDate's method has some clear advantages. Three minutes, you find out, isn't all that long of a time to talk to someone. A guy doesn't exactly need Cyrano's grasp of the language of love to talk for such a short time. You're lucky to get past the whole, "Where are you from?" and "What do you do?" stage. But for those who do run out of normal things to talk about, HurryDate provides some cheesy icebreakers like, "Do you believe in ghosts?" and "How do you like to be kissed?" It is a dating service, after all.

Most of my conversations went well. I met loads of professional women — bankers, consultants, corporate people — as well as world travelers, secretaries, waitresses and a few unemployed types. There were also three women from MIT's business school, which apparently suffers the same dating malaise that HLS does. Of all the truncated courtships, only one — with a nervous redhead who works for Fleet — was an outright disaster. It's amazing how quickly you run out of conversation topics when every question gets a one-word answer. Most of the women seemed bright, interesting and not terribly overeager. I had conversations I'd probably never have with people at HLS — though talking about how much it sucks to be unemployed may not be everyone's idea of fun.

I talked about mountain biking, school,

work, whatever came to mind. I did not drop the "H-bomb" profusely, though when I did, it seemed to impress people less than half the time. It's not surprising: Along with all the traditional negative connotations of lawyers, earning potential just isn't the same thing as actual earnings. Sorry, chumps.

By the end of the night, I'd chalked up about eight or nine "yes" marks on my sheet — about a third of the people I talked to. The poor drunk guy was about to fall down again, and, given that I was on martini number four, I was starting to feel his pain. By the time I stumbled out of Pravda, pleased to have wrapped up my Torts reading before hitting the sauce, I was feeling pretty good about my chances.

Three days later, I got my results. Six of the nine or so women I'd said "yes" to seemed to feel the same. Compared to the likely return rate of hitting on random women in bars, the 50-plus percent return rate wasn't bad. Plus, these women actually wanted someone to call them.

Problem was, all I had were email addresses, first names and the numbers the women were wearing at the event. Whether a result of the confusion inherent in talking to 25 women in just over an hour, or the martinis, I had no idea who these women were, what we'd talked about, or, of course, what they looked like. I know myself well enough to realize that I can be generous on four martinis.

In the end, I decided not to email anybody. Figuring out who they were in a tactful way would be way too complicated. And hey, I am an HLS guy after all. Why do something about a dearth of dates when I could just complain about it?

It's a man's world, or 'I will never complain about HLS men again'

by Giselle Fahimian

I'm no economist, but HurryDating seems Pareto-optimal to me. What's more efficient than spending less than \$1 per date and being able to run off without giving anyone my contact information? So when the RECORD asked me to take this dating service for a test-drive, I agreed.

Wednesday, 6:30 p.m.: I'm standing in front of my closet in the Grope trying to decide what one wears to this sort of thing. I put on knee-high boots and a tight tank top.

Then again, maybe it's time to try something different — the classy and conservative approach — so I change into a long skirt and plain brown shirt. I'm bordering on stuffy. I call a cab and head for Pravda.

7:30 p.m.: I walk into the club and make my way through a sea of thirtysomethings who look like they're on a mission. I immediately suspect that more than a few of these balding studs stretched the truth when they signed up for the 25-to-35 age group. I'll have to resist the urge to give them a lecture on dating within their own generation.

Someone tells me to check in at a booth in the back. A cute blonde who personifies the word "chipper" is running the event. She checks my name off a list and hands me a name tag with a number as well as a list of suggested questions to try if I'm stumped for conversation. ("Do you have an arch

enemy?" "Can you roll your tongue?" "Do you own anything tie-dyed?" Hmm. Maybe not.) My "dates" will use my number (84) to keep track of me on their score sheets.

7:45 p.m.: I head to the bar for sustenance (of the food-variety). Most of the HurryDaters are enthusiastically throwing back obscene quantities of alcohol. I'm only able to resist imbibing because ... well, I'm faking. I have a wonderful boyfriend whom I care about very much. Who better to observe this social phenomenon than a totally disinterested party?

The other HurryDaters are not your average Pravda crowd. For one thing, there's an overabundance of cardigans. I've never seen so little skin here before — suddenly my "conservative" outfit seems hip.

7:47 p.m.: Wait, there is one categorically cute guy here. He's wearing a leather jacket and standing by the bar.

7:49 p.m.: Never mind. My friend tells me that's Jonas, the guy the RECORD sent.

7:52 p.m.: Two men sitting at the bar start hitting on me. "Do you do this often?" the first guy asks. "I should hope not," I think.

I leave Jonas standing alone to see how long it takes for the single women to zero in on him. The answer? Approximately 28 seconds, and the woman running the event is trying to buy him a drink.

8:05 p.m.: HurryDating begins. The

women sit still, and the men move from booth to booth at the blow of a whistle. We have three minutes to "get to know each other." To my surprise, it's more than enough time.

8:20 p.m.: A drunk guy wearing a shiny black suit stumbles over to my table.

"See my number?" he says, pointing to his nametag. "I'm 69. Heh heh."

He tries to slide across the bench toward me.

"Look, I'm just here to write an article," I say, trying to get rid of him.

He refuses to be deterred. "No — you? Not you. I can tell you're horny as hell."

What a keeper.

8:29 p.m.: I decide to make a break for the bathroom. As I wash my hands in the bathroom, I hear one woman say, "I'm so nervous!" Another calls a friend on her cell phone and confesses: "It took me an hour to figure out what to wear!" I've stumbled into a bleak world where people actually look forward to this kind of torture.

8:38 p.m.: When I tell a young-ish guy that I am researching an article, he says: "That's great — not too many people write about the porn industry these days."

Um ... nobody mentioned porn.

8:41 p.m.: The next fine specimen of manhood looks at me shyly and says, "You know who you kind of look like? You look like Cher, back in her day, back when she

was young and hot."

Great. He was old enough to remember Cher before her nasty plastic surgery days.

I will never complain about the men of HLS again.

8:47 p.m.: A fat-faced guy makes the third joke in a row about my HurryDating ID number: "You look really good for 84!" Real original.

9:14 p.m.: One guy informs me that he has a 1-2-3 ranking system for all the women he's meeting "because, you know, I'm in sales, and that's just the way I think."

I sneak a peek at his sheet and notice that I'm a 2. I content myself with scribbling "God help me" in Persian next to his number on my score sheet.

9:20 p.m.: It's over. Out of 25 men, I gave nine a "yes" on my score sheet.

9:42 p.m.: In the cab on the way back to Cambridge, my friend and I pledge that we will never — I mean *never* — do this again.

Sunday, 3:34 p.m.: The results are in! I was matched with six of the men I circled. That means three guys — the very nice but bald milkman, the slick Italian guy who was hitting on my friend, and that jerky cute guy from the RECORD — all turned me down.

I'm not sure how I feel about that.

Final analysis: This kind of set-up might be good for an older professional who doesn't get out much, but it's not likely to be the next hot thing for the grad student crowd.

New Pornographers: Just good, clean Canadian fun

by Brian Neumann

Read the next sentence twice, and try not to laugh. The New Pornographers are a Canadian supergroup! You probably let out a little chuckle, right? Maybe you even had some fun with the concept: Let's see, a Canadian supergroup. Well we could start off with Bryan Adams or the weird-looking dude from The Barenaked Ladies on male vocals, Celine Dion or Alanis Morissette on female vocals. Throw in the two guitarists from The Tragically Hip? Hmm ... I guess we'd have to use the rhythm section from Rush: Geddy Lee and Neil Peart. At least if their live show got dull, Neil Peart could rotate his revolving 80-piece drum kit and kill about twenty minutes with a chimes and triangle solo ...

Well, it turns out the joke's on us. At least, the joke is on most of us Americans who have probably heard very little about the six Canadians that comprise this band.

The New Pornographers is the brainchild of singer, songwriter and arranger Carl Newman, whose most famous work is with Zuppano (another great Canadian band that we'll probably never see tour the States ...). Perhaps retreating a bit from Zuppano's occasionally overwrought musical stylings, Newman zipped through his Rolodex to assemble a dream pop lineup, enlisting boy wonder and Bowie-wannabe Daniel Bejar (a.k.a. Destroyer), golden-throated alt-country singer Neko Case, bassist and producer John Collins of The Evaporators, plus a drummer with a three-octave vocal range and a keyboardist most famous for his cartoon and film work. The result was the 2000 Mint Records release *Mass Romantic*, a blissful, power-pop-rock record to stand alongside *Cheap Trick's Heaven Tonight* and *The Pixies' Trompe le Monde*.

And, as it turns out, these Pornographers aren't too shabby in person, either. Carl and com-



pany hit the downstairs room at the Middle East in Cambridge, Mass., on a mini-tour of the Northeast, and it's fair to say that audience got their ten dollars' worth. Opening up with the chugging, sing-along tune "My Slow Descent Into Alcoholism," off *Mass Romantic*, the New Pornographers had the room bouncing on their feet by the song's first chorus. And as soon as Neko Case belted-out the harmony on the song's second verse, The New Pornographers had made a speedy ascent into the inebriated hearts of everyone in the room. That woman can sing ... and then some.

To listen to Neko Case recorded is an incredible experience, but to actually watch her sing is breathtaking. While the audience (and sometimes the rest of the band) gasps in awe, struggling to draw enough air to yell into a friend's ear, "Can you believe her voice?!", Neko simply opens her mouth and lets loose an auditory assault. In a good way. The English language needs a new verb to describe the manner in which Neko produces sound. It is not singing. It is some peculiar form of channeling, in which her vocal chords become conduit for a blend of Linda Ronstadt's,

Patsy Cline's and Ozzy Osbourne's voices, driven through a Marshall amp with all the knobs turned to 10.

As the applause from the

To listen to Neko Case recorded is an incredible experience, but to actually watch her sing is breathtaking

opening tune rang out, the band offered a new song, "The Electric Version." Another jangly Big Star-esque product of the Carl Newman Songwriting School, this new song was a quick hit with the crowd and bodes well for the next Pornographers release. Although guitarist/songwriter Dan Bejar left the band earlier this year and is neither recording nor touring with them, the Pornographers have found a stellar replacement in key-

boardist/guitarist Todd Fancey, and they've turned over some of Dan's vocal parts to drummer Kurt Dahle (who is an absolute rock force, both in timekeeping and vocals).

Between tunes, Carl and Neko flirted and joked with the crowd, each other, and members of opening band Kingsbury Manx. Carl accused Neko of making a play for the soundman: "She does that to every soundman, wherever we play," he told the crowd (about half of which suddenly wished they were working the controls of the soundboard). Neko responded by calling Carl a lush, which he didn't seem to mind. Six-string Danelectro slung around his neck, the lead singer struck a pouty, Jagger-like pose and asked the crowd to bring him some drinks. Well, he may have had a few too many because about halfway through the set he made some bizarre pronouncements: "It's nice to be back at the Middle East! We played upstairs last time we were here, but the downstairs is a lot better because it doesn't smell like a toilet!" And I thought Canadians were respected worldwide for their social graces and easy charm.

Truth is, *The New*

Pornographers could have done or said whatever they wanted, since the audience was drooling over them. With a few new songs interspersed, the band played all of the twelve songs on *Mass Romantic*, and I think most of the crowd wouldn't have minded hearing some of those more than once. The opening set breezed by in an instant. Only after feeling their vocal chords throb from roaring "this boy's life under the electrical lights" what seemed like a few hundred times during the glorious refrain of set closer "Mass Romantic" did the crowd realize that they'd been swaying and singing for over an hour.

The band had barely completed the obligatory stroll offstage when Neko Case quickly returned, claiming, "The Canadians just beat Kingsbury Manx in a tickle fight." Carl Newman hopped back on stage to lead the encore, teasing the crowd with the opening riffs of Stooges' anthem "1969" and Led Zeppelin's "Heartbreaker." But instead of those rock chestnuts, the band turned in a passionate, emotive version of "Send Me a Postcard" by late-'60s bubble-gum band Shocking Blue. This may have been the night's highlight, featuring Neko singing the first verse in the twangy, country style that's earned her a living, before being joined by Carl on low harmony for the refrain and remainder of the song. The band finished off the show with "Centre for Holy Wars" and the Nick Lowe classic "Cruel to Be Kind," showing off four-part harmonies as a parting shot.

So for those who think Canadian rock music hasn't given us much except Neil Young, Robbie Robertson and maybe a few Sloan tunes, check out The New Pornographers. While American boy bands and teen pop stars focus on dance steps and magazine covers, some of our neighbors to the North are working on the next Pet Sounds.



Vino & Veritas

JUSTIN DILLON

Some wine columns ask the simple questions.

"Should you drink red or white with salmon?" (Either.)

"What's Burgundy?" (A region in France that makes wine you can't afford.)

"Why do the French name their wines for places, not grapes?" (Because they're French. Asking that is like asking, "Why are Canadians dumb?" If you're asking that, you're probably Canadian.)

This column, though, asks the hard questions. And not just the inappropriately political, up-with-gay-people kind. No, the hard kind. To wit: instead of asking, "What do you get for the wine lover who has everything?", this column asks, "What do you get for guy who sort of likes wine but would probably ask for the receipt if you got him anything to do with wine?"

This column, then, is about what to get for the non-wine-lover who has nothing. Call it "Gifts for the Interested Amateur." Or "My Column Is Due Tomorrow."

The best gift you can get a wine-drinker is

Riedel glasses. These are great for people who drink wine all the time as well as for people who don't know anything about wine and who even don't care to learn more. Why? Because believe it or not, Riedel glasses will change the way you think about wine. For about \$8 a glass (usually in packs of four), one of Riedel's Overture Series will focus the flavors and smells of a wine in a way that will show you much more about wine than you've known before.

Dedicated wine-drinkers (also known as "wine columnists" or "the lonely ones") always need more of these, and oenophilic neophytes (Look, ma! No editor!) will probably find it changes how they experience wine. Riedels are available at almost any wine store and at www.riedelcry-stal.com.

Another great gift is a good **corkscrew**. My personal favorite is the "waiter's friend," which is the one you've seen, um, waiters use. It has the flip-out corkscrew and the little lever that uses leverage to pull out the cork. But because it can be a little tough to learn, you might go with a screwpull for people who are less used to opening wine bottles. These little beauties cost about \$20 and are a simple, virtually effortless way of getting the cork out — which can sometimes be the most intimidating thing about serving wine to people at home.

Next, and at the risk of forcing the reader to recall the seedy contours of my social life, I'd recommend a **Vacu-Vin system**. These are the rubber-cork-and-vacuum-pump

combos that, by removing much of the oxygen from an opened bottle, can extend a wine's freshness. They cost around \$10 and are sold at most wine shops; for people who don't drink much wine and would like their bottles to last for several days, these make a great gift.

Finally, there are always **wine books**. Because this is putatively a list for the non-

What to get for the non-wine lover who has nothing. Call it 'Gifts for the Interested Amateur.' Or 'My Column is Due Tomorrow.'

wine-lover, I'll confine my recommendation to what remains my favorite wine book ever. *The Wine Avenger*, by Willie Gluckstern, is the first wine book I ever read. It's funny, opinionated and boils down the formidable universe of wine to one of those smaller Saturn moons. More bang for the buck in the often-soporific wine-book world would be hard to find.

Tasting notes:

A somewhat mediocre crop this week: Of the four wines tasted this week, three proved disappointing.

The best of the bunch was the **1999 Abadia Retuerta Rivola**, a 60/40 blend of tempranillo and cabernet sauvignon that had decent structure and deep fruit. I got it at Marty's for \$12.99. While by no means a superstar, it's a good buy that would taste especially good with winter's meatier dishes.

Next came the **Castell Del Remei Gotim Bru 1998**, which Marty's sells for \$10.99. It had good fruit but lacked "guts." After a while, it did open up a bit and gain some structure, so it might be worth revisiting, but all in all, I found it disappointing.

Perhaps the biggest disappointment, in terms of initial expectations, was **The Fifteen Grenache 2000**, a 100 percent grenache wine that I bought at Marty's for \$12.99. Robert Parker, my trusty wine muse, loved this wine. I found it a little too sweet and lacking in structure; while it had a pleasant juiciness, I couldn't stop thinking of grape Bubble Yum.

Finally, I was perhaps predictably let down by an Italian zinfandel (zin is done best, and almost exclusively, in America), the **Anfora Zinfandel 2000**, which Marty's sells for \$12.99. While it had a chocolatey, dark-fruited nose, it turns out to be somewhat less fruity to taste, and it lacked the characteristic jamminess of an American zin.



For better or worse, no surprises in 'Sorcerer's Stone'

■ *This movie may satisfy the existing fans, but it's unlikely to win any new ones or convince the uninitiated to read the series*

by Lynn Lee

Well, it's finally here, and Harry Potter fans everywhere can breathe (somewhat) freely. The movie is scrupulously faithful to the text, perhaps faithful to a fault. In attempting to reproduce as literally as possible the scenes, events and characters of the original, the filmmakers appear to have forgotten that a good movie, even an adaptation, has to be a creative work in its own right.

The brilliance of "Harry Potter and the Sorcerer's Stone" lies in J.K. Rowling's ability to create, like Tolkien, a richly layered alternative world, a parallel universe inhabited by witches and wizards — and unlike Tolkien, to do it with a light touch and an unerring ear for the present and modern, rather than the past and archaic. For every quotidian item we Muggles (non-magic folk) take for granted, Rowling conjures a magical counterpart with an ingenious twist: chocolate frogs and Bertie Bott's Every-Flavor Beans, in place of Hershey bars and Skittles; Quidditch, played on flying brooms, in lieu of soccer; pictures in which the people move around instead of remaining in eternally fixed poses. The crowning feat of Rowling's vision is, of course, Hogwarts School of Witchcraft and Wizardry, her delightful riff on the British public-school system, which our hero enters with no idea what to expect.

The movie shows painstaking efforts to recreate all this, but the demands of conventional film narration force it to limit the setting to merely that, a setting, at best a sumptuous backdrop to a storyline which in itself is far less noteworthy. Narrative drive isn't the strong suit of "The Sorcerer's Stone." Loosely stitched and episodic, it's more concerned with introducing the framework of Harry's new world than constructing a well-made plot. Rowling taps into the myths and archetypes of good versus evil drawn on by Tolkien, C.S. Lewis, Madeleine L'Engle, George Lucas, et al. for her über-narrative, but she's clumsy at it here than in her later books. Which is one reason why the final showdown, in the movie, seems so painfully cheesy and downright anticlimactic. It isn't much better in the original.

But the movie has serious flaws that can't be blamed on the plot alone. It's curiously dull; it lacks Rowling's lightness and wit, paradoxically because it seems weighed down by its mission of textual fidelity. For the same reason, perhaps, it also lacks directorial vision. We may be thankful that Chris Columbus ("Home Alone," "Mrs. Doubtfire," "Stepmom," etc.) doesn't get to gum up the works with his usual mixture of slapstick and syrup, but his self-

effacement leaves a vacuum. For a reader who knows in advance everything that's going to happen, there can be no suspense in the movie except in seeing *how* the director is going to make it happen. The problem with a face-value transcription such as this is that it packs no surprises; it is entirely devoid of cinematic daring. Even in the visuals, there's much to impress the eye (the filming locations, which include various Oxford sites and a stunning castle in Northumberland, are gorgeous), but little to astonish the imagination. The Quidditch match is a swift and bracing piece of *technical* wizardry, and only that; it feels too much like a video game, and not enough like — well, think of the flying scene in "E.T." Spielberg, as it happens, was originally slated to direct "Harry Potter;" not surprisingly, he butted heads with Rowling and abandoned the project due to "creative differences." No doubt he wanted to alter too much. Yet the thought occurred to me that, had he remained at the helm and been given some (but not too much) free rein, he'd have taken more liberties with the book but maybe made a better movie — one with a truer sense of wonder and enchantment.

As for the cast, all of them look and act their parts admirably, but not too many convey a genuine sense of feeling it, inhabiting it, down to the bone. There are exceptions — notably, Robbie Coltrane, who is pitch-perfect as the gigantic, rough-hewn but soft-hearted Hagrid, Harry's first non-Muggle friend; David Bradley as the dour caretaker, Filch; and Draco Malfoy (Tom Felton), Harry's snobbish rival at school, whose slicked-back blond hair, perpetually wrinkled nose and supercilious sneer continually upstage Daniel Radcliffe's Harry, adorable as the latter is. I also would have liked to see more of the wonderful Maggie Smith as the straitlaced Professor McGonagall and hear more of Alan Rickman's velvet drawl as Snape, the sinister potions teacher. As for the three stars — Radcliffe's Harry and his best buds Ron (Rupert Grint) and Hermione (Emma Watson) — they do just fine. I'd pictured Harry a little edgier, Ron a little lankier and Hermione a bit more overbearing; Watson's Hermione in particular is cuter and snippier than I had imagined her. These quibbles aside, though, their perfectly commendable performances somehow don't really get beneath the surface of their characters. We get very little background history on anyone except Harry, and even there, explanation is minimized; we don't get a full sense of why he, and the fact that he's "the boy who lived," is so damn important.

This speaks to the broader question of why the film, for all its good looks and good intentions, fails to live up to the book. I came away with the feeling that anyone who saw it who *hadn't* read the book would have no better understanding what the big deal is about Harry Potter. This movie may satisfy the existing fans, but it's unlikely to win any new ones or convince the uninitiated to read the series. A pity, because these are books that deserve to be read; unlike the movie, they transcend the sum of their parts.

THE 1L EXPERIENCE

■ *Should we challenge the lesson plans of our professors and demand more voicing of our own opinions and reactions?*

by David Baharvar

As I try to voice the common concerns of all or most 1Ls, one question constantly recurs to me: Does it make sense to talk about THE 1L experience, as if there really were one? Considering that we each bring distinct and wide-ranging backgrounds to HLS and we have such assorted interests while we're here, isn't it more meaningful to hear how some of us DON'T fit the stereotypes of the usual 1L than to hear how we're all worried over the same predictable matters (tests, course selection, jobs, etc.)? With that said ...

I'm not sure what it was about my classmate Courtney Dunbar that first stood out to me. Perhaps it was her unique appearance when I met her in the Harkbox Café during orientation. Courtney is difficult to place in any particular racial or ethnic category. Her high cheekbones and long-ridged nose are uniquely coupled with coffee skin, large lips and hair textured in-between thick African and wavy Caucasian. Now that I've gotten to know (and interview) Courtney, I see how rare and extraordinary her identity is and how her life at HLS is different from the usual 1L's.

Several cultures converge in Courtney's life. She is part African-American and part Native-American — both minority groups that are underrepresented at HLS — and she identifies with both. She grew up in Atlanta, a city with a majority black population, but she always lived in white neighborhoods. "For the first 18 years of my life I felt completely and totally out of touch with black America. I would ask myself questions like, 'Am I black? Do my friends see me as black?'" she tells me. Nonetheless, Courtney chose to go to Hampton University in Virginia, one of America's predominantly black colleges. "I needed to go to a black school because of a fundamental need to identify with my cultural history and to gain a sense of community and purpose," she says.

Now, Courtney's strong identification with her minority background affects her approach to the first-year curriculum. If she could change anything about HLS, she says, it would be that we have more honest and open discussions about race. The members of Section III will not easily forget the day Courtney brought up the issue of racism in Contracts, demanding that we address the discrimination that ran between the lines of the judge's opinion in the case we were reviewing. Courtney's assertion changed the course of the whole lecture. Many of us (myself included) had totally missed it, and it taught some of us

more about "the law" than many other class discussions. Did Courtney's mini-diatribes (and other comments she has made in Civ Pro and Torts) lead others of us to question how much we might control how we learn the basics of "the law"? That is, should we challenge the lesson plans of our professors and demand more voicing of our own opinions and reac-



Courtney Dunbar

tions? Or should we limit ourselves to taking in those doctrines, paths of argument and analyses that our professors ask us to embrace?

By allowing her unusual mix of backgrounds to manifest itself in her everyday interactions, Courtney creates a unique identity as she goes. Rather than feeling a need to conform to the mannerisms and prevailing social discourse of the majority white, middle — and upper class — culture around her, she is proud to be who she is. She says she doesn't feel she has to be one or the other. At a school and time where it seems like every 1L is trying to figure out what everyone else is doing to succeed at HLS (whether to join Law Review, how much to study, even what tone to adopt in asking questions so as not to annoy anyone), Courtney seems quite happy doing her own thing. She seems to complain a lot less than most of us, too.

Finally, Courtney is somewhat unique in that, unlike most people around HLS, she says a personal relationship with God is the overarching force in her life. She is open about stating her absolute dependence upon faith. Courtney is one of the few 1Ls I have encountered who feel that there should be more dialogue about spirituality at HLS, in classes, panel discussions, research and other forums. Courtney leads me to wonder if spiritual and religious notions are what drive many of the things that go on around here anyway and are the central force that formed the "law." Why not discuss it more explicitly, then, even as 1Ls are learning the basics?

One-Ls like Courtney are the people who bring such important questions to mind.

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

Dean Clark Takes All Challengers



LSC and HL Central invite you to an all-school party with Dean Clark

Enjoy free food and beer Witness the HLS foosball and pool championship games

Monday, December 3rd
Hark 5:30 p.m.

To sign up for the Pool or Foosball tournament, email ytsehai@law.



The Ames peanut gallery 2001

An audience of law students watches the Ames competition from the overflow room in Austin Hall. Holding with tradition, audience commentary was encouraged. After a close contest, the Stanley Mosk Memorial Team took home awards for both Best Oralist and Best Brief.



Letters from Berkeley

ALLISON MARGOLIN

■ *Three of my professors insist on being called by their first names*

It is 8 a.m. and I am sitting at one of the Berkeley Starbucks. I have just finished my hazelnut soy hot chocolate, my peanut butter sandwich and my banana. From all appearances, then, it seems that my life has not much changed from the one I left behind at Harvard. But, as I have written before, appearances are deceiving.

Even this little snapshot of my morning ritual reveals a significant difference between my life then and now. For one, since coming to Berkeley (and learning about caffeine in my "Drugs and the Brain" class), I have changed my morning drug-of-choice from caffeine to theobromine (the active ingredient in chocolate), a far less potent stimulant. But the question is whether subtle differences like my caffeine/theobromine switch are significant enough to impact my life in any real way, or whether they suggest that nothing has really changed that much. Looking back as the semester comes to an end, I have to say that things are both very much the same and very different.

I still spend much of the day by myself — studying, eating and working out. The biggest change in my academic life is that I'm taking an undergraduate class through which I get to experience, albeit vicariously, the energy of incoming freshman. I am taking "Drugs and the Brain," and having to re-engage my memory skill makes the class a refreshing addition to my schedule. In addition, the professor is actually interested in talking to students, including me, and my T.A. has now become a friend of mine as well as a philosophical guru of sorts.

Other than my bi-weekly foray into the undergraduate universe, the other biggest difference in my law school experiences so far is the accessibility of the professors here, compared to Harvard. This is not to say that they are better thinkers or more intelligent, although I must admit that I have seen some more "thinking outside the box" than I did at Harvard. It is to say that my professors act more as if they were our older colleagues than our superiors. Three of my professors insist on being called by their first names. One even swears in class, not in an angry way, but simply because he's having a conversation with the 15 of us rather than lecturing. This professor took me out to get coffee when I came to see him about a paper, and he actually said "Good Job" to me once. Need I say more?

And now, as for the students ... while the same types appear everywhere — in law school and in life — I must say that my experience here has been positively affected by the fact that I have found more people to whom I can relate. Five out of the seven people in one of my classes (yes, a seven-person class) smoke weed and admit it. This stands in stark contrast to my experience at Harvard, where most people, excluding myself, are hush hush about any illicit activity. Not only are my classmates self-revealing (as I am), and not only do I feel more at home in a crowd that gets off more on THC than alcohol, but all this goes to show that I'm finding a little more openness here, with a little less pretending. Whether this willingness to share comes from there being more trust in the air or from people not caring as much about what other people think is a question I can't answer. Either way, I like it.

I do not want to end this semester with a column indicting Harvard or by suggesting that I'm happy as a lark these days. Law school is still lonely, I am getting tired of going to school generally, and having my boyfriend 2,000 miles away still makes me sick on a daily basis. And in the end, maybe the differences between the two schools really come down to an East Coast/West Coast thing. Maybe I'm just more of a West-Coast person.

And of course, the school year is not over yet. I don't want to be too hasty. Berkeley could end up being the most miserable experience next semester, I could end up taking back every word I've written today, and this all could come back and bite me hard. But whatever does happen, I do think that Harvard could take a few tips from this place, even if it's just starting school two weeks early and having a month-long winter break like Berkeley.

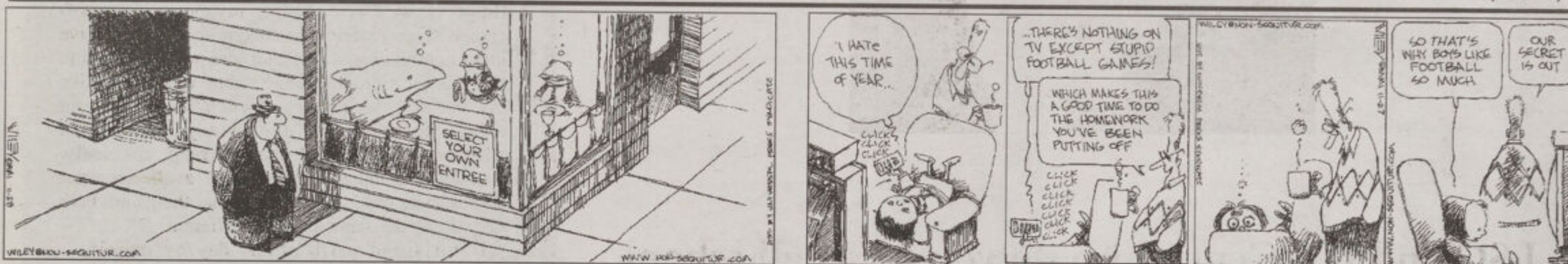
Doonesbury

by Garry Trudeau



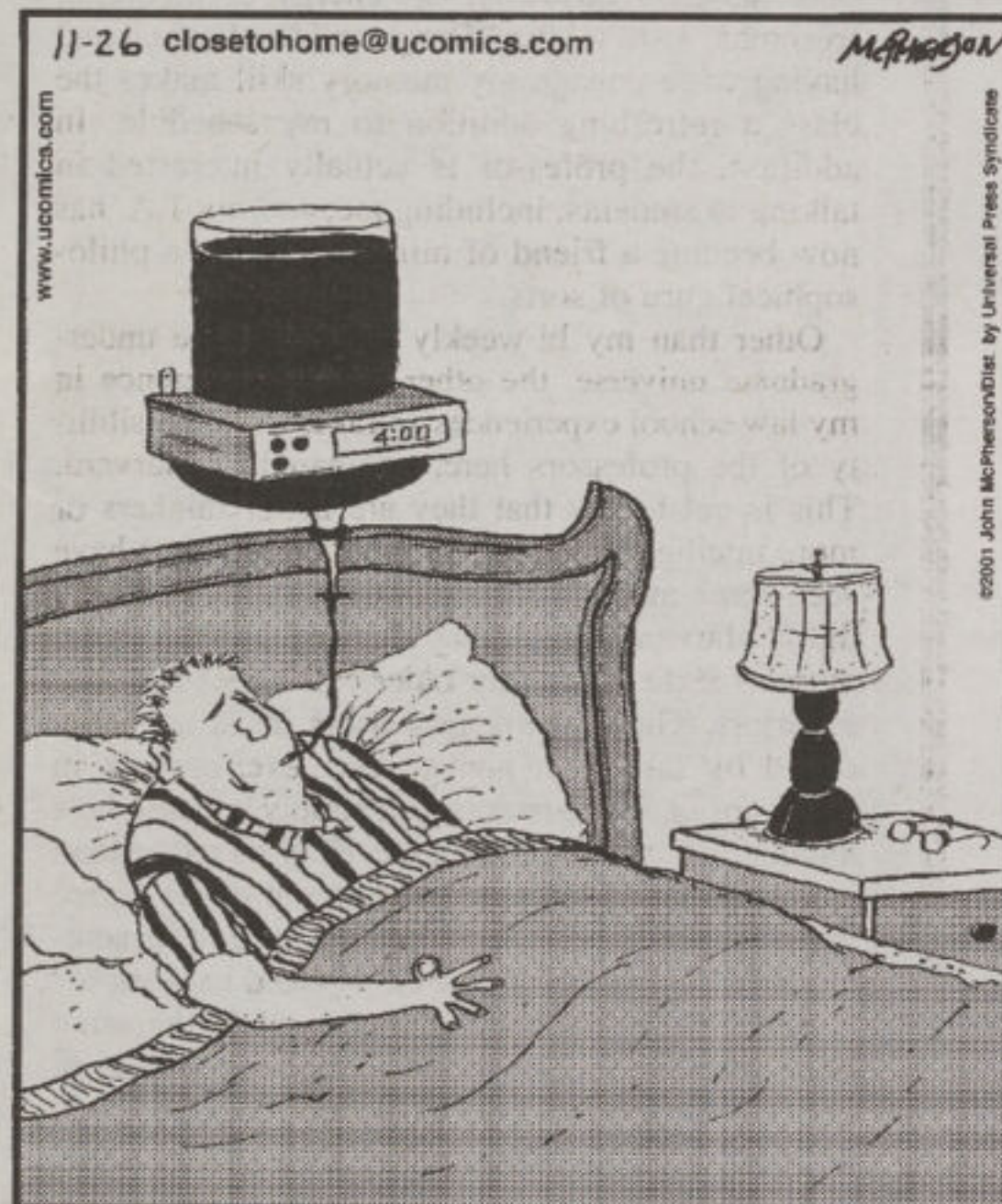
Non Sequitur

by Wiley



Close to Home

by John McPherson



Setting his nighttime coffee dispenser to 4 a.m., Brad woke up raring to go.

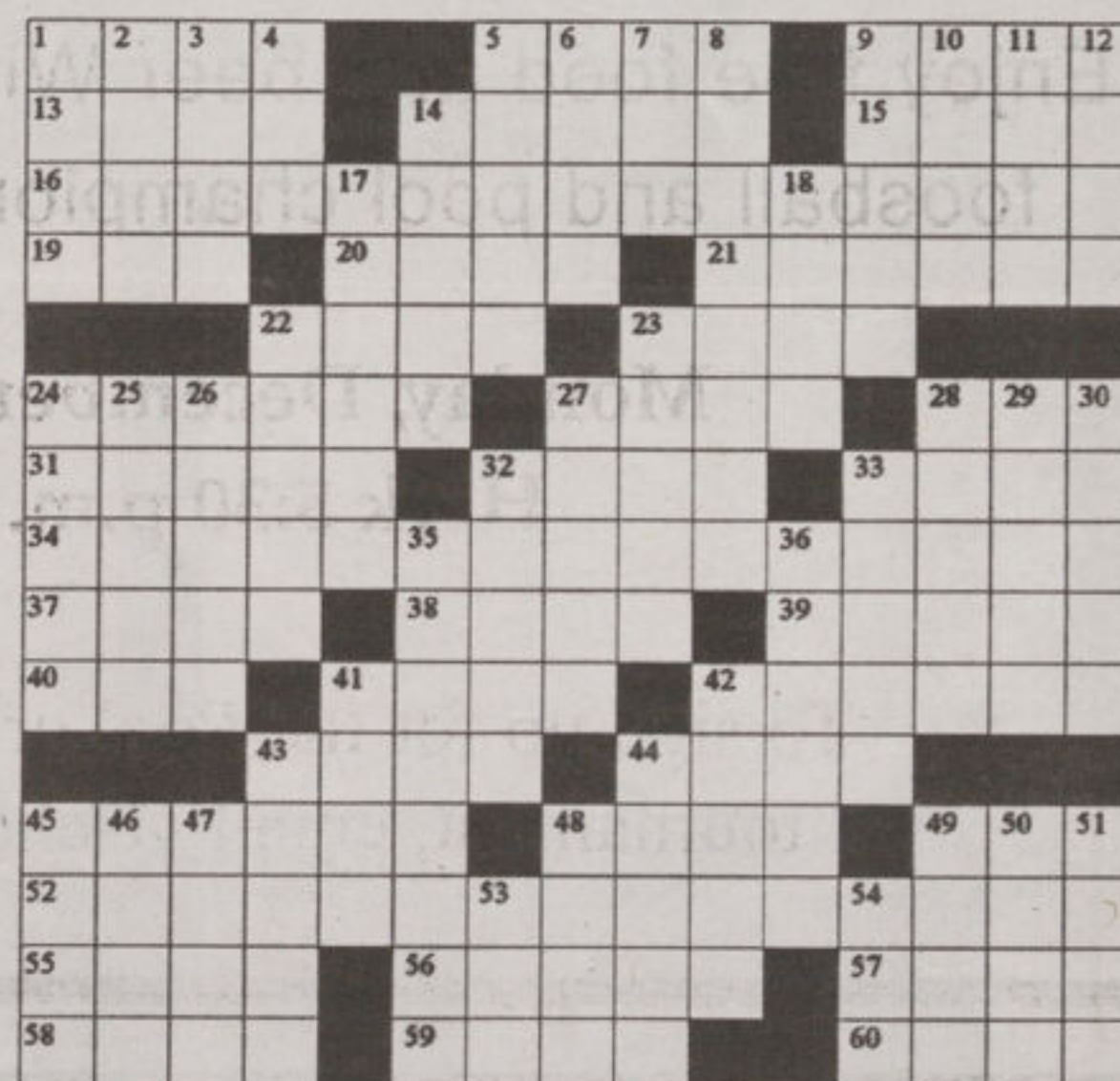
Crossword 101

" Hair Today ...Gone Tomorrow

By Ed Canty

- ACROSS**
- 1 Music maker
 - 5 Run away
 - 9 Golf shot
 - 13 Rights org.
 - 14 Phones
 - 15 Astronaut Sally
 - 16 Morning after drink ?
 - 19 Skirt line
 - 20 Women:Fr.
 - 21 Tripods
 - 22 Pollen
 - 23 Liquefy
 - 24 Noblemen
 - 27 Identical
 - 28 Mark McGwire's need
 - 31 Tony, e.g.
 - 32 Merlot
 - 33 Arrive
 - 34 Photo finish
 - 37 Petite
 - 38 Hankerings
 - 39 Start the day
 - 40 Pig pen
 - 41 Humane org.
 - 42 Most thirsty
 - 43 Plumber's quest
 - 44 Mooches
 - 45 Ambitions
 - 48 Notoriety
 - 49 Liturgical vestment
 - 52 Hairless person's claim
 - 55 Away from wind
 - 56 Diner
 - 57 Wise men from the East
 - 58 Parts of a min.
 - 59 Food fish
 - 60 Kind of school

- DOWN**
- 1 Relaxing moment
 - 2 Pain
 - 3 Mr. Kadiddlehopper
 - 4 Expression of bafflement
 - 5 Given the boot
 - 6 A country in SE Asia
 - 7 Santa helper



- 8 Respected
- 9 Toothpaste brand
- 10 Conceal
- 11 Graven image
- 12 Cribbage needs
- 14 Coins
- 17 Sets right
- 18 Vigorous
- 22 Contrue
- 23 Supernatural forces
- 24 Money in Thailand
- 25 Expect eagerly
- 26 Kind of day or season
- 27 NY college
- 28 Rocker David
- 29 Wrong
- 30 Doctrine
- 32 Wadsworth's Hesperus
- 33 Tennis player Evert
- 35 Surgical procedures
- 36 Archer's goal
- 41 Eighteen-wheeler
- 42 Raise an objection

- 43 Dishes out soup
- 44 Bleated
- 45 Some business orgs.
- 46 Abnormal breathing
- 47 Current:Abbr.
- 48 Greek cheese
- 49 From a distance
- 50 Toboggan
- 51 Airplane on a radar screen
- 53 Part of a Scrooge expression
- 54 Mischievous child

Quotable Quote

" People get real comfortable with their features. Nobody gets comfortable with their hair. Hair trauma. It's the universal thing. "

... Jamie Lee Curtis

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. 9

Main office — Harvard Law RECORD, Harvard Law School,
Cambridge, MA 02138-9984
Telephone: (617) 495-4418 • Fax: (617) 495-8457 • E-mail:
RECORD@law.harvard.edu

The Harvard Law RECORD (ISSN 0017-8101) is a publication of the Harvard Law School RECORD Corporation, a non-profit, independent, student-owned and run corporation of the Commonwealth of Massachusetts.

The RECORD is published weekly on Thursdays, 24 times throughout the academic year, and is distributed free of charge to Harvard Law School students and at a minimal charge to Harvard Law School alumni and alumnae. Copy and photo deadlines are 5 p.m. on the Monday preceding publication. Advertising deadlines are 5 p.m. on the Tuesday preceding publication.

Submissions may be sent to the RECORD at the above noted address, dropped in the RECORD box in Harkness Commons or left in Meredith McKee's 3L Hark box. All copy must be typed, double-spaced, and submitted on paper and on a computer disk or by e-mail. The RECORD staff reads and appreciates every letter it receives; the RECORD reserves the right to edit letters and submissions for space as necessary. We will return your disks. Off-campus subscriptions are available. Subscription price: \$45.00/year mailed, \$30.00/year mailed outside the U.S. Individual copies: 35 cents at newsstands, 50 cents at the Law School, \$1.00 mailed, \$2.50 for back issues. Second-class periodical paid at Boston, Mass., and additional mailing offices.

Copyright 2001 by the Harvard Law RECORD School Corporation and by the contributors.

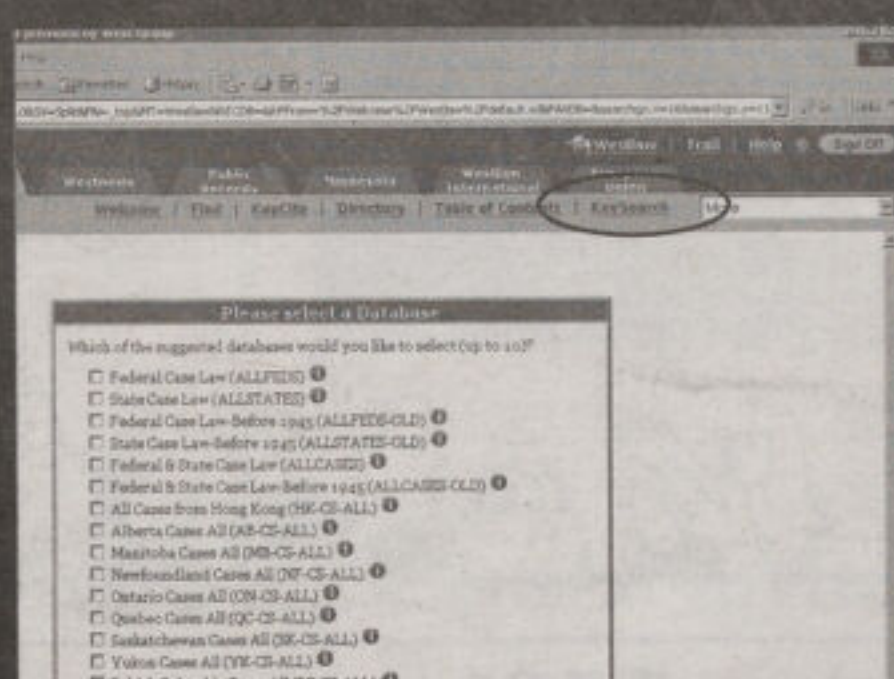
POSTMASTER: Please send address changes to Harvard Law School Association, Harvard Law School, Cambridge, MA 02138.

The RECORD is committed to equality and diversity. We strive to provide a forum for the free exchange of ideas. As a result, the opinions reflected in articles, editorials and cartoons are those of the authors and do not necessarily reflect the opinions of the RECORD.

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

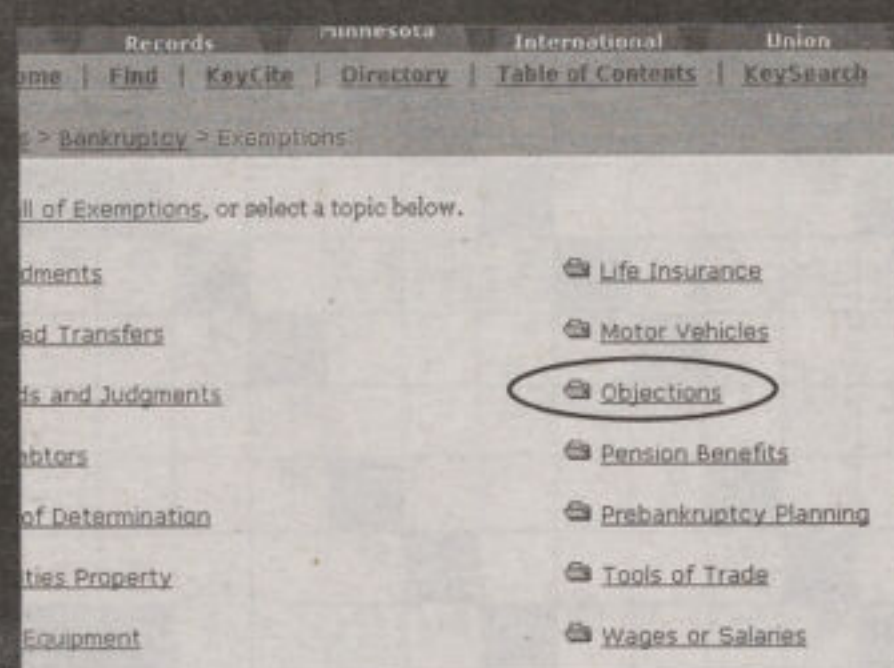
With KeySearch on westlaw.com,
formulating an expert search query can be as easy as
CLICK ... CLICK ... CLICK.

CLICK



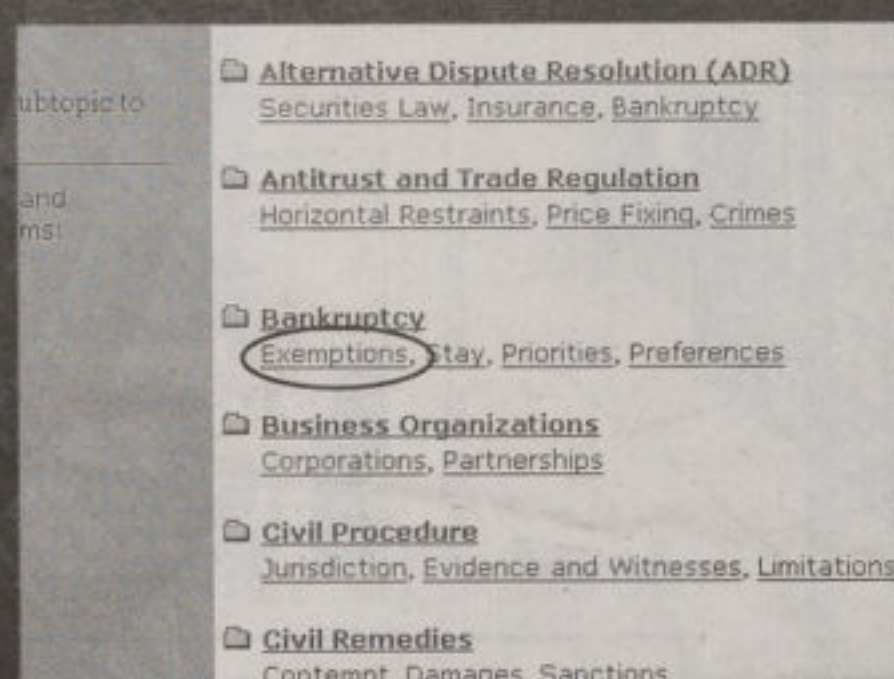
Click "KeySearch" on the westlaw.com toolbar ... or on the search page of any case law or selected analytical-law database.

CLICK



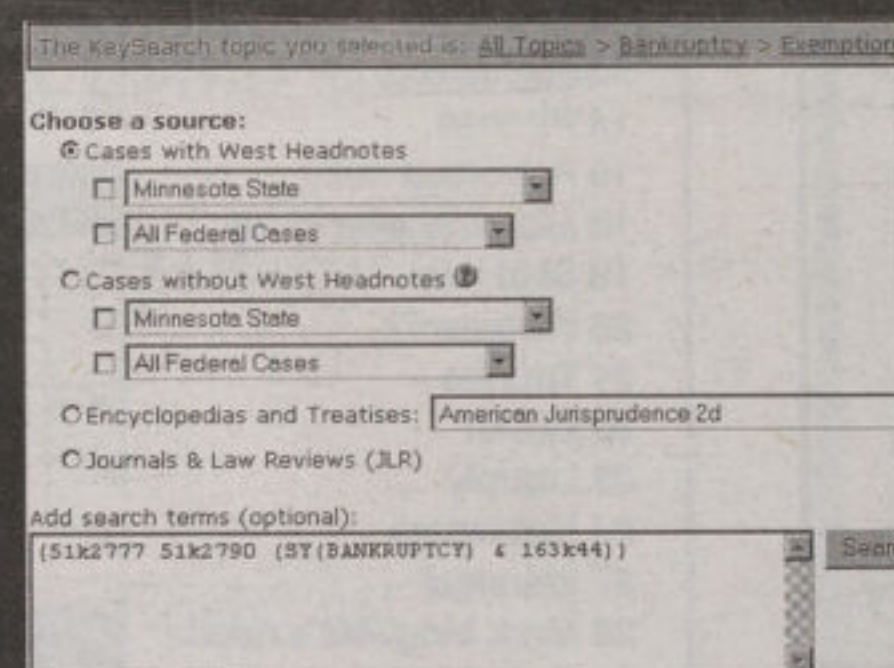
Click to narrow your search further.

CLICK



Click on your topic or subtopic.

EXPERT QUERY GENERATED!



KeySearch has now provided you with an expertly formulated search query – incorporating a West Topic and Key Number and reflecting the best thinking of experts in the West Key Number System® and your legal issue. You can now run the query "as is". Or view the query and edit it to suit your needs.

Now you don't have to be a legal-research expert to search like one!

Using KeySearch™ on westlaw.com®, you can just point... click... and generate expert search queries that retrieve on-point cases and analytical law.

KeySearch, another Westlaw® exclusive, taps into West's 128-year tradition of editorial excellence to make it easier for you to find the law.

Westlaw

WHERE AMERICA FINDS THE LAW.



A THOMSON COMPANY