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TWENTY CENTS

Panel Criticizes Movie Trial

By Kermit Kubitz

This year the Law School replaced its venerable mock trial in criminal law with a fall film festival showing of that now-renowned videotape *The City and County of Denver v. Lauren R. Watson*. Last Thursday the pre-

fense attorney, also felt that Morgan had failed in his preparation, cross-examination, and generally lacked the ability to carve out a case different from that of the defense. He summarized the technique of Davies, Watson's attorney in the trial, as making a



Charles Soberman

Judge Zita L. Weinshienk, second from right, ponders point during panel discussion of the movie trial at which she presided.

siding judge, Honorable Zita Weinshienk '58, appeared on a panel discussing the trial and movie.

Professor James Vorenberg moderated as each participant — except Her Honor — proceeded to knock the performance of Morgan, the Denver prosecutor. Imitating the cast of the movie were other panelists Earl Silbert, a Washington prosecutor; David Nelson, a Boston defense attorney; and Joseph McNamara, a New York police lieutenant.

In his ten minute statement, Silbert indicated candidly that he hated Morgan in the movie. He said Morgan shouldn't have brought the case in the first place, and having brought it, should have won.

Nelson, playing the role of de-

contract with the jury during the *voir dire*, and then calling it in at the end of the trial.

Davies had asked the prospective jurors if they had any opinion.
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Law Committee Balks at Joining Clinical Project

By Greg Ward

Created to develop programs in the clinical-legal education field at Harvard Law School, the faculty-student Committee on Clinical and Legal Education is actively considering ways of making possible a more intensive student involvement in clinical-legal work. Many of the programs under consideration, according to Committee Chairman Frank E. A. Sander, would be conducted for a significant portion or all of a semester's credit.

In developing Law School programs the Committee seems to be keeping an eye on the activities of the Center for Law and Social Policy in Washington, D.C., an organization created by a small group of young Washington lawyers to represent the public interest in judicial and administrative proceedings in the District of Columbia.

The unusual feature of the Cen-
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Abba Eban Recounts 1967 War, Defends Israel's Right to Exist

By Joseph Rafalowicz

Abba Eban, Foreign Minister of Israel, addressed a crowd of over 2,200 at Sanders Theatre last Monday on the topic "Peace in the Middle East."

Mr. Eban began his speech by recounting the events of the days preceding the war in June, 1967. "The cold horror of the ordeal that faced us in June, 1967 has

not lost its impact on our minds. . . . All that we do and say in Israel is still dominated by that ordeal.

"From a sense of peril narrowly escaped, Israel deduces the central theme of its policy: never, never to return to the situation of peril," Mr. Eban told the crowd, including an overflow of
(Continued on Page 2)

Israeli Existence Defended

(Continued from Page 1)

1,000 in Memorial Hall, that broke into heavy applause.

Mr. Eban stated that Israel would not abandon the current Middle East cease-fire until a permanent peace settlement that gives Israel more security is achieved with the Arab nations. He endorsed the "package" concept of the Security Council Nov. 22, 1967 resolution but added that the "idea of withdrawal without peace is so eccentric . . . and irrational that I am surprised to hear it put forward at all."

Despite their military victory, Mr. Eban said his countrymen felt like "victims of the quick victory. The world adapts itself more easily to Jewish vulnerability and peril than to Israel's survival from peril through automatic sacrifice. World War II should have taught us that victory is no sure sign of aggression and that defeat is no sign of international virtue."

The central issue in the Middle East over the past 22 years, Mr. Eban said, has been Israel's right of survival. "The denial of Israel's statehood falls within the distinct lineage of anti-semitism. . . . Those who raise the cry of nationalism and parochialism do so only when the nationalism is Israeli."

"In the whole international controversy of our age, there's no other example of a nation's statehood being axiomatic," Mr. Eban pointed out. "Israel's existence as a nation has to be proclaimed as an inexorable reality."

Mr. Eban proposed "open frontiers" in the Middle East that would allow civil air routes and

railways to be routed between Arab and Israeli cities and regionally co-ordinated development of ports. "Borders should be bridges and not barriers between the peoples of the Middle East. . . If a boundary is free in both directions, the question of boundaries is less acute." Mr. Eban also suggested medical, scientific, agricultural and educational co-operation between Israel and its Arab neighbors.

Mr. Eban pointed out that Israel's eastern neighbor is a Palestinian state. The majority of people living there and the Prime Minister of the country are Palestinians. He said that Israel

Borders Should Be Bridges, Not Barriers

could accept Palestinian self-determination but, "we cannot accept Arab self-determination pushed to the point where Israeli self determination ceases to exist." He suggested that sovereignty and jurisdiction be shared in the Middle East, reminding the audience that the original borders of Palestine extended eastward beyond the Jordan River.

Mr. Eban ended his speech by asking the intellectual community to rise to the challenge being made to Israel's existence. "Israel is part and parcel of the world community. After 22 years of international life, it is a veteran of that community. . . . It is irrational to say that Israel does not exist. To do so is to confuse a wish with reality."

Reviewers

By Fenno

Ever wish that when one of those jackals in Room 315 (or was it 316, or 317 . . . ?) hands you a five-paged mimeo outlining the pleasures and rich cultural life to be found at 27 1/2 Wall Street, you could flip your own handout right back?

Well, two estimable 3Ls, Don Howarth and Roger Magnuson by name, have gone to the ammo depot, namely everyone who worked on *The Street* last summer, and now fire their salvos every which way in *TL Rev — Guide to New York Law Firms 1970*. It's available at the Board of Student Advisers' office, which has been handing out funny mimeos for years.

Oh yes, it also costs a buck. Like the concessionaires of Harvard Stadium, the Board year in and out always charges "championship prices." It's a better deal than those green Roscoe Pound eyeshades sold by the same two Board types who turned out this "high-profit item." See 17 *Jack & Marian's Menus* at 58. One so rarely sees subjective written commentary about the firms that any surfacing is bound to be greeted with cheers.

Without giving away all of their *bon mots*, or all of their rankings (the firms are graded on the "old" law school grading system — 65 to 77 — and ranked from 1 to 30), it can be noted that some of the most "prestigious" named outfits do turn up in the top ranking: pay, hours, similarity of work to a "cakewalk" and yes, prestige, seem to have been the grading and ranking criteria.

Cravath got Number One — probably because they refused to make an offer to a HARV. L. REV. summer clerk — despite a "reputation as a sweatshop for those there on a full-time basis." For those who won't read further out of outrage or lip fatigue, note that Breed, Abbott — ranked 16 — is in the "cakewalk" category for summer clerking: "If you

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must find out about big, N.Y.C. law firms first hand, this can be a rather relaxing way."

Lots of other little aids to the discerning selector hereabouts. Flashy ties are a prereq for Debevoise, Plimpton (*see generally* P. M. Bator, *Cravat or Cravath: There Is A Difference*, 35.7 MIDTOWN L. REV. 98.74 at .964) but Davis, Polk is for you "If you dress well and don't mind waiting 7 or 8 years for a crack at partnership, and are a bit conceited, you could fit in well" (*but see* P. A. Bator, *We're Downtown and We Still Love It at One Chase*, 78 CLASS TELLS L. J. 1 at 1/4).

One could carp at *TL Rev.* For one thing, there's enough "objective" information which mostly could be divined elsewhere. Even so, a bit more is disclosed about what kind of law each dump practices. Yet the "*TL Rev. Comments*" are the reason to give this mimeo the look-see. *E.g.*, re Chadbourne, Parke: "No relation to our own Bunny Chadbourn (the 'Chad'), it unfortunately lacks much of his 'class' also."

We've heard as many horror stories about Cahill, Gordon as about any place but it wasn't really fair to attribute their cross-section-of-the-class employment status to "the drawing effect of the rather disgusting cocktail party given at the Law School

each year when the firm comes for interviews." I've been to as many disgusting cocktail parties with other firms as with them and the last one didn't even have Wild Turkey.

Sullivan & Cromwell is rated sixth. How the mighty have



Charles Soberman

Authors Howarth and Magnuson inspect copy of New York law firm guide.

fallen! (How much further can we push them?) "It can now be said that S&C had a firm 77 score except for a D in generosity. You see, S&C is not only rich but cheap. They did not want to pay for trips to New York last year, but finally relented. . . . Also the

corroded chandeliers look hazardous."

The editors thank all those students who refused to contribute their observations on their summer experiences.

Incidentally, Miss Appel was one of the first to purchase a copy of *TL Rev.* And I did hear a fellow up at the Placement Office comment (a 3L) that "those guys don't know what they're talking about." Not knowing Spanish, I didn't know what those guys were talking about in the South-of-the-Border commentary on Curtis, Mallet-Prevost. But you'll stop laughing when Cisco and Pancho show up as the interviewers.

Advice to the lawlorn takes various shapes: "Milbank will want to know how you did. If you want a job, tell them. If you have some A's." Then: "If you like your firms medium-sized, Jewish and downtown, you should interview Strasser." Columbia dominates the top echelon of Kaye, Scholer. (Columbia who?) Or back to Debevoise: "A new associate is put into the 'pot' for several years. One can specialize if he demands it, or if he works at another firm."

It's hard in the end to be too critical of *TL Rev.* (The name is an acronym of The Law Review, and you know who thinks they are that, don't you? To be sure, I first figured it meant it was a guide for people who go to Wall St., or TL-ers, as the breed is known.) There's sort of a dog-on-the-hind-legs kind of aspect to it: who else has had the temerity to write about the moguls who paid for the Pound Building?

One of the editors, it appears, won't go back to N.Y. (lack of offer mentioned *supra*) and the other will kill an added year at the Kennedy School (*accord*, F. M. Bator, *Alternatives to Law as Entry to the Power Elite*, 54 ROUTE 128 L.J. 40 at fight). Interviewers, we hear, are knocking each other down running to the Board office to buy copies of *TL*

(Continued on Page 10)

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Ford Funds Criminal Justice Center

By Jerry Snow

The Center for the Advancement of Criminal Justice — brainchild of Professor James Vorenberg and beneficiary of a \$1 million Ford Foundation grant — is entering its second full year of operation at the Law School with eight major research projects underway and nine Criminal Justice Fellows in residence.

Projects range from a study of the effectiveness of the methadone maintenance program in the Bedford-Stuyvesant area of New York City to a study on burglary in the Boston "bedroom" community of Newton to collaborating on a police manual for the city of Cambridge.

Many more interesting and important research opportunities exist than the Center can presently take advantage of. However, funds and openings are available and the Center is looking for additional personnel, both full-time and student part-time, social science as well as law-oriented.

The nine Fellows are drawn from the ranks of police departments — a detective, two sergeants and a lieutenant; correctional and parole authorities — three administrators; a legal aid agency; and a law enforcement planning agency. [See RECORD, November 5, 1970.] Last year there were only four Fellows.

The Center is involved in several other activities, including a summer internship program which placed a number of students last summer with state and local agencies. Demand for these

interns exceeded the supply of students available. In addition, the Center has pursued some comparative law studies, sponsored colloquiums, and consulted for various criminal justice and law enforcement agencies.

of agency people to consider reforms based on research."

The Center's task, as Vorenberg sees it, is not only to deal in theoretical reforms, but to study the actual processes of change within agencies in an ef-



Charles Soberman

Professor James Vorenberg lounges in his office.

The underlying faith of the Center according to Director Vorenberg — formerly executive director of the President's Commission on Law Enforcement and Administration of Justice — is the belief that "greater knowledge, both through research and advanced training, is probably the most important factor in overhauling the criminal justice system.

"There is a greater intolerance now for the horrible state of the criminal justice system than in the early 60's," Vorenberg said. Not only is there more money available, but "there is a sense now that maybe there's something people can do about reforming the agencies of justice. There is greater willingness on the part

fort to learn how to get proposed reforms adopted. "Money, politics and vested interests are of course factors to be reckoned with," he observed.

Vorenberg would like to see the Center become something of an attraction for top scholars in the field of criminal justice — beyond what it is as a center for advanced training and specific research projects — where some of the most critical thinking could be focused on the deepest and most fundamental problems of criminal justice.

"But there is a great shortage of good people in this field," he said, sounding a note of discouragement. "It's like working for losers all your life — underfunded agencies, criminals. Like working for the Philadelphia Phillies."

One of the most encouraging notes, however, is the success of the Criminal Justice Fellowship program. While obvious benefits accrue to the individuals involved in terms of broadened exposure to the problems of criminal justice in other fields and to the varying viewpoints of other program participants, the real beneficiaries are the agencies and departments from which they come.

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Research

While a handful of individuals may themselves be able to effect only limited institutional changes in their respective agencies, they stand to have a greater impact on policies and attitudes towards education, research and the process of rational change in the field of criminal justice. They will become, ideally, a kind of farm system which may someday boost the Phillies out of the category of "losers."

That, at least, is the way the Fellows view their experience here at the Law School. There was uniform expression of the value of the program and a sense of optimism about what could be done.

Other projects currently in progress, besides those already named, include a study of changes under new leadership in the Massachusetts Department of Youth Services, the state's juvenile correctional agency; the Rhode Island Prison Project, an investigation into the legal rights and protections of convicted prisoners; a study of the effect of detainers — requests to turn over prisoners to another jurisdiction on completion of their present sentence — on the rehabilitative process; a study monitoring the process of changes instituted in the Detroit police department by Patrick Murphy; a study of robbery in Boston; and the Prison Legal Assistance Project (PLAP), which provides legal services to inmates of Walpole State Prison.

Other Center personnel besides Vorenberg include Lloyd E. Ohlin, research director and Law School professor of criminology; Paul Nejelski, assistant director and former director of the Law and Justice Center, National Institute of Law Enforcement and Criminal Justice; two lawyers, a sociologist, a project coordinator and clerical help. In addition, approximately fifty students participated during the past year on Center projects or internships.

Murder Line-up Drafts Student

By John Entenman

There are many ways to make five bucks. Washing cars, hustling your girl friend, stealing. Participating in a police lineup usually isn't one of them, despite the cowardly blandishments of fellow law students currently involved in Harvard's Student District Attorneys Program. While you'll never see the sawbuck promised you, a splendid time can be had anyway. And, when was the last time you can remember having a splendid time in a law-related activity?

There was something about the thought of being in a lineup with the accused felony-murderer Stanley Bond that enticed me. It wasn't that I wanted to see what such a person looked like, it's just that I fit his description and had little better to do during an afternoon last week.

So I was conscripted by one of the zealous attorneys out of my *Torts* class and shuttled to Boston to see what the criminal process was *really* like. It's different from the flicks. No bright lights. No background wall with yardstick-like height markings on it. No murderer sobbing and confessing to everyone in sight.

It was just a large room, occupied initially by numerous police and nine law students, plus myself. The ten of us had been carefully instructed as to the seriousness of a lineup and how the police hoped that we wouldn't screw things by pointing out Bond.

Somebody said we ought to take off our watches, rings, etc. since Bond wouldn't be wearing such accoutrements, and thus be easily identifiable. An archetypal Irish sergeant said no, since the supposed eyewitnesses were all too stupid to notice such a blatant discrepancy. We stuck such things in our pockets anyway.

Standing in line, things were relatively dull until *he* arrived, handcuffed, wearing dark glasses (we were all wearing dark glasses, since the criminal, whoever he be, had worn them at

the time). He was led in by a phalanx of guards. Naturally, he decided to stand next to me.

"You look just like me, buddy," he said. I mentally resolved to get my haircut.

Should I talk to this guy? What the hell, it's not a crime. "You're hot stuff around here," I suggested. "Yeah, well, when you put a bullet in a cop's head they really take notice." Swell.

At this point, and none too late, the first "eyewitness" entered. Some old guy with coke-bottle glasses who couldn't see his nose in front of him. No identification.

Bond turned to me. "You're lucky for me, buddy." "Yeah," I said, feeling glad about the whole thing. I told him I was studying the criminal process, and that's why I was there. "You ought to see the process in the back rooms, buddy." "No thanks," I shot back, witty as ever.

In came number two. A dowager. Indecisive. Looks at me, then Bond, then back again. I started sweating — what if I get identified? Put in jail? What will my parents think? No identification. She is ushered out.

Bond glances down the row, sees another 1L who likewise has a criminal bearing (remember those old theories about body-type?) and changes places — but taking me with him. The conversation gets on, Bond amiable and relaxed.

In come numbers three and four. Tellers, both young males. Plainly, they don't want to get involved. Again indecision. Number three shifts between Bond and me for a long while. No identification by either. Bond's chances for freedom skyrocket. The police are getting very upset at the whole thing, but they act confident — while getting a release from each of us saying that we weren't coerced into joining the lineup. I signed, but my heart wasn't in it.

After all, I had been promised five bucks. It would have defrayed the cost of my haircut.

Meeting For Public Interest Jobs

By Richard J. McManus

Complaints that the Placement Office devotes an inordinate portion of its services to students who want to work for private practice law firms have led Lewis Popper, 3L, and Van Lanckton, '67, executive director of the Community Legal Assistance Office, to organize a meeting to be held Wednesday, December 2 in Austin North at 8:00 p.m.

Students "looking for a viable alternative to conventional law firm employment" and interested in seeking jobs with public interest firms, legal service offices, law communes and government agencies are invited. CLAO and public interest law firm attorneys will be among the speakers.

A hand-out with names, addresses and evaluative information on jobs in these areas will be distributed. The organizers say the hand-out will provide information the Placement Office does not have. They also urge those attending to bring any "leads" they can contribute.

Popper said that he has been "concerned about the problem" since last spring and in recent weeks, worked up the plans for the Dec. 2 meeting with Lanckton. Lanckton's interest in the meeting was spurred by the number of students asking him about job opportunities in the public interest-legal services area.

"People were coming to me and saying that they couldn't get the information in the Placement Office," Lanckton said.

Popper estimated that at least ten per cent, probably 30 per cent or more, of 3Ls are not interested in law firm work. "The Placement Office," he contended, "does not devote that portion of its efforts for these people." He characterized the members of the placement staff as "well-meaning people who don't see emerging needs."

According to the Placement Office's own statistics approximately fifteen per cent of the Class of 1969 that responded to its questionnaire went into the fields Pop-

per and Lanckton are talking about. Sixty-five per cent of the class on the other hand, went into business or private practice and another fifteen per cent took judicial clerkships.

Both Popper and Lanckton, however, asserted that these statistics and those for the class of 1970 are misleading. They do not include, they said, many graduates in the public interest and legal services fields that did not respond to the surveys.

"Twenty-three per cent of the class of '70, for example, didn't respond," Lanckton said. "That makes the usefulness of the statistics doubtful. People who don't get a job through the Placement Office tend to go into legal services."

"Those who get the least service from the Placement Office," Popper noted, "are going to be the least likely to respond to their surveys."

Irrespective of the argument that the Placement Office is not providing proportionate services in public interest firms and legal services, Popper accused the office of not even having the information in these fields that it claims to have in its *What To Do and Where To Go* booklet.

"There is no listing of public defenders, only one mention of a public interest law firm and a couple of law reform institutes," he said. "There are only two folders on state and local government and only five or six attorneys-general. There are very few interviews."

"The Law School and its students," Popper continued, "have recognized that job placement is one area where the benefits of scale and centralized information are crucial to a successful program. But the Placement Office does not provide its services and benefits for the sizeable group of students who are looking for the jobs that are the most difficult to find and in which private financing and recruiting trips for both recruiters and students are least available."

Manuscript

By Judy Carmack York

Oliver Wendell Holmes mapped Civil War battles.

Felix Frankfurter saved all letters, although he often forgot to date them.

And Learned Hand was once mistaken for an Indian.

You learn a lot more than what's between his "dear sirs" and "sincerely yours" when you're assigned to inventory a famous person's papers.

As head of the Law School Library's Manuscript Division — the only one of its kind at any law school in the country — Mrs. Erika S. Chadbourn has sorted and shelved the papers of Dean Roscoe Pound, Judge Learned Hand, Justice Oliver Wendell Holmes, Professors Zechariah Chafee Jr., Thomas R. Powell and Henry M. Hart Jr., and the Supreme Court papers of Justices Brandeis and Frankfurter.

She has compiled inventories or indexes for all — including a 500-page one for the Pound collection.

"We save and categorize all that we're given, even cancelled checks," Mrs. Chadbourn said. "Anything can shed light or dispel myths."

Many gifts to the Manuscript Division arrive in old trunks covered with the dust of someone's attic. When assembled, most collections are enough to put any string-saver to shame.

It takes 127 linear feet of shelf space to hold the 80,000 items — 70,000 of which are correspondence — from the Pound collection. The Frankfurter papers, dating only from his Supreme Court period, demand 111 feet.

Established in 1966, the Manuscript Division contains mainly contemporary papers (those from this century) of figures associated with the Law School or topics of interest to the School. Most are given by the individual, deeded in his will, or passed on by his relatives. The Pound collection is there thanks to a secretary who saved everything.

Division Saves Scholars' Work Papers

Papers mean not only correspondence but also diaries, photos, taped interviews and briefs. Even a few swords, pistols and battle plans belonging to Holmes — and



Charles Soberman

Mrs. Erika S. Chadbourn holds picture from her current Roscoe Pound exhibit.

of course the famous Pound eyeshade — fall amid the savables.

Although the Holmes and Hand collections are now open only to their official biographers, others offer paper potential for students.

"The Chafee material — for in-after World War I, or the famous sight into the Communist scare Lotta Crabtree Will case — because of its perfect research background, and the Pound papers are possibilities," Mrs. Chadbourn said. "However, no one can just roam through the collections — he must have a specific topic in mind."

The Division, housed in the Treasure Room, also contains smaller collections such as selected papers of Dean Griswold, John M. Bullard and Henry Lee Shattuck.

When does a person decide he is going to be famous and start saving for posterity and future biographers?

Hand and Frankfurter began

keeping their papers right after Law School graduation. Hand drafted and re-drafted his letters, and filled 165 boxes with them. Frankfurter, who divided his papers between the Law School and the Library of Congress, sometimes complicated categorizing by forgetting to date his letters.

After a year assembling his papers Mrs. Chadbourn still finds Hand particularly fascinating.

"Although he was very busy, he still found time to write to all sorts of people — even school children who would ask questions about the law," she said.

He corresponded with Dean Acheson, with several art critics including Bernard Berenson, and with Archibald MacLeish who sent him a poem he wrote on Hand's son.

An Englishman wrote to see if he was an Indian given the name Learned Hand due to his wisdom. No, Hand answered, Learned was his mother's maiden name.

Papers are also useful for those interested in people with whom Hand and the others corresponded. Cardozo destroyed almost all his letters so the Manuscript Division was his biogra-

pher's only hope. After coming all the way from England to examine a few letters of Viscount James Bryce, one scholar recently gained access to one of the closed collections from the biographer.

The Library may publish some of the inventories to these collections and Mrs. Chadbourn has also compiled a Guide to the papers, which she hopes to print.

Huge gray boxes and faded papers on her desk show that Mrs. Chadbourn is at work on a new collection. The papers of Prof. and Mrs. Sheldon Glueck — which will be one of the largest and most complete collections — and those of Prof. Manley O. Hudson are her current projects.

Letters must be placed in acid-free folders to halt disintegration, then sorted alphabetically or chronologically. The papers are grouped in series, like book chapters, with an inventory for the index.

"Prof. Hudson's papers indicate great usefulness for scholars interested in international law," she said. "He was a great champion of the League of Nations and wrote many letters on it."

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CAP. I

Oyez! Interesse termini!
 Know all men by these presents!
 (Or any other hue and cry
 Once raised by feudal peasants.)

Now I'm convinced that that's the way —
 You must already know it —
 That any proper legal lay
 'S begun by legal poet.

Though I'll admit there's little doubt
 I might have used more "oyez's" —
 For no more awe-inspiring shout
 Resounds in Austin foyers.

* * *

CAP. V

Now first upon the list comes Pound,
 Like ancient Sacrobosco,
 Who was a learned man, and sound —
 No sounder than our Roscoe.

The common law's most shining light,
 They herald him — the bunch
 With whom he takes a frugal bite
 Each noon at Jimmie's Lunch.

In Jurisprudence you should hear
 Him talk in manner quizzic
 Of Pufendorf, DeGroot, Beaussire,
 All jurists metaphysic.

He knows the laws from nuts to soups,
 And classifies decisions
 In eighteen heads, and forty groups,
 With ninety subdivisions.

In Prop'ty marks he showed no least
 Restraint, so say all talesmen,
 But by his strictness much increased
 The number of bond salesmen.

He scorns a Cambridge winter blast —
 No winter's any harder —
 But overcoatless marches past,
 Kept warm by legal ardor.

Don't think his only interest is
 To right our law barbarian;
 In other roles he is a whiz —
 E.g., as disciplinarian.

You've seen those signs about the hall:
 "No Smoking!" he's exhorted;
 "The Fire Risk" is like a pall,
 "Offenders are Reported."

To see his proclamation there
 Just scares the skin right off us;
 There's now no smoking anywhere —
 Within his deanly office.

CAP. VI

You learn no law in Public U —
 That is its fascination —
 But Felix gives a point of view,
 And pleasant conversation.

Now Holmes and Brandeis are his stars —
 I'm sure his secret pash is
 To raise some great white handle bars,
 Like Holmes's fine mustaches.

His other god we can't omit,
 That wise and learned bozo
 Who with MacPherson made a hit —
 Of course I mean Cardozo.

But back to Felix — I suppose
 That "back" is quite excessive,
 Since every first years student knows
 F. F. is all progressive.

For labor he just stands four square,
 And feels no slight compunctions
 That judges will with such a flair
 Distribute strike injunctions.

And Felix doesn't think it's right
 That you should throw confetti
 When gloating o'er the sorry plight
 Of Sacco and Vanzetti.

He spoke and voted for that friend
 Of every farmer's wallet,
 Who to our courts would put an end —
 Affrighting Bob La Follette.

Ever wonder about the Lives of
 the Greats? Read on. It's like
 New Faces of 1925, only better.
 Mr. Plimpton has kindly given us
 permission to reprint his look at
 the faculty of that day:

IN PERSO NAM: BEING A LYR ICAL LIBEL READ AT

*the Christmas Dinner of the
 Lincoln's Inn Society, 1924*

By FRANCIS T. P. PLIMPTON

*Inter cuncta leges et percunctabere doctos
 Co. Lit. 232b*

*Negatio non potest probari
 Lofft. 381*

*Privately Printed
 CAMBRIDGE, MASSACHUSETTS
 MDCCCXXV*

(I know I stole that rhyme from *Life* —
 Which isn't fair — but yet
 The rhymes for Follette aren't so rife —
 It should be La Follette.)

And all the crying social needs,
 He says, first met response in
 That bailiwick of liberal creeds,
 La Follette's own Wisconsin.

Now Felix has one indoor sport:
 To ask with zeal religious
 Exactly how and why a court
 Decides a point litigious.

Whatever are your varied cults,
 You'll all admit this question
 Is settled when the judge consults
 His worshipful digestion.

CAP. VII

What question am I thinking of?
 The answer you don't know?
 But no one does, as Heaven's above,
 When asked by Warren, Joe.

The man on whom our Joe thus calls
 Just sits in blank vacuity;
 A solemn silence always falls,
 That tends to perpetuity.

In dealing with the kinds of land
 No one could be expliciter
 Than Gentlemanly Joe, a grand
 Old family solicitor.

His morning coat is always creased
 And keeps its modish matrix
 Although unhealthy T's deceased,
 Or Mrs. T, testatrix.

In contemplation of Lord Bangs
 Joe's very often lost in —
 That is the man whose picture hangs
 Behind his desk in Austin.

No student's question ever shook
 His calm extraordinary —
 He knows as much as Coke — or Coke —
 Pronunciations vary.

In Property, as you're aware,
 He treats of landlord's stiff rents
 With all the bored and careless air
 Of Harvard's best indifference.

CAP. VIII

No matter where on earth you start,
 In all your various rambles
 You'll never find a bigger heart —
 Or bigger voice — than Campbell's.

When he with shouts and yells unclear
 Expounds the Act by number,
 The honest scholars in the rear
 With difficulty slumber.

We should protect with greater fight
 Our right to sleep more soundly.
 Right? Right? My God, did I say right?
 Your pardon, sir, profoundly.
 (*Genusflection to Hudson*)

CAP. IX

And now we've reached upon our lists
 Free speech's best Messiah,
 The bulwark of all Bolsheviks
 Our Chafee, Zechariah.

Free speech? He surely uses it,
 For all his class room stories
 Display a most abandoned wit —
 They're *contra bonos mores*.

A man named Abrams once was seen,
 By anti-Red retrievers,
 To wave his hat and cheer Lenine,
 With most seditious vivas.

The cops then clubbed him on the head —
 The sound was quite euphonious —
 Judge Clayton gave him life and said
 His conduct was felonious.

It angered Zach just through and through,
 This treatment governmental,
 And in the Harvard Law Review
 He said it wasn't gentle.

On reading this, some lawyers said
 "It's plain there's treason to it!"
 At first they thought our Zach a Red,
 And presently they knew it.

So very wroth these Wall Street peers
 Got up a strong petition,
 And thus did get the Overseers
 To hold an Inquisition.

In Boston's Harvard Club they met,
 With awful portent dire;
 In righteous wrath each face was set —
 They said to Zechariah:

"Young man, if students hear you air
 Opinions any broader,
 Just think what will become of their
 Respect for Law and Order!"

"And now of course we don't propound
 Of freedom any blockage;
 Call anything you like unsound —
 But make it villain socage!"

Now Zach gave way before the strength
 Of those irate grandmommas,
 In fact apologized at length —
 For several misplaced commas.

CAP. X

McLaughlin's now before our bar —
 I don't know much about him,
 Although I've heard one gets catarrh
 Attempting to outshout him.

And I am led to understand
 He positively glories
 In Rabelaisian dicta and
 In very doubtful stories.

This tendency I fear may be
 The proximate causation
 Of our debased morale — e.g.,
 The following situation:

In every first year facts you meet,
 With ne'er a hint of marriage,
 A spinster's frightened on the street,
 And has a sad miscarriage.

CAP. XI

And now if you will give to me
Your kindly approbations,
I will detour a bit in re
the subjects of citations.

With difficulty I can see
That Jus. may mean Justinian,
But Yerg. and Bing. and Moo. to me
Are mysteries Eleusinian.

And one particular thing of late
My brain's been awfully racked on —
It's Bract., pl. 6, tit. 8. Tit. 8?
A quaint physique, this Bracton!

CAP. XII

And now while I can still digress,
It seems but just to me
To cite the case of one named S,
On trial for perjury.

At night life S had thought that he
Would like to take a wallop;
He did it, very thoroughly,
And met by chance a trollop.

And when those two had drunk their fill
In every well known dancery,
The thought occurred — as such thoughts will —
A quiet caravanserai!

An inn they entered, still in wine;
The clerk by duty fired
Produced the book for S to sign —
By statute it's required.

S wrote for both, with writing slow —
He'll rue it all his life —
For what he wrote (it wasn't so)
Was "I de S and wife."

That trollop called herself Miss Not —
To tell you I'd forgotten —
And S's troubles grew a lot,
For soon she felt just rotten.

She went to see a doctor keen,
With mental anguish regnant;
"Miss Not", he said, "I never seen
A negative more pregnant!"

Now in this case you cannot lose
The legal lesson rare;
That prudent men should always use
A higher degree of care.

CAP. XIII

It's mighty nice when spring prevails
To hear that hurdy-gurdy,
But not so nice to go to Sales,
And listen to McCurdy.

This little man knows all there is
Concerning letters credit;
They say his pamphlet is a whiz —
Myself, I haven't read it.

His first year class, I understand
By all the best reports,
Distorts the law of Contracts, and
Contracts the law of Torts.

When passing on the street he'll wince
With downcast perturbation,
And who could ever blame him since
That Sales examination!

That Sales exam! Oh what a load!
Now I've no wish to bait yer,
But Gosh, it seemed to me it showed
A most vindictive nature!

CAP. XIV

Now Beale received from Cambridge U
(He earned it at a canter)
A flowing gown of crimson hue
With scarlet tam-o-shanter,

Which flops about that noble brow —
And looks! Unless you saw his,
You really can't imagine how
Undignified the law is.

Joy tends to be a mite severe
In class room conversation.
But it would do you good to hear
His ratiocination.

The ones that argued — how they cried!
You really should have heard 'em,
As he with banging fist applied
Reductio ad absurdum.

He calls upon his learning wide
And uses perfect diction,
As with a solemn quiet pride
He justifies a fiction.

Bewildered pupils hear with awe
His logic unrelenting,
As he with force lays down the law —
With Justice Holmes dissenting.

I'll tell you this — you'd better know
It now as well as later —
When Joy asserts a thing is so,
It's *res adjudicata*.

CAP. XV

Now hearty John McGuire's the boy
Who carries off the bunting
For showing an unbounded joy
At intramural punting.

(Continued on Page 11)



Fay Foto

The Faculty as here pictured for 1926-27 was much the same as it was when paeanized by Plimpton for 1924-25. The following portrait identifications attempt to match face and poesy: 1. ROSCOE POUND (Cap. V), *Dean and Carter Professor of General Jurisprudence*; 2. ELDON R. JAMES, *Professor of Law and Librarian*; 3. JOHN M. MAGUIRE (Cap. XV), *Professor of Law*; 4. EDWARD H. WARREN (Cap.



XVIII), *Weld Professor of Law*; 5. SAMUEL WILLISTON (Cap. XVII), *Dane Professor of Law*; 6. MORTON C. CAMPBELL (Cap. VIII), *Professor of Law*; 7. FRANCIS H. BOHLEN, *Langdell Professor of Law*; 8. GUY H. HOLLIDAY, *Secretary*; 9. FRANCIS B. SAYRE, *Professor of Law*; 10. EDMUND M. MORGAN, *Professor of Law*; 11. JOSEPH H. BEALE (Cap. XIV), *Royall Professor of Law*; 12. A. PEARCE HIGGINS, *Visiting Lecturer on International Law*; 13. JAMES A. MACLACHLAN (cap. X), *Assistant Professor of Law*; 14. AUSTIN WAKEMAN SCOTT (Cap. XIX), *Story Professor of Law*; 15. THEODORE F. T. PLUCKNETT, *Assistant Professor of Legal History*; 16. THOMAS REED POWELL, *Professor of Law*; 17. CALVERT MAGRUDER (Cap. XX), *Professor of Law*; 18. WILLIAM E. MCCURDY (Cap. XIII), *Assistant Professor of Law*; 19. JAMES M. LANDIS, *Assistant Professor of Law*; 20. FELIX FRANKFURTER (Cap. VI), *Byrne Professor of Administrative Law*; 21. SAYRE MACNEIL, *Professor of Law*.

Professor ZECHARIAH CHAFEE, JR. (Cap. IX), was on leave for 1926-27. Others in verse but not in picture are: JOSEPH WARREN (Cap. VII), *Bussey Professor of Law*; EUGENE WAMBAUGH (Cap. XVI), *Langdell Professor of Law, Emeritus*; and MANLEY O. HUDSON (Cap. XXI), *Bemis Professor of International Law*.

Honorable Grading

If anyone really thinks that instituting an honor system here will legitimize the Law School grading system, he had best reconsider.

The faculty is currently being alerted that student responses will soon be surveyed regarding exam variations ranging from elimination of proctors to self-paced take-homes to any rational, student-suggested programme.

Rumors and private confessions of cheating on this summer's take-home exams — coupled with the failure of any such instances to be officially reported by students — have led more than a few to suspect that *sub rosa* competitiveness and lawyerly cynicism still blossom here. And if dishonor was not practiced by all poisoning over summertime exam-books, there were sufficient autumnal reports of it to deflower idealism wholesale.

If to "succeed" students must compete against brethren whom they distrust within a grading system which they question, can anyone marvel at the likely result? The stakes are high: scoring winners get the noblest clerkships, the best jobs. The Spencerian ground-rules are imperfect: wide-ranging professorial discretion in grading is plugged into a ranking of overly petty distinctions. Indeed, last year a few professors gave lower grades across the board in certain of their courses for reasons appearing to border upon sheer vindictiveness. Students catching a load from fellow contestants and referees alike are hurt in a system which supposedly rewards examination success on the theory that such demonstrates merit. But the injured soon learn to play.

That an honor system might pluck any remaining validity screening a now-overrated grading system militates for its espousal. Proctors are expendable in any event.

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Fenno

(Continued from Page 3)

Rev. (Better, they're asking interviewees who have already been axed — but uninformed of their status — to shell out the buck and send *TL Rev.* along with a sample of their written work and a recommendation from Archie.) The fact that it costs a buck wounds one in much the same way as does the purchase of a Mighty Moe: for a while it's fun but a little later you get sick about the whole thing.

Bunky suspects that Haight, Gardner, Poor & Havens was ranked last because it "has made no promise of time for *pro bono* work that has reached us by the normal channels." And Rosenman, Colin may even survive its ranking as 26th just as it overcame the loss of CBS, as *TL Rev.* notes.

Having seen "Ma Nuit Chez Maud" with Bunky the other night, I'm now in just the right mood for interviewing. Why, with *TL Rev* in one hand and Pascal in another, I freaked out one partner when I asked him why everybody slaves away to pay some old retired jerk \$100,000 a year. But then, Wall St. is much like "Picnic in the Grass," co-feature at the Orson Welles: big-name director presenting total garbage.

In case you weren't interested, the Board edged the *Law Review* 10-9, in the annual "honorary bowl" last Saturday. There were a lot of safeties (no 2-point conversions, I guess) and the *Review* would have been penalized 69 yards for unnecessary roughness but someone forgot the yardstick. Play reportedly was so nasty-nasty that Teddy Green would have felt at home. I am empowered by the powers-that-be at the RECORD to challenge any and every "honorary" (whatever they are, to quote Prof. Weinreb) at the Law School to compete on the field of honor regarded by all as the test of champions: hopscotch. Contestants must bring their own potsies. Faculty brats as judges?

LETTERS

Mideast Fight Fan Scores Dershowitz

To the Editor:

Re Dershowitz (Oct 22) on Fisher (Oct 8) on What's Best for Israel:

And one would certainly hope that Professor Dershowitz will always feel free to attack the merits of any argument, advanced by anyone, including Professor Fisher; but those of us at least who were graduated from the School in its late antebellum period and who now attempt to make our way as best we can through the rhetoric of the revolution would certainly appreciate it if, on the next occasion when Professor Dershowitz feels compelled publicly to address himself to some argument, he will do precisely that and will try as best he can to keep a gratuitous *argumentum ad hominem* to himself (by whatever language that classical rhetorical fallacy is identified in Yiddish.)

Charles W. Babcock, Jr.

Fierce Rivalry Evokes Nostalgia

To the Editor:

I have noted with considerable dismay in recent years that Harvard Law School students don't seem to like the school, and perhaps the profession.

They don't like to be told what courses to take; they want to pick and veto their professors; they don't like rules; they are surprised that prospective employers (which means prospective partners) would like to have some idea of how well they've done in school; they are inhibited by (and apparently scared to death of) "competition."

The climax for me was the RECORD's editorial comment (10-1-70) that "For many, exam-taking last spring was a psychological impossibility."

The students and editors who have these ideas are naive. They should know that the "psychological impossibility" is a regular occurrence in a decent law practice — and that the ability to perform competently in difficult psychological circumstances is one of the marks of a good lawyer.

The fierce competition at the school in years past produced fine lawyers. The practice of law is in many senses a competitive thing. I am saddened to see it fading at the school I love.

Kenneth H. Holcombe '51

Trial Film

(Continued from Page 1)

ion about the defendant before the trial. He led the jurors to the realization that they must initially have the opinion that the defendant is innocent, creating what Nelson regarded as a contract between jury and defense attorney.

The prototypical policeman, Mr. McNamara told of the difficulty in testifying to events that may have happened six months previously. He blamed Morgan for not discussing the case with the police officers prior to trial, and criticized the arresting officer, Cantwell, for not looking at his own police report before being called on to testify.

McNamara suggested that policemen *do* have a duty to follow suspected individuals, and asked, "How many of you, seeing the facts of the case, immediately felt sympathy for the black man? How many were impartial?"

In her statement, the Judge told how tough it was to be a judge, and how glad she was that the case went to the jury. When asked how she would have ruled in a higher court on objections to the content and selection of the jury, she took the Fifth.

After all the other members of the panel had pretty well battered Mr. Morgan, she said he was one of the best prosecutors they had. She revealed that she had no idea the whole trial would be the subject of a six-hour documentary, but thought perhaps five minutes would be used.

The question and answer period was uniformly dull, and no one asked the central question. Is this movie — and the reflections it casts on the bar and our system of justice — the reason that more trials are not filmed?

POEM

(Continued from Page 9)

For punts he's groomed as if for tea —
Impeccable his coat is —
But of his divers fumbles we
Won't take judicial notice.

Now so polite a man as he
You've headily ever met;
In fact he has inspired me
To write a triolet.

A triolet? It's not the norm,
But I'm among the few ones
That really likes an old French form —
While Hudson craves the new ones.

My effort you may well condemn —
It isn't so exquisite,
Not half enough for sweet John M. —
At any rate, this is it:

You are right, Mr. A,
And your point is well taken —
But permit me to say
You are right, Mr. J,

And to add, if I may,
My position is shaken —
You are right, Mr. K,
And your point is well taken.

CAP. XVI

Now Wamby's better nature's shown
When he is with his dear books,
Just on a frolic of his own,
Ensconsed among the Year Books.

At cryptic jokes he laughs aloud,
And when he really giggles
Then even Gilda Gray'd be proud
Of those abdominal wiggles.

With saintly fervor he abounds,
And curious convolutions,
As he with flashing eye expounds
Our sacred Constitution.

Of research he has done a wad —
He knows how many colons
Were written — with the help of God —
By Continental solons.

When he just like a holy seer
Discusses our Supreme Court,
You have to pinch yourself for fear
He's talking of a dream court.

The times are lax! The times are lax!
Ah would all constitutions
Had such defenders 'gainst attacks
By anarchistic Roosians!

And I will bet a peppercorn
(That is consideration)
He voted on one Tuesday morn
For Dawes, and saved the nation.

CAP. XVII

Now Williston lives in a zoo
With beasts supposititious;
There's John's white horse, and Peter's too,
One eyed and very vicious.

Canary birds are flitting by,
With vigor undiminished —
But all these animals will die
Before the contract's finished.

(Continued on Page 12)

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POEM

(Continued from Page 11)

Most awful problems Sam will set
With which you have to grapple —
That you can't solve 'em he will bet
A great big nice red apple.

I'm going to have more triolets,
I'll break it to you gently;
The dedication Sammy gets —
He rates it, evidently:

Oh Lawrence owed Fox,
And Fox he owed Holly.
It was awfully hard knocks
That Lawrence owed Fox,
And most heterodox —
As I calls it, by golly —
That Lawrence owed Fox,
With Fox owing Holly.

So Lawrence sued Fox,
And Fox he sued Holly —
When they sues they just socks,
Do Lawrence and Fox.
They were all in a box,
Immersed in their folly,
Both Lawrence and Fox,
With Fox suing Holly.

Then Lawrence paid Fox,
And Fox he paid Holly,
With novations in flocks
'Twixt Lawrence and Fox.
They began on the rocks,
But the end is quite jolly —
For Lawrence paid Fox,
And Fox he paid Holly.

CAP. XVIII

And now we summon to the dock
The faculty's best Junker,
Of all that flinty hearted flock
The most persistent flunker.

He has no rival to these claims —
And what I say's no fiction —
There's none in all the State of Ames,
A weighty jurisdiction.

I very strongly do suspect
My meaning isn't foreign —
The man I've mentioned in effect
Is Edward H. (Bull) Warren.

It may be said by some of you
I've made an overstatement;
Then give your kind attention to
My pleading in abatement.

The plan that I would fain suggest
To prove my poet's prattle,
Is in the nature of a test
Quite like a trial by battle.

Just march into the Bull's pet class
That treats of old replevin,
And make your entrance bold as brass
At thirteen past eleven.

The door is locked? Don't hesitate,
But mightily besiege it;
Go right ahead and perpetrate
A *quare clausum fregit*.

Do this, and on my dying bed
I'd guarantee effectment;
You'll learn the truth of what I've said,
And *all* about ejection.

In Property, with first year folks,
This Bull's a holy terror;
When he's annoyed the air just smokes —
He pounces on each error.

The man he calls upon by name
Is in an awful plight;
Those in that row can surely claim
Their damages for fright.

In third year, though, he undergoes
A startling transformation —
He actually tells that which he knows
Without vituperation

In fact I'll say that his discourse
Is mild as any zephyr;
A strange reverse of nature's course —
The Bull become a heifer!

But why? I know the question's tough;
Perhaps he's somewhat leery
'Cause third year men know law enough
To argue back — *sed quare?*

CAP. XIX

Now I'll admit that Bull has got
A talent for emphatics,
But there is Austin Wakeman Scott,
Supreme at acrobatics!

The whole front row and those nearby
Have need of an insurer,
As Scotty does a hand stand high,
When someone says "demurrer".

And if a poor misguided man
Should mention "*cesstui*" — gracious,
Then Scotty'll raise more rumpus than
A writ of *feri facias*.

To see him balance on his chair
'S a sight for any sore eye,
But ear drums break beyond repair
At his "a fortiori!"

Most first year students soon can see
That if you try to tax him,
Then Scotty's surrejoinder 'll be
A smashing Latin maxim.

And those that argue meet their doom —
Without a qualm he's licked 'em —
The corpses lie about the room,
Demolished by a dictum.

They tell a doleful story on
A plaintiff *ex delicto*,
Who rashly moved for judgment *non*
Obstante veredicto.

It caught Scott's sharp procedural eye —
He sentenced it with glee
An awful lingering death to die,
That plaintiff's plaintive plea.

CAP. XX

In any part of town you pick
The greatest sign of tone is
Magruder's hat and gloves and stick —
Our faculty Adonis!

To see him at his very best,
Just take some casual glances
At how he dominates the rest
At Harvard Law School dances.

You must remember that affair —
The toppers dancing topely —
Withal, a most illegal air —
They held it at the Copely.

(Copely? Awful, I'll confess —
But try to rhyme the Copely —
As any first year man can guess,
There's no such word as "opley.")

If he invites, in manner cool,
A girl to ride — deter 'er,
For in a car he'll overrule
The most demure demurrer.

But if she rides with him at night —
And if she is that sort —
He'll satisfy her female right
To lateral support.

He just possesses girls, I find,
Without an inhibition.
Possesses? Yes, I have in mind
Bull Warren's definition.

And if you up and asked him what
The secret of his charm is,
I'm sure he'd say it's nothing but
A little *vi et armis*.

CAP. XXI

It's lit with lurid furied flames,
The scene I'm now depicting —
Crashing clashing come the claims,
And each with each conflicting.

But still a careful figure stands —
On it a placid glint rests —
It's Manley O., and in both hands
He's balancing the interests.

The bare sex credibly reports
That he's a gay deceiver;
He gives them all a course in Torts
In far away Geneva.

It's there he's at his very best,
Surrounded by a bevy
Of titled ladies — don't protest —
The social interest's heavy.

He also works without fatigue
At problems very meaty —
He's often seen about the League
Just spelling out a treaty.

In public prints you must have scanned
That comedy domestic
Produced last June by Hudson and
The goodly ship Majestic.

A minute's time was all he gave
To catch that common carrier —
(The prudent man turned in his grave)
They'd closed up tight the barrier.

"That Balmain Ferry Case," he cried,
With infinite resource,
And then to climb the fence he tried,
With reasonable force.

"Against the order!" stewards said,
And quelled his aspirations —
But Manley shouted, seeing red,
"Produce the regulations!"

A sailor with a salty oath
At hearing such a discourse,
Pulled out the sailing chart and quoth
"Have you a seat in this course?"

Was Manley mad? You bet your hat!
You'd have to go to Bisra —
An angry town — to equal that
Sensation in his viscera.

And more from anger than from choice
He danced a tortious dance,
And wailed, and lifted up his voice,
And cried "My last clear chance!"

And from the bridge there floated down
The captain's answering word —
It echoed all around the town —
"Enough: you can't be heard!"

So Manley yelled with all his might —
It made Hoboken geese rise —
He almost won, but couldn't quite,
'S he almost won the Peace Prize.

He had to drink a bitter cup —
The sorry tale is told —
For soon they pulled the anchor up,
And sailed, and left him cold.

CAP. XXII

And now we've gone through all the list
Of classroom regal Kleagles;
Some secret sins I may have missed —
They're sly, these legal eagles.

But I am sure you'll all agree
They are a heinous crew;
One single gleam of hope-I see,
They're better than — B.U.

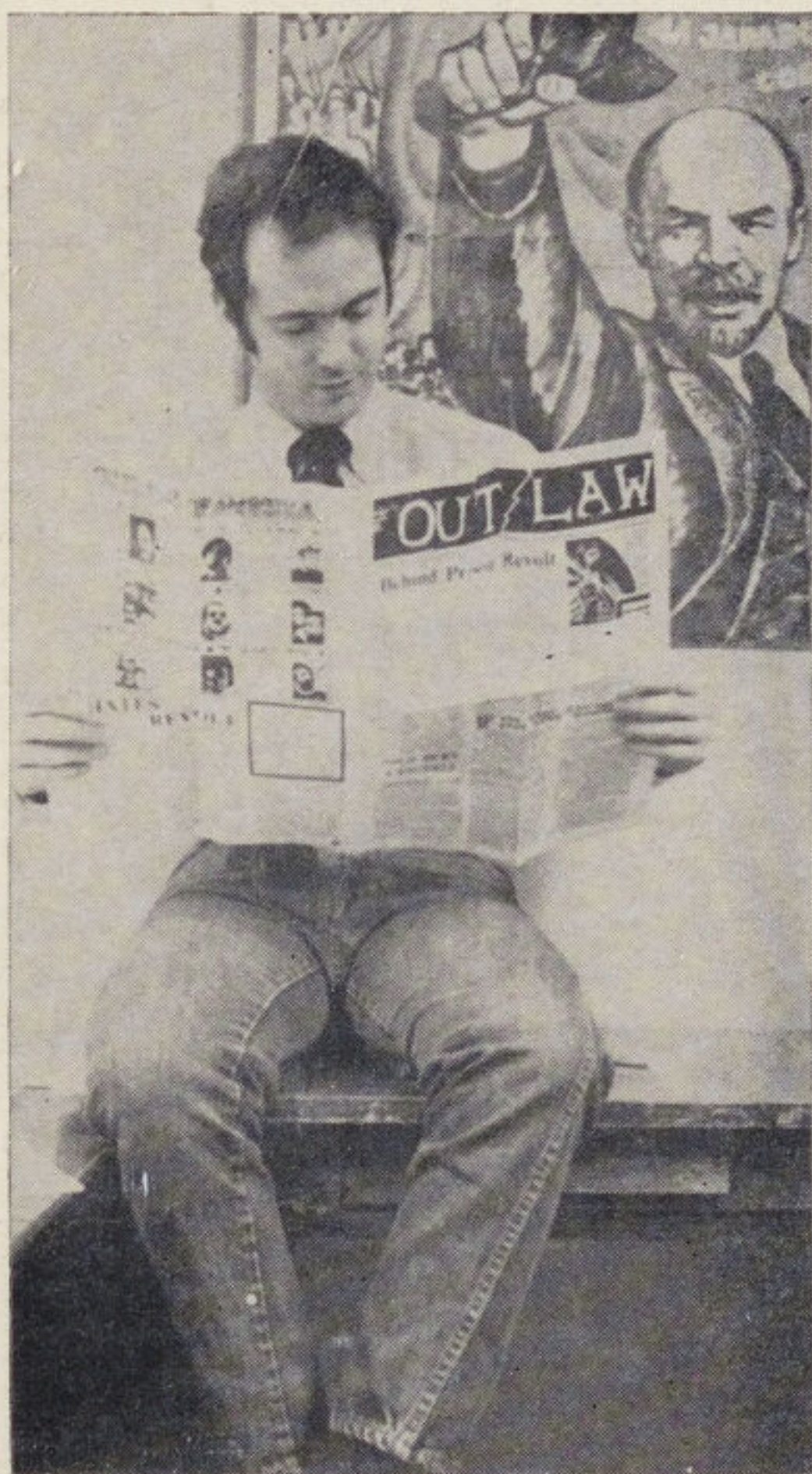
And scholars, sober, set, and staid,
That faculty outdrank you;
But now my legal lay is laid —
For your attention, thank you.

New Publication Debuts at Law School

'Outlaw' Aims for Awareness

By Jerry Snow

Harvard Law School now has two newspapers. The newest publication, which hit the Law School market early in November with a maiden issue of 1,000 copies, is styled *the Out-law*, a four-page fold-open sheet dedicated to the proposition of "heightened social consciousness."



Charles Soberman

Lenin reads the *Out-law* approvingly over student's shoulder.

The Out-law — which is distributed free despite a cost of \$20 per issue to its backers — is the outgrowth of an idea discussed in the Radical Law Students Group,

but is not affiliated with that group as such. Staff members are representative of a variety of political leanings.

In fact, according to Weldon Brewer, 2L, the diversity of interest and participation in *the Out-law* "has caused a great deal of problems. Not only is there disagreement on politics, but on objectives of the newspaper, on the audience we're trying to reach, and on the type of articles we let in."

Brewer, together with Saul Schapiro, 3L, Marian Penn, 3L, and several others make up the closest thing to an editorial staff *the Out-law* has. There are no formal editors and no hierarchy of leadership. Decision is by majority vote of those present at staff meetings, usually from four to nine people.

The name of the newspaper was "chosen for its impact," said Brewer. "It was one that everybody liked" — in part, for its highly suggestive ambiguity. It is possible to read "out-law" as meaning "both those outside the legal system in the sense that they are not protected by the law — such as a black ghetto dweller — and those stigmatized by the law, such as William Kunstler," said Brewer.

At \$20 per issue, *the Out-law* faces no immediate financial crisis. Over \$13 in contributions were collected with the first issue. In addition, O'Connell's store — the student store in

Harkness Commons — is reported to have offered exclusive financial backing for *the Out-law*, but was turned down on that basis.

The Out-law intends to continue publishing at least through the remainder of this year, avowedly every two weeks according to Brewer, "but that's rough to keep up in the initial stages," he added. The first issue appeared three weeks ago. *The Out-law* uses the office space of *The Old Mole* — as do numerous other publications — for its layout and editorial work and is published by the New England Free Press.

While *the Out-law* — as Brewer saw it — intends to concentrate on articles by Law School writers dealing with Law School concerns, the first issue ranged somewhat far afield of the radius of Langdell Hall, by conservative definition. The lead article focused on the need for prison reform, another front page story dealt with the Seattle conspiracy trial, and there were several items attributable to the Liberation News Service (LNS). Perhaps, put Brewer rephrasing it, it is enough that "it has to do with the law."

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School Balks at Clinical Credit

(Continued from Page 1)

ter, said Professor David F. Cavers, chairman of the board for the Center, is its association with five law schools, which are entitled to send some students to take part in the program and, if

HLS Approached, Ignored By Center

financially feasible, members of the faculty as well. Harvard, while approached in regard to the project, is not now associated with the Center.

"We were approached at a very early stage when they weren't very clear about what the program was going to be," said Dean Derek C. Bok. Bok recalled that the first face-to-face contact with representatives from the Center occurred in the early Fall of 1968, at a stage where "their thinking was pretty embryonic," and that reaction to the project was that Harvard would like to see how the program developed its ideas in regard to the educational aspects of the project.

The Center went ahead without Harvard, receiving its first crop of students from Michigan, Pennsylvania, Stanford, UCLA and Yale law schools during the second semester of the 1969-70 school year. These students come to the center in two waves — one in the spring which stays through one-half of the summer, and the other in the middle of the summer which stays through the fall semester — and they receive academic credit for their semester work.

"They've had a terrific success so far," said Cavers. The Center has represented a number of citizens' groups either alone or in association with other public interest lawyers and has brought injunction suits against, *inter alia*, (1) the Secretary of Interior (Alaska pipeline), (2) the Secretary of Agriculture (pesticides), and (3) the Secretary of Health, Education and Welfare (pesticides and drugs). The Center won all of the cases at the preliminary stages. The Center's biggest success involved proceedings against the Department of Transportation, which resulted in the Department's requiring General Motors to recall 150,000 trucks for defective wheels.

"One might ask why we haven't pursued it," said Bok. He indicated that the Center has not consulted with Harvard Law School and that he has not made the project a high priority item.

"I don't think I'd be against reconsidering," said Bok. "It's not that I've made up my mind it's not worthwhile. I'm more interested in programs which would benefit more students."

At the present time there are only 12 student participants at the Center, and Cavers remarked that the Center cannot envision a group of students larger than 25.

Finding the program which will benefit more Harvard Law students has been the chore of Professor Sander's committee. Sander said that one proposal currently under consideration is that of the Lawyer's Committee for Civil Rights Under Law, which

would set up an Urban Legal Laboratory in Boston.

While the ULL would be in effect a public interest law firm it would differ from the Center, said Sander, in that lawyers would be lent by major firms on a six month basis and faculty members would be lent by the schools to give the project a more academic base. Plans are being made to test the ULL this spring on a pilot basis with students from Boston College Law School.

While Harvard had been approached about the project, the Committee raised questions at the time about the ability of the project to find firms willing to lend one of their lawyers to the ULL. Despite this question, Boston College, agreed to participate in the pilot program.

If the ULL materializes, it would probably involve from 20 to 25 students. While it is not clear where the students will come from, Sander expressed hopes that this many would be able to come from Harvard.

Committee Inactivity Irks Ad Hoc Group

The Committee is also exploring ways of allowing students to work under law firm supervision, a proposal, said Sander, which would allow more diffuseness while not requiring the creation of a new program structure. The possibility of having accredited clinical work growing out of a course such as Advanced Constitutional Litigation has also been suggested.

Many students feel, however, that the Committee is engaging in too much exploration and not enough recommendation. Saul Schapiro, 3L, spokesman for the Ad Hoc Committee, a group pushing for the adoption of clinical-legal programs at the Law School, remarked that last year the Com-

(Continued on Page 16)

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Students Seek Clinical Project

(Continued from Page 15)

mittee had well-thought-through proposals and "just sat on them. This year they're starting all over again," he said.

"We don't feel the faculty has any sense of priority or urgency about this issue," said Schapiro, who explained that his group was trying to raise the issue generally to get students concerned about clinical-legal education. While the Ad Hoc Committee is not concerned with any one proposal, it is pressing for the early adoption of two kinds of programs instituted at other schools.

The most liberal plan, the Yale plan, allows the student to decide on a project and find a faculty member who is willing to support him. If the project is considered

valid and passed by committee, the student would work on the project for whatever credit it is worth, up to a full semester's credit.

"This plan," said Schapiro, "doesn't require setting up any administrative apparatus. It's been in effect at Yale and we see

Yalies Pick Own Semester Projects

absolutely no reason why it shouldn't go into effect at Harvard."

The second plan, the Rutgers or Expanded Course plan, would set up a clinical component to an established course (again Advanced Constitutional Litigation was mentioned.)

"We're working to have these two things established in the spring," said Schapiro. The Ad Hoc Committee is also attempting to receive from the Law School a commitment to have a larger, long-range program next Fall.

Even Professor Cavers, however, has his doubts about the future of clinical-legal education at Harvard. He pointed out that the Law School has more clinical-legal work going on than do other schools, although this work is done extracurricularly. Cavers remarked that the ordinary course load at Harvard Law School is below that of most schools and that those pushing for accredited clinical work are in effect asking to take one less course. He questions the need for change when students "do do it [clinical work] and do it well without being graded, without professors and without the loss of a course."

The Committee on Clinical and Legal Education is still investigating clinical-legal education to see what promise it holds for the Law School. Student members are Robert P. Feyer, 3L; Robert J. LeClair, 3L; Marc J. Sonnenfeld, 3L; Michael L. Beatty, 2L; and Frank K. Upham, 1L.

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