



Students get the score at home run themed Law School social last Friday.

"Space Odyssey" Class Touches Down

The Class of 2001 Joins HLS Landscape

By Alyssa Caples

Last Thursday, Dean Clark '72 welcomed the class of 2001, which he referred to as the "Space Odyssey" class, to HLS.

The demographic breakdown of this year's 1Ls is similar to last year's class. 42 per cent of students are women. About a quarter of the students identify as members of minority groups: 12 per cent Asian, 8 per cent African American, 4 per cent Latino and 1 per cent Native American.

This year's 1Ls come from 44 states (only Alaska, Delaware, Hawaii, Montana, West Virginia and Wyoming are not represented). The most students hail from New York (80), California (74) and New Jersey (33). Additionally, 25 students call Massachusetts their home state.

This year's class also has a significant international component.

Seven percent of the students are nationals of 18 countries including Canada, Estonia, Ireland, Nigeria and Taiwan.

Over 150 colleges and universities are represented in the class. Leading the pack are Harvard (74), Yale (42), Princeton (32) and Columbia (30). Just under 40 per cent of the class finished their undergraduate degrees this past year. The average age of the students is 24, but the ages range from 19 to thirtysomething.

Among the 553 students in the 1L class are two married couples, a pair of sisters, a sister of a 2L, and a set of identical twins.

"I think it's unusual to have two married couples at the outset," said Joyce Curll, Assistant Dean of Admissions and Financial Aid. "In the course of the three years, some students meet and get married, but it's rare at the beginning."

Please see 2001, p. 5.

Law School Keeps Anti-Discrimination Policy

By Suzanne Carter

The Office of Career Services (OCS) has remained steadfast in its refusal to allow the military use of its services. Controversy arose last spring when an air force recruiter requested and subsequently was denied access to OCS.

The military has traditionally been denied permission to recruit through OCS because it refuses to sign HLS's policy of non-discrimination. All employers are required to sign the policy before gaining access to OCS services. The non-discrimination clause, which prohibits discrimination based on "race, color, creed, national or ethnic origin, age, gender, sexual orientation, marital or parental status, handicap,

source of income, military status, or status as a Vietnam-era or disabled veteran," lies in opposition to the military's "Don't Ask, Don't Tell" policy toward lesbians and gay men.

Debate over military access to OCS heated last spring as a result of the Solomon Amendment. The amendment, recently enacted into law, allows the federal government to deny funding to any University which does not provide the military with access to its campus. Although it applies to all post-secondary institutions, the amendment has only been enforced against law schools. Many speculated that violation of the Solomon Amendment would place HLS in jeopardy of losing federal funding for its Perkins

Please see OCS, p. 3.

DeBroff Bids Farewell to HLS

"Ultimate Organizer" to Devote Energy to Startup

By Ben Lehrer

Stacy DeBroff, the Co-Director of the Office of Public Interest Advising (OPIA), had decided to leave Harvard in order to dedicate herself to a start-up enterprise focusing on working mothers. DeBroff will continue to advise students one day a week in the fall, and periodically in the spring based on student need.

"This past year, I realized that I had truly accomplished my goal here," said DeBroff. "It was a real challenge starting OPIA and building it into the office it is today, but part of being an entrepreneur is setting something in motion that will outlive you." OPIA Co-Director Alexa Shabecoff will continue as director.

DeBroff's new venture arose from the success of a book she co-authored with Marsha Feinberg, "Mom Central: The Ultimate Family Organizer," which was published last spring.

The book's brisk sales led DeBroff and Feinberg to merchandising and media deals, and they have hit the interview circuit with the force of a tropical storm. They

hope to turn the new company, Mom Central, into a foundation that will provide public service grants to students.

"If this venture turns out to be



Stacy DeBroff

financially lucrative," DeBroff said, "we would like to turn it around to fund the activities we supported in the past." Like DeBroff, Feinberg has an extensive background in public service.

The House That Stacy Built

When DeBroff began her tenure at HLS in February 1990, the Public Interest program was in shambles.

During the summer of 1989, the newly appointed Dean Clark '72

fired the School's only public interest career advisor and eliminated the position altogether.

Clark was quoted in the National Law Journal as calling the move "a reorientation of resources, away from things in the past that have been more for symbolic, guilt-alleviating purposes [rather] than to get a real result."

When students returned to the School in the fall to find the public interest placement office gone, the School erupted in protests. After initially defending the decision, Clark acceded to pressure from students, faculty, and alumni and reinstated the office with DeBroff at its head.

The following summer, Clark separated the public interest career counseling office from OCS, and OPIA was born.

"OPIA began as a file cabinet and an idea," said DeBroff. Under DeBroff, OPIA has not only helped thousands of law students navigate the broad range of public service career opportunities, but it has become a model for analogous offices at law schools across the nation, including Columbia,

Please see DEBROFF, p. 3.

Law Students Miss the Bus

Harvard Evening Van Suspends Off-Campus Service

By Janie Kim

Harvard University has suspended off-campus operation of its evening van service, stranding off-campus law students who have come to rely on the van as a late-night safeguard against crime and inclement weather.

The evening van service will continue to run like a taxi/jitney service every night from 7 p.m. to 2:30 a.m. but will now only dispatch vans from Harvard building to Harvard building.

Mary Manning '00, who lives in Central Square and used the evening van at least once a week last winter, called the decision "frustrating and disappointing."

"I foresee feeling very stuck this year," she said. Carl Tempesta, operations manager of Harvard University Transportation Services, said that the van service was initially designed only to service campus destinations.

"We were technically wrong in going off-campus the way we did," said Tempesta. "The current rules and regulations require us to remain on campus."

In the past, said Tempesta, "we focused on the immediate safety needs of the community. So we casually expanded the invisible boundaries of our route while neglecting the proper procedures."

The evening van has been operating off campus since 1995, when Transportation Services first inherited the service from Harvard University Police Department.

Student Will Sleep in Locker

Citing concerns for her security against harsh weather and crime, Manning called late-night transportation for students off-campus "necessary."

"Otherwise, on a late, snowy night, I'm going to be sleeping in my locker underneath Pound," she said.

"The Law School doesn't provide us with great housing options, and this provides me with even less options. At night, I will be less likely to stay at the Law School, certainly."

Manning predicted increased isolation from the Law School for off-campus students.

"It's probably even worse for 1Ls who live off campus," she said. "Because you're not there — on campus — you have to make an extra effort to stay later and participate in social events."

"But now, if you do, your safety may be at risk."

Cambridge Street Crime a Reality

The latest crime statistics from the Cambridge Police Department (CPD) may underline the need for

late night transportation for Harvard students.

A violent crime is committed every 15 hours in Cambridge and a property crime every 136 minutes, according to the City of Cambridge's "Crime Clock 1997."

There were 24 reports of either

Please see VAN, p. 5.

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Also:

Spike, Paul Gowder, and, inevitably, Fenno.

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Law School Hikes Tuition 4.8% for 1998-99

Tuition Cost In Line With Other Schools, Lower Than Yale, New York University

By Jane Ohgami

Starting this fall, Harvard Law School's tuition will rise to \$23,900, an \$1,100 increase over last year.

The rate of tuition increase amounts to a relatively small 4.8 per cent, a percentage which has declined steadily in recent years. According to Director of Financial Aid Elizabeth Turnquist, students should appreciate the low rate of growth.

"The percentage is low because of the endowment and alumni gifts," she stated, explaining that the size of the income derived from the endowment is largely responsible for the moderate increases.

Tuition covers only 58 per cent of HLS's total budget. More than 30 per cent of the Law School's income is based on donations from alumni and "friends."

In recent years, HLS's operating budget has benefited substantially from the Campaign for Harvard Law School, a fundraising effort which formally concluded in June 1995. Campaign gifts have helped HLS offer increased financial aid to students, with total annual awards having grown from approximately \$25 million in 1991 to almost \$35 million today.

Yet for the majority of those saddled by debt, this fact may provide little comfort. Personal expenses including room and

board, medical fees and school supplies have helped raise this year's individual student budget to \$39,930, a total of \$2,480 more than in 1997.

Still, the cost of an HLS degree is significantly lower than most selective schools. With its "base loan" now competitive with that of comparable private institutions, HLS may be a relative "bargain."

For example, Yale's 1998-99 tuition has risen to \$25,550, the University of Pennsylvania's to \$24,150 and New York University's to \$26,610. In contrast, state sponsored schools may offer its students a better deal. At Berkeley, the projected budget for the 1998-99 academic year amounted to \$33,614 for non-residents, \$6,216 less than Harvard.

NYU 1998-1999		Yale 1998-99	
Tuition	26,100	Tuition & Fees	25,550
Health/registration fees	955	Room & Board	8,980
Housing	8,595	Books	780
Living Expenses/Food	6,260	Personal	1,560
Course Expenses	650	TOTAL	36,870
Loan Fees	740		
Health Insurance	795		
Total	44,095		

University of Pennsylvania 1998-99		University of California, Berkeley 1998-99	
Tuition	24,150	Tuition (resident)*	10,362
Fees	1,298	Housing	6,282
Library Fee	340	Food	2,846
Lodging	5,371	Book & Supplies	936
Board	3,209	Personal	2,288
Books	800	Transportation	606
Personal/Insurance	2,932	Health Insurance	452
Total	38,100	Estimated Loan Fees	458
		TOTAL	24,230

*Non-resident students add 9,384

Harvard	
Standard Student Budget: 1996-97	
Tuition	21,700
Room and Board	8550
Medical Fees	654
BC/BS Insurance	566
Books and Supplies	860
Standard Loan Fees	750
Personal Expenses and Travel	2890
Totals:	35,970
Standard Student Budget: 1997-98	
Tuition	22,800
Room and Board	8805
Medical Fees	666
BC/BS Insurance	554
Books and Supplies	900
Standard Loan Fees	740
Personal Expenses and Travel	2990
Totals	37,455
Standard Student Budget: 1998-99	
Tuition	23,390
Room and Board/Personal Expenses	12,244
Medical Fees	686
BC/BS Insurance	560
Books and Supplies	900
Standard Loan Fees	740
Travel	900
Totals	39,930

Financial Aid Assistance for the J.D. program												
	87-88	88-89	89-90	90-91	91-92	92-93	93-94	94-95	95-96	96-97	97-98	98-99
Tuition	11400	12300	13400	14475	15560	16725	17750	19080	20500	21700	22800	23900
Budget	20650	22450	24615	26270	28135	29120	31020	32160	34290	35970	37455	39930
Base Loan	11800	13900	15900	16600	16600	18100	18500	18500	18500	19500	21300	23300
HLS grant (in thousands)	1,901	2,139	1,949	1,961	2,985	2,694	2,840	3,409	4,148	4,756	—	—
# Recipients	411	416	396	354	429	416	410	443	464	517	530	—
Average	4620	5140	4920	5540	6960	6480	6930	7690	8940	9200	—	—
LIPP total (in thousands)	356	537	673	835	1,024	1,039	1,186	1,281	1,339	1,358	—	—
LIPP recipients	—	128	162	169	205	215	213	208	210	231	—	—

OPIA Hopes to Reach Out to All Students

Continued from DEBROFF, p. 1

Stanford, and Georgetown.

"When I began, around two per cent of all students took full time public interest jobs," said DeBroff. Now, between eight and ten percent take such jobs upon graduation, and a fair number of students come out of clerkships into public interest jobs as well.

"In a place with a reputation of being very corporate, where every student who wants to can get a high paying job, it has been profoundly rewarding to see the continued interest and support from the students here," said DeBroff. She added that OPIA regularly receives extremely positive feedback from students who have used its services, as well as from other students who don't take public interest jobs "but are glad that we are here."

Big Shoes to Fill

Shabecoff, in her fifth year at OPIA, will

take the office into the next century. "I've learned a lot about running the office the last few years," Shabecoff said, "and I feel confident that the program will continue to grow."

Shabecoff hopes to increase OPIA collaboration with other campus offices in order to reach out to students who don't normally use OPIA's services and streamline the flood of information that students are bombarded with every fall.

"I'd like to make OPIA more inclusive even if people don't make public service a full-time career choice," said Shabecoff. For instance, in October, OPIA and OCS will co-sponsor a panel on pro bono work.

"I feel very positive for the future," said Dean of Students Suzanne Richardson. "Alexa really is the right person to take the office to the next level, and has an in-depth background in public service." Shabecoff spent eight years doing legal service work in St. Louis and the Boston area.

Both acknowledged that DeBroff's work in making OPIA what it is today. "Stacy's vision created the office," said Richardson.

And Shabecoff simply said, "hers are very big shoes to fill."

Life Before and After Harvard

DeBroff earned her B.A. from Brown University in 1983 and her J.D. from Georgetown in 1988. Before coming to Harvard, she worked in the Senate Judiciary Committee, with the public defender's office in Washington D.C., and spent a year in the national office of the ACLU working on women's rights issues. She has two children, Kyle (age 6) and Brooks (age 4 1/2).

"With Mom Central taking off, it became impossible to do everything: nurture the company, counsel students, and be a mom too," said DeBroff. She admits that she will miss working with students on a regular basis. "It was the students who created OPIA through their protests, and who sustained it with their support," she said. DeBroff hopes to be able to return next fall on a weekly basis.

Military Denied OCS Access

Continued from OCS, p. 1

Loan Program and Federal Work Study Program.

OCS Director Sally Donahue stated that despite the Solomon Amendment, HLS remains committed to its policy of non-discrimination.

According to Donahue, law school officials believe the current HLS policy is in compliance with the Solomon Amendment. Like any other group, the military is permitted access to HLS, and for a number of years military recruiters have come to HLS, recruiting as recently as the spring of 1998. But the military is not allowed to take advantage of OCS services, which include coordinating and scheduling interviews.

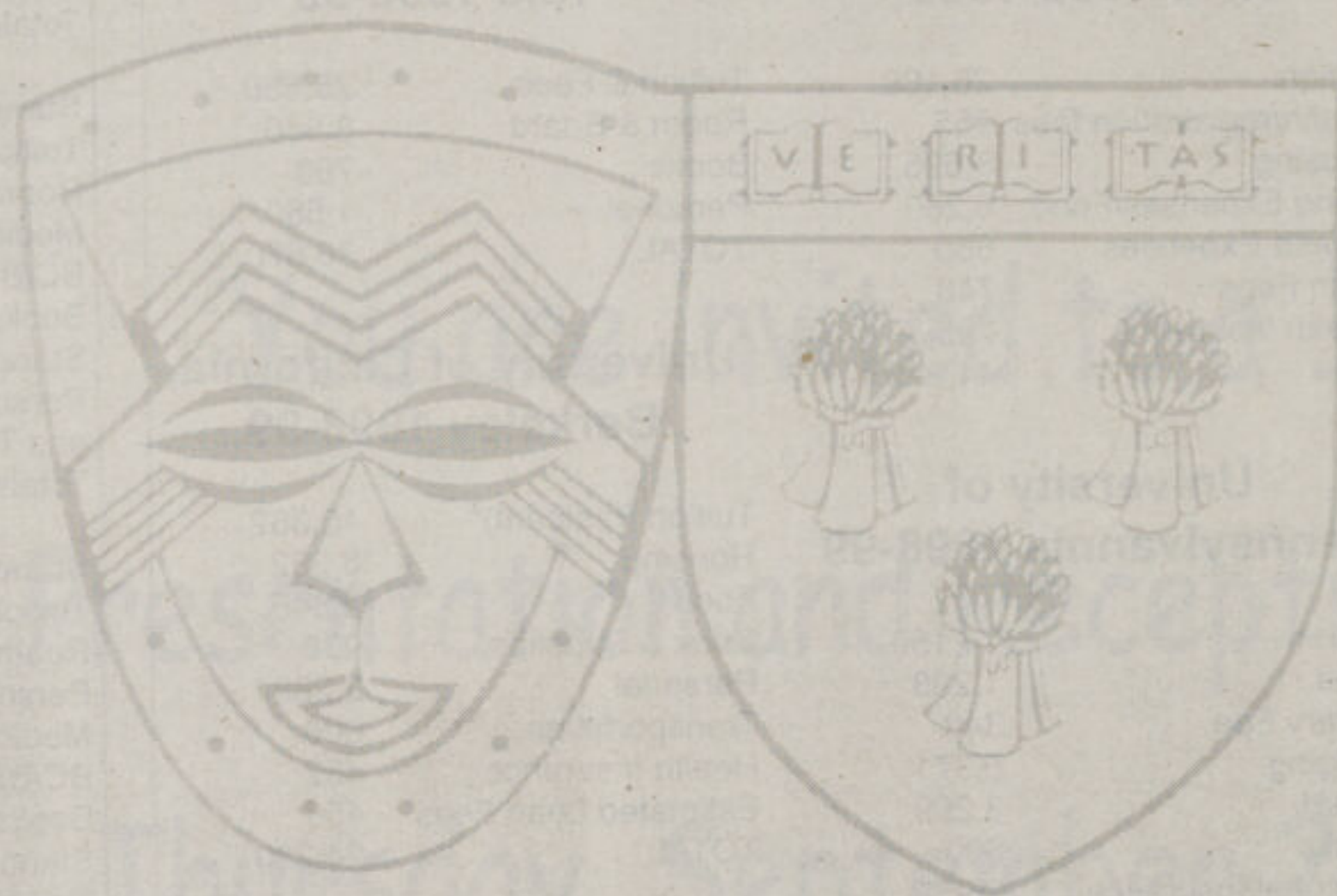
To date, Duke and the University of Virginia law schools are the only top ten law schools to allow the military access as a result of the Solomon Amendment. The Dean of Duke Law stated in an editorial in the National Law Journal that although he is strongly against the Solomon Amendment and "Don't Ask, Don't Tell," Duke simply could not afford to lose federal funding.

Donahue said that they notified the military of HLS's decision last May. As of this week, "We haven't heard back officially from them with anything," she stated.

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*Time . . . has vindicated the men and women who dared stand
and protest loudly rather than quietly conform.*

— Derrick Bell in *Confronting Authority: Reflections of an Ardent Protester* (1994)

Class of 2001 Arrives

Continued from 2001, p. 1

The students in the class come from varied backgrounds. One student volunteered with the Missionaries of Charity, Mother Teresa's order, in India last year. She has also run in eight marathons, including two Boston Marathons.

Another student is a former Navy Seal. A singer/songwriter with her own recording label and a student who spent the last two years in Bosnia working with refugees also claim membership in the class of '01.

Death Curtails Law School Dreams

One member of the class of 2001 never made it to Cambridge. Angela Rose Cowan accepted HLS's offer of admission but died suddenly from a prolapsed heart valve this summer.

Cowan was a top student at Michigan's Wayne State University and a champion debater.

In an interview with the Macomb Daily, her local newspaper, last June, Angela said, "I sacrificed a lot of social activities. My social life revolved around work and debate, but I don't feel I've missed out."

Central Square Cluster Point for Blitz Rapes

Continued from VAN, p. 1

rape or attempted rape made to the CPD in 1997.

Of these, six were "blitz rapes." The CPD defines these as "stranger rapes in which the rapist assaults the victim on the street with no prior contact. Generally, the suspect comes out of nowhere."

Four of these occurred around Central Square, which has been a historical clustering point for blitz rapes in years past, according to the CPD. All four of the 1997 blitzes occurred between midnight and 4 a.m.

One blitz rape occurred around Harvard Square and one just east of Inman Square.

1997 saw 154 reports of street robbery to the CPD. These include ATM robbery, bikejacking, and purse snatching.

The CPD has highlighted six "robbery hot spots" based on data collected during the last three years: Central Square, Cambridge Galleria, Harvard Square, the Alewife MBTA station, Hoyt Field, and Western Agassiz.

In 1997, there were 48 reports of unprovoked aggravated "street" assaults, involving the use of a dangerous weapon (which includes shoes) and 53 unprovoked simple "street" assaults, committed with bare hands.

The CPD reported 281 larcenies from persons, or non-confrontational thefts from individuals, in 1997. Pocket-picking comprises a large percentage of larceny reported.

The percentages for larceny, however, are "ever decreasing," according to the CPD's 1997 Annual Report. "Pocket-picking requires a particular skill that modern criminals are increasingly failing to develop."

The number of reported cases of rape, robbery, and assault in Cambridge approximate the national average for cities and towns between 50,000 and 150,000 residents, said the CPD.

Reported cases of larceny are much lower than the national average.

Reversal in the Works?

Tempesta acknowledges the demand from Harvard affiliates for late night transportation service off-campus.

"I'm submitting a proposal by the end of

"I wouldn't give up going to Harvard Law School for anything. It was very frustrating. There were times I didn't think I could do it all, but debate also gave me scholarships, so that helped alleviate some of the tuition. I guess it all kind of worked out!"

Applications to HLS Down

The 1Ls were chosen from a pool of about 6000 applicants. While this marks a drop in applicants from years past, the quality of the applications has remained high. "A few years ago we had over 7000 applicants, but the applicants we've lost come from the middle and bottom of the pool, so that's not a problem for us," said Curll.

"We used to get people who had visions of 'L.A. Law' in mind when they applied to law school. When the law isn't as trendy, more of the applicants are people who have thought out applying to law school more carefully."

Approximately 66 per cent of those offered of admission last spring matriculated. Many of the decliners chose not to go to law school or deferred admission, according to Curll.

this week to my supervisor [John Nolan, Director of Transportation Services] that would push for formally implementing off-campus routes," said Tempesta.

The proposal would draw "concrete boundaries," which were likely to be, according to Tempesta:

- Porter Square to the north;
- the North Harvard stadium complex to the south;
- Concord Avenue and Brattle Street to the west; and
- the Trowbridge Street area to the east.

Under this proposal, the evening van would still be largely unavailable to Manning, a Central Square resident.

Tempesta did not predict when a decision on the proposal would be made.

"The proposal has to go to a variety of people who represent various departments before getting acceptance," he said.

The three principal criteria that will be considered are whether the evening van is optimally servicing the Harvard community, whether insurance coverage is adequate and whether all the operational needs [labor, safe equipment] are met.

Why Change Now?

A project last semester to publish explanatory literature on Transportation Services ultimately led to the curtailment of off-campus van service this year.

"That was when it was recognized that we were operating the evening van service incorrectly," said Tempesta.

"The insurance policy that's currently in effect basically covers the campus only," he said. "We need to expand the insurance coverage, before we can go off campus."

Tempesta also pointed to "the long waiting periods of over an hour that Harvard-to-Harvard passengers had to bear because [the evening van] was so over-extended off-campus."

Manning, however, argued that off-campus students have a greater need for late night transport, as evidenced by the number of off-campus passengers on the evening van.

"Practically all of the passengers lived off campus," she said.

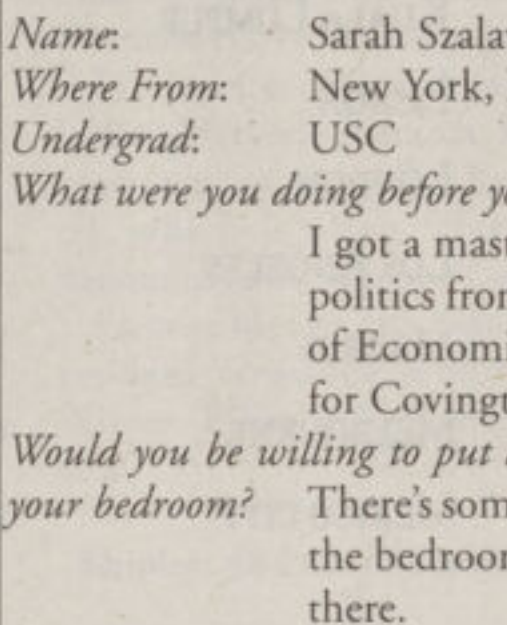
"The distance from one Harvard facility to another may be a matter of a few blocks. The farther you are, the greater the need."

Selected Profiles of New HLS Arrivals

At the all-law school party, the RECORD interviewed several new students at random and asked them some a few simple questions.



Name: Justin Cooper
Where From: Davis, California
Undergrad: Dartmouth
What were you doing before you came to HLS?
 A masters in Linguistics.
If you found out that you had five years to live, would you finish law school?
 No. I'd drive a delivery truck. I'd deliver produce. It'd be relaxing, and you'd get to know people.



Name: Sarah Szalavitz
Where From: New York, New York
Undergrad: USC
What were you doing before you came to HLS?
 I got a masters of comparative politics from the London School of Economics and then worked for Covington & Burling.
Would you be willing to put an internet camera in your bedroom?
 There's some things that go on in the bedroom that should remain there.



Name: Corrie Jones
Where From: Denver, Colorado
Undergrad: University of Colorado
What were you doing before you came to HLS?
 I just graduated.
If Tibet gained its independence, would you consider moving there?
 I don't think lawyers make as much there.



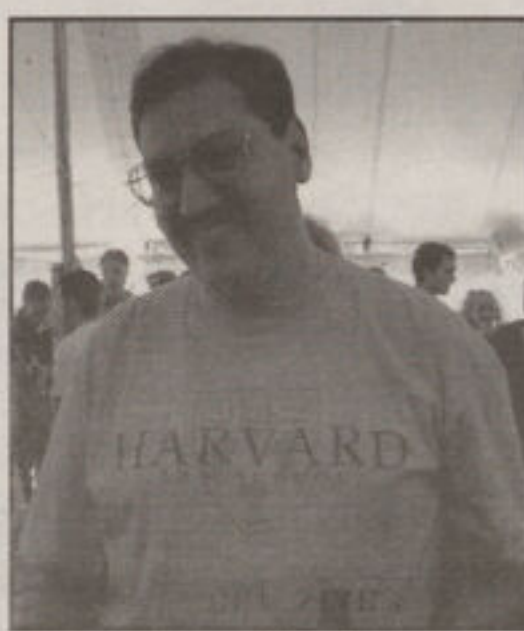
Name: Claus Binder
Where From: Freiburg, Germany
Undergrad: University of Freiburg
What were you doing before you came to HLS?
 I taught first year law students German constitutional law.
Which major political figure would you like to have an affair with?
 Hillary Clinton. She's a powerful woman.



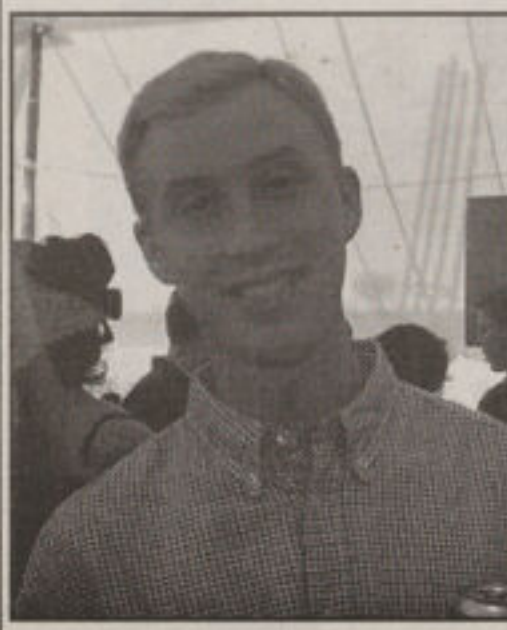
Name: Angela Sun
Where From: San Francisco, California
Undergrad: Harvard
What were you doing before you came to HLS?
 Investment banking at J.P. Morgan in New York.
Should we impeach the president?
 No. His performance has popular approval, and as long as he's able to perform his presidential functions he should stay.



Name: Juan Rios
Where From: The Bronx, New York
Undergrad: John Jay College of Criminal Justice
What were you doing before you came to HLS?
 I was a stock ticketer on the New York Stock Exchange, and I served as a medic in the U.S. Navy.
If the president underwent chemical castration, do you think this would help people forgive him?
 I think the nation would feel really sorry for him.



Name: Patrick Urda
Where From: South Bend, Indiana
Undergrad: Notre Dame
What were you doing before you came to HLS?
 I came straight from undergrad.
If you came face to face with a bear, what would you do?
 I'd play dead. Every third grader knows that.
What if it was a large, angry goat?
 I'd take off my aluminum underpants. Goats like to eat aluminum.



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~ IN MEMORIAM ~

Human Rights Champion Gerety '71 Dies in Swissair Crash

Pierce Gerety '71, a champion of the world's refugees, died in the recent Swissair crash over Nova Scotia at the age of 56.

Gerety, director of central Africa operations for the United Nations High Commissioner for Refugees (UNHCR), was returning to Geneva last Wednesday after visiting his wife, Marie de la Soudiere, a French psychologist specializing in the effects of war on children.

Before joining UNHCR, Gerety worked for the Catholic Relief Service in India. At the age of 38 he switched careers again, going with Marie to Thailand for the International Rescue Committee to help Cambodian refugees. He joined UNHCR in 1982 and, after a stint in Geneva, had spells helping Eritrean refugees in Sudan, Afghan refugees in Pakistan and Vietnamese refugees in the Philippines. From 1994, Pierce and Marie worked in the African Great Lakes region and Somalia, negotiating with warlords and rebel leaders for access for aid to tens of thousands of refugees.

According to Jane Stanley, a B.B.C. Africa correspondent, Gerety saw the advantages of helping the media. She recalled that in Somalia in 1995 there was tremendous donor fatigue. Gerety, however, ensured that the country was kept on the map. A brave politician when he negotiated with warlords,

he was a realist about what could be achieved.

In 1996 Sally Burnheim, an information officer with UNICEF, observed Gerety's infamous tenacity at work. During that year's Operation Lifeline Sudan there was flooding in the eastern part of southern Sudan, and the government was refusing access, even though there were about 20,000 refugees there. It took Gerety four months but he worked around the system and used all possible means until the media and aid could get through.

Iain Levine, Amnesty International's UN representative in New York, dined with Gerety in Brooklyn the night before he died. "He was difficult to work with at times but it was understood by everyone that this was because he set high standards. In negotiations he was never aggressive, but took the approach that certain things — like human dignity — are non-negotiable," said Levine.

Witwer '33, Father of Illinois Constitution, Dies of Stroke

Samuel W. Witwer Sr. '33, a state and federal constitutional reform activist, died of a stroke on Sunday, September 13. He was 90.

Witwer, a partner at Witwer, Poltrock & Giampietro, was often called the Father of the Illinois Constitution. He spent nearly five decades revising the Illinois Constitu-

tion of 1870.

Witwer led numerous campaigns for separate constitutional amendments, utilizing blue-colored ballots. This served to focus public attention on the need for basic governmental changes. From those efforts, he became known as "Mr. Blue Ballot."

A longtime Republican, Witwer ran unsuccessfully in 1960 against the late U.S. Sen. Paul Douglas, D-Ill., and served as state campaign manager for President Dwight D. Eisenhower's 1956 campaign.

In one of several leadership roles in the United Methodist Church, Witwer became a law member of the church's Judicial Council, which is often referred to as the denomination's Supreme Court.

Despite his age, the Kenilworth, Illinois resident remained senior counselor at Witwer, Poltrock & Giampietro until last year.

Shipley '48 Dies of Parkinson's Disease

Carl L. Shipley '48, a Washington lawyer and Republican Party activist, died Aug. 25 at his home in Naples, Fla. The 82-year-old suffered from Parkinson's disease.

Shipley was the Washington, D.C. Republican Party Chair from 1958 to 1968. This period coincided with a District-wide debate regarding home rule for the nation's capital, and Shipley was outspoken on the issue, although he changed his stance often. At various times, he supported home rule, opposed it, and suggested a governor and a legislature for the District.

Shipley was founding partner of the law firm Shipley, Smoak & Henry, where he practiced until 1988, specializing in international and securities law.

A native of Washington state, Shipley

graduated from Georgetown University's School of Foreign Service and served in the Navy during World War II.

He later gained recognition as an adjunct professor of communications law at American University and as the author of scholarly articles for legal journals. He also served as general counsel for Pan American Airways.

In 1957, he was chairman of the committee for President Dwight D. Eisenhower's inaugural ball, and the following year, he became the District's Republican Party chair. Since residents of the District of Columbia had no vote for government office at the time, this position consisted primarily of speaking out on public issues and tending to party organizational and administrative matters.

Shipley was known for being fearlessly outspoken. At a 1967 panel discussion on "Home Rule and Poverty," he drew an angry response when he declared, "There are people who just won't work, and we should get rid of them so they won't be standing around on corners and holding up liquor stores." Society, he said, "has the right to require people to be productive . . . and has to channel nonproductive members into rehabilitation establishments."

In a 1972 Washington Post editorial, Shipley was described as "somewhat of a perennial in GOP politics here, having run successfully — and remarkably — on a simple policy of shooting from the hip. No one's ever sure of what he'll say next."

Shipley had served on the boards of the Pennsylvania Avenue Development Commission, the Chesapeake & Ohio Canal Commission and the National Symphony Orchestra. He was a member of the Capitol Hill Club and the Army and Navy Club.



Briefs

Starr, Clinton Both Aided by HLS Grads

Among those writing Kenneth Starr's investigative report to Congress which has captured the world's attention was an HLS alumnus, Stephen Bates '87.

The prose alleging ten counts of impeachment against President Clinton runs 445 pages. It includes not only charges of perjury, abuse of power and obstruction of justice, but also lurid and explicit details of Clinton's sexual relationship with Lewinsky. The tale was toned down a bit by the lawyerly language in which it was framed.

Despite his legal background, Bates has always had an interest in literary pursuits. During his third year at HLS, Bates was accepted into an advanced fiction writing class of only ten students, most of them undergraduates. His writing professor, Monroe Engel, praised his work.

"His was not semiautobiographical; it was much more sophisticated, and very nonconfessional," Engel said. "His work was fairly highly plotted, and he really had a sense of story and a good sense of scene."

A native of tiny Pecos, Texas, Bates has authored several nonfiction books, among them "Battleground," which told the story of a fundamentalist Christian mother's desire to shield her children from the textbooks which she viewed as promoting satanism and evolution. Her quest became the so-called Scopes II trial in Tennessee. Legal Times praised the work as a "beautifully researched and meticulously balanced account of the case."

Bates also serves as an editor of the Wilson Quarterly, a cultural journal. He has written for such publications as the National Journal, TV Guide and Playboy.

After graduating from HLS, Bates clerked for U.S. Appeals Court Judge James Buckley on the D.C. Circuit. Bates also has been a fellow at the American Enterprise Institute, the Woodrow Wilson International Center for Scholars and the Annenberg Washington Center.

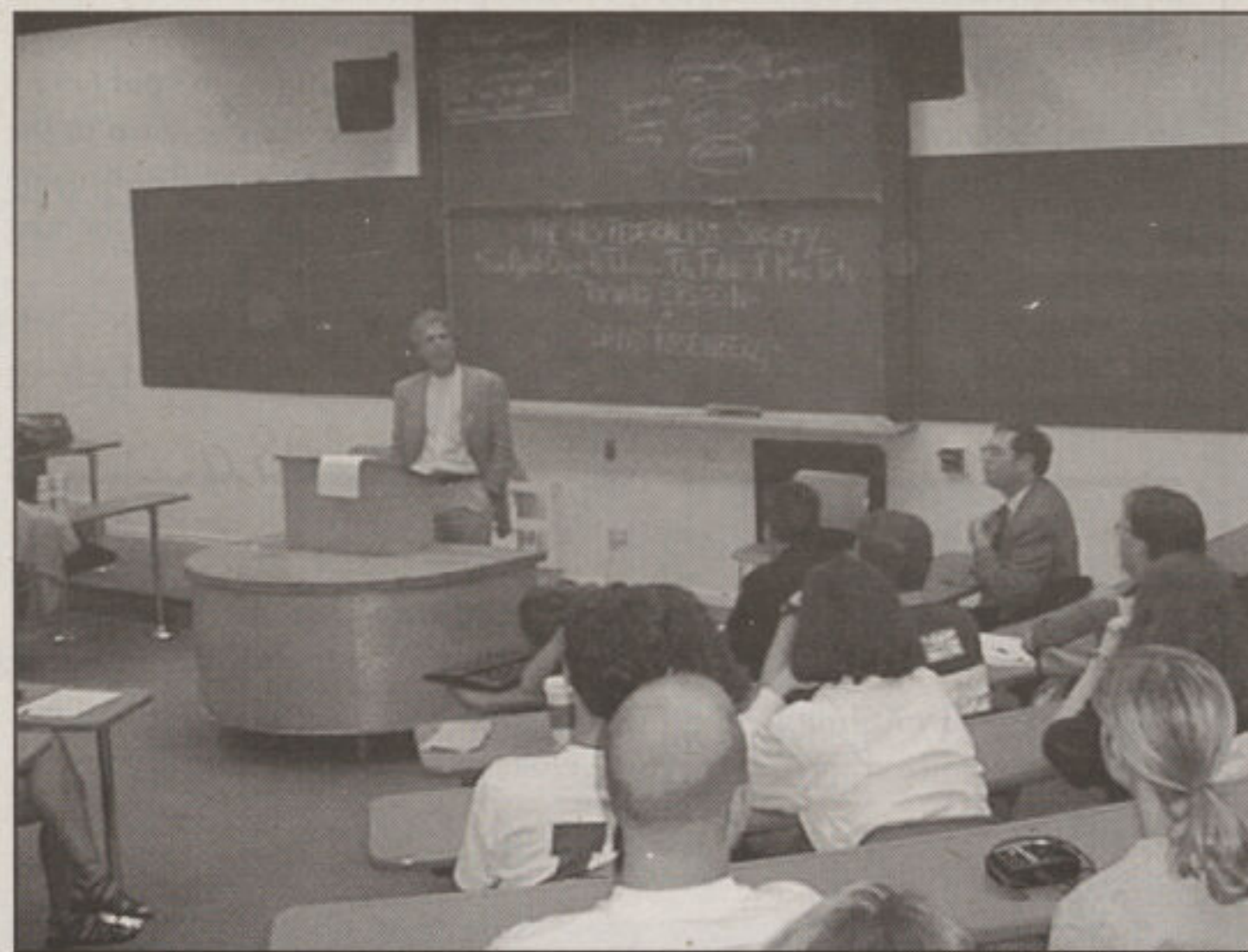
An HLS alumna can be found on the President's defense team.

Nicole Seligman '83, a partner at the Washington, D.C., law firm of Williams & Connolly, began her career as part of the team which defended Oliver North during the Iran-Contra Scandal. Seligman, a New York native and Radcliffe College alumna, was editor of the Harvard Law Review from 1982 to 1983. Upon graduation, she clerked for U.S. Supreme Court Justice Thurgood Marshall.

Mandela to Speak at Harvard

Nelson R. Mandela, President of the Republic of South Africa, will receive an honorary doctoral degree from Harvard University and deliver an address at a special convocation on Friday, September 18, at 4:30 p.m. He will be joined by his wife, Graça Machel, the former First Lady of Mozambique.

Mandela has served as South Africa's President since May 1994. The longtime leader of the African National Congress was co-recipient of the Nobel Peace Prize in 1993. The convocation will occur at the Tercentenary Theatre in Harvard Yard. Harvard faculty, staff, and students need only show their Harvard I.D. in order to be admitted.



Prof. David Rosenberg lays his trap for Richard Epstein in a debate Wednesday, September 16 on the subject of mass tort liability.

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Harvard Law RECORD

PUBLISHER
Seth Persily



EDITOR-IN-CHIEF
Ben Lehrer

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

Sometimes a Cigar is Just a Cigar

What a great way to start the year! Let the skeptics say that the problems of three people don't amount to a hill of beans in this crazy world. But the devilish dance among Bill, Ken and Monica has provided tons more entertainment than anyone could have possibly hoped for when the word "Zippergate" first made its way beyond the Beltway. However the endgame is played out, nobody can claim that the forty-odd million spent by the Starr team was not worth it. Just think how much it would have cost James Cameron.

There are, of course, many valuable lessons to be learned by law students whose destiny it will be to wield the very tool that is on the verge of bringing Clinton down. No, I'm talking about language. Language fills the void between reality and perception. Learn to manipulate it, and the heavens will be yours. Good lawyers make fortunes using it to further the ends of those for whom they toil. It's the only way nerdy folk can ever join together and get away with calling themselves a "dream team."

Clinton's attempt to wall himself away from his adversaries with evasions and apologies should be condemned if anything for its artlessness. Like an artist or a magician who uses familiar tools to convey an unexpected message, the crafty lawyer can make people see things that they didn't see before. Thus, behind the old lady with the coffee burns in her crotch is a negligent fast food chain that treats its customers like an abattoir treats cattle and behind the former superjock is an evil conspiracy of racist police. How is it that we missed these things the first time?

Soon, hopefully, the President won't be squirming in the public eye and reading holy texts out loud to the converted and we can get down to the business of memorizing our own holy texts so that we can one day become adept at obscuring what is really happening. After all, that's what the vast majority of us will be paid to do.

—Ben Lehrer

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Submissions may be sent to The RECORD at the above noted address, dropped in the RECORD box located in Harkness Commons, or left in the 3L Hark box of Ben Lehrer. All copy must be typed, double-spaced, and submitted on paper and on a computer disk or by e-mail. The RECORD reads and appreciates every letter we receive; we reserve 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; \$50.00/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, MA and additional mailing offices.

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

—First Amendment, U.S. Constitution

• Letters •

Alum Claims BAR/BRI Mistreats Customers

I am a 1998 graduate of HLS writing to warn students who are considering taking a BAR/BRI review course, especially those who are planning to take the Wisconsin review course.

I signed up for the course through the BAR/BRI student representatives at HLS. There were some problems in getting my sign-up information transferred from Harvard to the BAR/BRI people in Wisconsin. In trying to resolve these problems, I spoke several times by telephone with Ellen Brink of the Wisconsin BAR/BRI office. Ms. Brink was

rude and hostile. She refused to help me work out the registration snafu and instead told me it was my problem. I was obliged to call BAR/BRI offices in New York, Chicago and Boston in an attempt to track down my missing registration information. Instead of helping me work through this situation, Ms. Brink threatened to have me removed from the course, at one point telling me, "I don't want you showing up for class."

On May 27 I wrote to BAR/BRI President Richard Conviser about my experience with BAR/

BRI. At the time of this writing exactly three months have elapsed and I have yet to receive a reply.

Until the fall of 1997, BAR/BRI competed with West in the bar review market. When West dropped its bar review program, BAR/BRI was left without any competition in most states, including Wisconsin. It seems to me that BAR/BRI knows that it has a monopoly and so it feels it can take its customers for granted.

Timothy Kiefer '98
Madison, Wisconsin
August 27, 1998



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Bromberg & Sunstein LLP will be conducting interviews for summer or entry-level associates on October 20, 1998, from 1:00 p.m. to 8:00 p.m., at the Sheraton Commander Hotel. If you have an interest in either patent and other intellectual property litigation or in patent prosecution, we are eager to meet you.

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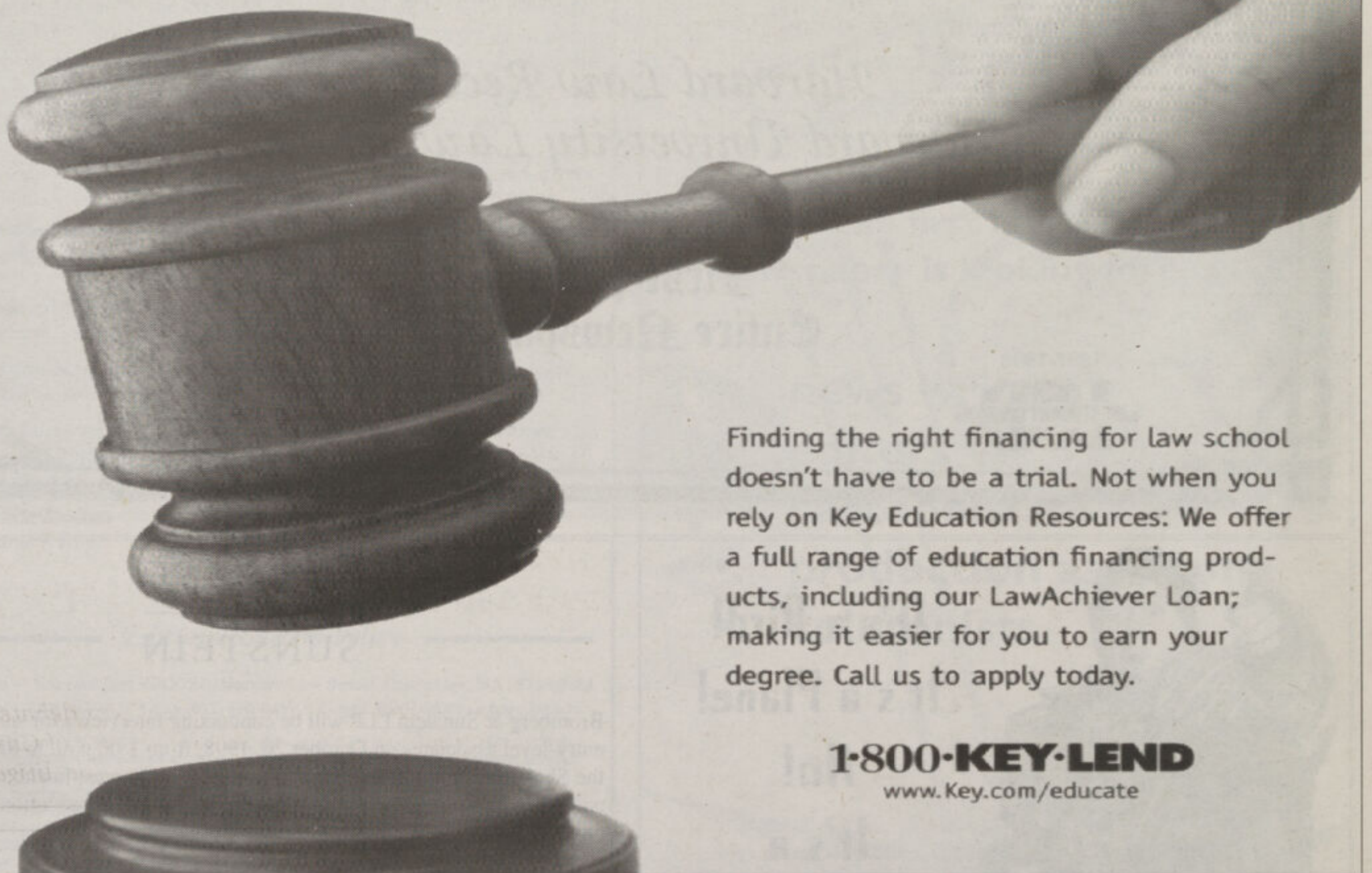
By Margie McWilliams



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Of Bulldozers and Butterflies

By Alexander Boldizar '99

Staff Columnist

FANNY HARVARD

Tho' it is common to those of our unhappy profession to look on all thought or reflection as their capital enemy, and keep it at as great a distance as they can, or destroy it without mercy, yet, after an absence, I sit down to recall to view those scandalous stages of my life which arose as the hind-part of a great fortuity, and out of which, even amidst the whirl of tight abstraction and sterile objectivity into which I myself had tost, I emerg'd at length to cultivate an understanding not a despicable one.

I had by the greatest good luck fallen into the hands of the kindest mistress, not to say friend, that the universal world could afford; and accordingly I enter'd her doors with most complete confidence and exultation, promising myself, that, ere I depart from here, would that my résumé were emblazoned with her silvery letters: HLS.

My mistress assigned me a Gropius-closet for my lodgings, and tho' it had scarce room for my few moveables and was otherwise gross such as would itself have started suspicions in any but such an unpracticed simpleton who was perfectly new to life, and who took every word his mistress said in the very sense she laid out for me to take it, yet the detail of her repute perfectly turn'd the little head of me; she readily saw what a penetration she had to deal with, and measured me very rightly in her manner of whistling to me that 'Gropius, too, is renowned,' so as to make me pleased with my cage, and blind to its wires.

For ease of 'ministration, the mistress gave me and my fellow pliers numerical identities, and then left the care of dressing, and tricking us out for the summer market, and in general of preparing and basting us, to

the Henchmen whom she employed for such purposes, liquorish old goats whose analytics and analities lack'd all restraint, consuming, mechanizing, mineralizing life, wine, beauty and soul. This wig was begun by a procedure most novel and uncivil, to wit, by the affixation of a machine, the correct measure for which was submitted in the initial application to the mistress, into the back parts of us, which machine in its own turn was fitted with a ring, a sort of handle, which attached to the settee by mechanism of lock and key. O' Harvard, that doth frost my fanny so!

I sat in a cloud of a hundred and fifty similars, watching, silence, as a figure entered the lee of the classroom and made us a bow. Imagine to yourself, a henchman rather past three-

score, short and ill made, with a yellow cadaverous hue, great goggling eyes, that stared as if he were strangled, an out-mouth, livid lips, and a breath like a jakes; he had a peculiar ghastliness in his grin, that made him perfectly frightful, if not dangerous to women with child; he marched up and down in the fore of the class whilst he looked goats and monkeys at his new disciples. I sometimes stole a corner-glance at him, and encountering his fiery eager stare, looked another way from pure horror and affright, which he, doubtless in character, attributed to nothing more than reverence, or at least the affectation of it.

The hench-man spoke: "I will teach you law, analogies, logic, and deduction. You shall call me Daddy. Everything is affixed. The males among you shall be thoroughly refin'd and fritter'd away into the more delicate modern-built frame of pap-nerv'd softlings, as pale, as pretty, and almost as

masculine as your sisters. The females will be hardened, taught to think in terms linear and logical, removed from your circular manners into the modern frame of clarity and quantity, as simple, as grossly rational and almost as feminine as your brothers. Ere you leave these hallow halls, you shall resemble in form the players of "Friends" and in philosophy those of "Seinfeld." You are vessels, empty, to be filled by me, to be as your mothers behind, and as your fathers in front."

These words seemed to have an effect most miraculous on those around me. The shape to my right side seemed to succumb to feelings so new they were too much for him; his heated and alarm'd senses seemed in a tumult that robb'd him of all liberty of thought; tears of pleasure gush'd from his eyes, and somewhat assuaged the fire that rag'd, it seemed, all over him.

I sat silent, and over the weeks that followed, tho' I still remained stupefied and most perfectly perplex'd how to dispose of myself, the other legal-pliers and I came to acquaint ourselves with one another, visit one another in form, and mimick'd, as near as we could, the mannerisms and big words of intellectuals. Whenever possible, we said "egregious," or "objective standard," or "income from source derived." We remained, for reasons of future oeconomy, of momentum and habit, and for the lust after those silvery letters...

As the days passed, however, the stretcher which my crupper encircled and begirt was slowly grown insupportable to my cheeks, the iodine distance insupportable to my lips, and the conformity insupportable to my aesthetic. I determined that tho' I enjoyed the occasional spanking and should remain loyal to my initial reasons for entering these doors, yet I should not participate in the humiliation and age-play games of the



henchpeople. My fetishes lay elsewhere. Delighted as I was by the confus'd plan of it in my head, though not nearly so whimsically as a flying meal of neck-beef, I unlocked the mechanism of the seat and pulled out my skewer. I tried to steal a tip-toe to the aisle and up to the door of the classroom, but alas, a fel-

low student, spying me, raised such a noise as to bring upon me the attention of the lecturing figure. This latter, snorting and foaming with lust and rage, attacked, seized me, and attempted to again affix me on the settee, aided by those nearest. I felt the weight of his body upon me and the pressure of the mechanism 'gainst my soft parts, whilst I lay struggling with indignation, and dying with terrors; but he apt all of a sudden, and got off, panting, blowing, cursing, and rehearsing upon me *lazy and ungrateful*. At that moment, my mind recalled that 'twas the policy of our mistress for those who would remain at her hospice, that compulsory it was, under the pain of the most severe lashings and the loss of her silvery letters, not only to remain affix'd throughout the lectures, but also to love the henchmen.

I tried to cry "yes! I will love you dearly, if you will let me alone," but I was talking to the wind. I resigned myself, that as the first enjoyment is decisive, and I was now in the care of my mistress, I thought I had no longer a right to refuse the caresses of one that had got that advantage over me, no matter how obtain'd: conforming myself then to this maxim, I consider'd myself as so much in the power of her figures, both the ones lecturing and my fellow affixees, that I endur'd their kisses and embraces without affecting struggles, or anger, not that they as yet gave me any pleasure, or prevail'd over the aversion of my soul, to give myself up to any sensation of that sort: what I suffer'd I suffer'd out of a kind of gratitude, and as a matter of course.

Fenno

Fenno walked cheerfully to his Harkbox, his mind at ease and his stomach contentedly filled with free drinks and appetizers from three different firm receptions at the House of Blues. Fenno belched his satisfaction at the various 11s who scurried past him, happily checking their boxes for the latest OPIA announcements. As three eager young women turned around in shock at his behavior, he couldn't help but chuckle.

Their innocence and naïveté would have touched him, if it had been possible for subtle stimuli to make it that far past the nineteen martinis he'd just consumed. (Fenno, for those of you who don't yet know him very well, has never been big on moderation. Fenno especially saw no need for it in this case, given that the booze was all paid for by Rich, White, Ugly and Overworked.)

Fenno belched again, just so that he could enjoy the looks of horror on their faces. One of them dared to mutter, "How rude." Fenno smiled. "Look, ladies, when the year's only just begun and you've already managed to impregnate both Christine Jolls and Anne-Marie Slaughter, you're entitled to flaunt it a little. Wanna be next?"

The women gasped in shock; two of them looked like they wanted to give Fenno a hard slap. The third just seemed puzzled. "Why

would you want to flaunt your success anyway?" she asked. "After all, it says right here in this letter I got in my Harkbox that everyone at Harvard is nice, friendly, and non-competitive. That's why the three of us were off to share some notes before you interrupted us. I don't see why you're being so unnecessarily rude and destroying the spirit of friendship and harmony that permeates Harvard Law School."

Fenno laughed so hard he nearly vomited up all the cute canapés he'd been plied with all evening. "You actually *believed* that? Didn't you see who wrote it?" He grabbed the letter and pointed triumphantly at the names at the bottom. "See that one? He's a gunner *extraordinaire* who only stops spouting French catch-phrases long enough to accuse people of ripping off ideas from obscure philosophers. And this other guy is a dead ringer for Ronald McDonald — except that, unlike the real clown, this one actually frightens small children." Fenno couldn't help himself, and burst again into uncontrollable laughter.

The other two women looked as angry as ever, but the third just shook her head sadly and slowly began trudging away. Fenno gave her a cheery wave and called after her, "It's better that it happened this way. It would only have hurt more later. If you come over to my place later, I'll cheer you up a little..." He stopped as he saw her quietly crying into an LRA assignment sheet. Her two friends briefly regarded Fenno with an air of disgust, and finally turned away and stomped off without saying anything.

Fenno allowed himself a brief sigh. Then, before his gin-addled brain could

forget, he quickly pulled out his pilfered copy of the facebook and marked three hasty x's through pictures that had previously been circled. "Life's tough," thought Fenno, and belched again, his stomach feeling a little bit queasy this time. He hoped

there hadn't been anything wrong with those hors d'œuvres. Come to think of it, that tuna had tasted a little funny. "I'm sure it's nothing," said Fenno to himself, and quickly went back to his chosen task for the evening: leering.

Quote of the Week

"I'm going to concede some ground to Richard at the beginning. But that will be a trap — which hopefully I'll be able to pull him into..."

— Prof. David Rosenberg, in his debate with Prof. Richard Epstein of the University of Chicago, on principles of mass tort litigation.

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Madness With Method

By Darren Schlanger '00

RECORD Columnist

SEX AND SUBTEXT

Great stories persevere on the depth and pertinence of their undertones, subtexts, leitmotifs. The ribald drama currently undressing before the voyeuristic American eye marks no exception. The myriad editorials of political hacks, the sanctimonious speeches of TV roundtable pundits, and the kitschy comedy monologues of late-night talk show hosts have inundated the American public with a fairly simplistic account of a detumescent presidency: "He's lost the moral authority to lead our nation"; "He has forgone the trust and faith of the American people"; "Our hearts go out to his humiliated wife and daughter"; etc. But what distinguishes this prurient contretemps from other Fabio-emblazoned and Oprah-endorsed harlequin romance rags is the audacity of its subplots and enduring lessons.

First and most glaring is the trailer-park desirability of Bubba's amorous pursuits. Score one for environment in the nature/nurture debate because it seems that a country bumpkin can shift geographically but never abrogate his connection to the Ozarks. A baker's dozen bourbon jiggers onboard and every man's principle rebuke of the President as the symbol of American potency and vitality hinges on his taste for women. The plump and busty Shitake-mushroom look of the Beret-donning Ms. Lewinsky, a cross between a socialite from Five Towns, Long Island and Roseanne. The

pre-makeover Paula Jones and her Jersey Mall hair, pastel eye-shadow, gum-snapping, "I do declare, is that a breakfast link in your hand, Mr. Governor, or are you just happy to see me, hon?" look. Classy. And the All-America knocked-up coal miner's daughter look of an above-the-belly blonde Jennifer Flowers. Americans can stomach Presidential forays into the world of roadside motels and nightcaps provided that the Second, Third and Fourth Ladies meet a modicum of grace and beauty. Not Clinton; his predilection for trashy, buxom, and dentally-challenged women is the harbinger of his undoing.

Clinton, I suspect, believed "Leaves of Grass" to be an instruction manual on how to maximize the THC content of his marijuana crop.

Clinton is a breast man. Every account of a graphic encounter between an ever appropriately monikered "Slick Willy" and his intern begins with the following invocation: "They kissed, and the President touched Ms. Lewinsky's bare breasts with his hands and mouth." This frustrates my personal crusade against the American mammary obsession. Breasts are lovely, but like marzipan, they look nice yet never alone satisfy cravings the way a more complete female physique can.

The words "conference call" will eternally

connote a new type of dialogue after Clinton engaged in Congressional chit-chats while his faithful intern performed her own version of a filibuster under the mahogany desk of the Oval Office.

Cigars are not toys. They lead to lip cancer, emphysema, and now a whole new range of before unforeseen bacterial infections. Like the hula hoop and the turtle-neck, the dead cigar fad must be retired accordingly. Moreover, with the recent and wonderful technological inroads made with sexual machinery, incendiary vehicles need not be employed for lascivious pyrotechnics. For the duration of your life remember this Smokey the Bear mantra: Always smoke after sex, never during.

Walt Whitman does not deserve such ignominious posthumous attention.

Clinton, I suspect, believed "Leaves of Grass" to be an instruction manual on how to maximize the THC content of his marijuana crop. "I did not like it, I did not inhale my profits."

Always judge performance by success and not by failed, though dedicated and well-intentioned, attempts. Unfruitful fellatio rivals only the Magic Hour for sheer pain and suffering. By now, the Executive jewels are likely bluer than a Smurf-Day parade sponsored by Thousand Flashes Blue®.

Repress your outrage for a moment and



calculate the heightened ennui over the past seven months had Bob Dole been elected President. Sex (or sexual relations as the case may be) always outsells age and character, so give the American public credit for correctly choosing the Canterbury Tales over Tales from the Crypt.

Swap Travelgate, Filegate and Monicagate for Dependsgate, Fixodentgate and Incontinencegate and you'll thank your tabloid gods for the current sultry political landscape.

On the merits of dry-cleaning: When one accidentally spills something, say hypothetically speaking semen, on a shirt or dress immediately dab seltzer or tonic water on the garment to eradicate the impurity. For especially resilient stains DO NOT send them to your mother unless she manages a Laundromat.

Don't feel too bad for Chelsea. I know, it's a tragedy when a girl with powerful, successful parents receives all the amenities and opportunities necessary for total world dominion. Yes, her dad is a scumbag, but your sympathies are more effectively directed on the behalf of crack babies and the working poor and other unfortunates whose quotidian struggles to provide life essentials trump any sadness that daddy's little rich girl might be feeling about her father's sexploits.

Query: How much do you suppose the going rate for the Lincoln bedroom is now?

Hopefully, in lieu of our tiresome analysis of the tragedy of a tarnished Presidency, we might embrace the frivolity that lies at the periphery and take respite, albeit temporary, in the more empathetic comic relief of a Presidential downfall.

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— The Wall Street Journal
Monday, August 17, 1998

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MPRE INFORMATION!

EXAM: FRIDAY, NOVEMBER 13

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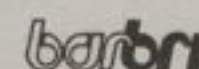
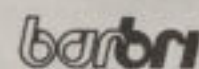
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Rude Awakening

THE REAL "ONE-L"

By Elizabeth Falk '00

RECORD Columnist

Walking around campus this past week, I watched several first-year student interactions and was pleasantly reminded of my first few glorious weeks last year at HLS. The sun was warm, the beer flowed freely, people were happy and excited to be at this premier institution. The workload didn't seem all that bad, and I was pleasantly surprised at the social nature of my class. All in all, I felt pretty much on top of the world. But when I mentioned my sentiments to a 2L friend from Duke, he merely laughed. "Oh yeah, that's the Fall Façade. You're happy now. Just wait."

Soon, it was early November, and I was staring yet again at Grendel's beer list on a Saturday night wondering how my social life had declined to the point where I would actually sit in a place that proudly proclaimed NO, WE DO NOT CARRY BUD OR BUD LIGHT. The social transformation

that had occurred was incredible: September was nothing but a bittersweet memory. People were stressed out beyond belief, and had segregated themselves in to generally superficial cliques conveniently masked as study groups. As a pair to my left began drunkenly arguing over the likelihood of a jury question on the civil procedure exam that was two months away, I could only repeat to myself one simple phrase:

I don't belong here.

I had always thought I was an individual

who could rise above such social stagnation, and have fun despite questionable surroundings. I had also considered myself an extremely confident individual as well, and never one to need hand-holding to reaffirm my abilities. But there I was, fairly bitter, stressed out, and an unconfident remnant of my prior self. I was experiencing the real "one L" story of Harvard Law, and I hope that sharing my own experience of self-doubt will at least provide a framework for others to avoid it.

I came to this school priding myself on many things, and I think my academic success ranked somewhere around fourth on that list. Quite simply, academics had never been my top priority. I largely attributed

to stand up to the most blatant sexual harassment. No one values the fact that you ran ten organizations with your left arm tied behind your back while you were in college, or whether or not you are a genuine, real and good-hearted individual versus an arrogant, loudmouthed jerk.

In college, people laughed at the latter. Here, these are the people who often succeed the most. While the atmosphere at Duke had subtly affirmed my belief that the "whole person" approach was the most powerful, Harvard seemed to reward one dimension only.

The tragedy of Harvard Law School's first year is this persistent attempt to convince successful people that "all the other stuff" that they have prided themselves on throughout the years is really just a bunch of crap. The A becomes the huge dividing factor, and unlike life up to this point,

stars here are created through transcript alone. "Put your money where your mouth is" the school seemed to be saying to me. "You're a fake, you're not who you thought you were." It was the kind of enemy I couldn't see or talk back to, and therefore, I had difficulty fighting it. How does a "well-rounded" person survive a place where one overhears, on more than one occasion, a conversation about a female classmate that goes something like this (true story):

Guy at bar review: "Hey, see that girl over



there, she's pretty cute."

Other guy: "Yeah, but what kind of grades did she get last semester?"

First guy: "I don't know, but I can only be attracted to women who are my intellectual equals."

Other guy: "Yeah, I know what you mean. There are a lot

of dumb girls here."

Although individually, these types of conversation are ludicrous and laughable, week after week they start to affect a person!

Please don't, as I did, believe the hype. Had I recognized the forces at work early on, I might have avoided the few months I spent walking around feeling like a Duke diva turned Harvard homebody. The much-proclaimed advice to "get and maintain a life outside the law school" sounds great in theory, but I wasn't terribly successful at it in practice. When you sleep, eat, breathe with the same people every day, it is impossible to pretend that you don't, and most people are too lazy to rise above the convenience of their surroundings.

Instead, the only thing the well-rounded person can do here to remain sane is make the personal choice to not buy into the "academics only" attitude that exists. Keep reminding yourself that this strange and bizarre environment bears little resemblance to the real world, and that ultimately, one must be multi-dimensional to succeed at the levels most of us are striving for. If you do fantastic academically, terrific. But if you don't, never believe a second that you're out of the game, or more importantly, that you are automatically behind those who do. Accepting a description of mediocrity was my Scott Turow experience. With determination, it doesn't have to be yours.

No one values whether or not you are a genuine, real and good-hearted individual versus an arrogant, loudmouthed jerk.

my success at Duke to a firm belief in the concept of the "whole person," and arrived here expecting that same respect for non-academic attributes.

This assumption was completely misplaced. It was around November when we first-year students began realizing that for the first time ever, achievement in this environment is solely academically based. No one really cares if you are a man charismatic enough to engage Bill Clinton in a legislative discussion, or a woman tough enough

Food for Thought

A SHORT HISTORY OF HLS

By Paul Gowder '00

RECORD Columnist

Once upon a time, long long ago, there was a lovely, verdant, and yes, even fertile, nation. Filled with reasonable men and reasonable women, and at peace with their neighbors, they feared neither pain nor loss. Throughout the land, there was truth and love, and visitors from many less enlightened realms came for the heart of learning and research that was at the center of this land, the University of the Aardvark. (The national animal.)

Then, one fateful day, a minor magician from the lower-middle-class side of the capital city grew tired of his neighbors. He secretly wished he was richer, and whiter, and could thus be admitted to Aardvark. There, he was sure, he would be freed from the disgusting habits of his neighbors. Their accursedly comfortable living quarters, the fact that the sexes, in their odd uncollegial world, ACTUALLY MIXED! Well, he could not leave his neighbors, so he would make his neighbors leave HIM! His name was Langdell, and this is his story:

Langdell spent many years in study, reading arcane works from the days when men and immortal beings consorted freely, and he learned. He learned of many things. Of powerful spells, procedures to remove fellow humans from the care of society and put them in cages for 70 years to life, of magical ways to remove the money from his enemies, and place them in the hands of, well, the books weren't clear on that one, but he naturally assumed it would be in his hands. Of ways disgrace to all who oppose him, to command the infernal forces of "Media" to order any 12 of his peers to his bidding by pure deception and ignorance! Yes, these were indeed great powers. But,

to his horror, he could not learn them! He needed teachers, masters in the black arts and evil deeds, who would show him how to use the rites he discovered in the casebooks. But, there was no evil in the world! Where would he learn such things? Where else, especially in a Paul Gowder column, but Hell itself? That must be the answer! He would summon the greatest demons of hell to teach him these powers, and command his fellows!

So the work began. In the "RoYale Evil Journal", an ancient book left over from the days when writs flowed like wine, and the words "contempt of court" struck fear into the hearts of mortal men, he read of a method to summon the darkest of demons. In front of a military barracks built, when the military had little money, and had to hire a thrice damned German architect to build their prisons

and bases, he built an arch. A great arch, the height of many men, it was covered with an eyelid, so that the forces of hell could protect themselves from invasion. And this arch he called "Hauser." Once he completed the arch, and spoke the words from generations ago, those evil words "may it please the devil," the eyelid opened, and — success! Demons began to stream through the arch, summoned from their offices within.

The greatest demons of all chose Hauser as their gateway into the world again. There

was David Rosenberg, the Demon of Dysfunctionalism, Scatological Metaphor and Arbitrary Grading. There was Posner, a rather unusual demon, for wherever he went, hundreds of other demons, blindfolded and chained together at the wrist, followed him around. Two of the more prominent followers were Shavell, Demon of the Third Party Insurance Information Externality, and Easterbrook, Demon of the Horse. There was also BarBri, the demon to whom all wishing to be inducted to



fessor demons "out of touch and impractical," and the Professor demons looked down on the Judge demons. The Judge demons eventually left, and those powers were forever lost to Langdell; however, the Professor demons remained, and dutifully taught all they knew to Langdell, who grew greatly in power.

How were the people of this formerly happy land to deal with this? Langdell, now the most powerful man in the world, was doing nasty unpleasant things, casting subpoenas at the smallest of slights, and otherwise oppressing the innocent. Then, the wisest woman in society (there are altogether too many "hes" in this thing) came up with a brilliant idea!

The only thing that would draw off the Professor Demons would be to build a school where they could have tenure and constant ego gratification!

At the same time, they could be used to teach the same black arts to other, less arbitrary, members of society so that there would be someone to oppose the evil Langdell. So they built a school around Langdell's arch, in the at high noon when he was sleeping, and began to teach this new dark art, this "law." Sadly, they did not plan for the return of the Judge Demons. The Judge Demons retained the greatest power, and helped the Professor Demons slowly corrupt the school and the students. The forces of evil still rule today.

The only thing that would draw off the Professor Demons would be to build a school where they could have tenure and constant ego gratification.

the great evil powers must bow. But none could compare to the greatest demon of all, who not even Langdell could always command. Clark, Head Demon of the Demonic Arts, and Demon of the Fund Raising Dinner. He soon noticed the demons began to form into two sets. And those he named "Judges" and "Professors," and so created the first great schism.

For the demons did not always get along, being demons, and rather aggressive. The Judge demons soon began to call the Pro-

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