

Students representing over 40 public interest organizations took over the Ropes-Gray room for the OPIA Student Job Fair.

Lambda Commemorates "National Coming Out Day"

By Francesco Barbera

Last Friday, the day before news of the murder of University of Wyoming student Matthew Shepard swept the nation, HLS Lambda commemorated "National Coming Out Day" by asking Law School students to wear stickers supporting the gay and lesbian rights. The event, coordinated on a national level by the Washington-based Human Rights Campaign, hopes "to promote the values of honesty and openness about being lesbian, gay or bisexual."

Members of HLS Lambda, the law school's gay, bisexual and transgender student organization, pronounced Coming Out Day an enormous success and praised law students for their support.

"The response was overwhelmingly positive, and even strongly supportive," said Sasha Zamler '01. "It warmed my heart to

watch strangers find the sticker in their Hark boxes and spontaneously wear it instead of throwing it away."

"We had a lot of people thinking seriously about what wearing the sticker meant," said Sharon McGowan '00, Lambda's co-chair. "And we had people grappling with their own discomfort at the thought that someone might think they were gay."

"I was pleasantly surprised by the HLS response," noted Kerry Regan '01. "After everyone began wondering into the Hark on Friday, I saw a lot of stickers milling around."

Wyoming Beating Sparks Discussion

But while reaction to Coming Out Day at HLS was positive, events in the national arena cast a troublesome shadow over the successes of the gay rights movement. The day after Lambda's sticker campaign at HLS news

Student Social Security Numbers Exposed On-Line

Student Privacy Compromised Second Year in a Row

By Justin Herdman

Access to a database of student social security numbers was a mere mouse click away for anyone equipped with Internet access and an HLS account this semester.

The database was used in the construction of personal

webpage autobiographies for 1Ls and BSA members. In order to complete the optional Legal Reasoning and Argument (LRA) assignment of registering for a personal page, students were required to provide their social security number.

The numbers were then matched with the database, which confirmed the student's identity.

The social security database, while not advertised, was easily accessible through the LRA webpage until this Tuesday.

With seemingly effortless expediency, Information Technology Services (ITS) removed the database from the Internet within hours of a RECORD inquiry into the matter.

Security Breach Annual Ritual?

A similar database of then-1L social security numbers was available on-line last year, said

a source who wished to remain anonymous.

The source, who discovered the existence of the database both years, said the database was initially blocked in 1997 after she complained, but inexplicably soon resurfaced.

"[In 1997], I talked to someone in ITS, then e-mailed and spoke to the director [Susan Vik], and the database became inaccessible for a few days," the source confirmed. ITS deleted that database permanently after a second round of complaints.

Philip Barengolts '01 found the repeat listing of social security numbers especially egregious. "I don't think it was right the first time," he said, "but it's even more wrong the second time because someone has complained and voiced it as an issue of concern."

Please see SSN, p. 3

Please see OUT, p. 4

Professors Thrive Both Inside and Outside the Classroom

Profs. Tribe '66, Dershowitz, Ogletree '78 Find Fame and Fulfillment Through Extracurricular Endeavors

By Klaus Hamm

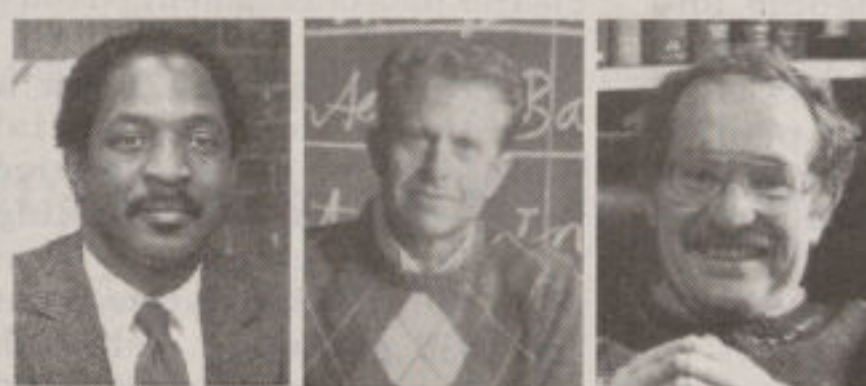
Prof. Laurence Tribe '66 found himself in a rather routine situation last Tuesday. Standing in a familiar room before familiar faces, he discussed the law and fielded questions.

But the setting was not an HLS lecture room filled with inquisitive students. Instead, Tribe stood in the U.S. Supreme Court and responded to questions from its justices. Including Tuesday's appearance, he has argued there 28 times.

After all, he is an HLS professor, a job that almost without exception means much more than simply attending to academia's normal tasks of teaching and doing scholarly research. Whether their outside work takes them to the Supreme Court, national television or the boardroom of a non-profit organization, nearly every member of the faculty spends part of the academic year working for someone other than the Law School. This extracurricular work can pay big dividends to individual faculty, but they're not the only ones to reap the rewards.

"I think the University benefits when the faculty members become public figures," commented Prof. Alan Dershowitz,

the famous lawyer to the stars. Simultaneously encouraged and limited by school policy, the extraneous work undeniably



The usual suspects: Ogletree, Tribe, and Dershowitz

hones the faculty's abilities and adds to HLS prestige. But, if overdone, it has the potential to divert too much energy away from teaching. And while cynics may look at these exploits as solely self-serving, Prof. Charles Ogletree '78 considers outside work part of his job.

"I think it's a responsibility of those in the academy to make bridges to the community," he said. "I think it's very complementary. It doesn't conflict in the sense that one takes priority over another."

Want to Be a Star? Come to HLS!

Although analyzing the impeachment process has led to many recent media opportunities for Ogletree and his colleagues, HLS faculty have long had to balance academic and non-academic employment.

Thirty years ago, when Tribe was trying to decide where to teach, the Yale Law School Dean told him that if he went to Harvard he "would be seduced by the world and would find [himself] tempted to do things in the courtroom and for the government," Tribe said. Meant to scare Tribe away from Harvard, the words had the opposite effect.

"I wanted to be in a place where people felt that ideas could interact with life," he said.

Please see STARS, p. 3

Fax Machine Set to Arrive in Hark

By Alyssa Caples

Current Law School Council (LSC) members were elected last Spring on a platform which included the promise of a student fax machine at reasonable prices. Six months later, that promise is finally becoming a reality.

By early next week, a student-owned fax machine should be up and running in the Cyber Connection area of the Harkness Commons. Local faxes will be free. To send a long distance transmission, a calling card number or a Harvard Telephone PAC will be required.

At the end of last year, the newly elected LSC chose to allocate the remaining student money in the LSC coffers to buying a fax machine. The machine was purchased in

June and has been sitting in the Dean of Students' office ever since. Initially, the plan was to have the machine up and running at the beginning of the semester so that students "could fax résumés to employers," said LSC President Dan Fridman '99.

"The [commercial] fax machine in the Hark was extraordinarily expensive, and even the student fax machine in Hauser costs one to three dollars per page, so this was also very expensive," said Fridman.

"We figured that if we had our own student-run fax machine that used a standard dorm phone line, you could just use your PAC or phone-card number and this way it would cost 15, 20, 30 cents per page to send a fax."

Please see FAX, p. 9

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Also:

Diary of a Mad Job Seeker, Horoscopes, and the mischievous Fenno.

Flashback

25 Years Ago
in the RECORD

HARVARD LAW RECORD

America's Oldest Law School Newspaper

VOL. 57, NO. 4

OCTOBER 19, 1973

TWENTY CENTS

2 2Ls Leave Debate on Genetics
Law School For Mideast Cancelled by Forum

An Israeli law student has returned to his native country as a result of the outbreak of war in the Middle East.

Eli M. Noam, 2L, of Tel Aviv, called Assistant Dean Stephen M. Bernardi from a New York airport Sunday, October 7, the day after the renewal of the Middle East conflict, Bernardi reported. Noam, a reservist in the Israeli air force, told Bernardi that he was awaiting a flight to Israel.

(Continued on Page 15)

Shriver: Ford 'Decent'

"I think he did what he should have done" was 1972 Democratic Vice-Presidential candidate Sargent Shriver's comment on former Vice President Agnew's resignation. Shriver further stated that "he should have done it sooner. The legal case against him was overwhelming."

Shriver was at the Law School on Monday and Tuesday, interviewing students for the New York law firm of Fried, Frank, Harris, Shriver and Jacobson.

"I don't think President Nixon picks good people, and with rare exceptions such as Elliot Richardson, has a record of picking bad people" charged Shriver, who once served as Ambassador to France under Nixon.

Asked about the President's choice to replace Agnew, Shriver said he has known Congressman Gerald Ford since they were at

Yale Law School together 30 years ago. "He always impressed me as a very decent sort of human being," he added.

Shriver expressed doubts about Ford's experience in foreign affairs. He continued that Ford "had never struck people in Washington as a man of Presidential stature, although he has been a competent and worthy member of the House." Shriver felt there was no need for Congress to rush into confirmation of Ford "before we have a clearer idea of President Nixon's own status."

Asked if, having been a stand-in Vice-Presidential candidate, he had any advice for the man who was standing in for a resigned Vice President, Shriver stated that "he will get along well with Nixon and he doesn't need any advice from me."

By Kermit Kubitz

In response to pressure from various segments of the Harvard community, the Harvard Law School Forum's Executive Board cancelled a scheduled debate on "Race Differences in IQ, and Dysgenics" between a controversial Stanford professor and a prominent black leader at an emergency meeting Wednesday night.

The debate was to have been between William Schockley, Nobel laureate in physics in 1956, and Roy Innis, National Director of CORE.

The reasons for the sudden cancellation of the event, according to a statement released late Wednesday evening by Howard Brod Brownstein, 2L, Forum President, were:

"opinions expressed by representatives of the Harvard Black Law Students Association ...; a feeling on the part of the Board that it would be impossible to have an orderly discussion given the

expressions of displeasure within segments of the Harvard community; and a feeling on the part of Board members that the probable disrupting effects of such a program on the commun-

Text of BLSA statement on Page 9; Forum statement on Page 15.

ity outbalanced the benefits of bringing this questioned and controversial subject to a public and open forum."

Dr. Schockley, inventor of the junction transistor, has become well known in recent years for his views on human genetics. He believes that heredity largely controls IQ and that there is only one chance in 2000 of this conclusion being wrong. Dysgenics is the study of mechanisms adverse to human genetic quality, particularly regressive evolution through disproportionate reproduction of the genetically disadvantaged.

Announcement of the debate provoked controversy over the propriety of the subject matter. Professor Derrick Bell wrote a letter to the

(Continued on Page 5)

Law Students Leave Forum Cancels Genetics Panel
For Mideast War

(Continued from Page 1)

He is now presumably in Israel, although the Law School has had no word from him since that time.

In addition to Noam, Mitchell Knisbacher, a 2L studying for a Master of Arts in Law and Diplomacy at the Fletcher School of Law and Diplomacy this year, is planning to leave for Israel this week to perform agricultural work on a Kibbutz.

Knisbacher recently returned from spending part of the summer in Israel, where he attended an international congress of Jewish Lawyers and Jurists.

Shlomo Z. Sternberg, Professor of Mathematics at Harvard and co-teacher with Professor Alan M. Dershowitz of a course on law, mathematics, and the Talmud, also left for Israel this week.

(Continued from Page 1)

Law School Forum opposing the debate and the Forum reportedly replied in an exchange of correspondence that both parties declined to make public.

Bell, reached for comment before news of the cancellation, stated, "If we want to have a former Nazi come in and debate as to whether the six million Jews should have been killed in Europe, then we can have a debate on whether blacks are genetically inferior to whites. Otherwise, however, there are some matters that are beneath having anything to do with a law school such as Harvard."

Brownstein had sent messages about the cancellation to both speakers Wednesday night, but spoke personally only to Innis. Innis, Brownstein said, felt that not having the debate would seem to vindicate Schockley's views. Innis was to have met yesterday with geneticists from Columbia and New

York University to prepare for the debate.

Questioned later, Fran Ormes, 3L, said that the qualifications of the speakers were less important than the basic nature of the propositions being discussed. "I don't think this is the kind of discussion that any ethnic group would want in a public forum, rather than an academic setting."

Schockley had called Richard J. Herrnstein, professor of Psychology, earlier Wednesday with questions about an article on the debate in the Tuesday Harvard Crimson. Herrnstein, widely known for his own views on intelligence and genetics, told the RECORD Wednesday evening that he was surprised by news of the cancellation. Herrnstein described his approach to such matters as "libertarian" and said he had "confidence in the character and intellectual ability of the community. They certainly don't need SDS to protect their morals."

Text of Black Law
Students' Statement

Dear Mr. Brownstein:

I am writing on behalf of the black community at Harvard Law School to express our shock and outrage over the projected debate between Schockley and Innis. We cannot believe that the HLS Forum would lend its name and sponsorship to the sensationalism and divisiveness that is sure to result from this event. We are convinced that nothing constructive or beneficial can result from this debate; in fact, the efforts of the Forum to bring rational, enlightened, and well-informed speakers to the campus are diametrically opposed to the self-serving demagoguery of speakers like Schockley and Innis.

Neither person has any proven expertise in the field of genetics or intellectual acquisition. Were they scholars in the field proposing to have a professional and dispassionate discussion in this area — in private or in an academic atmosphere — our opposition (while still strongly registered in terms of the subject matter and its import for black people) would be somewhat more muted. However, given the Roman circus atmosphere that is sure to accompany the debate, we can only project that the debate will exacerbate tension between blacks and whites in this community, and possibly rend the social fabric at Harvard by infusing elements of racism, genocide and the haunting spectre of selective breeding and extermination that stalked Germany not 30 years ago. We cannot let this discussion go on, nor would any self-respecting proud ethnic allow a discussion of this type to be conducted.

We hereby register our protest and demand that this particular Forum be cancelled. We realize that cogent arguments can be made for the position that Schockley and Innis have the right to express their opinions in a public forum. We do not deny that basic right; we merely think that Harvard Law School and the Forum should take a moral stand and not lend their support and facilities to this kind of inflammatory and derogatory discussion.

Should the Forum not cancel the debate we will take our position to the larger community and the press. It is time that demagogues and racists not be accorded academic respectability for their insidious, ill-proven and dangerous allegations. We sincerely hope that we can reach an expeditious and honorable resolution of our dispute.

Thank you for your attention.

From the Harvard Black Law Students' Association

HLS Teens Adjust to Life with Twentysomethings

Would-Be "Doogie Howsers" Fret About Drinking, Dating, Trying to Blend In

By Justin Herdman

On a typical Thursday night, when most 1Ls have already muscled their way past the Hong Kong's phalanx of flexing bouncers and are greedily inhaling their fourth Scorpion bowl, they will not stop to reflect upon their privileged status as legal drinkers. Seldom will be the moments when these veteran imbibers pause to consider the fact that this weekly ritual, which has produced such an abundance of acquaintances, is not an available option for every student at HLS.

These students under the age of 21 are used to wearing the label of would-be "Doogie Howsers." Most graduated from high school at the tender age of 14, shedding those schizophrenic high school years with admirable ambition. As such, their college experiences differed significantly from the majority of Harvard Law students. Keg parties and body shots are not always feasible, nor desirable, methods of socializing for 15 year old undergrads.

Of course, at the undergraduate level, most students are not of legal drinking age. This demographic shifts dramatically at a professional school, though, where the average age of an entering student is nearly 24.

To Disclose or Not Disclose One's Youth

For instance, former RECORD columnist Paul Gowder '00 turned 19 this past July. The Los Angeles native skipped high school for a special advanced program at California State at Los Angeles.

Unlike many teenage law students, Gowder has sought public recognition of his youth. Correcting a RECORD article from September 1997, Gowder wrote that "the youngest student isn't 19 as the article claimed; the youngest student is 18. I should know, since it's me. Thanks for noticing."

A 19-year-old 1L, who chose to remain anonymous, said her first month of law school has not deflated her optimism, despite the potential for depression that ac-

companies the first few weeks of property law. "I love it here!" she exclaimed exuberantly.

Much of her disappointment stemmed from the prominent role of drinking in the acclimation process. "There is a definite downside. Sometimes I do wish that I were 21," she said glumly.

At the same time, these alcohol-aided introductions did not come as a complete surprise. "I knew it would be an issue before I got here."

But despite her youth, her law school experience has not been that different from her classmates'. Any discomfort has so far been based "not so much on my age difference, but on the differences between Harvard and where I went to school," she said.

A member of the class of '99 agreed with this sentiment. She was 19 when she began law school. For her, however, the change from the undergraduate to graduate school experience caused more adaptation difficulties than her age.

"I had a little bit of difficulty adjusting to the environment [at HLS], since I went to a big public school that was a little more laid back," she said.

Her adjustment hinged more upon the inherent idiosyncrasies of Harvard Law, rather than her youth. "Age didn't play much of a factor," she insisted.

Gowder '00 Maintains a High Profile

Gowder's high profile at HLS distinguishes him from his counterparts. He ran an unsuccessful campaign LSC President last spring. Gowder criticized current LSC President Dan Fridman '99, urging him to "get some guts."

Fridman "waste[s] your time" on promises to sponsor more law school mixers, Gowder noted while campaigning, prompting a third candidate, Manoj Mate '00, to label him an "absolute cynic."

Some of Gowder's cynicism was reflected in a series of columns he wrote for the RECORD. One labeled Prof. David Rosenberg the "the Demon of Dysfunctionalism, Scatological Metaphor and Arbitrary Grading." Another expressed disenchantment with his classmates, "[s]pecifically, the guys filing suit against West for dropping the bar review course."

"Isn't that just like law students?" Gowder wrote. "We call that 'putting your

training into action!" If the medical school had been promised a review course, would they have killed the West CEO and used him as a cadaver?"

Gowder ran for LSC as a 1L Representative as well. Upon defeat, he pondered in his RECORD column whether he had legal standing to sue LSC. "There is probably some federal election fraud statute that covers elections in a law school," he wrote.

19 and Frustrated

One member of the class of '99 was 19 during his first year at HLS. He recalled his "immense frustration" with the law school's social scene. The first month was difficult for him. "At first, I was slower to go out with my friends, because I feared not getting in [to bars]," he explained.

Then, his classmates discovered the truth about his age. "I was not sure whether I should mention [that I was 19]. But, I told one guy, and within a week the whole section knew," he recalled.

When questioned about Harvard's reliance upon the ice-breaking benefits of beer and brandy, he answered perceptively, "The law school throws so much alcohol at us. I always felt like the only thing that ever differentiated me was [the fact] that I wasn't 21."

Despite his dissatisfaction with the amount of alcohol at HLS, the student was philosophical about his choice to begin law school at a relatively young age. "I feel the need to take time off right now, but I didn't at the time [I started school]. It's funny, because when you're 19, you don't mind being in school," he said.

The other 3L student also expressed restrained regret. When discussing a government program that is an option for her after graduation, she said remorsefully, "It would have been nice to take a couple of years in between [college and law school] to do that then."

The 1L, however, communicated no such second thoughts. "Maybe if I'd had something specific in mind," she said.

Still, though, she won't turn 21 until just before she graduates. Reminded of this fact, the 1L insists that her youth is not a rose without thorns. "It's always weird when it comes to dating," she sighed. Perhaps these younger students have more in common with the average 24-year-old, after all.

Teaching Benefited by Activities, Professors Say

Continued from STARS, p. 1

Just in case professors are tempted to let outside work take priority, the Law School maintains a policy to discourage them. Enacted by the faculty in 1991, the policy allows professors to spend up to 20 percent of their time, or an average of one day a week, doing outside work while drawing a Harvard paycheck. This policy does not cover summers, vacations or weekends — during these times the school places no restrictions on professors' work. Just as lawyers must pay close attention to billing requirements, HLS professors are required to submit a detailed annual accounting of how they spent their time.

On average, each faculty member spends ten percent of her time doing outside work, said Alan Ray, Assistant Dean of Academic Affairs. Ray, who collects the annual reports, is not aware of a time when a faculty member has exceeded the 20 percent cap. But there have been times when another piece of the policy has been tested. It states that outside work should not interfere with the faculty members' commitment to their teaching or scholarship, their availability to students and colleagues, and their participation in the life of the school.

"From time to time individuals have had commitments that took themselves outside of these obligations and these have been dealt with by the Dean on an individual basis," Ray said. "He feels very strongly that faculty do meet their obligations."

It's About Substance, Not Cash

Because Dershowitz often has taken controversial public positions, he sometimes has served as a lightning rod for criticisms of professors who take on extra work. But while his critics complain that he spends too much time away from Harvard, Dershowitz said what they really do not like is his public persona.

"When I worked on the O.J. Simpson case, I spent virtually no time on that case...but the complaints were enormous," he said. Dershowitz has never canceled a class for professional reasons and takes pride in the amount of energy he expends at the school. He is also unapologetic about his outside work. Besides the work that makes the evening news, Dershowitz has authored nearly a dozen books and taken on far more *pro bono* cases than ones funded by famous clients. And no matter what the case,

Dershowitz said it always relates to his academic work.

"Thank God I've never done anything just for the money. I decide whether to write a book or take a case on the basis of its inherent interest," he said. "What I care about is the substance of it."

Tribe gives similar reasons for taking on extra work.

"The reason I said yes [to outside work] is the issues seemed fascinating and I thought I could learn a great deal more and have a more interesting life," he said.

The High Court v. 2L Con Law

Like Dershowitz and Tribe, Ogletree also feels that his contact with the outside world helps his teaching — in fact, sometimes the benefits are quite tangible. Over the years he has convinced dozens of judges and lawyers with whom he has worked to spend a week at Harvard and participate in his trial advocacy workshop to critique students' performances, he said.

In addition to helping his teaching and thereby his students, Ogletree believes part of the responsibility in working beyond HLS is to help those outside it.

For example, serving the public good can include injecting oneself into current national debates. When the issue of the day has legal elements such as impeaching the president or campaign finance reform, someone from the nation's most famous law school should step in to help clarify the issue, Ogletree said.

"I think Harvard has had a history of public service that's probably unmatched for a private institution of its kind," he said. "When there's an issue the first place you call is Harvard."

Although the audience may not be the same away from Harvard, Tribe, who is currently on sabbatical, does not always find the experience of working outside it markedly different. Explaining the law in the Supreme Court as he did Tuesday on behalf of the Baby Bell telecommunication companies is similar to explaining it in a Harvard classroom, he said.

"I enjoy being in a Harvard classroom more and it's as challenging when you look at it over a period of time, but there isn't anything as intense in one class as you're likely to get in a Supreme Court case," he said. "At the same time it is very much a matter of having a conversation with some very bright people who are asking questions and you are trying to be helpful and shed some light on a subject."

Security Glitch Cited as Concern

Continued from SSN, p. 1

What's the Big Deal?

Some students shrugged off the incident with passive disregard. "It doesn't make me that nervous, because I register for so many things on the Internet. My social security number is probably out there anyway," said Elissa Hendler '01.

The availability of digitized photographs, addresses, and personal biographies on the LRA website combined with access to the social security numbers, however, made for more malevolent possibilities.

"The fact that our photos and biographical information are on the page does make the disclosure become more of a factor," said Andrew Kelley '01.

While declining to comment on the specific situation at HLS, Richard Sobel, a fellow at the Berkman Center for Internet and Society, discussed the broader implications of internet security.

"There are issues of identity theft [which can be accomplished by] having someone's name, address, and social security number. With that information, it's possible to get credit in someone else's name," Sobel said.

Internet-savvy students echoed these fears. "It's questionable to [disclose per-

sonal data], because with a social security number you can get a lot of information, like credit histories," Barengolts said.

Several 1Ls questioned the use of social security numbers as a verification tool. "The use of social security numbers as identification is a larger policy issue, both locally and nationally. Having alternatives to the use of social security numbers adds to both privacy and security," Sobel remarked.

Not Our Fault, Says BSA

Dan Spillane '99, who worked extensively on the website, said that BSA was not charged with guarding against the database breach.

"We are responsible for content, such as images, text, and the process for creating the personal pages [for 1Ls and advisors]," he said. "If we're talking about the nuts and bolts, in terms of security, that's the responsibility of another department."

Spillane said he was unaware of the public access to the social security number database. "I'm surprised, because it's the first that I'd heard [about the situation]. I had understood that the files would be encrypted," he stated.

ITS Director Susan Vik declined comment.



Briefs

Federal Judges Rescind Policy Limiting Competition for Clerks

A five-year-old national initiative to calm the often hectic process of selecting federal law clerks and confine interviews to the spring has been abandoned due to spotty compliance by the people doing the hiring: federal judges.

In a behind-the-scenes Sept. 15 vote, the federal courts' governing body rescinded a 1993 policy that had recommended a March 1 starting interview date for clerkship jobs to begin 18 months later.

In response, the deans of eight top law schools — Harvard, Georgetown, Yale, University of Chicago, Stanford, New York University, and University of Michigan — have committed to withholding until Feb. 1 of each hiring year transcripts and letters of recommendation of applicants for the estimated 2,500 federal judicial clerkships around the country.

Former 2nd Circuit Chief Judge Jon O. Newman, who had supported the 1993 initiative of the Judicial Conference of the United States, said he was disappointed by the Sept. 15 rescission vote.

"There will never be unanimous adherence to any standard," said Newman, who is now a senior judge with chambers in Hartford, Conn. "But that's no reason the Conference and as many courts as are willing, shouldn't make some effort to achieve some coherency on this issue."

The 1993 initiative followed years of debate over how to bring more order and decorum to a hiring process some compared to a frenzied mating ritual. Many complained of aggressive hiring tactics and earlier and earlier hiring dates as judges competed for the top students.

—from *The Legal Times*

Harvard Restricts Use of Its Name

Harvard University has instituted a policy barring faculty members from labeling their work as sponsored or endorsed by Harvard without the express permission of the dean or provost.

Sarah Wald, assistant provost at the University, declined to give specific examples of abuses, but many institutions in the Ivy League have found themselves in the position of being linked to disputed data or research.

Reputation is everything, said Alfred W. Zaher, a lawyer in Philadelphia who specializes in intellectual property. As a result, he said, the value of names like Columbia, Brown and Dartmouth is almost incalculable. But Dr. Jerome Kassirer, editor in chief of the *New England Journal of Medicine*, insists that Ivy League names bear no special weight when a scientific study is submitted for peer review and possible publication.

Hot Law Market Lifts Second-Tier Schools

Market jitters may be worrying Wall Street. But the economic uncertainty has yet to dampen big-firm recruiting at second-tier law schools.

"While many big law firms still troll for students at top-ranked law schools, going to a school that is just a notch off the top tier and getting the best one or two students is even better than going to Harvard," says Paul Cappuccio '86, hiring partner in the D.C. office of Chicago's Kirkland & Ellis.

A firm should set up hiring criteria that represent preferences, not absolute rules, Cappuccio adds, "because you always want to keep open the possibility of finding a diamond in the rough."

Law schools in Washington D.C. report a record number of recruiters swarming onto their campuses, eager to add bodies to keep pace with the strong demand for legal work. The boom has been especially beneficial to metropolitan Washington's so-called mid-tier area law schools.

The good times extend well beyond the D.C. area. According to the National Association of Law Placement, there are 32,000 jobs available nationwide this year for second- and third-year law students. That's 10,000 more potential jobs than last year.

—from *The Legal Times*

Smith '61 Promises to Smooth Conflict at Hong Kong Law School

Former Harvard Law School Vice-Dean David Smith '61 has pledged to work to end the administrative and academic disputes that have long haunted Hong Kong's City University, where he currently serves as acting law school dean.

Smith, who arrived in Hong Kong in mid-August, said he wanted to focus on the future.

"It is important to have intelligent debate in law schools, but it should not become personal. I think morale is quite high and students like the teachers. The disputes are in the past," he said.

Among the disputes was one over marking standards. Lecturer Derry Wong Hak-ming accused the department of marking examination papers to ensure a high percentage of students passed.

Smith said a transparent system for problem solving was needed so people knew how decisions were made.

Smith, who became Vice Dean of Harvard Law School in 1983, said he had taken the City University job because Hong Kong was the center of the world.

"Hong Kong has a tremendous impact on China and the rest of Asia. I think it is important lawyers here have good education," he said.

—from *The South China Morning Post*

Recent Events Spark Debate Over Homosexuality's Causes

Continued from *OUT*, p. 1

for silencing people, for making them so afraid that they'll stop making noise, stop making trouble, stop coming out of their homes, stop being different," exhorted McGowan.

Gay students' reactions to the death ranged from outrage to sadness, but shared a deep sense of personal connection to the events in Wyoming.

"I feel an overwhelming sense of grief," said McGowan. "I am trying to get the same education as everyone else here, and yet there is this overwhelming sense of threat that is constantly being underscored by events like these. I resent the fact that my energies are wasted on fear."

"Harvard students tend to set up boundaries between themselves and students at a place like Wyoming, but hatred is not a geographic concept," said Lambda co-chair Justin Deabler '00. "There's no reason why an unsupervised moment in Harvard Yard wouldn't yield the same result as in Wyoming."

This year's Coming Out Day also occurs against the backdrop of increasingly vocal "ex-gay" ministries run by right-wing Christian organizations who claim that homosexuality can be cured through spiritual and religious counsel. In a July article in *U.S. News & World Report*, journalist Jeffery Sheler noted that faith-based ministries aimed at "rescuing" homosexuals are expanding despite the fact that weight of scientific evidence points to a genetic basis for sexual orientation.

Coming Out of Being Out

Additionally, public support for ex-gay ministries has been boasted by savvy nationwide ad campaigns which are crafted to appeal to "traditional" family values and feature well-known individuals such as Betty DeGeneres, mother of lesbian comedienne Ellen. On October 9, the day of the Shepard murder, the Family Research Council (FRC), a Washington group dedicated to defending "faith, family and freedom," announced in a radio address that it would be funding television commercials "highlighting the fact that homosexuals can 'come out' of their lifestyle through Christian love and proper biblical counseling."

The ex-gay debate was the focus of much attention on the Law School's campus last Fall, when the HLS Society for Law, Life and Religion (SLLR) hosted a "National Coming Out of Homosexuality Day" forum featuring speakers whose encounter with Christianity had called them to reject their homosexuality. The controversial event was immediately followed by a "Speak Out Against Hatred" vigil on Jarvis Field, organized by Lambda.

James Webber '00, the current president of SLLR, says that ex-gay ministries do not imply a condemnation of gay behavior but are meant to reinforce the message that homosexuals, like heterosexuals, have a choice about whether to engage in sexual activity.

"I don't pretend, and SLLR does not pretend, to know the answer to the nature-nurture debate surrounding the causes of homosexuality, but it is indisputable that some people have been able to choose not to participate in a homosexual lifestyle, in part due to a deep belief in Jesus Christ," explained Webber. "If an individual finds fulfillment in dealing with their sexuality through Christianity, that should be encouraged."

HLS Mirrors America

McGowan agreed with Webber on the idea of free choice, but on little else: "Whether it be to choose celibacy or to develop your life around a heterosexual relationship, or to find fulfillment with a partner of the same sex, each of these choices should be accorded the same

amount of respect, dignity and state protection. What we challenge is the assumption that in a society where people are being beaten, tied to fences and left to die in a field in Wyoming, people actually are free to choose how to find fulfillment in their lives."

To a large extent, these positions are reflective of the divisions which characterize the public arena not only at the Law School but in the country as a whole. Such polarization seems to stem from disagreements not so much on the issue of sexual orientation, but on broader questions regarding the role of the spirituality in public life, or the possibility of establishing moral standards to which everyone in a society owes fidelity.

"The question that separates us not just from Lambda but from a lot of student groups is this: do you recognize an objective morality that is greater than your personal preferences?" explained Webber. "SLLR defends morality and objective truth. We believe that is our heritage as Americans and as Westerners in the Judeo-Christian heritage, and to the extent that we as a society turn our backs on that, we are in trouble."

"We do not believe that anyone has the right to impose any one system of moral beliefs upon every citizen of a country, particularly a country fundamentally founded upon the principles of liberty and individual autonomy," exhorted McGowan. "Any view that is 'the' morally correct view should not need the coercive power of the state to bolster its persuasiveness."

While the odds of a quick reconciliation between the two sides seems slight, Deabler proposed that we at least agree on the spirit in which to carry out the debate: "If our nation is to remain great, we must carve a space not just for the Judeo or for the Christian but for all those who cherish this country's promise of equal protection under the laws."

LSC Wants Junk Food

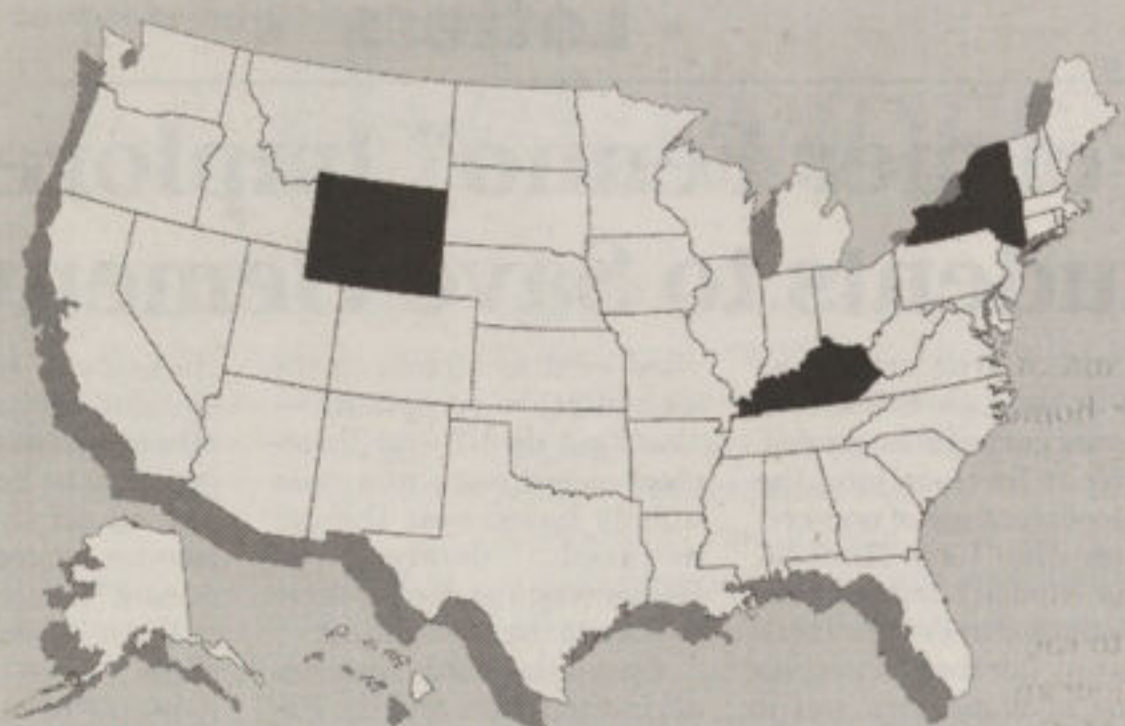
By Dmitri Evseev

Law School Council (LSC) representatives present at Tuesday's meeting raised a variety of student concerns which they plan to address in the future. Chief among these was the concern that students have little input into administrative procedures at the Law School. For instance, while the faculty supposedly met earlier this year to discuss several academic concerns, Dean Clark '72 failed to invite students to the meeting.

LSC also discussed price monopolies within the Harkness Cafeteria, Harvard Student Telephone Office services and printing on the Langdell computers. Several people expressed the desire to have a fast-food option at the Hark. LSC President Dan Fridman '99 stated that he would support a fast-food option at the Hark because it would allow students a guarantee of "consistent quality, even if it's junk."

The question of long distance charges raised a stir, since many representatives feel dorm residents are charged exorbitant rates for substandard service. Fridman expressed the desire to "break down that corporate wall."

Across the Wire



News From Kentucky, New York, Washington, and Wyoming

Anti-Gay E-Mail, Parade Float Follow Gay Student's Attack

LARAMIE, Wyo. (AP) — The killing of Matthew Shepard, a gay University of Wyoming student who was pistol-whipped and tied to a post, has inspired outbursts of anti-gay hatred, including an anonymous e-mail applauding the attack and an offensive parade float.

The movement toward hate crimes legislation following Shepard's slaying is the kind of political shift that will draw out those with strong anti-gay feelings, according to hate crimes experts and advocates for gay rights.

Shepard, 21, died at a Fort Collins, Colo., hospital Monday after spending several days in a coma. His skull was so badly fractured by the beating that doctors said surgery was not an option.

He was found last Wednesday after enduring near-freezing temperatures for up to 18 hours, lashed to a split-rail post outside Laramie. He had been pistol-whipped after being lured from a campus bar by two men who were embarrassed after Shepard came onto one of them, authorities said.

The Shepard killing has drawn nationwide attention, including President Clinton's call for Congress to pass legislation making it easier for federal prosecution of hate crimes. For others, he is a symbol for an unwelcome way of life.

Fort Collins police were investigating a violently worded e-mail received Monday by at least two gay and lesbian groups. Police were trying to find the

source of the e-mail, which applauded Shepard's killing and closed with the words: "I hope it happens more often."

The e-mail was discovered Monday morning by Brenda Hervey, executive director of the Rainbow Chorus, a choir that combines gay and straight performers.

"My first thought was that somebody had been letting me know he (Shepard) had died early this morning," Hervey said. "Then when I clicked to open the message and began reading, I was just sickened."

Authorities in Fort Collins also were trying to find out how a scarecrow that mocked homosexuals appeared on a Colorado State University homecoming parade float Saturday while Shepard lay dying in a nearby hospital. The university said Tuesday that 11 students were scheduled for disciplinary hearings next week.

Wyoming officials are also bracing for the arrival of members of a Topeka, Kan., church that regularly engages in anti-homosexual picketing; they are planning to demonstrate at Shepard's funeral Friday in Casper.

Gov. Jim Geringer said officials cannot stop the group from Westboro Baptist from coming to Casper, but he wants them to know their presence is not wanted.

"What we don't need is a bunch of wingnuts coming in," Geringer said.

Meanwhile charges against Russell Arthur Henderson, 21, and Aaron James McKinney, 22, were upgraded late Mon-

day to first-degree murder, aggravated robbery and kidnapping with intent to inflict bodily injury or terrorize the victim. They were ordered held without bond.

The murder count carries a possible death sentence; prosecutors haven't said whether they will seek the death penalty.

According to court records released Tuesday, McKinney was awaiting sentencing on a burglary conviction. He pleaded

no contest Sept. 21 to charges that he and two other men broke into a Kentucky Fried Chicken restaurant shortly before Christmas and stole \$2,500 and dessert.

Court records also showed about a dozen minor charges against Henderson, including obtaining property by false pretenses for which he paid a fine of \$360 and driving while intoxicated, which carried a \$570 fine.

Supreme Court Permits Law Denying Protection to Gays

WASHINGTON (AP) — The Supreme Court allowed Cincinnati to deny gay people protection from discrimination Tuesday in a case that seemed to contradict a ruling the court made two years ago.

Two years ago, the Court struck down a Colorado law in *Romer v. Evans* which denied gays and lesbians the opportunity to seek redress from discrimination because the law did not pass equal protection analysis. The current action will likely create confusion over government policies on gay rights.

Unlike the earlier ruling, Tuesday's action set no national precedent, but it caused outrage just the same.

"The Supreme Court has given up. That's horrible," said Alphonse Gerhardtstein, who represented opponents to the Cincinnati city charter amendment.

The voter-approved measure bans policies or ordinances that give gays and lesbians claims for legal protection from discrimination — in housing, employment or otherwise — based on their sexual orientation. It also bars "any claim of minority or protected status, quota preference or other preferential treatment."

In rejecting a challenge to that amendment, Gerhardtstein said, the highest court has let Cincinnati "remain as the only community in America where discrimination against gay people is institutionalized in the city charter."

What real-world impact, if any, the amended city charter will have is hotly contested. Most cities and states offer no protection against bias based on sexual orientation.

The U.S. Court of Appeals 6th Circuit upheld Cincinnati's amended charter provision, ruling that it "merely removed

municipally enacted special protection from gays and lesbians," Tuesday's order left that ruling intact. But three justices, in an unusual step, played down the order's significance.

Writing for the three, Justice John Paul Stevens said, "The confusion over the proper construction of the city charter counsels against granting [review]." He was joined by Justices David H. Souter '66 and Ruth Bader Ginsburg '56-'58.

The court's six other members wrote nothing, offering no insights into their votes.

Phil Burrell, who led the move to put the city charter amendment on the 1993 ballot, claimed victory: "What it tells me is that the only thing Colorado did wrong was go statewide rather than city by city."

But Matt Coles of the American Civil Liberties Union disagreed, saying, "This action doesn't undermine (the 1996 ruling) a whit."

And Suzanne B. Goldberg of the gay-rights Lambda Legal Defense and Education Fund said, "This is clearly not the end of the battle for equal rights in Cincinnati."

Gay-rights advocates won a dramatic victory two years ago when the Supreme Court threw out a Colorado state constitutional amendment that forbade state and local laws protecting homosexuals from discrimination. The amendment unlawfully singled out gays and sought to "make them unequal to everyone else," the court ruled then.

In Cincinnati, gay-rights advocates succeeded in 1994 in barring enforcement of the city charter measure, but the appeals court lifted a trial judge's injunction.

The Supreme Court had been urged to reverse the appeals court ruling because, they were told, it "will encourage targeting of gay people and other groups for unconstitutional harm."

NY Courthouse Workers Charged With Taking Bribes

NEW YORK (AP) — For years, when private contractors and federal project managers "did coffee" in a Brooklyn courthouse, sugar and cream were never an issue.

Authorities say the contractors knew the managers took their coffee just one way: with cash. Piles of it.

Six longtime employees of the U.S. General Services Administration and nine contractors were charged in a kickback scheme involving millions of dollars in projects.

Criminal counts say the deals, dating back to 1993, often were completed at federal buildings in Brooklyn and Manhattan.

Contractors paid bribes ranging from a few thousand dollars to \$100,000 to secure steady work, prosecutors said. One GSA employee was caught on tape last year demanding tickets to Puerto Rico and a \$500 five-day pass to Disney World, authorities said.

"Who knows what accounts for their brazenness? It may be as simple as greed," said U.S. Attorney Zachary Carter.

The GSA workers — whose government salaries averaged \$55,000 a year — and the contractors have been arraigned in Brooklyn federal court. Each faces up to 15 years in prison if convicted on a top charge of bribery.

On sale were routine jobs like renovations and maintenance of courtrooms, bathrooms and offices in the U.S. District courthouse in downtown Brooklyn, an Internal Revenue Service building in the Bronx and the Manhattan home of the

State Department and Veterans Administration. Some of the contractors, which included a locksmith, a carpet installer and a sign maker, recovered their losses from bribes by over-billing the government, prosecutors said.

The scheme began to unravel two years ago when a contractor notified authorities that an employee had been shaken down by one of the GSA suspects. After that, confidential informants agreed to wear hidden recording devices during several meetings in which the suspects solicited bribes, prosecutors said.

Many times the GSA employees allegedly used code language, calling the contractors and asking, "Want to do coffee?" That meant it was time to pay up, prosecutors said.

Lawyer Allegedly Killed Man to Hide Mistakes

LEXINGTON, KY (AP) — A lawsuit claims a Harlan County prosecutor shot and killed a man last year to hide the fact that he botched a child support case.

Robert D. Thomas, 41, an assistant county attorney, is scheduled to stand trial for murder Oct. 26 in connection with the same shooting. Thomas allegedly shot and killed George D. Budgick a year ago at Budgick's southeast Lexington home.

According to the suit by the victim's widow, filed Monday in Fayette Circuit Court, Gerema Budgick accuses Thomas of wrongful death and legal malpractice. She asks for reimbursement for her

husband's medical and funeral bills and other unspecified damages.

Gerema Budgick claims that Thomas represented her during a 1990 divorce in Harlan County and later agreed to handle child-support matters for her.

She charges in her lawsuit that Thomas failed to keep track of her case and forged a judge's signature on bogus court records so the case appeared to be proceeding normally. Meanwhile, she fell \$3,250 behind in her child-support payments and missed an important hearing in Harlan Circuit Court.

An arrest warrant was issued for Gerema

Budgick for skipping the court hearing, but Thomas never warned her, the suit said.

To prevent anyone from finding out about his handling of the case, Thomas went to the Budgick home Oct. 6, 1997, intending to kill the couple, the suit said.

According to police, Thomas fired a handgun several times through his briefcase, hitting George Budgick in the abdomen. Budgick died eight days later.

Thomas was released from jail days after the shooting on a \$17,500 bond. He continues to practice law while awaiting trial but has been stripped of prosecutorial duties until his case is resolved.

Harvard Law RECORD

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FOUNDED IN 1946

Of Hate and Hope

Last Saturday, the tenth annual National Coming Out Day was marred by the story of a vicious hate crime against a young gay man in Wyoming. A day intended to celebrate openness and tolerance turned into a day of shock and a discussion about the virtue of hate-crime laws.

Such laws deal with the symptoms of a troublesome problem, but not the sources. Of course, we can't legislate ignorance and intolerance away. Nor should we try to. Fighting the homophobia that underlies such hate crimes requires an open discussion of the nature of human sexuality and the role it plays in a person's identity.

The Family Research Council has entered the debate in an unfortunately timed national advertising campaign that hits the television airwaves this week. The advertisement features a worried mother who describes how her son got "involved in homosexuality" and used drugs, ruining his "bad choices" which resulted in his contracting the AIDS virus. The son then describes how he "walked away from homosexuality" through the power of Jesus Christ. The ad ends with the slogan, "It's not about hate, it's about hope."

It is difficult to see how such advertisements will make a positive contribution in the fight against intolerance. The ad clearly suggests that homosexuality is a bad choice akin to the choice to use drugs, rather than a significant part of a person's individuality. By using the mainstream media, the Council sends to the community at large the message that homosexuals are deviants who need to be cured for the good of society.

The Council and the conversion advocates are entitled to the same First Amendment protections as everyone else. Some go so far as to oppose hate-crime laws that treat homosexuals as a protected class on free speech grounds, as if the laws will infringe on a person's constitutionally protected right to make a statement by beating someone to death. *Reducto ad absurdum* aside, I can't help but wonder about the private companies who provide air time and print space for these ads. I question their judgment in accepting money from organizations who deny people the basic human dignity of being accepted for who they are. I would be greatly surprised if these companies would accept similar ads that vilified people "involved in Christianity" or "involved in perpetuating the Holocaust conspiracy."

In the 1970s, both the American Psychiatric Association and the American Psychological Association removed homosexuality from their lists of mental and emotional disorders, recognizing that homosexuality is a state of being, not a state of mind. Homophobia, on the other hand, is a state of mind. Perhaps the followers of Freud should look into adding it to their little list.

— Ben Lehrer

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

—First Amendment, U.S. Constitution

• Letters •

"Former Fenno" Implores Students to Save Hemenway

At last, a true crisis has arisen at the Law School. All the usual garbage — grades, showing up for class, jobs, the precise percentage of non-crenations on the Law Review, Charlie Nesson's temper tantrums, the failure of the Hark to pass any fair food inspection — none of it matters and it never did.

But the heartless s.o.b.'s who run Harvard have gone so far this time that even this avowed non-participant, yes, this former Fenno ('70), reluctantly finds himself royally fired up for a battle. If you — the student body, the RECORD, the rank-and-filers who never get special favors and don't get in-

vited even as alumni to the ice-sculpture receptions — don't get up off your three-piece-suited rears and raise unholy havoc over the announced demise of Hemenway, you don't deserve to stay at the Law School.

Forget the wordy memorials in the school and the Review to Phil Areeda — his true soul persists on the Hemenway squash court he inhabited for so many lunch hours. How many generations of law students maintained the scintilla of sanity that characterizes most graduates only by letting out steam and other uncontrolled substances on the

Hemenway basketball and squash courts! How many others learned how truly to practice the lawyer's trade by paying off the guys at the counter to get on the courts during "faculty hour"!

If you let the college admissions yo-yos or some other morons who mutter nonsense about the good of the University — the good of some idiot bureaucrats, that is — win this one, the rank stench of your pusillanimity will make all hope for the dishonored Law School sink away into the Mass Ave traffic.

Richard B. Hoffman '71
Washington, D.C.

RECORD Photo Essay "Glib" and "Exploitative"

It was with stunned disbelief that we read your glib centerfold "Conversations En Route to the Hospitality Suite: A Harvard Square Scrapbook" (HLS Record, October 9, 1998). What were you thinking?

If your intention was to satirize the pandering mindset and extravagance of the recruiting process, you missed the mark by a long shot. Telling Mr. McLaughlin, homeless for the past eight years, that he looks "very preppy," asking Mr. Banks if he would "rather be doing something else" than panhandling, and

teasing Greg D. about selling only five copies of Spare Change a day just doesn't constitute a criticism of HLS culture.

If, on the other hand, your intention was to amuse HLS with tales of the Square's 'local color,' you not only missed the mark, you gave serious offense. Given the RECORD's traditionally scant coverage of community affairs, the feature was especially irresponsible. The total lack of context, the chatty tone, and the prurient questions, make it diffi-

cult to imagine you had anything but an exploitative purpose for printing the piece. Does the Record ever plan on publishing a more complete account of the surrounding community?

To measure the article's success, either as self-criticism or as good-natured humor, we wonder how confident you are that its subjects would approve of their portrayal before the HLS audience.

Nick Lundgren, 2L
Sophie Bryan, 2L
October 12, 1998

Ghosts of RECORD's Past Honor Shipley '48

I was saddened to read in the RECORD's September 18, 1998 issue of the passing of Carl Shipley '48. Your "in memoriam" description of him omitted an important fact, however, which I call to your attention.

In addition to being a "fearlessly outspoken" lawyer, politician and professor, Mr. Shipley was also a frequent and valued alumni contributor to the RECORD. During my

tenure as the newspaper's editor (1992-1993), I greatly looked forward to receiving Mr. Shipley's steady dose of letters criticizing and commenting upon our reporting, law school events and the political issues of the day. On more than one occasion, he urged our student columnists and the dean to commit themselves to mental institutions. Mr. Shipley's letters were unfailingly witty,

wacky and provocative. In respect, I wish we had offered him his own featured RECORD column, and the honorary title of "Alumni Editor."

Suffice it to say, Mr. Shipley will be sorely missed by me and, I venture to say, by other RECORD staff members and subscribers.

Lisa Zornberg '94
October 12, 1998



Something
on Your
Mind?

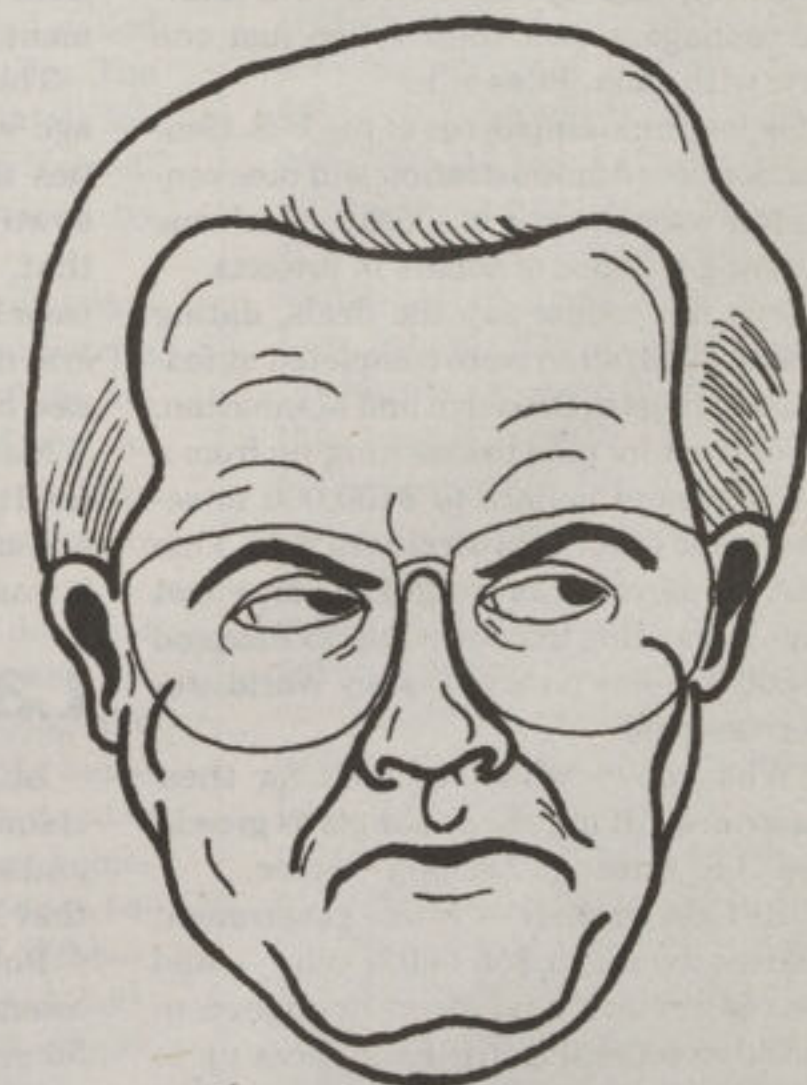
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DIRTY HARRY

"The statute of limitations has long since passed
on my youthful indiscretions. Suffice it to say
Cherie Snodgrass and I were good friends
a long, longtime ago." — H. Hyde

SAEDINIA 98

Of Bulldozers and Butterflies

By Alexander Boldizar '99
Staff Columnist

PARMENIDES' COFFEE TABLES

A darkness of veils is darker than that caused by leaves and there are more horrors than Kurtz ever saw. The horror is numb, number, numbest. Numbers are numbest. It is the horror of surfaces.

Before law school, when old Parmenides sought Justice, he was carried by chariot, drawn by well-discerning horses of appetite, with maidens leading the way, escorted by the daughters of the sun. The wheels of the chariot revolved, night and day, good and evil at the ends of their spokes, but the very center point of the axle remained unmoving, as it is the wont of axles to remain. It is Being.

The maidens undressed and guided the horses through the wing-doors of the ethereal gates, and, there, Parmenides met the goddess of Justice. She was a beautiful woman with a spectacular figure and, whether out of poverty or purity, completely nude. She welcomed him, and showed him the unshaken bosom of well-rounded truth: "it is necessary to say and to think Being." They wrestled in the mud a little, and after Parmenides had understood, he went home.

Later that evening, a friend called, invited him out, and they met at Starbucks to drink burnt over-roasted coffee. Perhaps because he had drunk the insipid but insidious Starbucks something-a-chino, or perhaps because he had had an enlightened education, this Parmenides tried to explain his journey to his friend as they sat at the coffee table. The friend, however, had not wrestled in the mud with the goddess, he had not touched, smelled, tasted nor seen her. He understood what was said in the talk of Parmenides. He understood approximately and superficially. He understood Parmenides' talk only in the sameness and averageness through which they shared a common understanding of what was said, with no ability to discern what had been drawn from the mud with a struggle and what was just gossip. Nor did the friend want

such a distinction, because, of course, he understood everything. That, after all, is the wonderful property of coffee tables — they allow one the possibility of idle talk which understands everything without previously making the thing one's own, which develops an undifferentiated kind of intelligibility, and for which nothing is closed off any longer.

Yet, because it is impossible to decide what is disclosed in a genuine understanding and what is existentially uprooted idle talk (i.e., "reality"), it so happens, as it must, that the friend's name was also Parmenides. And since there is

kept his eye on the Parmenides beside him, behind him, before him, ambiguously watching how he would comport himself and secretly and reciprocally listening in to what he would say in reply. They analyzed, discussed and debated the wheel, with some saying that the spokes of night and day really were different (so and thus!), others saying that they were the same (see how they rotate!), and all forgetting that the center of the axle, being infinitely small, was there and unmoving.

The only question that was never asked was *what* was really being understood.

And so it came to pass that one day one of these wise bearded Parmenideses began stalking a friend of mine, peering inside her windows, following her at night, causing me and my bat, thereby, to go seek Justice. There were no maidens to guide me and instead of a chariot, I was forced to take the

T. The gate to her garden was run down, and a sign had been posted on the doors explicitly requiring nudity of those who entered. But I, ashamed of my law-school body, was too embarrassed to enter. So, instead, I lured her out of the garden using Legal Reasoning learned as a 1L. I told her my story and she said that Justice depends on my Being. Amazed by her beauty to the point of not understanding, I convinced her to come give a speech at the Law School.

She came. But the Law has no interest in being amazed to the point of not understanding, and the Parmenideses in the school decided that, despite her transporting beauty, it would be too shocking, and quite improper, for her to give a speech nude. Besides, they asked, did she want to remain poor all her life? Politics is king, they said, and if she ever wanted to become his powerful queen, beauty would not suffice. She would have to place him in a trance, a spell that could be cast through dancing the dance of the



seven veils, they said. And so they taught her to dance with the seven veils of seven colors and seven shapes, a technical dance with this veil held just so, using three fingers, and that veil thus, using four. They kept reminding her that should she let the veils fall, there would be shock, the enchantment would be broken and the king would not do her bidding.

Justice learned the dance, but then dropped the veils and said she didn't need the king, didn't need politics or power, for she saw where she stood, she knew her location and didn't need more. She was present. So Parmenides put a blindfold on Justice and immediately she felt no longer situated, no longer rooted in Being, no longer nude but naked and alienated. Suddenly desperate and insecure, she clutched the veils the way an American clutches a bath towel. But the veils were seven and her hands only two, and in order to hide her nakedness she had to dance the intricate dance she had been taught, three fingers here, four there. Blue veil, red veil, veil upon veil shifting flowing blending and separating, keeping her hands too busy to tear off the blindfold. As she danced, the Parmenides nodded their heads approvingly and said "good lawyering consists of putting the veils back up skillfully while understanding their shifting..."

And that's how Justice herself was turned backward, out of her own gates, up the path Parmenides had trod down so long ago, and into Law School. There, finally equal, she married king Politics. They had little disabled children, named Law & Econ, Regime Theory, and Rights Discourse. When one day I asked her again about my problem, she screamed, Munch-like, while dancing desperately, "find a veil that fits, find a cause of action, be objective, turn in Ted Kaczynski even if he's your own brother, sue your psychiatrist, sue coffee which is too hot but accept that which is disgusting, don't take the law into your own hands, take a number, call the police, call the police, call the police..."

They had little disabled children, named Law & Econ, Regime Theory, and Rights Discourse.

no corner left without a Starbucks lurking around it, this Parmenides met with a friend, also named Parmenides, and told him the story of Parmenides' trip to Justice. And Parmenides told Parmenides, who told Parmenides and he also told Parmenides...

At each telling, that which was said took on a more authoritative character, until one day, Parmenides decided to form a school to teach the wisdom of Justice, the better to convey the common understanding to a greater number. Numb, number, numbest. They decided to call the teachings Law. They arranged the coffee tables in rows, with the rows further back at higher points than those previous, so each Parmenides could better see the Parmenides who was facing all these rows, authoritatively teaching the wisdom of Law. And this Law itself took the wisdom and divided it into rows and columns, with form divided contrariwise and characters established apart from one another.

The wisdom was taught while everyone

Fenno couldn't take it, and he began yelling with rage, much like Charles Fried with one of his hapless victims in class. Unable to help himself, Fenno picked up the keyboard and slammed it to the ground with a satisfying crash of cheap plastic. As the keys clicked in random order, like neurons firing in Detlev Vagts's brain, Fenno noticed that the screen had changed from the pictorial tour of the Griswold basement that he'd been stuck in, and instead was filled with a collection of random-looking digits.

Fenno looked closer, and realized that he was staring at the social security numbers of the entire 1L class. As the numbers started scrolling down his screen, faster than students running from Scott Brewer's Contracts class, the corners of Fenno's mouth curled into an evil smirk and he quickly grabbed a pen and began scribbling. Interviews were well and good, but blackmail and credit card theft were far more lucrative. "I'll host my own damn cocktail party," thought Fenno triumphantly.

Suddenly Fenno's heart skipped several beats as he noticed that Susan Vik, the Director of Information Technology, had crept up behind him and was staring over his shoulder. Fenno quickly hit a random series of keys in the hope of obscuring his activity. "Nothing to see here," Fenno muttered nervously. "Just doing some research for my third-year antitrust paper on the correlation between SoDexHo discount specials and Einer Elhauge's salary."

Susie leered at Fenno and gave him a knowing wink. "Sure, antitrust. Interest-

ing stuff. Tell ya what: why don't you just get that paper 'published' and leave 30% of your 'fee' in a brown envelope under my door. That way we can just forget about this little... incident."

Fenno grinned broadly. "I like a woman who plays hardball," he said. "And now, if you'll excuse me, I have important work to do."

"Sure you do," said Vik as she turned away. "Pity that you seem to have lost your 'project' when you started hitting all those keys."

Fenno quickly returned to the terminal, praying to God and Fast Artie Miller that some of the precious numbers were left. But, alas, all were gone. In their place, the Web browser appeared to have settled on Paul Gowder's home page. Fenno desperately punched every button he could,

but each time the computer only settled on a link to yet another of Gowder's 900-page rants about the subversive dangers of barber shops and nutrition counselors.

And then, in the blink of an eye, all of Paul's text disappeared. For a moment, Fenno dared to let himself hope that the numbers had returned. But instead, the screen now flashed a short, stark message: "Because of concerns about inappropriate activities by minors on the Internet, I have been forced to remove my Website from this server. However, I would like to leave the following message for any RECORD reporters who may be reading this site: I'm rubber, you're glue. Whatever you say bounces off me and sticks to you. Yours for Queen and Country, Paul Gowder."

Fenno shook his head and sighed. At least someone had it worse than he did.



Sitting in the Hauser basement, Fenno was not enjoying himself. He bit his nails, stomped his feet, and finally began tearing his hair out and beating his chest in frustration as he tried to convince the damn computer to accept his interview bids. As all eyes in the computer lab slowly turned to train on him, Fenno realized that he was probably making an unnecessary scene out of things. But he couldn't help himself, and continued to dance around like a madman.

On the far end of the lab, a confused 1L looked up from her 90-page LRA brief. "Professor Hay? What are you doing here? Shouldn't you be off buying 40s of Mad Dog for our semi-weekly Section 2 Sock Hop?"

Fenno, who didn't much appreciate the case of mistaken identity, gave the 1L the most withering, masculine-looking snarl he could manage. The young'un quickly buried her head in the law books she'd stolen from the library, and Fenno walked over to the computer consultant in search of some assistance. Unfortunately, the techno-geek was wearing headphones and busily playing Dungeons and Dragons on one computer while downloading LL.M. porn from Larry Lessig's home page on another.

Quote of the Week

"I would always be nice to someone with a severed head."

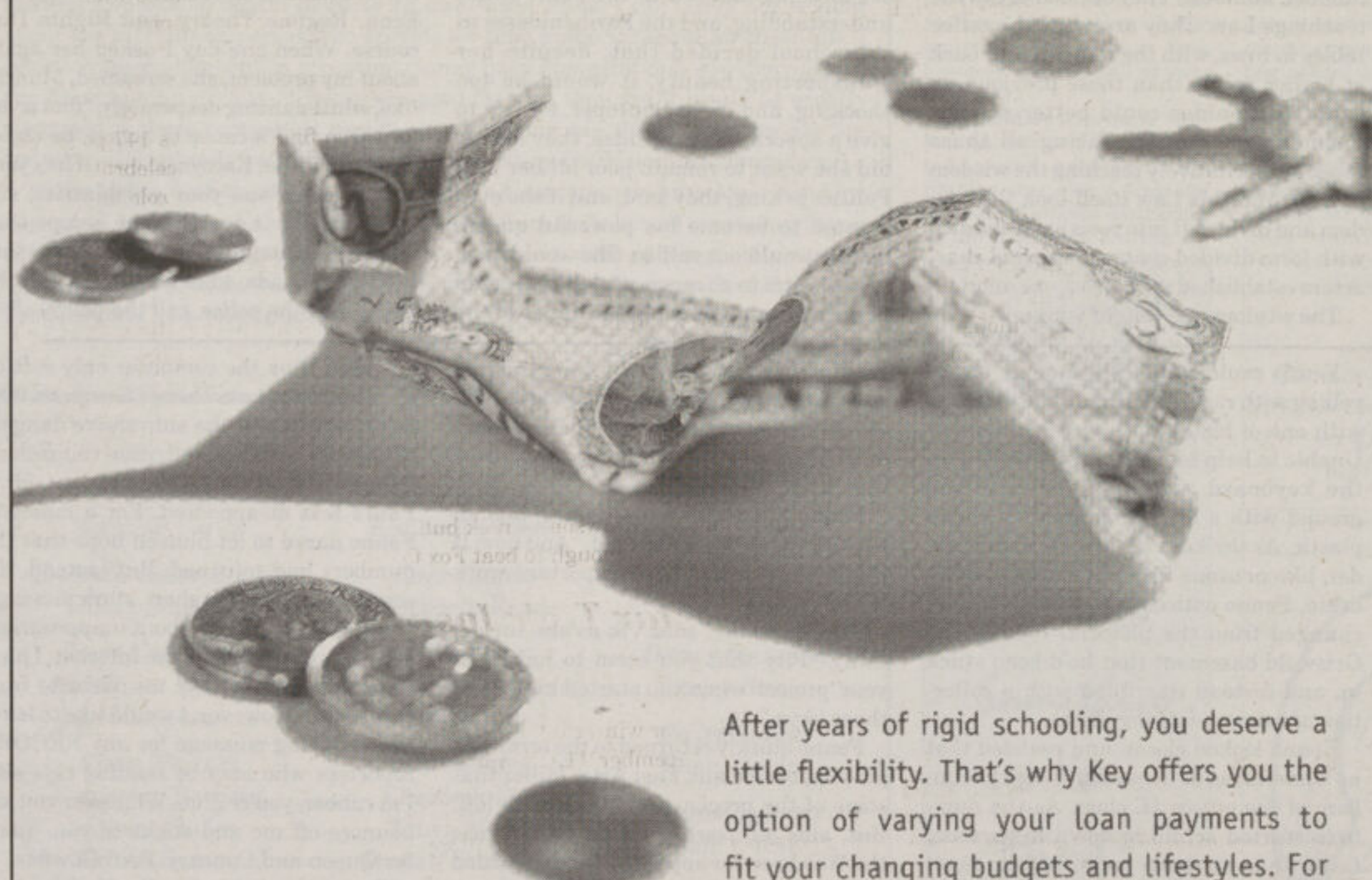
— Visiting Professor Susan Koniak discussing an episode of "The Practice" in her class, Law and the Ethics of Lawyering

Spike

By Margie McWilliams



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RECORD
Horoscope

ARIES

(March 21-April 20)

Resist the temptation to pick up that Emanuels this week. It's still a long time until December. Exercise a little initiative, and the doors to your career will fly open. Abstain from wearing deoderant.

TAURUS

(April 21 - May 21)

I know you're jealous of your elders, but you might learn something from them. Learn to look at them with reverence, not disgust.

GEMINI

(May 22 - June 21)

Your friends need encouragement from you. Nevertheless, they are losers, as their lack of success interviewing will attest. Dump them for Brian Fitzpatrick, Julian Poon, or Seth Tillman.

CANCER

(June 22 - July 23)

Take care not to skip on the red brick sidewalks of Cambridge. A RECORD editor may see you, take a photo, and denigrate you in print.

LEO

(July 24 - August 23)

Getting your Hark box in tip top shape will be a priority during the week. Avoid Charlie Nesson like the plague.

VIRGO

(August 24 - September 23)

Splurge on that taxi fare to the Charles. Present your interviewers with some Spam sandwiches. Talking to so many arrogant stuffed shirts empties one's tummy faster than you can say "call-back."

LIBRA

(September 24 - October 23)

A little variety will spice up your life in a big way. Try wearing your underwear on the outside, or strike up a conversation with an LL.M.

SCORPIO

(October 24 - November 22)

Someone's offer of crack will cure you of your fourth nipple, and you will be able to concentrate on your third year paper adviser's perpetual smile. Your third nipple will remain.

SAGITTARIUS

(November 23 - December 21)

Either you or your partner may spend extravagantly. Who cares? Hell, it's all Monopoly money until you get out doing real work, and if you're like Duncan Kennedy, you can avoid that predicament forever.

CAPRICORN

(December 22 - January 20)

Hey good lookin', this week you may make up with someone from whom you've been estranged, and they will want you back, because you're sooo fiine.

AQUARIUS

(January 21 - February 19)

Your cleverness and efficiency will be the envy of Andy, the infamous Coop manager, who will infest you with his evil glare.

PISCES

(February 20 - March 20)

This week it may be best to avoid causing emotional scenes with any partners. Romance with an older strawberry blond with a fine butt will have a dreamy aspect for you, but then it always does.

IF THIS WEEK IS YOUR BIRTHDAY:

This is the right time to tell a romantic interest how much you care. Go ahead, Prof. Rosenberg is waiting!

Rude Awakening

By Elizabeth Falk '00
RECORD ColumnistTHE NUTS AND BOLTS OF
BUTTONS AND BOWS

Running through Harvard Square at breakneck speed in the pouring rain is not easy in high heels. As I approach the revolving Charles Hotel door I smash into a good friend. "Going to Swillbank? They ask you why they should call you back instead of all the other talented Harvard students."

"What did you say?" I asked.

"I told them because I was a nice person."

"That's the stupidest thing I've ever heard."

"That's what you think. They called me back on the spot."

At floor nine, I turn the corner, where I look down a long corridor and see 17 of my classmates in their black suits pacing nervously in front of hotel doors. I whisper to one of them:

"What's the deal?"

"You need to go to the hospitality room over there and find out which of the 17 interview rooms this firm rented out is yours."

I go see Swillbank's Expert in the Art of Small Talk, who coldly informs me that I will be meeting with a second-year associate, Ms. Ima Prisiwon, in Room 912.

"But, my friend was interviewed here yesterday by the hiring partner. Doesn't that put me at a slight disadvantage?"

"Oh dear, that doesn't make any difference. Of course our second-year associates have just as much say in hiring decisions as the managing partners! This firm, unlike all the other ones here, is extremely non-hierarchical."

Walking back to the Ant Corridor, I stop at room 912 and look around me. Everyone is looking at their watch. "Is it time yet?"

"Almost. Countdown seven seconds to 2:20 p.m." Seven seconds later, 17 hands knock on their respective doors. Across the hall, a distinguished looking gentleman comes out and introduces himself to chumpy Harvard student #7.

"Hello there #7! I'm Generic, Ty Generic, the managing partner of Swillbank. Let me just keep on talking to this chumpy classmate of yours about how friendly and non-competitive our law firm is, and how much I love my job here at the Swillbank family."

"Hopefully you'll be slightly more interesting than he is, which is why I've had to spend these last ten minutes of this interview discreetly reading from these note cards the recruiting office gave me."

912 opens and my worst nightmare is confirmed: out walks the most feared 2L of the interview process, whom I will simply designate as BIW (Boy Interview Wonder).

"Hello there, Liz! I've just had a lovely interview with Miss Prisiwon, who has invited me back to the firm due to my dashing good looks and unbelievable capacity to bullshit. Unlike my last interview, where the managing partner simply gave me an offer on the spot, I've merely secured a callback here. An off day, no doubt, happens to everyone."

"Well, Liz sure is a great woman, Miss Prisiwon. Since I've clearly charmed you, I can afford to be nice and complimentary, but you sure better call my roommate back before you look at this fruitcake."

Prisiwon stops purring once BIW disappears and gives me the professional once over. As I realize that I probably should have buttoned my top four blouse buttons, she turns around and I am overcome by the blinding light reflected off blond hair and an enormous pink bow.

We walk into the room and I am suddenly aware that there is a bed in it.

"Ah, do all these interviews happen in bedrooms?"

"Yes dear, we chose these bedrooms on purpose. Watching for an appropriate level of discomfort on your part as you try to act natural in our intimate space ensures that we select associates who would never dare to come to our offices with ridiculous questions. If you are too at ease, you're an automatic reject. Too uptight, and our hopelessly sterile atmosphere could suffocate you."

"Now Elizabeth, please tell me when you first became interested in the law?"

"Well, ever since I was a little girl, when I sat in front of the television and saw Ally McBeal standing there is a real short skirt getting lots of male rejection and dreaming about psychotic talking babies. I thought it would be a great way to utilize my feminine talents and ensure that I fulfilled the notions of professional women that FOX apparently recognizes within modern society: neurotic, unstable creatures unable to find a man who can relate to an independent woman who feel guilty about our under-worked reproductive systems."

"But Elizabeth, Ally McBeal just premiered last year. You were already in law school." Damn, wrong answer.

"So Elizabeth, I have a huge pile of résumés here of people: bright, talented Harvard students like yourself who are dying to work for us. Now tell me, what sets you apart?"

"Because I'm a nice person? No, that sounds so BLAH. Wait, what does set me apart from other students here? Do I have an identity? Oh wait!"

"Well, you see, I'm so good at managing my time that I manage to write for the RECORD."

"You mean this?" She whips out a copy. "This trash? What were you trying to do in this article on sexual harassment, Miss Falk?"

"Um, I guess address what I saw as a feminist concern." (Yeah yeah, bonding, women, good answer.)

"What? Let me get this straight: you call yourself a feminist? Oh dear, you're sadly mistaken. To write honestly about sexuality and interviewing in the workplace? Come now. There's no room for feminists to succeed in the legal world who write controversial pieces. It's so unfeminine! If you make those men think too much, it could knock me down from the patriarchal pedestal I'm enjoying and threaten my partner track."

"Now, I'm the paragon of feminism: nice to your face but bitchy and catty behind your back in the tradition of successful women in competitive environments. Well, there's that cheerful knocking sound which allows me to kick you out of here. So, this has been a wonderful chat. We'll be in touch in ten days to two weeks, which would mean tomorrow if I had liked you, but instead you must go through the agony of waiting patiently for a rejection while hearing about everyone else we're calling back. Good bye!"

I'm overcome with depression in the elevator, searching for ways to make myself feel better. This person next to me just looks too happy.

"Did Swillbank ask you for a writing sample?" I ask. Panic creases emerge over her face, and, ah yes, the desired result.

I see the self-doubt set in. "Ah, no, they didn't."

"Oh," I say knowingly. "Ooohh. Well, I'm sure it didn't mean anything."



The Buzz

By Tanya Marsh '00
RECORD Columnist

Sharon Stone Plays Mom

Sharon Stone said she decided to do *The Mighty* after her agent told her that the only role he couldn't cast her in was as a mother. So, of course, she wanted to prove that she could bake cookies with the best of them. Co-star Gillian Anderson was inspired by a similar motive, over-exposure, as prim Agent Dana Scully led her to this role as woman with a weakness for alcohol and the wrong men.

Despite the casting of these high-profile women, the real story of *The Mighty* focuses on the struggles of two boys working together, combining brain and brawn to battle school yard bullies. *The Mighty* might remake Stone's and Anderson's images in Hollywood, but early reviews conclude that it is ultimately a disappointment.

Ethan Hawke to Star as the Depressed Dane

Never one to suffer from low self-esteem, Uma Thurman's hubby has decided that two 1990s productions of *Hamlet* just aren't enough. Most stars tackle the Bard to prove their acting muscle. Mel Gibson, for example, used *Hamlet* as part of his progression from fluffy *Lethal Weapon* roles to respectability and Oscar glory with *Braveheart*. If Hawke is trying to follow a similar path, he sure signed on with an odd cast — Kyle MacLachlan as Claudius, Bill Murray as Polonius and Steven Wright as the gravedigger. At least Mel was playing opposite Helena Bonham-Carter and Glenn Close.

Branagh to Produce Series of Shakespeare Films

As further testament to the fact that the Bard is Hollywood's hottest screenwriter, Kenneth Branagh has formed a production company for the purpose of bringing a number of Shakespeare plays to the silver screen. Branagh, who received an Oscar nomination in 1989 for his direction of *Henry V*, has tried to become a star in America with non-Shakespearean vehicles (witness *Mary Shelley's Frankenstein*) but has apparently concluded that the Bard is still his best bet.

Production will begin in early 1999 on the company's first project, a musical adaptation of *Love's Labours Lost*, set in the 1930s and featuring the music of Cole Porter and Irving Berlin. In the near future, Branagh will tackle similarly inventive realizations of *Macbeth* and *As You Like It*. Branagh promises each will come in under two hours in length, an important promise from the director that brought us a luscious but four hour long *Hamlet*.

Spielberg, Hanks to Revisit WWII

Saving Private Ryan has taken in nearly \$200 million in domestic box office earnings and opens in Europe this week, reportedly to audiences who remember the carnage all too well and are deeply affected by the flick. Inspired by the impact of their collaboration, Steven Spielberg and Tom Hanks have reportedly decided to take on another WWII project — a television miniseries based on Stephen Ambrose's books *A Band of Brothers* and *Citizen Soldier*. *Brothers*, which was recently purchased by Spielberg's DreamWorks for seven figures, follows 147 paratroopers from basic training to the liberation of Dachau and a victory celebration in post-surrender Berlin. No word yet on whether Hanks will limit his role to production.

WB Aims for Respectability

Remember when Fox first made a bid to supplant the big three with its own regular prime time schedule? Conventional wisdom was skeptical until *X-Files*, *The Simpsons* and *Melrose Place* dragged viewers away from the old networks in droves. As the WB switches its schedule from mindless sitcoms to teen angst drama, their ratings have soared. Case in point, the successful premiere of *Charmed*, a new Aaron Spelling produced drama starring Shannon Doherty, Alyssa Milano and Holly Marie Combs as a trio of good witches. *Charmed* was helped by the lead-in season premiere of *Dawson's Creek* but surpassed it to garner the highest ratings in WB history, high enough to beat Fox to come in fourth for the night.

Star Trek: Insurrection Beams
in December 11

Just in time for winter break, the newest *Star Trek* installment will arrive in theaters on December 11. Paramount is, as usual, keeping the plot very hush hush, but stills from the movie indicate that the whole cast is back and the uniforms have been changed once again. Sources hint that Q (John DeLancie) will play a major role, but we'll have to see it to find out for sure.

Fridman Gets His Fax

Continued from FAX, p. 1

Installing the fax machine took more time than anticipated. Unlike the dormitories, which are wired for 493 exchanges that accept PACs, the Harkness Commons is only wired for 495 exchanges, so a new line had to be installed. "Also the network conversion was happening around the same time so that slowed things down, too," said Assistant Dean Paul Upson.

"There were also some jurisdictional issues, and building operations had to get involved. And there were issues about who was going to maintain it. Although I gather there won't be much maintenance since it's outgoing only."

To take care of the maintenance for the machine, the LSC will change the ink cartridges, load paper and get the machine repaired when it breaks down. In addition, the LSC has set aside money to pay for the phone line and local calls.

"The administration, especially Paul Upson, Suzanne Richardson and Lidia Real have been more than helpful in getting this done quickly and correctly," said Ashley Morgan '00.

To many, the fax machine will be a much welcome addition in the Harkness Commons. "I'm really happy about it. I've had to go to Kinko's a bunch of times and now I won't have to any more," said Corby Boldissar '00.

Madness With Method

By Darren Schlanger '00
RECORD Columnist

MUSINGS OF A DERANGED STUDENT INTERVIEWEE

Excerpt, taken from autobiography of convicted cereal killer Darren Schlanger, entitled *Coo-Coo for Cocoa Puffs*, p. 82 (reprinted with permission from the estate of Toucan Sam):

"...experiencing another bout of hallucinations, I found myself garbed in a pinstripe suit and carrying what appeared to be a folder with a résumé of a Harvard law student. My surroundings were not quite as shocking as my recurring nightmare of being trapped in a continuous screening of *Titanic* with high-school girl Teen magazine flunkies: flanked by student suits with whitewashed smiles, a sterile hotel lobby akin to a roadside Motel Six with individualized 'Charles Hotel' matchbooks, an obese grandmother in an elevator showing me her corns and asking me what legal recourse she might pursue. I remember suggesting arsenic. Experience had taught me to go with my hallucinations, so I decided to role play with my deviant mind.

I exited the elevator and followed a series of conflicting signs pointing me in every direction but sanity. I soon learned from a comrade-in-paisleys that I was a law-student interviewing for a summer job. I had no idea what a law student interviewing for a summer job was supposed to act like. Come to think of it, I had no idea what a summer job was, as I had only heard of a summer vacation or a full-time job. Sympathetic to my troubled state, the student explained to me that a successful interview depends on two things: continuously mak-

ing direct eye contact and asking a lot of questions.

I anxiously scoped out the hotel floor to ascertain the behavior of fellow interviewees. I saw scores of besuited law students intermittently knocking on various doors, and I quickly followed suit (or is it 'followed suits') and pounded loudly on a door. In reply, a well-manicured hand extended its palm forth and I entered the fairly routine neo-Americana architecture hotel room. Soon a body materialized to complement the hand and introduced himself. I nervously repeated the chorus in my head: 'look him directly in the eyes and ask lots of questions.' He stared for about five

law school?"

After staring into his eyes long enough to appreciate the subtleties of both his rods and cones, I realized from his look of befuddled consternation that I had chosen poorly. I hastily averted his glare and glanced down at my résumé in silence for a minute or so in search of the answer. Panicked as my hallucination began to subsume the final remnants of my consciousness, I asserted control of the situation:

'I came because I paid tuition.'

'What has been your favorite class,'



'What exactly does an anti-christ lawyer do?'

'No, no, no...we're anti-trust.'

'Is yours a paranoid environment without trust?'

'Just forget it. Let's try this — what are some of your interests, your hobbies?'

'Well, from time to time my mind likes to meander amongst alternate psychotic episodes, oftentimes leaving me bereft of all functionality in the mundane world. I also enjoy visiting my shrink for re-uptake inhibitor prescriptions and molesting deceased cross-word puzzle writers. Actually, I'm not sure you would term it molesting since that implies taking advantage of a sentient being against their free will and as these bodies are dead, I wouldn't...'

'Thank you, that will do fine. Any final questions for me?'

'Yes, actually. First, a little math. On an x, y, z, plane a rhomboid vector intersects with a quark in space-time reality. Tuesday will mark the 1,056th day since I have been diagnosed as a clinical basket case. Chickens mate only once every seven years and great white sharks eat surfers who resemble elephant seals. Alan Greenspan sneezed and IBM fired 4,000 workers from their Bismarck plant. If tomorrow it rains, does an open straight beat a full-house?'

'Second, recite the Canterbury tales in old English and in iambic pentameter.'

'Third, and finally, are you going to finish that pastrami sandwich?'

Before he could answer, the room began to swirl uncontrollably in a wash of beautiful colors as I lost control of my surroundings. After what seemed like eternity I regained consciousness in a room filled with teeny-boppers shrieking at an icy Leonardo DiCrapio bobbing in the Atlantic ocean like an ice-cube garnishing a scotch on the rocks. Remembering my former saving mantra, I made sure to focus directly into the eyes of a pimple-faced pubescent suburban queen seated to my right, and began to ask questions.

'So, what kind of pro-bono work do you...'

I found myself garbed in a pinstripe suit and carrying what appeared to be a folder with a résumé of a Harvard law student.

minutes at a piece of paper in his lap that resembled the résumé I had seen myself holding a few minutes prior. He then peeked up and asked me: 'So, tell me about yourself, why did you come to law school?'

Again, realizing that my mental survival depended on capitulating to my hallucination, I became agitated because I was unsure how to respond: was I too sup-

posed to look down at my résumé for five minutes before speaking or adhere to the cardinal rule of making eye contact and asking questions.

I chose: 'So tell me about yourself, why did you go to

asked the interviewer, anger nearing its apex. Wasn't that the right answer? I was starting to get the shakes. I looked down at my résumé and transcript and replied:

'Property.'

'Why?'

I looked at my transcript again: 'because I got an A.'

'Who was your teacher?'

I looked at my transcript a final time, only the names of professors were not listed. I had never been to property class and had no idea what the subject matter entailed. The word 'VOID' was written all over the transcript, and my panic turned into delirium. What the hell was I doing in a law school interview hallucination with a phony transcript? Remembering that a self-initiated question could redeem me from this mire I asked:

'So, tell me about your practice?'

'Well, we specialize in capital markets and finance. Are you interested in being an anti-trust lawyer?'

- Did you hear, the RECORD is going online!!!
- God, its about time. Gonzaga University has already been online for, like, five years now.
- Not even. But whatever.
- Whatever.
- Well, anyway, the RECORD already has a server, and now it needs a WEBMASTER.
- Who'll that be?
- Hmmm, don't know. Why don't we put an ad in this week's RECORD looking for someone.
- Wow, awesome idea!

Damn, this ad is THE BOMB!

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Can You Spare a Razor Blade For Her Indie World?

By Dusan Stojkovic '00 and Suzanne Carter '00
RECORD Columnists

THE GOSPEL ACCORDING TO POLLY JEAN

The best-selling book of all time has been a salient source of inspiration throughout PJ Harvey's *oeuvre*. True to form, biblical references abound on Harvey's latest, bloodily brilliant disc, "Is This Desire?"

Harvey assembles the usual suspects — Adam and Eve, Mary and Joe, Jesus and an assortment of Magdalenes assuming a multitude of names — in her most introspective musical offering yet.

Broadening the concept of concept album into a concept discography, Harvey once again explores some of the most pressing manifestations of human existence: obsession, betrayal, and good ol' Remords with just a dab of Schadenfreude. "2,000 miles away/He walks upon the shore/2,000 miles away/It lays open like a road," Harvey laments in the role of "Angelene."

Holding back on guitars, and experimenting more with percussion instruments than on Harvey's earlier albums, Flood's production gives the songs on "Is This Desire?" a decidedly pastoral, sublime, yet technologically savvy feel.

In my personal favorite, the pseudo-folky "Catherine," Harvey assumes the voice of a tragically smitten man: "I envy the pillow your head rests and slumbers/I envy to murderous envy your lover."

Catherine also happens to be the name of the protagonist of another track, "The Wind," which features chant-like whispered ramblings, no doubt inspired by Brontë, and a sample of the theme from "Planet of the Apes." What results is beautifully insane, like Kate Bush getting the

freak on with Charlton Heston, surely the perfect *Leitmotif* for Charlie Nesson's next class, if he were teaching one.

Polly Jean got the blues, and she got it something awful. Interpreted by many another singer, Harvey's lyrics would diffuse into sentimental mad-drama melodrama. But Harvey belts out the 12 songs on "Is This Desire?" with the conviction that can only stem from excruciating self-consciousness. With burning urgency, she whispers, croons, pleads, screeches, moans, groans — she forcefully conveys the very essence of her being as if it were nanoseconds from expiring.

And her funk is addicting, as the listener, willingly growing more tore up with every replay, is bound to discover. In the words of Harvey's erstwhile collaborator, Tricky, listening to this disc makes me "wanna take my clothes off/tear my mouth and nose off/and take out my eyes." This shit is butta.

Still, despite its undeniable strengths, "Is This Desire?" merely showcases Harvey as the mistress of her domain: blues in an eccentric 7/4 beat; it does not move her music to that elusive next level of excellence. Unless the album following this one is drastically innovative, Harvey's *spiel* will get tired and predictable, and, as the chanteuse herself put it in "The Garden," there will be some serious "trouble taking place."



Is This Desire?
Polly Jean Harvey
Island Records, 1998



If you're like I am, you know her from the Fishy Song. You know, "little fish, big fish, swimming in the water. Come back here and give me my daughter." It hit the radio somewhere during the pre-Lilith chick revolution of the early- to mid-nineties, probably between Veruca Salt's "Vicrola" and Mazzy Star's "Fade Into You." If you happened to be out of the country that month, don't fret: you didn't miss much.

Alas, Fishy Song auteur Polly Jean Harvey has returned with yet another set of pieces from the other side of maudlin. And surprisingly, it is not the horrendous monotone that casual listeners of the Fishy Song may assume it to be. The album is appropriately titled "Is This Desire?" to accord with Harvey's gothic-death-by-Revlon image. After all, it would be out of character for Harvey to call her album, say, "Is This Mmmhlop?"

"Is This Desire?" fits into the same pop cultural landscape that gave birth to Trent Reznor and those Neil LaBute movies. It's disturbing, yet it achieves such high aestheticism that you can't turn it off.

The record's standout first track, "Angelene," promises the "prettiest mess you've ever seen," which flies in the face of the album's carefully orchestrated, con-

sciously anti-pretty atmosphere. In fact, "Is This Desire?" can be a rather difficult listen because Harvey refuses to be categorized, even as something so simple as a "mess." If it weren't for Harvey's ominous baritone and postfeminist lyrics, "Angelene" could be an old Johnny Cash release. "A Perfect Day Elise," the record's first single, might well have come out of Shirley Manson's closet. With its atmospheric vocals, "The Wind" is reminiscent of Mono or Beth Orton sans acoustic guitar.

On some tracks, though, Harvey breaks new ground. The glorious cinematic languor that surrounds "Catherine" is the album's high point and reason enough to invest in the disc. "I damn to hell every second you breathe," Harvey croons with the finesse of one who would be covering Cole Porter.

However, "Is This Desire?" doesn't quite sustain itself as a whole. "My Beautiful Leah," for example, tries to combine artsiness and electronica but ends up sounding like something Dieter on the old "Saturday Night Live" skit "Sprockets" would choose for dinner party music. Not that that's such a bad thing. Bussit: if you identify with Dieter's East European dissent and you can find anti-waif symbolism in Harvey's hideously made-up eyes, you might find yourself drooling over... oops, sorry. I'm drifting into Dusanic territory.

Grade: B+.

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