March 17  Ames Final Competition
7:30 p.m. Ames Courtroom, Austin North (617) 495-4355

April 8  Public Interest Auction
Silent and Live Auction
6:30 p.m. Ames Courtroom, Austin Hall (617) 495-3008

April 13–14  Ames Semi-Final Competition
7:30 p.m. Ames Courtroom, Austin Hall (617) 495-4355

April 21  Oliver Wendell Holmes Lecture
Speaker: Stanford Law School Professor Kathleen Sullivan '81
4 p.m., Ames Courtroom, Austin North (617) 495-4600

April 22–25  Spring Reunions Weekend

April 23–24  HLSA Spring Meeting (617) 495-4698

June 9  Alumni Spread and Class Day (617) 495-4673

June 10  Commencement (617) 495-8209

June 13–24  Program of Instruction for Lawyers (617) 495-3387

September 9–18  HLS Fund and Association Leadership Conference (617) 495-3151

October 21–24  Fall Reunions Weekend

For more information, call the phone number listed for each event.

For up-to-date information about news and events at the School, visit www.law.harvard.edu/News/.
At Celebration 45 and the Leadership Conference here in November, I had the opportunity to tell many alumni about a major undertaking at HLS: we have begun a serious process of fundamental assessment and strategic planning for the longer term future of the School. Our Law School is not succumbing to millennial fever. The process reflects a strong belief that, periodically, those who have a fiduciary responsibility toward this great institution must strive consciously to see its place in the larger scheme of things and plan its future use of resources and talent so as to maximize achievement of its core mission. The Law School aims to promote the common good by producing the best possible legal education and scholarship. In light of the School's comparative advantages and other key attributes, and in light of the environment in which it now operates, how best can we pursue that goal? Nearly half of our regular faculty members are now active in five strategic planning committees. These groups, which also include student and staff members, are focused on the curriculum, internationalization, infrastructure, student life, and interrelationships to the profession. In addition, an overarching steering committee, chaired by Professor Dan Melzer ’75, is monitoring and integrating the work of five planning committees. The ultimate result will be a new long-term plan.

The Academic Development Committee is charged with studying our core curriculum and research programs, and with developing policies toward forging better links with other disciplines (such as history, economics, and sociology) and with other departments and schools at Harvard (such as the Business School and the Kennedy School of Government). It is chaired by Professor Todd Rakoff ’81. Professors Anne-Marie Slaughter ’84 and William Alford ’77 head up the Internationalization Committee, which is looking at ways to improve our linkages with the larger world. It is assessing our current vast array of programs with an international focus, in order to determine how we can interact better with scholars from other parts of the world, broaden and deepen our international curriculum, and increase the training we provide for foreign lawyers. Professor Joe Singer ’85’s Infrastructure Committee is devoted to the School’s long-term needs for resources such as space, buildings, and information technology. Yet another committee, chaired by Professor Elizabeth Warren, is devoted to “institutional life”: among other things, it is studying how best to meet the needs of students and to improve faculty-student relations.

The fifth planning committee, which is led by Professor Andy Kaufman ’54, deserves special attention in this brief overview. It deals with an extraordinarily important topic — how to sustain and improve the School’s connections to practice. I think it is essential, as HLS and other top law schools become more theoretically sophisticated and interdisciplinary, to make sure that our academic programs are linked in a meaningful and productive way to the world of practice. We are not now, and never will be, a trade school. But — if one is to define a law degree in a marketplace of ideas, faculty, and comprehensive sense — courses should prepare graduates for what they will actually do; scholarship should reflect problems that are important and insights that are consistent with empirical reality; and programs should engage key developments in the profession and the legal system.

One preliminary task of the Connections to Practice Committee has been to study actual career paths of our graduates, about which we have much anecdotal information and, now, some preliminary study data. It is fascinating to learn what our graduates are doing 5, 10, 20, and 30 years out of law school. How many of them are still in law firms? How many have shifted from law to business, or left private practice for public interest work, or are pursuing non-legal careers? This information, along with systematically obtained alumni opinions about what courses and programs at the School have been most valuable in their careers, may help us design the curriculum of the future. (You may expect to hear more about the results of these studies in the future issues of the Bulletin. And don’t be surprised if you are asked to respond to a survey!)

The committee will also explore initiatives relating to training for non-traditional careers. Many of our alumni become leaders of organizations, such as law firms, businesses, government agencies, and nonprofit entities. Not all students planning such careers wish to do joint degrees with the Kennedy School of Government or the Business School, and we need to ensure that we are providing sufficient in-house preparation. To this end, Professors Kip Viscusi, Steve Shavell, Louis Kaplow ’73, and Howell Jackson ’72 are already developing a unique course on analytic tools of special relevance to future leaders; it will provide training in valuation, the basics of finance and statistics, and decision analysis. We are also exploring development of a basic course on management.

The committee will also be looking to the future of our superb clinical programs, through which hundreds of students assist several thousand clients a year on matters ranging from domestic violence to wills and estates. We are also eager to enhance our Program on the Legal Profession, by building on its faculty and activities. This program sponsors serious research on legal ethics and trends in the legal profession.

As we think about the future of our academic program, we want to make sure that we have an adequate number of faculty members with substantial practice backgrounds and serious connections to the world of practice. The committee will explore whether we should encourage permanent faculty to take occasional leaves of absence to practice for a while, and whether we should increase the number of visitors from practice and the opportunities for team teaching by regular faculty with practitioners. And there are new forms of engagement to be explored in our strategic planning. Modern technology has made it easier to harness the energy of our alumni in the teaching process. For example, I hope the day will soon come when we have a cadre of “virtual” lecturers — distinguished practitioners from all over the globe — who participate in intellectual exchange with our students and on-site instructors through the Internet. Already, some of our faculty members enlist far-flung expert practitioners in the threaded-discussion sections of the Web pages for their courses; the experts may answer student questions or react to student contributions to a problem posed by the professor. Much could be done to build upon these experiments.

The aspirations of our strategic planning process are very high. The quest is for a Harvard Law School of the future that gets the highest possible marks for the analytical rigor of its training and the theoretical sophistication of its scholarship, yet remains strongly tied to — and illuminated by — the world in which its graduates operate. Most importantly, we seek to pursue this ideal in ways that maximize the value we contribute to the larger society. I hope you will agree that this process merits your input and encouragement.

Dean Robert Clark ’72
Will your news be in the next Bulletin?

Class Notes deadlines are:

MARCH 29, 1999
(Summer issue)

JUNE 30, 1999
(Fall issue)

DECEMBER 1, 1999
(Winter issue)
A portrait of the late Reginald Lewis '68 was unveiled during Reunion Weekend. Shown here with the portrait are Carolyn Fugett, Lewis' mother; Vincent Smith, the artist; Christine Lewis, Lewis' daughter; and Laila Lewis, his widow, who joined members of the Class of '68 for the unveiling.

**Planned Giving Update**

At the HLS Leadership Conference in November, trust and estate law practitioners Carolyn Clark and L. David Clark, Jr., spoke on the importance of tax considerations in estate planning.

Both Clarks are members of the Class of 1968. Carolyn Clark, a partner at Milbank, Tweed, Hadley & McCloy, discussed designing the remaining balance of an IRA (or other qualified retirement plan) as the beneficiary of a charitable remainder unitrust, thereby avoiding substantial estate and income taxes. She also spoke about the benefits of a charitable lead trust as a vehicle to pass assets on to family members by reducing gift taxes, while at the same time making a significant gift to charity. David Clark of Christy & Vener offered illustrations of discounted transfer tax, gifts of fractional interests, unified credit, by-pass trusts, and testamentary bequests.

At the event, Senior Development Officer David Thornton reported that the Law School benefited from these techniques in 1997–98, a record year for life insurance gifts and bequests. Thirty-eight alumni created charitable remainder trusts and annuities totaling more than $5 million and including two $5 million charitable lead trusts and a $1 million remainder unitrust.

Bequests from 35 alumni and friends reached a record $14.5 million, with bequests from the estates of Jesse Clemenko '27; Paul Williams '29; Alicia Townsend Friedman, widow of William Friedman '26; and Betty Horwitz, widow of Louis Horwitz '32, supporting the creation of four new professorships.
TRAPHAGEN
DISTINGUISHED
ALUMNI SPEAKER
SERIES

Seven prominent alumni discussed their careers with students this fall, as guests of Dean Clark. Since its inception in 1996, the speaker series, supported by Ross E. Traphagen, Jr. '49, has enabled over 600 students to hear first-hand about the careers of alumni in a variety of law and law-related careers.

James Bailey '79, president and managing director of Cambridge Associates

Steven Hillel '80, partner and head of mergers and acquisitions at Goldman Sachs

Kenneth Chenault '77, president and chief operating officer of American Express

Marlo Baeza '74, chairman and CEO of TCA/ Latin America Partners

Dan Morales '81, former attorney general of Texas

Kenneth Burns '68, president and chief operating officer of Cabin Corp. in Boston

John Jay Osborne, Jr. '70, lawyer and writer, author of The Poppy Chase

Read the Bulletin on the Web at
WWW.LAW.HARVARD.EDU/ALUMNI/BULLETIN/
Professor Charles Ogletree '78, Gerald Gunther '53, Michael Sussman '78, Richard Shapil '83, David Germain '68, Mel Kraft '53; and others consult prior to a panel discussion entitled “Bridging the Gap Between the Academy and the Bar: Clinical Legal Education in the 21st Century,” moderated by Ogletree. The panel was held during Reunion weekend in celebration of the 25th Anniversary of the School’s Clinical Program and the 85th Anniversary of the Harvard Legal Aid Bureau.
1978 classmates Kari Duffy and Tom Birmingham at their class symposium.

1983 classmates Brian Kouskoskos, Jerry Roth, and Rick Stanley.
Robert Craft, Jr. '66, Lauren Schwartz, Jamie Craft, and Steven Schwartz '73 were among those who attended the Langdell dinner in October. At the black-tie event in the Rainbow Room at Rockefeller Center, Dean Robert Clark '72 recognized members of the Dean's Associates and the Langdell Society for their generous support of the School.
1993 classmates Glenn Kaufman (with guest Kim Strauss), Anthony Mechcatle, and Paige Manning at their class symposium. 
CELEBRATION 45

The Alumnae of Harvard Law
Return to Cambridge

BY JULIA COLLINS

TWENTY-TWO YEARS AGO, HLS student Sheila James Kuehl '78 had an inspiration. Why not invite all alumnae back to Cambridge, for the first time ever, to celebrate the brief but momentous history of women at Harvard Law School? Since the pioneering Thirtieth of 1953, the influence of HLS alumnae had spread quickly from the School to all avenues of law. It was time to applaud, assess, and look ahead.

The resounding success of Celebration 35 in 1978 launched an HLS tradition; this November, alumnae convened for the fifth time, for Celebration 45. A greater number of HLS women attended than ever before; today there are more than 5,000 of them. Long outnumbered by their male counterparts in the classroom, the celebrants clearly enjoyed being in the company of hundreds of alumnae.

Attorney General Janet Reno '53 came to accept the Celebration 45 Award, gave a stirring speech, shook countless hands, and shared a few laughs with HLS comrades. Supreme Court Justice Ruth Bader Ginsburg '59, recipient of the first Celebration Award, delivered the welcome address to graduates and guests. Nationally acclaimed scholar and author Lani Guinier, a new HLS faculty member, also spoke, on Sunday during the Farewell Brunch. (See story page 26.)

HLSA President Jacques Salts L.L.M.'72 addressed the graduates, Dean Robert Clark '72 and Harvard University President Neil Rudenstine shared their views, and historian Daniel Coquillette '72 gave a talk on the early women who tried and failed to gain admission to the School.

But the weekend clearly belonged to the alumnae of Harvard Law. Many had attended Celebration 40, and quite a number took part in the earlier Celebrations as well.

"We're gathering to reflect with our peers, discuss new models, and plan ways to link the women of HLS more closely with each other and the School," said Jeannine Jacobs Goldberg '63, of Friedlander & Werlin LLP in L.A. She led the Celebration planning, and despite a broken leg cheerfully navigated its breakneck schedule.

In addition to Goldberg, two alumnae played key roles in Celebration planning. Elizabeth Strong '80, Willkie Farr & Gallagher partner in New York City, developed the weekend-long program of panel discussions and peer group sessions. And gift chair Judith Richards Hope '64, senior counsel to Paul Hastings Janofsky & Walker in Washington, D.C., led the Celebration fundraising effort.

Capping the Celebration 45 Dinner was "Our Night in the Spotlight" - an evening of music and theater inspired by alumnae, directed by Emily Sexton '99, and produced by Steven Price '79. Judge Frederica Brenneisen '53 donned a robe to star as "Morn" in the one-act play How I Learned to Be a Judge's Daughter, written by her daughter Amy Brenneisen, a nationally known actor. Dean Clark made a cameo appearance as a waiter during the Ally McBeal skit, and Sheila Kuehl, who was a child actor, played Della Street in Perry and Della.

In her remarks on Saturday, Goldberg recalled Celebration 40, when Dean Clark had applauded HLS women's contributions and said he wanted his tenure to represent a quantum leap in the number of women on the HLS faculty. That leap has been made in 1994 there were only five women core faculty members today there are thirteen.

The job isn't finished yet, the dean said, but the brief history of HLS women has already worked a powerful transformation. "Because of women's presence at the School, the character, chemistry, modes of interaction, methods of getting things done in the classrooms and on committees — they are all different now," said Clark. "And the change is staggeringly, amazingly good."

Sharing 45 years of history, experience, and expectations, clockwise from left: Charlotte Armstrong '53, Belinda Smith Walker '71, Andrea Zopp '81, Alice Desjardins Lit.M.'69, and Sheila Flynn '01

24 HARVARD LAW BULLETIN SPRING 1999 PHOTOGRAPH: FARNWORTH BLAICE PHOTOGRAPHY
RAISE A GLASS TO MOTHERS, FATHERS, MENTORS, AND OTHER PRODDERS

On Friday evening, Jeanine Goldberg kicked off the Celebration weekend with a warm greeting to the graduates and their guests.

Then Sheila Kuehl, today a member of the California State Assembly, took up her trusty microphone once again, after the five-year hiatus since Celebration 40. Emceeding a round of toasts and storytelling, a favorite Celebration tradition, Kuehl invited listeners to honor the individuals who most encouraged them to brave Harvard Law School and pursue their dreams. For her part, Kuehl toasted her father, "who made things. He taught me that anything could be taken apart, understood, and put back together again"—skills useful in lawyering and in life.

The alumnae quickly warmed up to Kuehl’s invitation. Many toasted remarkable family members. Elizabeth Buckley ’51 thanked her mother, a 1962 alumna, and recalled the years when she spent every day after school in her mother’s law office, and determined she would never ever become a lawyer — until she changed her mind after college. Two graduates praised their mothers — both of whom were among the first women to attend college in India, forged extraordinary careers, and inspired their daughters to do the same. A father toasted his daughter, who returned the honor later in the evening. N. Beth Emery ’77 raised a glass to honor her grandmother, who had worked as a bookkeeper and in 1965 became “the first woman ‘Man of the Year’ in Shawnee, Oklahoma.”

Some alumnae toasted HLS faculty and other teachers. Elizabeth Cazen ’78 cited Jeanne Cham ’70, director of the Hale and Dorr Legal Services Center, “who told us over and over that who you are as a lawyer is the same as who you are as a person.” Deborah Coleman ’76 toasted Professor Gary Bellow ’56, “the first lawyer with the temerity to suggest that law is about people,” and said how important his innovative clinical programs were for students. Evelyn Lewis ’75 praised former HLS faculty member Derrick Bell. “Through his teaching I found my own intersection of race and gender,” she said.

Zita Weinshienk ’58 remembered a persuasive professor of economics at the University of Colorado. As she pondered her future after college, Professor Zubrow informed her: “I’ve decided what you should do. Since you are making an A in my class in advanced economic theory, you should go to law school.” The next time she babysat for his children, he had more advice. “I’ve decided which law school you should attend. Harvard.” Weinshienk took her professor’s advice. At HLS she found her calling, and went on to become the first woman U.S. District judge in Colorado. She also met a classmate who became her husband by the end of their first year, and her inspiration until his death.

An eager potential alumna of 2006, Sarah Schrager Gitlin, daughter of Carol Schrager ’79, offered her hopeful assessment to the graduates: “Think about how the world used to be. Now look at how the world has changed. It will change more.” Her mother then claimed the mike and toasted all the lasting friends who got her through “the crucible of Harvard Law School.”

Said Tahmiika Ruth, ’11 and future 2006 alumna: “I’m part of a legacy. Thanks to all of you who came before us.”

Early in the evening, a group of 1L students who had passed out leaflets asked the alumnae to join their push for increased HLS recruitment of women students (the current 1L class is 43 percent women). Kuehl and other graduates agreed that more progress is needed but added that, from their perspectives, the School has come a long way in 45 years.
1871 to 1950:
WAITING FOR THE HLS DOOR TO OPEN

1871 The U.S. Survey lists only three women attorneys in practice nationwide. Helen M. Sawyer boldly submits her application to Harvard Law School. The Faculty and Harvard Corporation discuss at length the Corporation votes to reject Sawyer. (The previous year, Ada Reppedy was admitted to the Union College of Law, now Northwestern, where she would become the first woman in America to earn a law degree.)

1872 Susan B. Anthony is arrested and convicted by an all-male jury for voting in a presidential election.

1873 & 1874 The U.S. Supreme Court refuses to require Illinois to admit Myra Bradwell to the bar. The Court also rules that women have no right to vote under the Constitution. It also denies Belva Lockwood's application to the Supreme Court bar.

1878 Another woman, her name now lost, applies to HLS. Once again the lofty Corporation debates — and denies.

1880 The U.S. Survey counts 75 women attorneys.

1886 Seven women lawyers and law students at the University of Michigan form the Equity Club, the first national organization of women lawyers. It lasts four years.

1899 Bryn Mawr graduate Frances A. Keay applies to HLS. She receives substantial Law Faculty support. Professor James Bradley Thayer reports that while he "would regret" the presence of women, he "could not deny the inherent justice of the claim." To circumvent the Corporation, the HLS faculty proposes that Keay attend law classes with the men and take the same exams but receive a Radcliffe College-issued LL.B. degree. But the Corporation puts the kabosh on this plan, stating: "The President and Fellows are not prepared to admit women to the instruction of the Law School."

1900 The U.S. Survey reports 3,010 women attorneys.

1909 Inez Milholland, Vassar graduate, applies to HLS. She submits a long letter to the dean and Faculty that strongly argues the case for her admission and persuades many faculty. Once again, unfortunately, the Corporation turns down a highly qualified woman applicant.

1915 Fifteen women petition Harvard to admit women to the Law School. Harvard rejects the petition; President Lowell claims co-education would have an "injurious" effect on the School. HLS Professor Joseph Henry Beale LL.B. 1887 is the father of one of the rejected women, Elizabeth Beale, who enlists his assistance. Beale opens the Cambridge Law School for Women in two rooms provided by Radcliffe. Nine dedicated students enroll, taught by HLS professors and graduate students. The School lasts for two years, but founders when few women apply.

1920 The Nineteenth Amendment is ratified; women may now vote in federal elections.

1930 Most major law schools in America — but not Harvard — now enroll women. There are 2,903 women law students and 5,395 active women practitioners in the country.

1940s By WW II, 25 percent of all U.S. law students are women. The percentage at HLS remains zero. But in 1948 Dean Erwin Griswold appoints Soia Mentschikoff visiting professor of law.

1950 The gates of HLS finally open. Fourteen women join a class of 520 men. Professor Barton Leach institutes "Ladies Day," a single class each month when women students are invited to speak. One ladies room is added in the basement of Austin Hall. Women may eat at the graduate cafeteria, but no dorm accommodations are offered (and won't be until 1971).

1999 Today women constitute 43 percent of the LL. class. One in four lawyers in America is a woman.

Examined from information provided by historian and HLS Visiting Professor Daniel Coquillette '71, who is writing a new HLS history; items on Inez Milholland and the Cambridge Law School for Women are drawn from Sisters in Law: Women Lawyers in Modern American History by Virginia G. Drachman (Harvard University Press, 1998).
the door open. Our job today is to make a Harvard Law School that is worthy of them."

Next Justice Alice Desjardins LL.M. '69, the first woman to serve on the National Board of Appeal in Canada, introduced Supreme Court Justice Ruth Bader Ginsburg, who presented the weekend Welcome Address. Desjardins highlighted Ginsburg's precedent-setting contributions to countering gender stereotypes both in the Court and in her legal practice. She called Ginsburg "the legal architect of the modern women's movement," and said Ginsburg's role on the Court was "not to feminize the court, but to humanize it."

Although the associate justice is a 1959 graduate of Columbia Law School, she attended HLS from 1956 to 1958, in a class with nine women. "I rejoice in the changed complexion of the School from 1953 to 1993," Ginsburg told her listeners.

Ginsburg said her HLS Civil Procedure professor, Benjamin Kaplan, remains her "model of what a good teacher should be." Hart and Sacks's Legal Process materials and course "guided my thinking about the law." She mentioned her husband's illness with cancer in his third year at HLS, when he could attend only a handful of classes and relied on classmates' notes and bedside tutorials. "The myth of the fiercely competitive Harvard Law student does not describe our experience."

But Ginsburg also said that the Law School, like the University, was steeped in history, sensitive to tradition, and therefore resistant to change. After her husband, Martin Ginsburg '58, graduated from HLS and accepted a position in New York, she transferred to Columbia and requested that she be awarded an HLS degree following satisfactory completion of her third year. Her request was denied. In 1977, after the Harvard Law Record reported that the School's spousal transfer policy had been extended to "significant relationships," Martin Ginsburg wrote a witty letter to the Record about his wife's experience, which ultimately cost HLS a remarkable alumna. Justice Ginsburg's listeners chuckled throughout her reading of her husband's letter. They burst out laughing when she read the Record editor's note: "As Mr. Ginsburg told us, the Ruth in the letter is Ruth Bader Ginsburg, professor of law at Columbia and general counsel of the American Civil Liberties Union. Just think what else she might have accomplished had she enjoyed the benefits of a Harvard degree."

**JANET RENO'S SWORD AND SHIELD**

The weekend's main event: U.S. Attorney General Janet Reno '63 was back on the Law School campus to accept the Celebration 45 Award.

Introducing Reno, Justice Ginsburg quoted from the attorney general's words of praise for Jamie Gorelick '75, her former deputy, and applied them to Reno herself. "She did not take high office to be popular, but she is popular nonetheless. She strives to do the right thing over the inexpedient thing."

Harvard Law School "has meant so much to me," Reno told her listeners. "It taught me to use law to help others. I loved the law when I graduated. But now, after five and a half years as attorney general, I love it even more. I am in awe of its magnificence, and alert to its vulnerability and frailty. People have talked about the discouragements of public service — and these years have been extraordinarily challenging. . . . You get cussed at, spoken to with contempt and disgust. Yet I wouldn't trade the experience for anything. I commend public service to all, now at HLS: it's better than billable hours."

Reno touched on her experiences as attorney general, including collaborations with counterparts in emerging democracies in Eastern Europe and other struggling regimes. "I have new appreciation for how difficult it is to establish the rule of law and make it stick," she said.

She described moments when legal institutions have functioned "as they should, to put people first and solve problems." In the aftermath of the bombing of the Oklahoma City federal building, Reno faced the overwhelming challenge of picking up the pieces, putting together a case, and upholding rule of law without trampling people's rights. "The legal system worked, she said, because the people of Oklahoma City got involved and made it work. But too often legal institutions exclude the poor, Reno said, and fail to address their problems. "We must make the law real for all Americans" by establishing "more effective legal structures."

She proposed a program of community advocates to address tenant-landlord disputes and other local problems. Where the fabric of community is resown around troubled families and youths, she noted, "the lawyers are heading the way."

Reno also stressed the need "to end the culture of violence in this nation," citing stark data on gun homicides. "Ladies, let's lead the way to ensure an effective prosecution for every
illegal use or possession of guns in this country." She called for teaching negotiation and ADR skills in schools and applying them in police stations.

Reno concluded: "We received at Harvard Law School a gift. We worked hard for it. I hope we've used it wisely. And we have more to do. We can never forget how important it is to be the sword and the shield."

CONVERSATIONS WITH PEERS

On Saturday afternoon, alumnae met in peer groups: "The First Fifteen," "The Middle Fifteen," and "The Recent Fifteen." Spouses, partners, and family attended, as did some current students curious about their predecessors' Law School experiences.

The panelists talked about their careers and reminiscenced about the School — expressing a fascinating mix of shared frustrations, individual accomplishments, perseverance, isolation, camaraderie, lessons learned, hopes for the future, appreciation for how much the School has changed owing to the presence of women, and expectations for further progress.

Afterward, HLS Professor Martha Minow, a Yale graduate, led a wrap-up session featuring reports from all three eras. Former HLS President Charlotte Armstrong '53 was moderator of The First Fifteen. An experienced practitioner, and now a consultant in New York City, Armstrong said her group talked about how we detached ourselves from the stereotype of women and began to redefine ourselves. We didn't have mentors. While her peers had made a conscious choice to enter law, she said, they did not have a definite idea of what to do with their HLS degrees.

During The Middle Fifteen years, "the women's movement hit," said Anne Llibbin '75, Pillsbury Madison & Sutro partner in San Francisco. "We felt we had more choices. We realized things were improving, but had the chutzpah to know it wasn't good enough." Llibbin's era had the advantage of clinical legal education, she said. And despite the "pounding of the 81 year," and the women's common feeling of not fitting in, HLS "taught us how to speak up — including asking for, and getting, a second women's bathroom!"

Presenting The Recent Fifteen conclusions, Melanie Cook '95, senior policy adviser to the Secretary, Department of Commerce, spoke of her peers' higher expectations, debt worries, and desire for more practical training while studying at HLS, where they perceived a gap between theory-based studies and "what is happening in the world."

When asked by Minow about advice the women had been given, or not given, and the advice they would offer now, Armstrong said she and her peers enjoyed advising younger

HOW I LEARNED TO BE A JUDGE'S DAUGHTER

MOM: I wake up at 6:30 a.m. in a panic; Amy has to bring a [smack] to Brownies tomorrow and I have precisely four hours to make it happen, before she leaves for school. I trudge downstairs, the dog wakes up with a start, I have nothing, no cookie mix, no cake mix — if I scrounge I can eke out Sour Cream Cake from what's in my kitchen. I eke, and send Amy off with this cake which tastes, I admit it, a little —

AMY: WEIRD!

MOM: — sophisticated, not weird, it's an adult dessert, what can I say? It's —

AMY: WEIRD!

MOM: It was the best I could do, Ame.

AMY: I knew that, I know that, That's why when I saw the other Brownies (especially Kathleen) scratch their faces up and say "This cake is weird!" I felt for all of us. I felt for the Brownies cuz they didn't get a normal snack. I felt for me because everybody knew that I had brought the weird snack. And I felt for Moem because she got up at 6:30 and did the best she could. No other Brownie had a Mom-judge; they didn't understand. There were no other Mom-judges. Then...

From a play by Amy Brenneman, presented at Celebration 45.

"It makes me smile when I think of the [current] students at our Friday night gathering, who were urging the School to move up from 53 percent women; that percentage seems like heaven to me. At the same time, I'm thrilled by their push for 50 percent. However, talking about diversity in terms of numbers is only the first step. What matters most is to create a learning environment in which everybody feels equal, that each person has a real place and is equally valued."

— Bellinda Smith Walker '71, founding president, Los Angeles Women's Foundation and executive director, Gifts and Gangs

"Women tend to select out. Men don't suffer from this. If your goal is to have a fascinating journey, don't select out," said panelist Susan Estrich '77, the first woman to run a presidential campaign, today professor at the University of Southern California Law Center. When her moot court partner, Jason Cord, told her to let him do all the talking, Estrich assented. "Three months later he disappeared. It turned out Jason Cord wasn't his real name. He had never graduated from college. His HLS application was a fraud. And I had to live with the fact that I had let him do all the talking!"

"Women law students today are creating community around themselves of both men and women. But a big difference between the sexes is that it seems almost exclusively the women students who agonize about how they will balance work and family in their careers."

— Erin Ryan '01

Jane Laro, Harvard '69 (standing) and Susan Estrich '77, seated at the right, spoke on the need to track the progress of HLS alumnae.

Alice Young '74, second from right, led the Future of the Law Firm panel.

"Women law students today are creating community around themselves of both men and women. But a big difference between the sexes is that it seems almost exclusively the women students who agonize about how they will balance work and family in their careers."

— Erin Ryan '01

Erin Ryan '01 played the role of a fictional First Women Supreme Court nominee during Saturday night's entertainment.
asked me if I have a plan for my career, and I said, 'Please, don't go there!' But it is important to have self-awareness and to know what will make you happy.' Zopp talked about making the tough decision to leave a job she loved in the U.S. Attorney's office for private practice, because she felt her work was stagnating. Her first law firm experience was terrible but not a mistake, she emphasized, because it taught her what to look for when she made the jump to her current firm.

Emery talked about "staying on the message. I'm much more motivated by power and empowering others than by money, and when I got off-message, it was when I got into trouble. She has changed jobs many times to stick to her plan, "in a zigzag, not a ladder, career." Emery's current work for the ISO of California puts her at the center of the state's pioneering deregulation of the energy market. She got this job in part, she said, because she focused on developing energy clients while in private practice. When Holz raised the issue of weighing relocation to pursue work opportunities, Gorelick said, "It's almost impossible to imagine a job good enough to bear the entire weight of my family's happiness."

HLS Professor Warren said she had relocated frequently for professional reasons, which has entailed living in a different city from her husband, and, on one occasion, contending with a child in junior high who threatened to shave her head if she went back to Arizona. However, Warren thinks it is unrealistic in some parts of the profession to expect to stay in one place and prosper professionally.

Several panelists said it was imperative to broaden notions of success for HLS students. While Emery thinks the School should increase student awareness of alternatives to private practice, such as work in government agencies, Gorelick believes there is a "blizzard" of programs and information sources at HLS. Many students do not avail themselves of these resources, and opt for the corporate path out of "competition, inertia, and a failure to assess what they really want out of their work life."

Speaking up from the audience, Sondra Goldenfarb '75, who worked as a part-time litigator while raising her children, said she had hoped that by now the full-time corporate lawyer model would have "broken down. But what I'm hearing from students indicates that they're stuck in the same old mindset." Another listener, Sheila Raebi, said that her experience in teaching at four law schools was that all 1Ls expressed "a great deal of anxiety" over their career prospects. A 1980 graduate stressed the burden of law school debt: "Harvard needs to examine how finances affect career choices." A Class of 1997 alumna said, however, that she thought the School was doing more than ever, through the Office of Public Interest Advising and LIPP. "I have friends who

plan on corporate law being a briefer chapter in their careers."

Holz next raised career management tactics and the importance of mentors. Warren said she had no single mentor, but throughout her education and career had found people "who were great at pieces of it. I'm very opportunistic. I'm willing to learn from anyone who will teach me."

"An important quality in getting a mentor or teacher is a lack of awe," said Gorelick. "If you are in awe of your environment, you might not approach" someone for guidance. "I see that awe factor more in young women than young men. Suspense awe and go for it."

Audience members and panelists agreed on the importance of getting more experienced people "invested" in one's career, to prevent a woman lawyer's potential isolation when a serious problem arises on the job. Emery noted that law firms could benefit from the team model prevalent in the corporate world, which provides a supportive structure to help its members succeed. She added that the large size of each graduating HLS class represents a network phenomenon. "There are 500-plus of you in every class, and [collectively] you end up working just about everywhere,"

Gorelick said that women have an extra advantage. "The sense of struggle that unites women is a very important bond." She recalled the day she was sworn in as deputy attorney general by Justice Ruth Bader Ginsburg. "Janet Reno put her arms around us and said: 'Who would have thought when we graduated from law school that anyone would see this?'."

Stories, Strategies, and Words of Wisdom

The Celebration 45 panel discussions took up the issues, challenges, problems, and satisfactions HLS women experience in a variety of evolving practice areas. The classrooms of Austin and Pound Hills filled with alumnae interested in the changing nature of criminal law practice, law firm work, government, entrepreneurship, alternative dispute resolution, public sector work, and other professional paths.

The final panel, on Sunday morning, was Professional Strategies for Women, a far-reaching discussion that drew graduates from 1915 onward, and, like all other Celebration events, attracted numerous male listeners too.

Dispensing professional advice, lessons learned, and candid personal accounts were N. Beth Emery '77, vice president and general counsel of the California Independent System Operator Corp; Jamie Gorelick '75, vice chair, Fannie Mae Corporation; Andrea Zopp '84, partner, Sonnenschein Nath & Rosenthal; and Elizabeth Warren, Leo Gottlieb Professor of Law at HLS. The discussion leader was Sara Holtz '75, co-founder and partner of ClientFocus of Granite Bay, Calif., which helps women lawyers develop business opportunities. When Holtz asked the panelists for their views on the most important elements contributing to women's success, Gorelick emphasized the importance of having a vision of "what you want to be — not in terms of a specific job, but rather the things that are important to you." She added that being fun to work with is an "underappreciated aspect of success," and emphasized the importance of speaking, writing, "getting your name out there."

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LANI GUINIER

PRESENT AND VISIBLE

BY NANCY WARING

Once reluctant to join the Harvard Law School faculty as the only woman of color, Professor Lani Guinier is settling into her Griswold Hall office, her hesitation a thing of the past. Floor-to-ceiling shelves are packed with books interspersed with occasional photos of her husband, Nolan Bowie, who teaches communications and information policy at the Kennedy School, her 11-year-old son, her parents, stepdaughter, nephew, and Anita Hill, among others. An oriental-patterned rug, two wooden armchairs, and a window seat — its cushion on order — make up a sitting area, where Guinier welcomed a visitor just before Christmas for a conversation that touched on her decision to come to HLS from the University of Pennsylvania, her views about teaching and mentoring, and her insights about women's experience in law school.

Guinier "wasn't ready" when she was first invited to teach at HLS, as a visiting professor in 1992. "The School was embroiled in controversy about faculty hiring," says Guinier, recalling Professor Derrick Bell's much-publicized protest and ultimate departure from HLS over the lack of a minority woman faculty member. "I was loath to walk into the middle of it.

"The irony is that it never occurred to me I would be walking into a public controversy when Clinton offered me the nomination for assistant attorney general for civil rights in 1995." Opponents of Guinier's nomination launched a negative press campaign, maligning Guinier and her law review articles on cumulative voting, and President Clinton soon withdrew the offer. "After that grueling experience, I was less worried about how I would fare if I were at the center of a public controversy.

Happily, none ensued when Guinier visited the School during the 1996 winter term. Soon thereafter, Dean Clark asked her to join the permanent faculty, and July 1998 was ultimately set as the effective date of her appointment. Before making a career move, Guinier was eager to finish the memoir she was immersed in, exploring the politics surrounding the derailment of her AAG nomination, and assessing the progress and potential of the civil rights movement. Lift Every Voice: Turning a Civil Rights Setback into a New Vision of Social Justice was published by Simon & Schuster last April.

The enticements to join the Harvard Law School community were many, Guinier says, among them the "richness" of the faculty, both at the Law School and throughout the University; the prospects of pursuing her academic and theoretical interests from an interdisciplinary perspective, and of joining a faculty "where people are not only serious academics but are also part of the larger public policy world and engaged in real-life problems. William Julius Wilson and Corred West are not just thinking about issues of race and poverty in the abstract; they are grounded in the experience of people who are less fortunate. Frank Michelman helped to draft the South African constitution, Charles Ogletree helped to create a new charter school in Cambridge, and the list goes on.” Adds Guinier, "Many people on the Law School faculty are also very open to different teaching styles."

As for her own teaching style, "I can't say that I have a single one," Guinier replies, when asked to characterize it. "I am committed to experimenting." One approach she and her students have found mutually satisfying involves small groups preparing for classes together. Students select syllabus topics and other students to work with; Guinier suggests study questions. "Class discussion is very rich because some students have already thought about the issues so deeply," she says. While Guinier finds that many students, especially women and people of color, tend to be "reluctant partners in the Socratic exchange, many women and men of all colors thrive once they have a chance to talk through their ideas in smaller, less formal settings." Yet Guinier doesn't take this approach to all her classes. "I'm committed to creating a learning community that may require different interventions depending on who's in the community," she says. "Part of the challenge is not to be rigid, either rigidly collaborative or rigidly Socratic. I always have an ear cocked for a better way."

At the University of Pennsylvania Law School, where Guinier was on the faculty for a decade beginning in 1988, she was one of the most popular teachers, and her courses were among the most highly regarded. HLS students deemed her...
BOK AND BOWEN

AFFIRMING AFFIRMATIVE ACTION

Much-reviewed and much-acclaimed since its publication in September, The Shape of the River: Long-Term Consequences of Considering Race in College and University Admissions results from a lengthy collaboration of two former college presidents: William Bowen, president of Princeton University from 1972 to 1988 and now president of the Andrew W. Mellon Foundation; and Derek Bok '54, president of Harvard University from 1963 to 1981. Bok was dean of the Law School from 1968 to 1971.

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What do the authors themselves bring to their project? The book could only have been written by Bill Bowen and Derek Bok: President Bowen, one of the finest applied economists of his generation, and President Bok, who has done brilliant legal scholarship always at the cutting edge of law and public policy. It could only have been written by an economist/lawyer team whose two members both served as university presidents and thus lived through the diversification of two of the great universities.

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versities in the world, Princeton and Harvard. Bowen and Bok are extremely sophisticated analysts. This is a major study because the authors focused their questions properly at the outset, had the resources to obtain the needed data, and then wrote sensitively and imaginatively about what the data show.

What conclusions do Bowen and Bok draw? The book demonstrates that candidates aspired to admission for personal reasons. They stay in school, they graduate, and they do very well academically. We must always look both at aggregate statistics and at individual human beings. We achieve racial diversity in higher education by accepting students whose academic records would preclude their admission if they were white. We dream that the day will come when youths from all races present the same academic profile when they apply to college. But for many different reasons, that is not likely to occur soon. Once the applicants are admitted, they become individuals and not merely a statistical group. A group with less distinguished credentials does not — as a group — get the same grades in college or law school as those who enter with higher grades and test scores. But some become stars on the fast track of a selective college or law school.

Do you think that law school admissions should be so focused on college grades and test scores? Yes. But these should not be the sole criteria for students and law schools rely heavily on the insights provided in recommendations — especially from teachers and from persons who know the applicants well. Colleges and law schools seek geographic diversity, seek to benefit from extraordinary experience, and give weight to family connections to the institution. All students and all faculty benefit from diversity. Together we remind that an admissions process must do more than find individuals who will be the best students, especially if we only measure that by grades in school. A top college or law school seeks to educate students who will influence the world. All of us in the business of legal education know of many people who were at the top of the class and went on to have routine careers — and of students from all parts of the grade distribution who turn out to be imaginative or super-committed or in the right place at the right time and made major professional contributions. The purpose of our admissions policy is to guess to achieve a broad collection of candidates and hope many of them will contribute later. How could we doubt that minority students have a special opportunity to be of service? Or how could we face ourselves in the mirror if we selected students solely on undergraduate grades and test scores and returned to a racially limited student population? For all the racial progress in the United States, let us not forget one fact: in the 250 largest law firms in the U.S., there are 247 African American partners, or about 1 percent of the total. We are engaged in a battle for diversity.

How do students accepted through race-sensitive admissions policies do after they graduate? That is the second — and hugely important — half of the Bowen-Bok case: these students do extremely well afterwards, assisted in a real society. This is true in business, in government, and in the nonprofit sector. Indeed, Presidents Bowen and Bok provide methodologically fascinating analyses of the work-lives and private lives of graduates in the Class of 1976, in their late 30s when the data was gathered. The evidence is interesting for men and women, whites and African Americans.

Do you think the Bowen-Bok case is now dated? It was (“New and Important”) in an earlier case, De Fanti v. Odegaard. President Bok asked Archibald Cox [3] to submit a brief amicus curiae on behalf of Harvard. Archie had time on his hands after having been disbarred by Robert Bork as Washington, D.C. Justice. The Court briefly discussed the Harvard College admissions process, and in particular the many factors — including racial diversity — that the admissions committee took into consideration, Harvard's procedures were presented to the Court in Bakke, as part of a brief submitted by Harvard, Stanford, Columbia, and Penn. Justice Powell relied on the Harvard submission, and printed in U.S. Reports at the end of his Bakke opinion an appendix, describing Harvard College's admissions procedures. Justice Powell cast in Bakke the fifth vote for the proposition that race-conscious admissions programs aimed at expanding minority enrollment can be constitutional.

Do the Hopwood decision against affirmative action and the recent referendum in California present a serious threat to progress since Bakke? The issue of affirmative action is so difficult because it is a tool for encouraging an important student population. That is why judges find the cases difficult. In Hopwood, the Court of Appeals for the Fifth Circuit invalidated a particular affirmative action program at the University of Texas Law School. In California, voters approved an anti-affirmative action referendum. Further litigation of this further political dispute is likely. Chris Edley [9], my former student and now HLS professor, has worked effectively on this issue for President Clinton. Soon California, Texas, and Florida will be the three largest states in population, each with an extraordinarily diverse population. The United States will be majority non-white during the lives of my grandchildren. I think that over time responsible elected officials and thoughtful judges will conclude that the country must have leaders from all racial backgrounds and that study at elite colleges and law schools is a major route to leadership. I suspect that 20 years from now we will still have affirmative action in admissions and that the Bowen-Bok book will be regarded as having played a significant role in the achievement of that outcome. The book will make it hard for judges and elected representatives to avoid two facts: affirmative action in selective institutions has improved education in those schools for all students; and it has supplied the nation with eligible and qualified talent that we need and would not otherwise have.

From "The Shape of the River"

"Neither of the authors of this study has any sympathy with quotas or any belief in mandating the proportional representation of groups of people, defined by race or any other criterion, in positions of authority. Nor do we include ourselves among those who support race-sensitive admissions as compensation for a legacy of racial discrimination. We agree completely with the sentiment expressed by Mamphela Ramphele, vice chancellor of the University of Cape Town in South Africa, when she said: 'Everyone deserves opportunity; no one deserves success.' But we remain persuaded that present racial disparities in success are dismaying and should be reduced. At the minimum, this country needs to maintain the progress now being made in educating larger numbers of black professionals and black leaders.

Selective colleges and universities have made impressive contributions at both undergraduate and graduate levels. To take but a single illustration: since starting to admit larger numbers of black students in the late 1960s, the Harvard Law School has increased among its black graduates more than 100 partners in law firms, more than 90 black alumnae with the title of Chief Executive Officer, vice president, or general counsel of a corporation, more than 70 professors, at least thirty judges, 2 members of Congress, the mayor of a major American city, the head of the Office of Management and Budget, and an Assistant U.S. Attorney General. In this study, we have documented more systematically the accomplishments of nearly 1,900 black '90s graduates in the CBS schools. It is likely that the evidence of high achievement is overwhelming; there is no other word for it. These individuals are still in their late 30s, having entered college just over 20 years ago. We shall be very surprised if their record of achievement is not magnified many times as they gain seniority and move up various institutional ladders. If, at the end of the day, the question is whether the most selective colleges and universities have succeeded in educating sizable numbers of minority students who have already achieved considerable success and seem likely in time to occupy positions of leadership throughout society, we have no problem in answering the question. Absolutely."
“Mungin had gone from being a bargainer—a ‘good black’ in white eyes, as he sardonically put it—to being a challenger. He came to believe that for his entire life, he had been disingenuous by focusing on getting some security, getting shielded from poverty, and getting to a kind of class position that at least would psychologically shield me and make me more acceptable to whites. But at heart, that was incredibly distasteful. I was going to have to be more publicly honest about the lie that I was living; I wasn’t that I was around people who were open minded, who thought blacks are terrific. It’s that I was bending over backward all the time to avoid making white people uncomfortable.”

From The Good Black (Button, 1999).
Paul's Book

Soon after the jury trial, Paul told his former roommate he intended to write a book on the case. The news surprised, flattened, and pained Larry. He knew Paul would insist on journalistic independence and refuse to accept his views at face value on anything. "Paul said he would write the book whether I'd cooperate or not. It was particularly hard for Larry to be questioned on sensitive race issues by someone not from his background. "While Paul knew me, he didn't know anything about my views on race."

Paul and Larry started getting together on weekends for long discussions that focused initially on Larry's experiences as a lawyer, then spread into all corners of his life. "At times our conversations were invigorating and satisfying, at others, tense and even wounding," Paul says. "I began, at last, to get a full picture of the man."

Paul had considered Larry thoroughly integrated in society, ready to cruise ahead in a law firm. "But it turns out the guy is more complicated than that. I was typecasting him. The many racist slights and emotional bruises, the awkward frustrations he'd faced" as a minority were revelations to Paul.

Larry was ambivalent about sharing certain kinds of information, particularly concerning his father, Lawrence Lucas Mungin, Jr. When Larry was a child, his mother had ordered her unreliable husband out of the house, and proceeded to raise her family single-handedly, but at great personal cost.

"Mungin sat on a low couch in [Katten Muchin partner] Sergi's large office, next to piles of legal documents. His host got a few sheets of paper from his desk and sat down in an adjacent chair. Files, folders, and bound financing documents were strewn everywhere."

"I'm worried," Mungin began, "and I can't get anyone in either Chicago or Washington to give me an explanation as to why he hadn't been evaluated and hadn't received a raise."

Sergi responded in a mild, apologetic tone. "You fell between the cracks," he said. "I'm sorry."

From The Good Black (Button, 1999).
MURDER IN THE IVY LEAGUE

"Laugh at their jokes. Shout when necessary. Maintain a certain distance. Dress impeccably. Know who's who. Save your money. Look them in the eye. Count to ten. Straighten your hair. Pray for strength. Plot your revenge... Remember where you came from. And be very, very good.

Being young and black at Harvard requires advanced survival skills. Seven generations of us have found it exhilarating, perplexing, difficult, and dangerous. For Roscilla Maynette Fisher, it was murder.

The day she died was the first day of the fall semester, and word spread quickly through the campus, eclipsing stories of summer jobs, August love affairs, and the biannual ritual of course selection. The unexpected death of a Harvard Dean, especially an out-spoken black woman who had bulldozed her way up from being a level-3 part-time secretary, was worth a few moments' pause in even the most harried undergraduate's life.

Thus begins A Darker Shade of Crimson (Simon & Schuster, 1996), by Pamela Thomas-Graham '88, partner at McKinsley & Company in New York. Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University. The novel is set on campus, where Nikki Chase (played by Halle Berry) is a graduate student and black woman economics professor at Harvard University. Featuring Nikki Chase, a young black woman economics professor at Harvard University, Featuring Nikki Chase, a young black woman economics professor at Harvard University.

From Patricia Schroeder's funny and candid memoir of her life in politics, 24 Years of House Work...and the Place Is Still a Mess (Andrews McMeel, 1998), Schroeder 94, former Democratic representative from Colorado, retired undefeated from the House in 1996 as the longest-serving woman in congressional history.

Indeed, is precisely the point: Reasonable (and unreasonable) individuals do disagree about these things, and debate them openly and vociferously. To the extent that one believes that truth or critical perspective emerges from sustained argument, one should be confident that whatever corrective or rebuttal the intellectual age requires will occur, at least, can emerge from these debates.

In the shadow university, however, that precondition of informed change — free and unfettered debate among free individuals — is precisely what has been replaced by censorship, indoctrination, intimidation, official group identity, and groupthink. The issue of whether we shall have intellectual and thoughtful universities can be addressed only if we have free universities, and the shadow university has suppressed that very freedom itself.

Speech codes, prohibiting speech that "offends," protect ideologically or politically favored groups, and what is more important, insulate these groups' self-appointed spokesmen and spokeswomen from criticism and even from the need to participate in debate.

Double standards destroy legal equality and all meaningful accountability, teaching the worst imaginable lessons about the appropriate uses of power. Freshmen orientations and extracurricular "educational" programming offer partisan and intrusive indoctrination that is the opposite of, and incompatible with, a critical liberal education.

Crude justice is administered, in secret, in biased fashion and without that due process that teaches lessons about civiliza-

From The Shadow University: The Betrayal of Liberty on America's Campuses by Alan Charles Kors and Harvey A. Silverglate (Crowell, 1998), Silverglate is a criminal defense attorney and civil liberties lawyer. He was a lecturer at the School in 1986. Kors is professor of history at the University of Pennsylvania.

THE TRUTH ABOUT RICHARD

Top L.A. litigator Bertram Fields '52, whose clients have included the likes of Dustin Hoffman and Tom Cruise, has recently taken up the case of King Richard III, infamous villain and alleged murderer of his two young nephews Edward and Richard. In Royal Blood: Richard III and the Mystery of the

From The Shadow University: The Betrayal of Liberty on America's Campuses by Alan Charles Kors and Harvey A. Silverglate (Crowell, 1998), Silverglate is a criminal defense attorney and civil liberties lawyer. He was a lecturer at the School in 1986. Kors is professor of history at the University of Pennsylvania.

The pragmatic, and philosophical, aspects of Richard's story are the focus of this book, which examines the historical context and the legal implications of the case. Richard III is presented as a complex and controversial figure, whose legacy continues to evoke debate and fascination.

The truth about Richard is that he was a ruthless and ambitious ruler, obsessed with power and control. His reign was marked by violence, intrigue, and treachery, and he is remembered as one of the most despised and vilified kings in British history.

Richard III was born in 1452, the son of Edward IV, the last of the Yorkist kings. He inherited the throne in 1483, following the death of his brother Richard II. Richard III was a cruel and ruthless ruler, who ruthlessly suppressed any threat to his power. His reign was marked by violence, intrigue, and treachery, and he is remembered as one of the most despised and vilified kings in British history.

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THE CLINICAL PROGRAM AT 25

The School's Clinical Program turned 25 last fall, celebrating its silver anniversary with a commemorative panel discussion, "Bridging the Gap Between the Academy and the Bar: Clinical Legal Education in the 21st Century," held during fall reunion weekend. The event also marked the 90th anniversary of the Harvard Legal Aid Bureau, the oldest student-run legal services organization in the country.

Participants greeted Gary Bellow '60, the Clinical Program's founder, former faculty director, and now external committee member, with a standing ovation. "It took some doing to get here," said Bellow, describing the program's development from its earliest days when there were only two courses — the Lawyering Process and Criminal Justice Advocacy — both taught by Bellow — and three clinical supervisors. Today some 430 students participate in over 20 courses and, with the assistance of over 55 supervisors, advise more than 5,000 clients a year at the Hale and Dorr Legal Services Center, the Criminal Justice Institute, student practice organizations, and outside agencies.

A special feature of Harvard's Clinical Program, said Bellow, is its reliance for student supervision on clinical instructors rather than faculty members, an arrangement that translates into more supervision, and opportunities for more students to participate. Looking to the future, Bellow said the program's leaders hope to build clinical opportunities for slaves, and to deepen the program's relationship to the private bar.

Also addressing the future, Faculty Director Charles Ogletree '78 said, "The direction of the Clinical Program in the 21st century will have a lot to do with what future students and members of the profession have to say about it." Noted Ogletree, "We're not simply training students to be legal services attorneys, we're training them to be highly ethical, highly responsible, and highly committed advocates in any field they may pursue."

Jenne Charn '70, director of the Hale and Dorr Legal Services Center, has been with the program from its inception, joining in 1973 as assistant dean, and serving over the past 25 years as clinical supervisor and classroom teacher, as well as administrator. Charn noted that the day's featured speakers, former ABA president Robert MacCrate '48, "has done more than any other practitioner to impress upon the bar the importance of clinical legal education."

MacCrate chaired an ABA task force that led to a 1996 report on legal education and professional development. Dubbed the "MacCrate Report," it argued that clinical education should be a larger component of the traditional law school curriculum. In his remarks at the anniversary celebration, MacCrate said, "I believe that clinical legal education holds the greatest promise for promoting the competent and responsible practice of law. Gary Bellow has taught all of America what clinical legal education is and what it can do."

Bellow later reflected that the panel's subject — bridging the gap between the academy and the bar — has been "an enduring interest, indeed, a passion, that has given direction, energy, and focus to my entire law school career."

PIONEERING CIVIL RIGHTS ADVOCATE SPEAKS AT SCHOOL

Senior judge for the U.S. district court for the Southern District of New York Constance Baker Motley signed copies of her autobiography, Equal Justice Under Law (Farrar, Straus, Giroux, 1998) at Celebration 45 last fall. During the weekend Motley spoke at HLS's Saturday School about her 20-year career with the NAACP Legal Defense Fund, where she began working for Thurgood Marshall while still a law student at Columbia, later serving as lead counsel to James Meredith in his attempt to attend the then all-white University of Mississippi. Motley discussed Brown v.

Justice Fredreke Rejoin's Faculty

Constitutional law specialist Charles Fried will return to HLS full-time after serving as an associate justice of the Massachusetts Supreme Judicial Court since 1995. Fried's reappointment to the faculty as professor of law is effective in July.

"I am leaving the Supreme Judicial Court with real regret, and only because after much reflection I have concluded that I can make my best contribution as a full-time teacher and scholar," says Fried. While serving on the court, Fried continued teaching Constitutional Law at the School each year. He has taught courses including Appellate Advocacy, Commercial Law, Constitutional Law, Federal Courts, Contracts, Criminal Law, Labor Law, Torts, Legal Philosophy, and Medical Ethics.

Fried came to the School as assistant professor in 1966, becoming professor in 1968, and Carter Professor of General Jurisprudence in 1981. In 1987 he resigned his professorship following a leave of absence to continue serving as U.S. solicitor general, a post he held from 1985 to 1986, when he was reappointed to the faculty. —
31 IN "JEOPARDY"

A trial at arrirr Jeopardy in the security of his own living room, Jim Zanotti '99 found the game more challenging as an actual contestant playing before a live audience of 4,000 fans last fall.

Zanotti played Jeopardy on one of the ten shows filmed in Boston at the Wang Center for the Performing Arts. "It didn't matter that I was a Harvard Law student," says Zanotti. "Every contestant I met was very smart." He was selected during auditions for the show held in Boston just days before the taping.

In Jeopardy, three contestants take turns selecting question categories, such as "U.S. Presidents" or "Movies," from the gameboard. Host Alex Trebek states the answer to a question, and contestants compete to be first to sound an electronic buzzer and guess the question. Correct responses are assigned dollar values that increase as the questions become more difficult. In the final round, contestants may go for broke and wager their entire earnings on one question.

Zanotti started strong, but soon found himself trailing another contestant. Knowing some questions, guessing others, he was in second place for the final round. "I was glad to still be in the hunt," he says.

Zanotti risked most of his money on the final answer: "This New Englander included this picture of himself in his catalog sometime before World War I." Scrutinizing the man's photograph, Zanotti considered "Eddie Bauer" but guessed "Scars." The correct answer? "Who is L.L. Bean?"

Zanotti finished third but told "had a really good time." ~

OPIA UPDATE

The Bulletin recently visited Alexa Shabecoff, newly appointed director of the HLS Office of Public Interest Advising (OPIA), a job she previously shared with Stacy DeBroff. Shabecoff interrupted a typically hectic OPIA day to talk about her evening agenda.

It features new collaborations with other HLS offices, including the Office of Career Services (OCS). "I proposed co-sponsoring a panel on clerkships with OCS because many students turn to my office for advice on how clerkships fit into a public interest career," says Shabecoff. Another joint panel with OCS addressed pre-bono work in private law firms. Two panels this spring initiated by Shabecoff—with OCS and Student Life Counseling—will address balancing work and family, and alternative careers for lawyers.

Students typically have drawn on OPIA's extensive network of alumni in public service careers to seek information and informal guidance. Next fall Shabecoff will launch a one-to-one mentoring program that will match students with graduates working in their practice areas of interest to supplement OPIA's longstanding mentoring.

Alumni as well as current students rely on OPIA. "Hundreds of alumni each year call us for counseling, primarily from the private sector," says Shabecoff. "But we haven't been able to follow up on them, to find out what happened." She plans to begin tracking the alumni that OPIA counsels to learn more about whether they were successful in moving to new positions. A related project that started on DeBroff's watch and will finish under Shabecoff's direction is OPIA's new OPIA book on "transitioning" from the private sector to the public interest world.

This summer a record number of Harvard Law School Association chapters throughout the country will sponsor public interest fellowships through OPIA. Shabecoff wants to develop OPIA's international alumni contacts as well, ideally to develop new internships and recruit mentors willing to advise students on foreign public interest work.

"Expanding our international offerings is a complex process. We're also trying to recruit Wasserstein Fellows with international expertise. This is a growing area of student interest."

No matter how busy she becomes, Shabecoff intends to continue her favorite responsibility: advising students. She notes that DeBroff, who left HLS for new professional challenges, comes back for a day of advising each week. "That's the most rewarding thing we do here: talking to the students, helping them be reflective and creative in shaping their careers."

A graduate of New York University Law School, where she was a Root-Tilden Scholar, Shabecoff first came to HLS as a Wasserstein Fellow in 1995. She joined the OPIA staff in 1999, bringing her boundless energy and enthusiasm for public interest options, plus nearly eight years of experience as a legal services attorney in eastern Missouri and Massachusetts. ~

LEARNING FROM A CIVIL ACTION

Before A Civil Action the best-selling book, before A Civil Action the major Hollywood motion picture, there was the headline-grabbing civil action at the core of both, Anne Anderson v. W.R. Grace and Co. Now the famous environmental lawsuit is the inspiration for a new educational initiative, The Lessons from Woburn Project, launched by the Berkman Center for Internet & Society at Harvard Law School, directed by Professor Charles Nesson '73, in collaboration with Films for Justice at Seattle University School of Law.

In the 1980s, eight Woburn families claimed that chemicals contaminating their town's drinking water had led to the deaths of 16 children diagnosed with leukemia. They sued two large corporations, W.R. Grace & Co. and Beatrice Foods (owner of a Woburn tannery), for allegedly dumping toxins in the local river. Outcomes of the protracted and labyrinthine lawsuit included a jury finding that Beatrice was not liable, an $8 million settlement with W.R. Grace, a Superfund cleanup spearheaded by the EPA, and the bankruptcy of the plaintiffs' personal injury lawyer.

On January 30, the Berkman Center hosted a daylong conference that brought together for the first time "the original cast" of the case, in the words of Professor Arthur Miller '58, Berkman codirector. Sharing their divergent views on the lessons of Woburn were the original lawyers from both sides, the families, the author of the book, and the director of the film.

The goal of The Lessons from Woburn Project is to transform the legal, social, and moral lessons of the case, and the book, and the movie into a multimedia teaching vehicle. The project will link teachers, students, and the general public via the Internet to the case's central figures, hundreds of primary documents and trial transcripts, online discussions about the case, and other project happenings, including a series of online seminars. Visit the project at http://cyber.law.harvard.edu/activit-action. ~

Alexa Shabecoff advising a student.
Faculty Hearsay

Law firms are not pure meritocracies where the best lawyers automatically rise to the top. Instead, only those few associates who get access to good work, and good training and mentoring by powerful partners have a realistic chance of demonstrating that they are "partnership material." To be sure, these harsh realities handicap the careers of many white associates. But failing to understand the rules of the game disproportionately burdens minorities. Black lawyers are less likely than their white peers to be given choice work assignments and to enter into supportive developmental relationships with powerful partners. The reasons for this differential lack of access are complex: whether its existence satisfies the current legal definition of discrimination, is . . . debatable. That America's premier law firms have an obligation to understand how race continues to influence the careers of black lawyers is not debatable."

—David Wilkins '80, on The Good Black by Paul Barrett ’87 (see page 42). Wilkins, who is director of the HLS Program on the Legal Profession, has been conducting interviews for a forthcoming book on black corporate lawyers. Wilkins specifically addresses the competitive aspects of law firms in his newly published article, "Reconsidering the Tournament of Lawyers: Tracking, Seeding, and Information Control in the Internal Labor Markets of Elite Firms," in Virginia Law Review.

Strictly as a matter of principle, it is not clear why substantial presidential misconduct should be presumed non-impeachable just because it 'arose from' a realm of 'private' life. Is the claim that the 'value' of privacy should usually immunize any misbehavior — public misconduct — springing from this realm? Is it too 'embarrassing' or too 'unsavory' (whatever that means) to look into such misbehavior? Is the idea that small motives cannot lead to large transgressions? These notions are peculiar enough in themselves. But, in terms of constitutional principle, they make no sense. The reason is that the phrase 'other high Crimes and Misdemeanors' must be understood in light of 'bravery' one of its referents. Acts of bravery — as is well known — tend to arise from the 'private' lives of the actors. The fact that bravery
may arise from private greed (or need) does not presumptively immunize it from impeachment. Why, then, should public acts be presumptively immunized solely on the ground that they arose from private lust?"

— Richard Parker ‘70, from his
November testimony before the
House Judiciary Committee
Constitution Subcommittee.

"You may not be able to
draw a straight line from the maker of the gun
barricaded to the aura of the vic-
tim. But in the way the
tobacco litigation paved the way it may be possible, if the evidence is there, to hold gun
manufacturers accountable for the aggregate death and
injury that can be directly
traced to their marketing of a
deadly product."

— Lawrence Tribe ’66, on
the emerging legal assaults by U.S.
cities on the gun industry. Tribe helped prepare a number
of lawsuits against the tobacco
industry. From the Atlanta
Journal-Constitution.

"I predict that the TRC
[South Africa’s Truth
and Reconciliation Commis-
sion] will become known as a
landmark legal and political
alternative to criminal prose-
cutions for human rights
violations. Through the TRC,
South Africa has constructed
a promising process for redressing violations of
human rights, and it has
injected the language of
restoration and reconciliation
into the world of building
democracy."

— Martha Minow, author of
Between Vengeance and
Forgiveness: Facing History
After Genocide and Mass
Vigilence (Beacon Press, 1998),
from an op-ed in the
Washington Post.

"By calling world atten-
tion to Sudanese terrorism
rather than to the regime’s human rights abuses, the [Clinton] Administration has failed to organize the kind of campaig-
ning of conscience that was so effective in ending
apartheid in South Africa.
Perhaps we will never
know the reasons it has taken
so long for the horror in the
Sudan to gain world atten-
tion. But whatever those
reasons, they cannot out-
weigh the commitment made
by the nations of the world in
1948 to put an end to the idea
that a nation treats its
own citizens as that nation’s
own business."

— Mary Ann Glendon, on
widespread atrocities
conducted by Sudan’s military
dictatorship, "arguably the
worst human rights violator in
the world today," in a New
York Times op-ed occasioned
by the 50th anniversary of the
United Nations Universal
Declaration of Human Rights.

"The recent attack on
Clarence Thomas vividly
displays several of the
characteristic flaws of the
racial disloyalty critique. One
is a tendency to homogenize
blacks, woefully minimizing
the complex, contentious
diversity that marks the
African-American popula-
tion. Those who portray
Thomas as racially disloyal
concomitantly assert that
there exists a broad stable
consensus from which
Thomas is in isolated, deviant
revelt. In fact, though,
Thomas’s brand of conserva-
tion, though by no means
dominant, is by no means
scarcia in black America. His
social conservatism with
respect to abortion is weekly
echoed in the pulpits of
countless black churches. His
antagonism to claims by con-
vinced felons and death
penalty abolitionists re-
plicates that which is voiced
daily in countless black bor-
derships. Among blacks,
Thomas is far from alone in
thinking that affirmative action and similar programs
do more to harm their sup-
posed beneficiaries than to
help them. The point here is
to embrace Thomas’s
position; I believe that he
is mainly wrong with respect
to all of those mentioned. The
point is to emphasize that
African-Americans, like all
Americans, are divided
regarding these controversial
issues and that it obfuscates
reality to suggest otherwise."

— Randall Kennedy, reflecting
on criticisms of Clarence
Thomas occasioned by
Thomas’s speaking before the
National Bar Association in
July. From "Justice Thomas
and Racial Loyalty." The
American Lawyer.

"Living in today’s world,
economics professors no
longer need hypotheses."

— Alan Dershowitz, on his full
ethics course that featured a
unit called "The Presidential
Investigation: A Case of Ethical
Problems." Offered up for the
first time at Harvard last year.

"Peace of Palestine . . . .
Into the whole texture of Pale-
stinian life there must enter unflag-
gring realization that Arab
cannot dominate Jew, nor Jew
Arab, and that only in a fel-
losophy of reciprocal rights
and reciprocal duties can be
realized the distinctive values
to civilization of Jew and
Arab."

— The late justice and HLS
Professor Felix Frankfurter ’01,
quoting by Justice Stephen
Breyer 76 in his New Republic
essay, "Zion’s Justice."
TWO PATHBREAKING SCHOLARS REMEMBERED

A. Leon Higginbotham, Jr.

1928–1998

Professor Charles Ogletree ’78, who is continuing work on several of Higginbotham’s current projects, called Higginbotham “the epitome of the people’s lawyer. Despite his individual merits and accomplishments, he never hesitated to lend a hand to the poor, the voiceless, the powerless, and the downtrodden.” Ogletree said Higginbotham was “not only a mentor but a father figure for me and for a generation of young law professors and lawyers.”

President Carter named Higginbotham to the U.S. Third Circuit Court of Appeals in October 1977, where he remained until retirement in 1999, becoming one of the country’s most prominent African American judges. He served as vice chairman of the National Commission on the Causes and Prevention of Violence, which investigated urban riots of the 1960s and produced the celebrated “Kerner Report” that pointed an ominous finger at the growing polarization between blacks and whites.


Memorial services were held in his honor at Harvard and Yale Law Schools, and in New York City, Philadelphia, and Washington, D.C.

Lecturer A. Leon Higginbotham, Jr., chief judge and former administrator of the U.S. Eastern District Court of Appeals and public service professor of jurisprudence at Harvard’s Kennedy School of Government, died on December 14, 1998, at age 70.

A lecture at the Law School in the 1960s and again since 1993, Higginbotham was teaching the seminar Race, Values, and the American Legal Process during the fall semester. He himself offered the seminar at the School in 1990. His ardent defense of civil rights throughout his career — on the bench, in the classroom, and in numerous books, articles, and public talks — earned him the Presidential Medal of Freedom, the nation’s highest civilian honor, and many other awards.

ELISABETH A. OWENS

1919–1998

Elisabeth A. Owens, Henry L. Shattuck Professor of Law Emerita, a major scholar in shaping the field of international tax law and the first woman to receive tenure at HLS, died November 15, 1998, at age 79.

After Owens graduated from Smith College in 1940, summa cum laude with a degree in economics, she went on to graduate study in that field at the University of Chicago.

Once WWII started, she came to Washington to work as an economist and procedures analyst in the Office of Price Administration, the State Department, and the Bureau of the Budget. In 1946 she left D.C. for Yale Law School.

“In initially I had no intention of becoming a lawyer,” said Owens in an interview that appeared in the Bulletin in 1998. “It wasn’t that I wanted to practice law. It was that lawyers held the reputation of being the only ones who understood the English language... although I have long since learned that this is not the case.”

After four years of general practice at Hill, Barlow, Goodale & Adams in Boston, Owens began working at the School in 1953 as a research assistant to the tax reform expert Professor Stanley Surrey, the first director of the School’s International Program in Taxation (ITP). When asked how she decided to focus on international tax law, Owens said, “I think, at one point, Professor Surrey asked me, ‘what is a creditable tax?’ My answer turned into three books.”

Owens was the author of the Foreign Tax Credit (ITP, 1961), Professor Emeritus Oliver Oldman ’39, former director of ITP; said the book "opened and organized a new area of law that hadn’t been studied before." The tax credit eliminates double taxation of foreign investment income due to overlapping tax jurisdictions of the United States and other nations.

Owens also wrote with Gerald Fall the two-volume work, The Indirect Credit (ITP, 1967 and 1997). In 1965 she became the first director of research at ITP and oversaw expansion of its publications. Said Oldman, “She refined new areas and got the best scholars to curtail themselves to the utmost.”

In 1996 Owens began to teach at the School as a lecturer, leading seminars on U.S. aspects of international taxation. At the time her research focused on tax treaties, and she served as a consultant to the Treasury Department on the subject.

In 1972, Owens was granted tenure. Her colleague the late Professor Milton Katz ’31 called the appointment "a very good thing for the School and a delayed justice." Said Owens, "It was a decision that I also felt was overdue.”

In mid-career Owens developed an interest in natural resources law, and she divided her time between this field and international tax until her retirement in 1985.

A tribute to Owens will appear in the May issue of the Harvard Law Review.

HARVARD LAW BULLETIN SPRING 1999

PHOTOGRAPH BY RICHARD COLE

PHOTOGRAPH BY HARVARD ART COLLECTION

TWO PATHBREAKING SCHOLARS

PHOTOGRAPH BY HARVARD ART COLLECTION
1920–1929


Loring M. Staples '32 of Salem, Mass., died July 17, 1928, in Plymouth, Minn. He was a retired attorney in Minneapolis who had served as several official positions in the 1910s when community leaders asked him to help form a local station. He served as president of the Minnesota Orchestral Association and was the author of a History of the Minneapolis Club and The West Hotel Story. Frank Shapiro '32–34 of Lake Worth, Fla., died June 4, 1928.

MBA '37 of Houston, Tex., died March 4, 1928.

David E. Swartz '27–28 died October 22, 1928, in Charleston, Mass. He was a trial and tax lawyer.

Bernhard G. Beeckhefer '28 died October 25, 1928, in Washington, D.C. He was a retired Washington lawyer and former state Department official. He specialized in legal issues dealing with nuclear energy. His State Department career began in 1943. He joined the Foreign Service service years later. He spent much of his career based in Washington and became a senior adviser on disarmament to several high-ranking diplomats. He also served on the Council of National Policy in postwar Germany and on the Atomic Energy Commission. He was in charge of political-military affairs in the State Department's division of UN political affairs and a delegate to UN disarmament meetings in London. He was the author of Postwar Negotiations for Arms Control, the definitive history of arms control by the Washington Post.

Melville Ehrlich '28 died August 17, 1928, in Bethesda, Md. He was a Washington lawyer for 40 years and a founder of the law firm Bell and Ehrlich. In the 1940s he was legal counsel for the Office of Price Administration's division of canned foods and vegetables.

Louis L. Redding '28 died September 28, 1928, in Lima, Pa. Alexander Mackay-Smith '27 (29) died August 8, 1928, in Boyce, Va. He was a Washington lawyer and was a member of the National Sporting Library and of the Museum of Hounds and Hunting, both in Virginia. He participated in the horse show ring, on the steeplechase course, and in field hunter competitions. He was the author of many books — including The American Foxhound, 1924–1927 — and editor for nearly a quarter of a century of the international weekly magazine Chronicle of the Horse.

1930–1939

A. Shelby Winstead '30 died in March 1930.

Joseph M. Ferguson '30–32 died August 30, 1937, in Newport Beach, Calif.

Stephen D. Fuller '30–32 died October 6, 1937, in Rockville, Md.

John R. Sawyer '31–32 died October 18, 1938, in Tulsa, Okla. He served as post-WWI commander of the U.S. AMVETS as its legislative director, and as delegate to the Senate International Relations Committee in Support of the Marshall Plan. He was named by President Dwight Eisenhower as deputy secretary of the Air Force for Civil Aviation. He served as deputy director of the U.S. Foreign Aid Program in Ethiopia and held similar foreign service positions in Belgrade, Yugoslavia; Cape Town, South Africa; and London. He also was a member of the board of the law faculty of the University of New Mexico, where he directed the institute of Public Law, and served on the board of the New York Bar Association for 35 years. He was a member of the planning and program committee of the Judicial Conference of the Second Circuit of the United States. He worked in military intelligence during WWII, Joseph H. Stromer '37–38 died in October 1948 in Stony Creek, Conn.

John F. Desmond '36 died October 5, 1939, in Newton, Mass.

Samuel A. Gemetl '36 of Verona, N.J., died August 14, 1939. He was founder of the law firm Gemetl, Kallmann, Antin and Robinson in Paterson, N.J., and was managing partner until his retirement in 1992. He was a member of several committees of the ABA and also a member of the Essex County Ethics Committee for three years, serving as chairman for one year. He was a longtime national trustee and state chair for New Jersey of the National Jewish Center for Immunology and Respiratory Medicine in Denver, and a former trustee of the Essex County Mental Health Association and of Community Hospital in Morristown, N.J.

Jerome Stern '25 (34) of Philadelphia, Pa. He was a lawyer and humanitarian. A senior partner at Labrum & Doak and later with Stratton, Rosenfield & Young, he was a partner in Philadelphia, for more than 20 years, he also served as assistant city solicitor. He was president of the Federation of Jewish Agencies, vice president of the National Council of Jewish Federations and Welfare Funds, and a president of the United Way.

Richard L. Tower '33–34 died January 6, 1944.

John Radley '34 died April 26, 1926, in Peoria, Ill.


Phillip C. Kelly '34–35 of Cocoa Beach, Fla., died July 12, 1928.

John Z. Williams '34–35 died in June 1928.

Herbert L. Fox '34–35 died August 9, 1928, in Pompano Beach, Fla.


William Piel, Jr. '35–36 died September 13, 1928, in Shermann, Conn. He was a long-time principal litigation partner at Sullivan & Cromwell. He was also a member of the board of trustees of the Federal Bar Council, a fellow of the American College of Trial Lawyers and of the New York State Bar Association. He was a member of the planning and program committee of the Judicial Conference of the Second Circuit of the United States. He worked in military intelligence during WWII, Joseph H. Stromer '37–38 died in October 1948 in Stony Creek, Conn.

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James A. Graham '37 of Gleneden Beach, Ore., died September 13, 1938.

SOLON J. STONE '37 died September 20, 1939, in Sarasota, Fla. He was a former senior partner at the law firm Philips, Lytle, Hitchcock, Blaine and Huber. When he retired in 1980, he became counsel to the firm. A founder and president of the Erie County Bar Association, he was also a member of the Governor's Revision Committee — which made changes in the administration of the worker's compensation law in New York — and a member of the Governor's Advisory Committee.

Kennedy C. Watkins LLM '37 died August 12, 1949, in Washington, D.C. He was retired general counsel of the National Gallery of Art. Early in his career he was deputy assistant secretary of the Treasury Department of the Treasury. He worked as tax lawyer for the Association of American Railroads. In 1965 he was named deputy general counsel, secretary, and treasurer of the National Gallery, which he worked until 1976. During his retirement years, he was a member of the German government for his help locating the first copy of an epic poem written circa 800 and stolen during WWII. During the war he served in the Army in the office of the chief of ordnance. As a member of the Boston Symphony, chair of the board of managers of Combined Jewish Philanthropies, and former national vice president of the American Jewish Congress, Chair of the board of directors of Beth Israel Hospital, he was also a visiting professor of the Dan-Farber Cancer Institute and Children's Hospital Medical Center in Boston, and a member of the Harvard College publishing company.


Bernard F. Alchen '36–37 died in September 1928. He was a businessman and a scout involved in the development of the Children's Aid Society (CAS) when he was a small child. He recently established a college scholarship for CAS children.

James A. Graham '37 of Gleneden Beach, Ore., died September 13, 1938.

Sidney Stoneman '36 died October 13, 1928, in Boston, Mass. He was former vice chair of General Cinema Corp. He was a trustee of the Boston Symphony, chair of the board of managers of Combined Jewish Philanthropies, and former national vice president of the American Jewish Congress. Chair of the board of directors of Beth Israel Hospital, he was also a visiting professor of the Dan-Farber Cancer Institute and Children's Hospital Medical Center in Boston, and a member of the Harvard College publishing company.

Edward M. Doole '35–36 died September 17, 1928, in Malibu, Calif.

Harold F. Blasky '38 died July 22, 1928, in Bethesda, Md. A lawyer who specialized in civil rights nationally on the subject, he established the Washington office of the New York firm that became Schneider, Harrison Segal & Lewis, and was a partner at the firm.

He was coauthor of a primer on federal contracting published by the American Institute of Architects. He was a former chairman of the board of contract appeals and former deputy general counsel of the Army Corps of Engineers. He was also former assistant general counsel of Ringling Bros-Barney & Bailey Circus in New York and worked for the Federal Works Agency in Washington.

William G. Gold '38 died May 19, 1928, in Anco, N.J. He was a longtime partner at the law firm Snyder & Isen in Philadelphia before it became Saul, Eising, Remick and Saul, where he was counsel. He was a former associate in the law firm Witner and Thorton.

William C. Ramsey, Jr. '38 of Omaha, Neb., died August 24, 1928. He practiced law in Omaha and was a former deputy Douglas County attorney. He served on the Nebraska Board of Education for many years and was president of the Omaha Urban League in the early 1960s. He was a past officer of the American Road Equipment Co. and president of American Savings Co.

David Velk '38–40 of Ogdensburg, N.Y. He was a member of the Ogdensburg Board of Education and a member of the St. Lawrence County board of education in the Albany area and was an apprentice with the New York State Board of Equalization and Assessment.

Matthew B. Fox '38–40 died October 6, 1928, in Chicago, Ill. He served as a member of the American Road Equipment Co. and president of American Savings Co.

George Boyd, Jr. '39 of Darien, Conn. died September 25, 1928. An attorney who specialized in antitrust law, he was a
Robert A. Hammond ’54 died October 18, 1988, in Washington, D.C. He was a former Justice Department antitrust lawyer and now retired partner at Wilmer, Cutler & Pickering. He retired from the firm in 1986 but remained of counsel. In the mid-1970s he began his career as an antitrust lawyer at the Justice Department. He then became a partner at the Federal Trade Commission, first as legal assistant to the commissioner and then as chief of the merger division. During a second stint with the Justice Department, he served in senior positions including chief of the evaluation section, director of policy planning, deputy assistant attorney general, and acting assistant attorney general for antitrust. He also helped develop Justice Department policy and litigation strategy for reviewing merger cases.

Robert H. Whitstick ’35 died October 16, 1988, in Palisades, N.Y. He was former vice president of The Seeing Eye and an advocate for the blind and visually impaired. He taught high school social studies at the New York Institute for the Education of the Blind before joining The Seeing Eye, where he worked as a principal field representative, visiting graduates and acting as a liaison between The Seeing Eye and state commissions for the blind and other leading rehabilitation agencies. He became president of field services and then vice president for programs, and he later oversaw the breeding, raising, and training of the guide dogs and the courses for the dog owners. He also was former president of the American Association of Workers for the Blind and served its national board of supervisors.


Theodore Jacobs ’61 of Washington, D.C., died August 7, 1988. He served as director of the House Government Operations Subcommittee on commerce, consumer, and monetary affairs for 15 years until his retirement in 1991. He also served as a neighborhood advisory commission from 1986 to 1993. When he first moved to Washington 30 years ago, he was chief of the legal analysis section at what is now known as the Consumer Product Safety Commission. He later became executive director for the Center for the Study of Responsive Law. He was also counsel for regulatory reform at the Senate Government Affairs Committee. He wrote books and many articles for major publications on consumer-related topics.

1960–1969


José Zangara ’63–’65 of Buenos Aires, Argentina, died in 1968.


William E. Hogan, Jr. S.D. ’63 died July 21, 1988, in Montreal, Canada. A professor of law emeritus, he taught at Boston College Law School, Cornell University, where he was the J. Dupont White Professor of Law, and New York University Law School.

He was involved in the development of the Uniform Commercial Code, and served as a member of the New York State Commission on Uniform State Laws and as vice president of the National Conference of Commissioners on Uniform State Laws. He was coauthor of textbooks including Consumer and Commercial Transactions and Secured Transactions Under the Uniform Commercial Code. He also worked on the legal advisory committee of the New York Stock Exchange.

Richard A. Roys ’63 died September 22, 1988, in Boston, Mass. He was a senior partner at the law firm Bracett & Patterson. He also held leadership roles with the United Way.

Howard M. Schreiber LLM ’64 of New South Wales, Australia.

1970–1979

Paul I. Mandile ’70 of San Francisco, Calif., died September 1, 1988. He was a shareholder of Heller Ehrman White & McAuliffe in San Francisco, where he spent his entire legal career. In recent years, he spent half of his time working with the investment boutique Hillman & Friedman, one of his clients. He was a former director of the San Francisco Opera and served for several years as executive vice president of the San Francisco Opera Association. He was also a member of the Commanderie de Bordeaux and the Chevaliers du Tastevin, both wine and food associations.

William E. Taylor III ’70 died September 26, 1988, in Androm, Pa. He was a partner in the litigation department at Blank Rome Cominsky & McCauley, based in Philadelphia, which he joined in 1972. He was also a lecturer and author on litigation and professional responsibility issues.

Pierce Gerety, Jr. ’71 died September 21, 1988, in the crash of the Swissair Flight 111 off Nova Scotia. A 12-year UN veteran, he was director of central Africa operations for the UN High Commissioner for Refugees (UNHCR). During his time at UNHCR he helped Eritrean refugees in Sudan, Afghan refugees in Pakistan, and Vietnamese refugees in the Philippines. He had previously worked on behalf of refugees for the Catholic Relief Service in India and, with his wife, for the International Rescue Committee in Thailand. Most recently he and his wife worked in the African Great Lakes region and Somalia, negotiating with warlords and rebel leaders for access for aid to tens of thousands of refugees.

1980–1989

William Carlyle Foutz, Jr. ’55 of Columbia, Va., died in January 1993. He was a former associate at Gibson Dunn & Crutcher.

Clarence T. Hay LLM ’56. He practiced law at Tory, Boy, DeLaurier and Binnington in Toronto.

1990–1998

Ahamat M. O. Amran LLM ’94 died September 21, 1998, in the crash of the Swiss Air Flight 111 off Nova Scotia. He was a former UN human rights officer who worked with refugees. Born in the Sudan, he studied law at the University of Khartoum and earned his first LLM at the University of Saskatchewan in Canada before practicing law in the Sudan. In 1987 he moved to Chad and worked with USAID and as a second-class magistrate. When the country was plunged into civil war, he fled to Cameroon, where he was a translator in the Sudanese Arab Embassy. In 1990, after several assassination attempts were made on his life, he left Cameroon as a UN political refugee and resettled in Portland, Maine. After graduating from HUS, he worked with refugees in Bangladesh and later in Brunei as a human rights officer for the UN. In his subsequent position with the UN High Commissioner for Refugees he worked for refugees in Egypt, Lebanon, and finally Zaire and Uganda. He left both positions with the UN because of frustration with what he saw as a mismanagement of funds. According to friends he planned to return to the Sudan to volunteer in relief efforts. A number of classmates sent reminiscences about Ahamat Omran to the School One friend wrote, "He was blessed with bigness, heart, spirit, intellect. . . . The world is not as joyial in his absence."

Henry J. Koko ’91 (LY) died March 2, 1998, in New York, N.Y. ~

The Transformation of "David"

In the article "The Man Behind the Getty" in your Fall 1998 issue, and referring to Harold M. Williams’ role in creating the new Getty Center in Los Angeles, you stated that "[i]t wasn’t quite Michelangelo peering at an uncarved slab of Carrara marble and seeing the David." You were right that it was not quite the same, perhaps for more reasons than you imagined. For one, when Michelangelo looked at the piece of marble that was to become his David, it was not uncarved. The carving of a David had been started by Antonio Rosellino, who abandoned the project for reasons still debated, and whose unfinished work was described by a contemporary as hama ca marmore vacati Daviti male ablatum et sculptum, that is, a certain figure of marble shaped only partially blocked out and carved. It was not until several years later that Michelangelo was given the commission to finish the ‘badly blocked out’ work. (See, among others, H. Hibbard, Michelangelo, ed. 1747, Harper & Row, New York.)

Many will agree, though, that Michelangelo’s sublime transformation of that poor beginning into his David was one of the high points of Western art.

Angel Herrera LLM ’72

Guaynabo, Puerto Rico

Doubles, Anyone?

I am writing about an item on page four of the Fall 1998 Harvard Law Bulletin concerning Bernard Miller, "and his group of "senior" tennis players," I was pleased to learn that there is another group similar to ours, which is in a New Jersey suburb of New York City.

This past summer we had a wonderful doubles game. I ate at 7:30 (now 7:00) was the only one on the court under 80. There were more than 40 of us, and after one and a half hours of playing, we sat down and discussed many problems of the world and even solved some of them.

Maybe we’ll challenge Bernard Miller’s group?

Robert Morris ’44 (‘47)

Short Hills, N.J.

The Bulletin Connection

While working in New York City on a political asylum case involving a woman from West Africa who had previously been subjected to female genital mutilation, I happened to read the 1992 Class Notes of the Fall ’97 Bulletin. It turned out that ahuna Margaret Stock (‘53), who practices law in Anchorage, Alaska, had just won a similar case based on that issue. For only the cost of photocopying and mailing, she graciously sent me a huge box of background material on the topic, material that would have taken hours to research myself.

Success—the judge granted my client political asylum on the day before Thanksgiving, 1998. For our win, we both have to thank Margaret Stock, and for the Harvard Law Bulletin that connected us.

Julie Remick ’90

New York, N.Y.
Slow May
deliberate in the peach tree,
lighting the pear blossoms, one first then another,
sullen almost sometimes,
comes,
delicately through the thaws of snow
to scatter
daffodils like drifting flaws
of sunlight on these winter hills.

“Spring in These Hills,” by Archibald MacLeish ’16,
former librarian of Congress, assistant secretary of
state, and three-time Pulitzer Prize-winning author.

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FRED N. FISHMAN ’48

The mementos crowding Fred Fishman’s office walls
document many chapters of his prolific life in the
law. “It’s easy to tell where my loyalties lie,” says
Fishman ’48, former partner of Kaye, Scholer,
Fierman, Hays & Handler, LLP, where he practiced
beginning in late 1960 until his retirement in 1993.

Three group shots recall the camaraderie
Fishman enjoyed on the Harvard Law Review. A
close-up of Justice Felix Frankfurter ’06 bears this
handwritten message to his former law clerk: “In
memory of our happy labors together during the
October Term, 1949 . . . .” Another photo shows
Fishman at a celebration dinner of leaders of The
Association of the Bar of the City of New York,
which he served as treasurer, executive committee mem-
ber, and chair of committees on federal legislation
and corporation law (he also cochaired the Lawyers’
Committee for Civil Rights under Law from 1983 to
1985, and was a director of The Legal Aid Society
Law Bulletin depicts a beaming Fishman, Harvard
Law School Association president from 1986 to
1988, at an HLS centennial celebration.

Fred Fishman grew up in Brooklyn and attended
public schools. His parents, who did not finish high
school, encouraged their only child to apply to
Harvard College. A member of the Class of 1946
there, he graduated summa cum laude and Phi Beta
Kappa in 1944, under wartime acceleration, and in
1945 embarked on a year of postgraduate work at
Yale before applying to law school.

At postwar HLS, “with its many vintages of stu-
dents,” Fishman relished the classroom enterprise of
“shifting away preconceptions and emotional
reactions as we tried to get to the heart of issues, to
frame arguments for different points of view, and to
consider how the outcome served the law and soci-
ety.” His professors — Fuller, Seavey, Freund, Hart,
Cox, Scaris, Morgan, Katzen, Kaplan, Brown, and others
— were “demanding but committed to helping stu-
dents get on with their lives and careers.”

During his first HLS term, Fishman met Claire
Powens, a Radcliffe student and his future wife.
After graduating magna cum laude, Fishman
clerked for Chief Judge Calvin Magruder, U.S.
Court of Appeals, First Circuit. The following year
he clerked for Frankfurter, along with his classmate
Albert M. Sacks ’48, future HLS dean.

In 1950 Fishman became an associate at what is
now Dewey Ballantine. In 1957 he joined Freeport
Minerals Company, a natural resources company,
concentrating on international and governmental
work. Returning to private practice, at Kaye, Scholer,
the new partner focused on general corporate, mergers
and acquisitions, and financing work for leading
financial services, telecommunications, and nat-
ural resources companies. He ultimately headed the
firm as chair of the executive committee.

Harvard has long benefited from Fishman’s
famous energy. He served for 12 years on the
Overseers’ Committee to Visit the Law School and
has served on several other Harvard Overseers’
Committees. He led the fundraising for his HLS
Class of 1948’s 25th and 45th Reunions, which set
records in anniversary giving. From 1977 to 1979,
he chaired the Harvard Law School Fund, which
flourished under his stewardship. Fishman also
served on the steering committee for The
Campaign for Harvard Law School, from 1991 to
1995. His gifts to the School include the handsome
Claire P. and Fred N. Fishman Legal Periodicals
Room in Langdell and the Arthur E. and Frederica
G. Fishman Library Fund in honor of his parents.

At the Law School, Fishman found “that what
counted was what you were, not who you were —
‘the intrinsic,’ as Felix Frankfurter put it.” The loyal
graduate says that for this reason and others, he
shares his old boss’s “quasi-religious feeling about
the Harvard Law School.”
Attorney General Janet Reno ’63 returns to HLS for Celebration 45