

ALSO: A CAPTAIN IN BAGHDAD, A GENERAL IN NEW YORK

Harvard Law

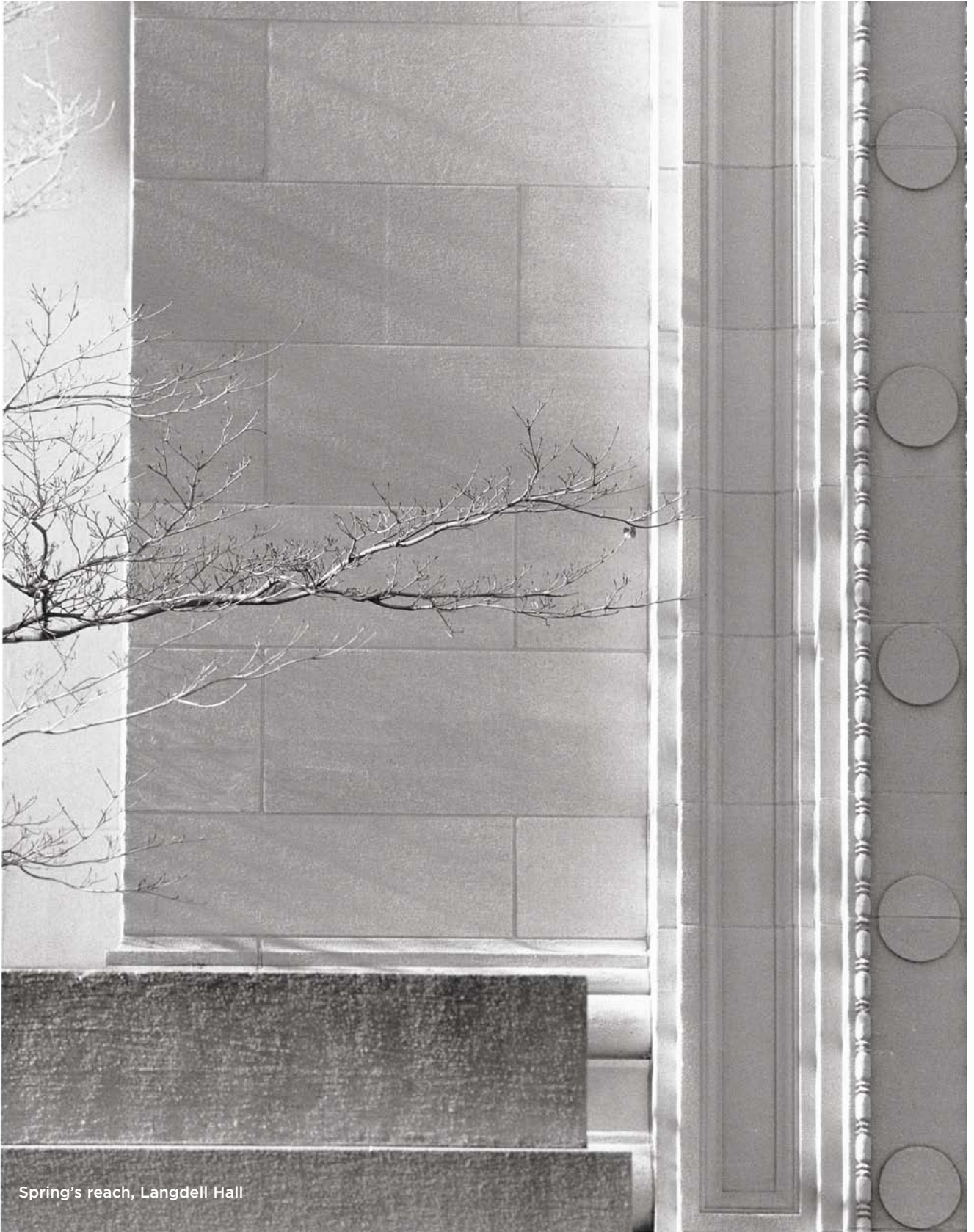
bulletin

SPRING 2005



GIVING BACK

**HARVARD LAW SCHOOL
WANTS ALL LAWYERS
TO GET INVOLVED
IN PUBLIC SERVICE**



Spring's reach, Langdell Hall

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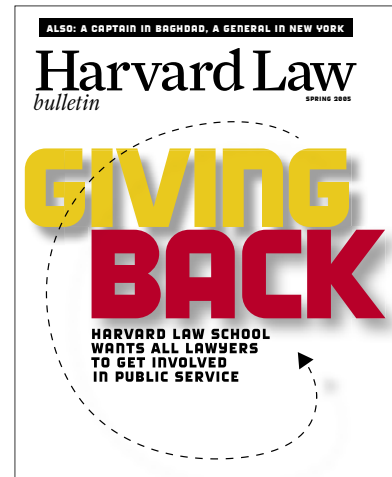
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A Call to Public Service

one of my highest priorities as dean is to instill in all Harvard Law students a genuine enthusiasm for public service. Public service should not be a specialized career track. As so many Harvard Law alumni know, it should be an integral and vital part of every lawyer's life.

Law is inextricably connected with how society functions. Lawyers hold a sacred public trust, and all of us have an obligation to society, whether we work for major Wall Street law firms or small nonprofit clinics. Surely, those of us fortunate enough to

have received a Harvard legal education have a responsibility to give back to our communities in some way.

Robert Kennedy once said that even the smallest acts of public service represent a "tiny ripple of hope," and that those ripples can eventually "build a current that can sweep down the mightiest walls of oppression and resistance." I want today's law students—whether liberal or conservative or anything else under the sun—to understand and believe that message. I want them to realize that they can use the law to advance justice and improve lives.

A commitment to public service lies at the core of Harvard Law School's mission and at the center of its invitation to each generation of students to make a mark on the world. In this issue of the *Bulletin*, you will read about what the school is doing to strengthen this commitment, as well as about how some graduates of the school are demonstrating this commitment in their daily lives.

Our Pro Bono Program is now in its third year, which means that the class of students graduating this spring will be the first to perform pro bono service as a requirement for graduation. We have merged this program with our outstanding Office of Public Interest Advising in order to offer students "one-stop shopping" as they consider public service opportunities.

You also will read about students making a difference around the world, from Rwanda to Haiti,

through the school's extraordinary Human Rights Program. Thanks in large part to student initiative, the program has greatly expanded its clinical offerings.

Politics and government are perhaps the most direct ways to serve society on a large scale, and in this issue we feature one of the law school's more prominent alumni of late: New York Attorney General Eliot Spitzer '84. His influential work to regulate financial markets is a classic example of using law as a tool of institutional reform.

Finally, at a time when so many Americans are selflessly risking everything to serve their country, it is important to recognize the Harvard lawyers who are making contributions in the military services. This group is represented here in an essay dispatched from Iraq by Nick Brown '02, who is on a tour of duty as a member of the Army JAG Corps.

While one issue of the *Bulletin* cannot give more than a few examples of public service, I hope you find this mix of stories informative and engaging. I believe the people featured here—our students, faculty and alumni—capture the ethos of public service at Harvard Law School today.



Dean Elena Kagan '86



Letters

"Looking to the U.N., a body that fails to condemn terrorism, for leadership and guidance in the struggle against terrorism is bound to be unrewarding."

—Harris I. Baseman '55

"WAR ON TERROR" A MISNOMER

YOUR FALL 2004 ARTICLE "Law in a Time of Terror" discusses in all seriousness the so-called "war on terror." In it, four professors consider whether the "laws of war" (or "rules on warfare") apply. But it is not a war, and as Professor Philip Heymann says in the next article, "it's not wise to think of it as a war." Nor is it "on terror," nor "on terrorism," nor even "on terrorists." It is on certain terrorists, and that's all.

The U.S. would do best to deal with these terrorists as the British have dealt with IRA terrorists and the Israelis deal with Palestinian terrorists, i.e., with police work, informants and military strikes that fall well short of war. In addition, we need comprehensive international cooperation because, like the Mafia and some drug cartels, Al Qaeda works outside the laws of nations. Even if they nuke Times Square or the Capitol, they will remain what they are, a gang of fanatically violent criminals who should be dealt with as such.

But instead, President Bush has declared a "war on terror" and used this amorphous misnomer to wage a real war on Afghanistan before diplomatic and military strike options were exhausted; to wage a falsely hyped war of aggression on Iraq, killing and maiming uncounted thousands; to fabricate a rationale for torture that is illegal (not to mention barbaric) of prisoners of war or people suspected of violent crimes; to trample legal and human rights; to deplete our military and treasury; to build enormous anti-U.S. animosity; to scare the public; to leave bin Laden at large and to win re-election.

Words matter, and Bush's beguiling confection "war on terror" has mattered a lot. The flimflam may have hoodwinked 51 percent of the voters, but why the Harvard Law Bulletin?

malcolm bel '58

Weston, Vt.

APPALLED AND DISHEARTENED

I WAS APPALLED BY WHAT I read in the fall Bulletin about the extent to which Harvard Law professors are facilitating and enabling violations of human rights. The voices of reason were my old Professor Detlev Vagts—bless him—and Professor Philip Heymann. The notion of one student that "civil liberties become meaningless if you're dead" ("Getting Real") seems a far cry from "Give me liberty or give me death." I was disheartened that a student was proud to be writing a policy paper on transparency in coercive interrogation practices (though only the legal ones and not torture, of course—please provide a list of the legal ones to Alberto Gonzales). Amazing—and apparently you are proud of this.

benjamin davis '83

Toledo, Ohio

TERROR THREAT CALLS FOR PRAGMATISM

MANY THANKS TO THE EDITORS for devoting much of the fall Bulletin to the legal issues pertaining to the war against terrorism. It was thought-provoking.

I found most of the views attributed to Professors Goldsmith and Dershowitz in the Dick Dahl article ("Law in a Time of Terror") responsive to the realities of the threat imposed. These

TALKING

about
terror

A Harvard Law School professor says a unilateral war on terror will not succeed. His solution: contain and isolate extremists by repairing frayed alliances and finding common ground with mainstream Islam

professor phil ip heymann '60 first taught an HLS course on terrorism in the late 1980s. Later, as deputy attorney general in the Clinton administration, he supported the prosecution of Sheikh Omar Abdel Rahman for the 1993 bombing of the World Trade Center. He is the author of "Terrorism, Freedom, and Security: Winning Without War" (MIT Press, 2003). Together with Juliette Kayyem '96 of Harvard's John F. Kennedy School of Government, he is at work on a set of legislative proposals for new terror laws, which he hopes to submit to Congress later this year. He was interviewed for this magazine by Michael Rodman.



Professor Philip Heymann '60

professors seem to get it.

Unfortunately, I found some of the views expressed in that story by Professor Vagts unrealistic. He apparently approves of the Convention Against Torture that says there are no excuses for torturing a prisoner. He castigates the United States for violating the Geneva rules by publishing a photo of Saddam Hussein. How do you support those views when the enemy thinks nothing of beheading its prisoners or gassing and murdering thousands of its own citizens?

The law school is to be congratulated for offering a course on terrorism, but after reading the interview of Professor Heymann, I think someone else ought to be teaching the course.

It seems that Professor Heymann opposes American unilateralism and that he wants the United States to obtain the support of friendly nations like France and Germany. Who doesn't? But that is unbelievably naïve when those friends have been corrupted, as they were by the U.N.'s management of the Iraqi Oil-for-Food Program.

Professor Heymann criticizes the United States for failing to build support in Muslim nations, saying that a poll shows that 70 to 90 percent of the people in the Muslim world were sorry that there wasn't greater resistance in Iraq and that a large number prefer Osama bin Laden to President Bush. That's no surprise. We saw them dancing in the streets when the Twin Towers collapsed. Moderate Muslims who

might be inclined to support the United States or want freedom and separation of state and clergy don't last long. Salman Rushdie still has a price on his head, and Anwar Sadat was killed for opposing the primacy of Sharia in Egypt. The Saudi royal family tries the appeasement route but is certainly under increasing attack by Islamic fundamentalist terrorists.

Running throughout the Heymann interview, it seems to me, is a preference that the "war" (a term he dislikes) against terrorism should be controlled more by Congress than the executive, and that international consensus should be a factor. In a perfect world, that would be fine. However, in reality, political partisanship too frequently stalls anything from happening in the Congress.

Furthermore, looking to the U.N., a body that fails to condemn terrorism, for leadership and guidance in the struggle against terrorism is bound to be unrewarding. I would also suggest that Professor Heymann, or whoever teaches a course on terrorism, take the following remark by Democratic Representative Jane Harman, quoted in another article in the same issue ("Code Red"), as a guiding principle: "The terrorists don't want a seat at the table, they want to blow up the table."

*harris i. baseman '55
Chestnut Hill, Mass.*

NO PERIL SO GREAT

I WAS APPALLED to read Dick Dahl's "Law in a Time of Terror" in the Fall 2004 issue of the Bulletin. The article featured a supposed debate on the applicability of the rules of warfare to the current war on terrorism. In particular, Professor Dershowitz was said to urge the use of torture on suspects in some circumstances, citing the imperative security problems we now face. This presumably qualified use of torture may sound reasonable (providing torture is not used on nice people, like us). However, the argument has lent

MAGAZINE WINS AWARD

The Spring 2004 Bulletin was awarded a silver medal in the Council for Advancement and Support of Education 2004 publications contest for alumni magazines produced in New England and parts of Canada.

a cover of respectability to inhumane practices generally, at Abu Ghraib and elsewhere.

As a former Army JAG officer who taught the law of land warfare at the JAG School, and who admired Professor Baxter's contributions in this important area of the law, I am appalled. Trying to find the words to argue against the approved use of torture leaves one sputtering; the matter is that self-evident. But I will try.

Using torture puts our own people in danger. It demeans us as a nation, and its advocacy degrades those who preach it. It produces phony leads that must be run down using valuable intelligence resources. Using torture assumes that the prostrate victims possess desired information. And yet, as the ICRC [International Committee of the Red Cross] has reported, most of the people at Abu Ghraib prison were caught in military sweeps. They were in the wrong place at the wrong time.

The advocacy of the use of torture seems to carry with it the notion that interrogators are simple chaps (and women) who cannot find out what is going on without its use. How demeaning for an entire profession. I will only cite the example of my late brother, Walter Shepard, Harvard 1953, who, after training at Fort Holabird, served in the Army's counterintelligence service. His specialty was penetrating our own maximum-security installations. He did so successfully all over Europe, in the coldest part of the Cold War, through brainpower. I would not have wished to try to match wits with him in an interrogation session.

The United States, until now, has been an important actor in the development of civilized rules for land warfare. One thinks of Virginia Gov. Thomas Jefferson, researching the precedents to allow Hessian prisoners to stay in this country rather than be repatriated against their will, a precedent that was courageously invoked to protect captives in the Korean War. And of course, the Lieber Code, issued in April 1863 to the Union Armies in the field, was a landmark development in the law of war, preceding even the formation of the Red Cross. I wonder if Professor Dershowitz will tell us that our present peril is greater than that faced in either the Revolution or the Civil War.

There are, of course, technical arguments to be made regarding the Geneva Conventions in the war on terrorism, but not, I submit, very persuasive ones. There is always Common Article 3, applicable to any sort of warfare, which no cute reasoning can get around. It forbids torture. I am sure that the overwhelming body of authority would support my position. And the views to which the Bulletin gave publicity will continue to offer spurious justification of the ill treatment of prisoners and, in the long run, will bring shame to the law school.

I write this letter in protest, to convey in some way the screams that cannot otherwise be heard by Professor Dershowitz.

*william s. shepard '61
Oxford, Md.*

WE WANT TO HEAR FROM YOU

The Harvard Law Bulletin welcomes letters on its contents. Please write to the Harvard Law Bulletin, 125 Mount Auburn St., Cambridge, MA 02138. Fax comments to 617-495-3501 or e-mail the Bulletin at bulletin@law.harvard.edu. Letters may be edited for length and clarity.

by DICK DAHL illustration by Christian northeast

Law in a time of TERROR

Four HLS professors consider whether the old rules apply when the enemies don't wear uniforms and are willing to die with their victims

As some 400 inmates have escaped to freedom—about 4,000 years—over have been making up rules to govern it. We've sought to identify the common thread that runs through a "war on terror." We've set up ground rules to require which responses which military prisoners, innocent thousands of an airplane was and applied to specify the treatment that our business should receive when taken prisoner.

But after the terrorist attacks of Sept. 11, 2001, and the subsequent Declaration by President Bush that the United States was engaged in "war on terror," the rules have been thrown into question. Some leaders immediately branded the attacks a call to war equivalent to the Japanese attack on Pearl Harbor in 1941. But while the President is constitutionally our commander in chief, which provision of the U.S. Constitution prohibited the U.S. entry into World War II, the rules that govern war are quite different in other ways. The laser-precision focus of war is quite different about identifying the grounds for



“The views to which the Bulletin gave publicity will continue to offer spurious justification of the ill treatment of prisoners.”

—William S. Shepard '61

ALUM ARGUED GUANTANAMO CASE BEFORE HIGH COURT

ALTHOUGH THE GUANTANAMO prisoner litigation was written about in the last issue, I was surprised to find that my former colleague Judge John J. Gibbons '50 and the case he argued before the Supreme Court last year were not mentioned. His pro bono advocacy before the Court resulted in the landmark decision of *Rasul v. Bush*, 124 S.Ct 2686 (2004) [which held that foreigners imprisoned at Guantanamo Bay, Cuba, have a right to file petitions for habeas corpus]. Inasmuch as I believe this to be a significant contribution to our jurisprudence and to the subject, I thought I would bring this to your attention.

Judge Leonard I. Garth '52
U.S. Court of Appeals,
Third Circuit
Newark, N.J.

THE DEBATE CONTINUES

MS. CAPORUSSO'S LETTER in your fall issue calling my classmate Mr. Schnadig's claim that he saw no law school discrimination against women "simply ridiculous" should not go unchallenged.

With the important exception that the law school did not accept women until 1950, all examples of discrimination cited by Ms. Caporusso relate to finding a job or being admitted to the bar. If anything, Ms. Caporusso's examples indicate that law schools did not discriminate even if the job market

did: Justice Ginsburg graduated in the top of her class, and Ms. Estrich was president of the Law Review.

That less than 5 percent of our 1964 class is female is certainly prima facie evidence of discrimination by the law

ROBB LONDON '86 IS NEW BULLETIN EDITOR

Last September, Robb London '86 joined the Office of Communications as associate director and editor of the magazine. He has backgrounds in both law and journalism. An HLS seminar with New York Times columnist Anthony Lewis '56-'57 convinced London to write about the legal profession, and he became a regular contributor on law for the Times. He was a law clerk to the Hon. William L. Dwyer, U.S. district judge, and served as a federal prosecutor in the Major Crimes Unit of the U.S. Attorney's Office in Seattle from 1995 to 2002. He welcomes comments and suggestions at rlondon@law.harvard.edu.



CLAYTON COREY

school. However, in the classroom, the only discrimination I observed was in Barton Leach's 1L property class, when he held "Ladies' Day" and called only on women. That aside, the HLS classroom experience was equally disagreeable to all, regardless of gender. I cannot address instances of law school discrimination outside the classroom, because I never met any of our female members. However, some discrimination apparently worked in reverse. My classmate Judith Richards Hope, writing in the Bulletin some years back, stated that she was invited to dinner by some of our professors. This is strikingly different from my experience and that of all my friends in the Class of '64. Our outside contact was zero.

Whether women in our class faced law school discrimination is, of course, best known to them. I do not pretend to speak for them and apologize in advance if they find my opinion ill considered.

Arthur M. Schneider '64
Paris

CORRECTIONS

IN THE FALL 2004 issue, the alumnus pictured in the reunion photo spread on page 58, photo 4, is B.W. Nimkin '49. In coverage of the Worldwide Alumni Congress on page 61, the musician pictured in photo 9 is a harpist. Thanks to alumni who wrote in with corrections pertaining to matters musical and otherwise.

Can Reporters Refuse to Testify?

Thirty years ago the U.S. Supreme Court said no. Two scholars tell us why it's still not settled.

After columnist Robert Novak published leaked information in July 2003 revealing that Valerie Plame, the wife of a prominent critic of the Bush administration, was a CIA operative, a special prosecutor launched an investigation to determine who was responsible for the leak. When journalists were subpoenaed in federal court, they claimed they were shielded from testifying about confidential sources by the so-called “reporter’s privilege.” They did so despite the fact that in 1972, in *Branzburg v. Hayes*, the Supreme Court held that no such privilege is available under the First Amendment. In fact, since *Branzburg*, reporters under subpoena have continued to assert the privilege, and many federal courts and more than 30 states still recognize it.

How did this happen? Should the Supreme Court end the confusion by either reiterating *Branzburg*’s holding or recognizing a privilege? Should Congress jump in? The Bulletin put these questions to Frederick Schauer ’72, who is the Frank Stanton Professor of the First Amendment at the John F. Kennedy School of Government and a frequent teacher at HLS, and Dean Elena Kagan ’86, who teaches constitutional law and encountered the reporter’s privilege in private practice. The discussion was moderated by Robb London.



PROFESSOR FREDERICK SCHAUER: We have to start with *Branzburg v. Hayes*. The 5-4 majority opinion said pretty plainly there is not a privilege. That is, the First Amendment does not command that there be a reporter’s privilege. The Supreme Court slightly, but only slightly, qualified that by saying, “Of course, we do not mean to say that when there is no legitimate need for the information, and a subpoena is being used solely for harassment purposes, that the First Amendment does not come into play.”

Justice Powell, who was part of the five, issued his own concurring opin-



Dean Elena Kagan '86 and Frederick Schauer '72, professor at the John F. Kennedy School of Government, discuss the reporter's privilege.

ion, saying, in effect, maybe, in order to determine that there's not harassment, there ought to be an investigation in every case to determine whether there is actual need for the information. We don't know what he meant by that. One plausible argument is only that there ought to be an examination in every case to make sure it's not harassment. But the other understanding of it is that it requires a determination of necessity in every case.

Picking up on that fragment in Powell's concurring opinion, lawyers for reporters have had remarkable success convincing a large number of state

and federal courts that there needs to be this case-by-case inquiry into necessity, and the Supreme Court has never revisited the issue since *Branzburg*.

DEAN ELENA KAGAN: When I was a lawyer, in my first job after clerking, I worked for Williams & Connolly, and we represented The Washington Post and other news outlets. And the Post reporters often found themselves subpoenaed. And we would walk in with this boilerplate motion to quash these subpoenas based entirely on Powell's concurring opinion, and it really just hung on this very slender thread. Former Washington Post editor Ben Bradlee was once quoted as saying that there's a privilege whether or not the Supreme Court says there is. And that's essentially what we went into court saying. And what was shocking is that sometimes we won notwithstanding that there wasn't a whole lot of law in these motions. The prosecutors would back down often after we convinced them that the reporter didn't know anything or wouldn't say anything particularly useful. Or the judge would rule for us on the ground that there wasn't any necessity for the reporter's testimony. And the client—the reporter—never, ever ended up in jail.

ROBB LONDON: Isn't something like this what happened with Tim Russert in the Valerie Plame situation—the prosecutor backed off?

SCHAUER: Yes, and it has happened in a number of different cases. The higher visibility the reporter, or the higher visibility the publication, the more likely it is to happen. Prosecutors don't want to be seen as attacking the press, because in large part the people who write about attacks on the press are

the press. We shouldn't forget the old slogan, "Never argue with a fellow who buys ink by the barrel."

KAGAN: Quite right. And that's part of what allows media lawyers and their clients to think and talk as if *Branzburg* had come out the other way.

SCHAUER: In fact, the press may not want to take the issue back to the Supreme Court, because the current understanding, in a large number of lower courts, and in a large number of legislatures, about what *Branzburg* means, or about whether there should be a privilege as a matter of policy, is probably much more press-favorable than what the Supreme Court of the United States in 2005 or 2006 would say if asked the question again.

LONDON: Will the Court now look at the question again?

SCHAUER: It's a touchy issue for the Court. Even justices who, in their hearts, would agree with the majority in *Branzburg* and want to reinforce it recognize that the Court itself has limited political capital. Taking on the institutional press is never good for the Court's own political capital, its own reputation.

KAGAN: It's hard to know whether the Court will re-examine the issue. All these high-profile cases may put pressure on the justices to do so. But one reason the Court may not want to rule again in this area is that the status quo isn't so bad, really. It's hard to think of important prosecutions that have not gone forward because reporters have refused to give information. On the other hand, it's hard to make the argument that freedom of the press

has been terribly infringed by the legal regime that's been set up. So it may be that the Supreme Court looks at the status quo and says: "Nothing seems terribly wrong with this. People are ignoring a little bit what we said, but it seems to have results that are not too bad, from either perspective."

LONDON: Sen. Christopher Dodd has proposed a bill that would essentially codify Justice Powell's concurrence in *Branzburg* and put the burden on the prosecutor to show that the subpoena is the only way of getting the reporter's information, and that it isn't for purposes of harassment. Does the Dodd bill have any chance of being passed in its present form?

SCHAUER: I think if it is passed, it will be passed in somewhat different form than this. I think it is plausible that Congress might be sympathetic to recognizing some sort of a privilege, and might be sympathetic to a bill that puts the burden on the prosecutor to show why the subpoena is necessary and isn't meant to harass the reporter. I think the area of vulnerability of Dodd's bill is in who gets the privilege. This bill turns out to be not only very strong, but very broad. The institutional press would probably favor a bill that was very strong, but narrower—that is, recognizing, as 31 state statutes do, and as the existing Justice Department guidelines do, a privilege that's held by the traditional institutional press. The mainstream press doesn't necessarily want to see the privilege extended to bloggers and a whole range of other people who would, in the language of the bill, qualify for the



privilege simply by having the intent to gather information in order to disseminate that information to the public. I think the institutional press and some of its academic supporters are going to be somewhat hesitant to favor a bill that is so broad, on the theory that the broader it is, the weaker it is likely to become in practice.

KAGAN: I think, Fred, that you've just noted the most important question relating to the reporter's privilege: Who's entitled to claim it? When the privilege started, it was meant to cover the establishment press: The New York Times, The Washington Post, the major television networks. But as our media have become more diverse and more diffuse, the question of who is a member of the press, and so who gets to claim the privilege, has really come to the fore. Is the blogger entitled to claim it? And if the blogger is, then why not you, and me, and everybody else in the world? And once that happens, there's a real problem for prosecutors seeking to obtain information. So the question of whether you can draw lines in this area, and if so how, is the real question of the privilege.

SCHAUER: I think there are probably two responses. There have been difficult line-drawing problems even before there were bloggers, in terms of the difference between a reporter and a writer of a book, or a writer of a more occasional publication. The 31 state statutes have drawn lines, and there haven't been enormous problems with this. The fact that it's a fuzzy line doesn't mean that we can't draw it.

That's what law does all the time.

And although there are line-drawing problems, we may want to say that there are certain institutions that, as institutions, serve in a concentrated way certain kinds of First Amendment



functions. We might say that the job of checking government, the job of exposing government wrongdoing, will be largely concentrated, at least for the time being, in what we can moderately easily recognize as

the institutional press. The kinds of press we had 30 years ago—the major news magazines, newspapers, radio stations, radio networks, television networks, television stations and so on—have a particular function to serve in society. And indeed, I wish more often we would draw First Amendment lines that recognize some of these institutional realities. A press-specific reporter's privilege would be a step in this direction.

KAGAN: Historically, of course, the Supreme Court really hasn't recognized that kind of reality. It hasn't tried to make distinctions among different kinds of press entities. And there may be strong reasons not to do this. First Amendment law is already very complicated. And if you're asking the Court now to superimpose a whole new set of distinctions on what has already become an unbearable number of complex distinctions, you may end up feeling sorry. There are lots and lots of different kinds of press entities and other speakers. And if each one gets its own First Amendment doctrine, that might be a world we don't want to live in. *

“Talking to terrorists is different from giving in to them. Sometimes it may be good practice to know what they are thinking, or, as a line in ‘The Godfather’ goes, it is important to ‘keep your friends close but your enemies closer.’ FBI and police hostage negotiators nearly always negotiate with hostage-takers—to gather information, to look for leverage and in an effort to gain the psychological advantage.”

Professor Robert H. Mnookin '68, in a Sept. 26 op-ed in the *Los Angeles Times*, written with Susan Hackley, managing director of the Program on Negotiation, on negotiating with terrorists and hostage-takers.

“Conservatives need to wake up and smell the coffee. Judges, including conservative ones, do make law from the bench. We should see to it that they make good law rather than the bad kind. The first step toward that goal is to require that they admit what they’re doing. Transparency is a virtue, in judging as in governing more generally. American courts are too shrouded in mystery already; they would benefit from more sunlight, not less.”

Professor William J. Stuntz, in a Jan. 11 op-ed in the online journal *Tech Central Station*, criticizing right-wing legal theory as not being truly conservative.

“Of the 18 former directors who were defendants in the Enron case, only 10 have to pay under the settlement. More important, according to the complaint against them, these 10 sold Enron shares worth more than \$250 million during the period in which Enron was misreporting its financial affairs. According to the lawyer for the lead plaintiffs, the settlement requires each of these 10 to pay an amount equal to 10 percent of his or her pretax profits. They will be able to keep the other 90 percent—which amounts to \$117 million—while investors who held their Enron stock lost their shirts.”

Professor Lucian Bebchuk LL.M. '80 S.J.D. '84, in a Jan. 17 op-ed in *The New York Times*, criticizing the legal and financial settlement of an Enron civil suit.



MNOOKIN



STUNTZ



BEBCHUK



DERSHOWITZ



GOLDSMITH

“Compromises are inevitable on a multi-justice court, but they should be clearly articulated and easily understood by the public, or at least by the legal profession. This decision, and many others over the past decade, can be explained only by means of patchwork pragmatism, vote-swapping and other considerations inappropriate for high court decision-making.

“Ours is the most powerful Supreme Court on Earth. Its job is to interpret the Constitution by reference to principle and precedent. If it cannot explain and justify its decisions, it will deservedly lose much of its authority.”

Professor Alan Dershowitz, in a Jan. 17 op-ed in the *Los Angeles Times*, criticizing the U.S. Supreme Court for reaching a seemingly contradictory two-part decision on sentencing guidelines.

“The United States has never opposed ICC [International Criminal Court] prosecutions across the board. Rather, it has maintained that ICC prosecutions of non-treaty parties would be politically accountable and thus legitimate if they received the imprimatur of the Security Council. The Darfur case allows the United States to argue that Security Council referrals are the *only* valid route to ICC prosecutions and that countries that are not parties to the ICC (such as the United States) remain immune from ICC control in the absence of such a referral.

“This course of action would signal U.S. support not only for the United Nations but for international human rights as well, at a time when Washington is perceived by some as opposing both. And it would give the United States leverage in seeking genuine sanctions against Sudan, especially with France, which for oil-related reasons has quietly resisted U.S. efforts on Darfur.”

Professor Jack L. Goldsmith, in a Jan. 24 op-ed in *The Washington Post*, suggesting that the Bush administration’s opposition to the International Criminal Court should not stop the administration from backing a U.N. Security Council referral to investigate human rights abuses in the Sudan.

Not-So-Eminent Domain

Is it getting harder for the government to take away your land?



Professor David Barron '94 warns that land-use planning could get more difficult.

LOCAL GOVERNMENTS HAVE long had broad authority to accomplish urban planning through the power of eminent domain—taking land away from private owners for fair market value and converting it to uses that meet public needs. But a string of recent court cases

has cut back that authority, especially where governments have condemned property and made it available to other private owners more likely to boost tax revenues. A case now pending in the U.S. Supreme Court, *Kelo v. City of New London*, could define new limits on the

power of eminent domain. The Bulletin asked HLS Professor David Barron '94, an expert on local government law, to explain what's at stake and what he thinks the Court should do.

"Pushed by a growing property rights movement," said Barron, "several courts have recently made it clear that they will not simply accept a city's assurances that taking private property and transferring it to another private entity for development will serve a public end. They have relied on the Constitution's Takings Clause, which permits the government to take private property (and pay just compensation) but only for a 'public use.' A public use, these courts say, is not the same as a public purpose. If the Supreme Court follows the trend of these cases in *Kelo*, cities will increasingly be prohibited from engaging in certain kinds of land-use planning, even if they are willing to pay compensation. This would be cause for concern. It would preclude cities from entering into many public/private redevelopment partnerships and put an end to a lot of much-needed urban redevelopment.

"But that doesn't mean the Court should conclude that the 'public use' requirement has no teeth. Concerns certainly arise when cities take property from individual landowners or small businesses—for example, a 99 Cents Only store—and transfer it to big private entities like Costco solely to boost their tax base. It's troubling that many local governments now use their land-use power not as a means of carrying out new public visions for their cities' futures but as a narrow tool for making up budget shortfalls. The Court should recognize an important distinction

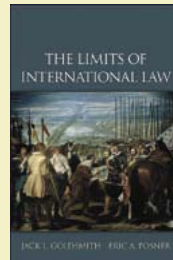
RECENT FACULTY BOOKS

between a transfer of land to a private party as part of a broader public land-use plan and one that is purely fiscal.

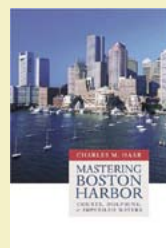
“Unlike some recent cases where the takings were thinly veiled revenue-raising exercises, in *Kelo* the takings are part of a real public land-use plan. Connecticut has classified New London as a ‘distressed municipality,’ and one of the plan’s purposes is explicitly to promote economic development and create jobs. But that should not make the plan unconstitutional. Every redevelopment plan seeks to improve the city’s economic position. What’s critical is that New London is attempting to implement a wide-ranging plan to change how the public will use an important part of the city. The goal is to develop 90 acres, near both a state park and the Pfizer global research facility. The plan includes a public walkway, new residences, office buildings, parking, a marina, a new hotel and developing a new use for an old military facility. The fact that property is being transferred from some private owners to others should not be disqualifying. It’s part of what makes such a bold public land-use plan possible.

“By affirming New London’s exercise of the power of eminent domain on the ground that it constitutes a legitimate land-use planning effort, the Court would protect private property rights and provide a check against cities using takings as simply a fiscal tool. Tying a planning requirement to the ‘public use’ test would stimulate local government planning because, whenever a transfer of the condemned land to a private party was involved, the taking could pass muster only when it was part of a real urban land-use plan.” *

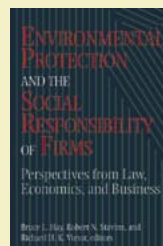
In “The Limits of International Law” (Oxford University Press, 2005), **Professor Jack L. Goldsmith** and Eric A. Posner ’91 argue that international law is less powerful than many experts believe. They show how international legal rules are often devised by the most powerful states to facilitate the advancement of their own interests, yet without mechanisms for bringing violators into compliance. The authors ultimately question whether international law can be effective in the resolution of the most pressing global problems.



Professor Emeritus Charles M. Haar ’48 was appointed in 1983 by Judge Paul Garrity LL.M. ’71 to develop a plan to clean up Boston Harbor. His book “Mastering Boston Harbor: Courts, Dolphins, & Imperiled Waters” (Harvard University Press, 2005) gives an insider’s account of the political and legal process that led to today’s cleaner waters.

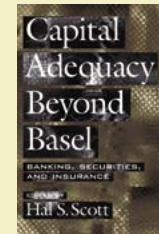


“Environmental Protection and the Social Responsibility of Firms: Perspectives from Law, Economics, and Business” (Resources for the Future, 2005), co-edited by **Professor Bruce L. Hay ’88**, asks what responsibility corporations have to protect the environment, beyond obeying the law. Do they have a responsibility

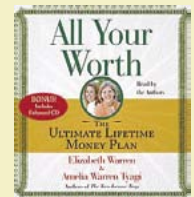


to commit resources voluntarily to environmental protection? Should they sacrifice profits for the sake of social responsibility, and if so, how can that sacrifice be squared with their fiduciary obligations to their shareholders? Contributors include **Professors Einer R. Elhaug ’86** and **Mark J. Roe ’75**.

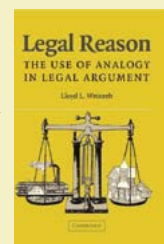
“Capital Adequacy Beyond Basel: Banking, Securities, and Insurance,” edited by **Professor Hal S. Scott** (Oxford University Press, 2005), covers issues at stake in capital requirements for insurance and securities firms. The contributors analyze the use of subordinated debt, internal models and rating agencies, and they examine the effects on capital of reinsurance, securitization, credit derivatives and other instruments.



In “All Your Worth: The Ultimate Lifetime Money Plan” (Simon & Schuster, 2005), **Professor Elizabeth Warren** and her daughter, Amelia Warren Tyagi, explain how to get out of debt, cover the bills, and start saving.



In “Legal Reason: The Use of Analogy in Legal Argument” (Cambridge University Press, 2005), **Professor Lloyd L. Weinreb ’62** stands up for analogical reasoning in the law, defending it against recent criticisms that it is defective as a form of deductive reasoning.



Alexander abdo '06 remembers the moment he realized how serious Dean Elena Kagan '86 is about promoting public service. It was last semester, when he invited Kagan to host a basketball game between HLS and Yale Law School faculty, a fund-raising event to finance summer public service jobs for students.

“Dean Kagan agreed to be the master of ceremonies,” said Abdo, who this summer will work for the ACLU in New York City. “It was great because it was our first year and we had no reputation to work off of. She was so supportive.”

For Alexa Shabecoff, assistant dean for public interest advising, a similar realization came in the fall

by Elaine McArdle
illustration by Scott Menchin

**SOWING
THE
SEEDS
OF
PUBLIC
SERVICE
AT
HLS**

**‘Part of being a good person,
part of being a good lawyer’
-Dean Elena Kagan '86**



of 2003, when she sent the new dean a schedule of upcoming public service-related events. To Shabecoff's surprise, Kagan appeared at the very first one. "She showed up, she asked to speak and it was phenomenal," said Shabecoff. Since then, Kagan has spoken at many other events and emphasized public service in her annual State of the School address, and in a recent letter to alumni. "She has totally raised the profile," Shabecoff said.

HLS's enhanced commitment to public service is a result of the school's strategic plan and began about four years ago with an expanded loan-repayment program for alumni in low-paying public service jobs, a summer job-funding guarantee and a pro bono requirement for all HLS students (see story, p. 16). Other recent initiatives include more postgraduate and summer fellowships, expansion of the clinical program and the Human Rights Program (see story, p. 22), and more staff and resources for the Bernard Koteen Office of Public Interest Advising.

to have 100 percent actually fulfill that," she said. She has the same ambition for the legal profession: "I think every lawyer should do this kind of work. It's my 100-percent goal."

Corporate Pressure

HLS has long been a leader in promoting public service among students and alumni. It was the first law school with a program to assist graduates with loan repayment, and the first with an office dedicated to helping students find jobs in the public sector. It was also the first—and is still among just a few—to guarantee summer salaries for students who choose to do public service work, giving them the opportunity to try jobs they otherwise might not be able to afford. (The number of students taking advantage of the summer funding has soared: Five years ago, 192 students were funded; last year, it was 352.)

In 2003, about 11 percent of the graduating class took public service jobs immediately after law school or planned to do so after a clerkship.



“ALL OF US HERE HAVE BEEN FORTUNATE, AND WE SHOULD FIND A WAY TO GIVE BACK.” -DEAN ELENA KAGAN '86

Students and others say that the dean's enthusiasm—she calls promoting public service “one of my top priorities”—is giving a fresh boost to a school that at times has been perceived as too corporate oriented.

“The dean is in charge of setting the path and the tone at the school. And she's not only saying public service is important, she's done it,” said Afia Asamoah '05, who will graduate with a joint J.D./M.P.P. and then clerk for a judge next year. Public service “is more visible and celebrated in a way that it wasn't before,” she said. “You can't minimize the importance of that symbolic message.”

Kagan, who served as associate counsel and then adviser on domestic policy to President Clinton, defines public service broadly and without a partisan bent. It includes everything from pro bono or philanthropic work by a lawyer in private practice to a full-time career in public service. But she wants every student at HLS to get involved.

“My goal is to have 100 percent of the students graduating from this law school committed to doing public service work in their careers, and

Still, with the flood of law firms eager to hire HLS grads and the financial burden of student loans, some students describe feeling pressure to take private jobs they may not want. Kagan's leadership is changing that, students and others say. The dean's promotion of public service, says Professor Carol Steiker '86, is itself a service.

“Harvard has a somewhat unfair reputation in the world of higher education as not being a place to come to for public service,” said Steiker, special adviser for public service to the dean, a post created last year. “We want to claim the position we should have in the public mind, because so many people have come through here and done wonderful things for public service.”

The pro bono requirement for students, instituted through a faculty vote and part of the school's strategic plan, has Kagan's strong support. “I think it's a good program because it gets people into the habit of doing this kind of work and it ingrains a certain attitude about the importance of this work,” Kagan said. “I think that's an important thing for a law school to do.”

Students say this leadership is critical, not only in exposing all students to public service but in

supporting those who are certain they don't want to go into private practice. "I almost felt like I was fighting off firm recruiting," said Leah Plunkett '06, who last summer worked for the ACLU in Michigan in a job funded through the summer-job program. "I was getting more mail and e-mail than I knew what to do with, and I wasn't interested in it at all!" Plunkett doesn't begrudge the many private firm opportunities offered to HLS students, but she worries about those who are funneled into jobs they may not want. "So the more countervailing messages the school can give, the better," she said.

Kagan agrees. "I do think there are tremendous pressures that push people into large firms, probably more than actually want to be there," she said. "I worked in a large law firm, and I think it's terrific for people who want to be there. What's sad is when people don't want to but end up doing it."

Some buckle under financial pressure, which is why the loan-repayment program is critical, Kagan says. Others feel pressure to take law firm jobs that their peers view as prestigious, while yet others succumb to the ease of letting firms court them. "In point of fact, it's much harder to get a very good public service job than to get a law firm job," said Shabecoff. "I'm dealing with students who are sitting on offers from the fanciest firms in the country, who are killing themselves to get a public service job."

"Getting a job in public service is hard," Kagan agreed. "You have to knock on a lot of doors and make a lot of phone calls. Some students get lazy. It's our job to say, 'Don't get lazy!'"

With more resources for OPIA, including additional full-time advisers, the numbers of students and alumni it assists are soaring. Ten years ago, OPIA staff held 733 appointments with students and alumni looking for guidance in finding public service jobs. By last year, that number had leapt to 1,100, which included advising appointments for 65 percent of the 1L class.

Getting Top Students

When it comes to attracting law school applicants, the benefits of attention to public service work can't be underestimated, Shabecoff says. Many top applicants are focused on public service and are seeking a school with both practical support and a vibrant public service community. HLS's Low Income Protection Plan is one of the most

generous in the country, says Natasha Onken, assistant director for LIPP and summer funding, and there is no question that it draws students who have carefully examined similar programs at other schools. "Students are very savvy about this," Shabecoff said. "They look beyond the surface, and a lot of students who do that feel this is the place to come, because of LIPP."

Plunkett seriously considered rejecting HLS because she wasn't sure about its commitment to public service. "I was very concerned about coming to Harvard," she said. But after looking at LIPP and the services offered by OPIA, she changed her mind.

The school improved LIPP further last year by raising the qualifying asset and income limits. Graduates can enter LIPP at any time, so someone who leaves private practice for public service can receive assistance with loan repayment. And both undergraduate debt and debt incurred in joint-degree programs at Harvard are eligible for coverage. Even non-law-related public service can now be covered by the plan, a very important change, says Shabecoff. "It used to be you had to use the unique skills of a lawyer, so that ruled out becoming an elementary school teacher," she said. "Now you can come in knowing that if you don't want to practice law, you're not stuck."

Kagan, who praises the staffs at OPIA and LIPP, said there will be even more emphasis on public service in the future: "We're going to keep our foot on the accelerator, and try to improve every one of these programs and provide all the clinical opportunities we should, and keep talking about the importance of this, and why public service is an integral aspect of a lawyer's life."

Asked why she sees public service as so important, Kagan said, "Because we live in a world bigger than ourselves, and we should take an interest in that bigger world—in other people, how they're faring. I think that's part of being a good person and part of being a good lawyer."

"If you tap every student at this law school on the shoulder and ask whether part of his or her professional life should be dedicated to public service work, most would say yes. That makes me proud, because that's what they should say. In one way or another, all of us here at Harvard Law School have been fortunate, and we should find a way to give back." *

Elaine McArdle is a freelance writer living in Watertown, Mass.

*by Emily Newburger
photographs by Sadie Dayton*

**REQUIREMENT
CONNECTS LAW
STUDENTS TO
THE PRACTICE OF
PUBLIC SERVICE**

A practical GOOD

H

Harvard law students have always felt the pressure to do well, but the Class of '05 is the first that has to do good.

The 557 J.D. candidates are the first to be subject to the school's pro bono requirement: 40 hours of law-related, uncompensated work. Developed four years ago by the faculty as part of the strategic planning process, the requirement is intended to provide all students with applied legal experience and to

“That’s what I
really appreciate
about the Harvard
pro bono program.
It doesn’t put you
into a mold.”
tessa platt '05



encourage them to incorporate public service into their professional lives.

HLS is now among 29 law schools around the country with mandatory pro bono programs. Professor Andrew Kaufman '54, who chaired the committee that developed HLS's, said it's one of the things over the course of his 40 years at the school he feels best about: "It represents such an important professional ideal."

Lisa Dealy, who heads the law school's Pro Bono Service Program, has made it her mission to offer students a wide array of placements, in nonprofits and government as well as pro bono projects through firms. Her office also keeps track of the hours students work. Most are putting in many more than 40, and she estimates the average is as high as 400.

By the end of their first-year summer, more than half the Class of '05 had fulfilled the requirement, mostly through summer internships in government or nonprofit agencies. (Although the school provides funding for the summer placements, it's considered a living stipend rather than a salary, so they still qualify, Dealy explains.) A sizable number of class members participated in student organizations, such as the Prison Legal Assistance Project or HLS Tax Help, and many fulfilled the requirement through clinical work. These are the students—about two-thirds of the class—who most likely would have done pro bono work without a requirement, Dealy says.

But at the heart of her job are the other 30 percent. "These students are the challenge," she said. "And if they get something out of it, it means even more than for the students who would have done it anyway."

For Dealy, selling the program to those who might be hesitant is all about providing options. "No matter what career students are going into, no matter what their ideology," she said, "there are ways to do pro bono work that will appeal."

For Bryan Killian '05 and his classmate Mark Yohalem, that meant coming up with their own project. Yohalem said he was initially "more than skeptical" about the requirement, and both objected to the idea that anyone could benefit from being made to do good. Yet by spring semester, both are

“The way we’ve designed this project, and the way the pro bono office has blessed it, has given me an opportunity to take the education I have and run with it.”
bryan killian '05

so enthusiastic about their project that they plan to continue working on it well after graduation. The friends, who both have an interest in intellectual property, are designing a legal crash course for teenage creators on the Internet, supervised by an IP attorney at a San Francisco law firm.

They got the idea from Yohalem's connections to the world of video games, where he'd been earning income since he was a sophomore in college. One day, he was telling Killian about a question he'd received from a young Internet artist ("a classic second-week of copyright hypothetical"), and it clicked: Here was their project, an online and hard copy resource for young IP creators who don't have the means to pay an attorney.

Dealy says Harvard has one of the most broadly defined public service programs. For Killian and Yohalem, getting to apply what they'd learned in class to a project of their own devising has made all the difference. "We come out of here and we're taught that, for at least another eight years, we're going to be taking intense direction from other people," Killian said. "The way we've designed this project, and the way the pro bono office has blessed it, has given me an opportunity to take the education I have and run with it."

STUDENTS CAN also fulfill the requirement by working with a professor, as long as the work isn't purely academic. For Daniel Richenthal '05, that wasn't a problem. What he loved about his project, supervised by Professor Christine Desan, was how real-world it was—in this case, the world of politics in a Boston-area town. Desan worked with Richenthal and two other students to help the city of Brookline decide whether and how to implement campaign finance reform. "I'd been interested in campaign finance

Mark Yohalem '05 and
Bryan Killian '05



reform,” he said, “but I had no idea how it worked on the local level.” The students did research, wrote memos and went to town meetings. “We basically ended up serving as the town’s counsel.”

At the time, he was taking a local government class taught by Professor David Barron ’94. “It was a great experience,” Richenthal said. “We were discussing some of the very issues in class that I ended up working on.”

While some students find that real-world experience enhances their classroom work, Suma Nair ’05 used her project to learn more about the world in which she’ll be working next fall.

Last year, after a paid summer at Goulston & Storrs in Boston, Nair tacked on an unpaid week for pro bono projects. Part of the firm’s appeal for Nair was its reputed commitment to pro bono, and the week gave her a taste of what it had to offer. It also taught her something about herself. Nair’s projects included research and writing for a tenants’ advocacy organization and for a nonprofit trying to spin off a 501c4—areas in which she’d like to practice. But she also helped a litigator who had sued the Massachusetts Department of Mental Retardation on behalf of clients who needed assistance taking care of mentally retarded dependents. As she called a long list of client family members, she discovered how much she liked helping just by listening to people who had stories they needed to tell.

Nair is committed to making public service part of her professional life. In fact, what first brought her to law school was an interest in social change through the law.

“Since being here, I lost my way a little and became more practical minded,” she said. “I’m glad there is a pro bono requirement. It brought me back to why I came here in the first place.”

Lea Weems ’05 fulfilled the pro bono requirement by the end of her 1L year. But she still reads the notices from the pro bono office about 40-hour opportunities, the way some people are drawn to travel brochures describing places they don’t have time to visit. “They sound so interesting,” she said. “Even if it’s just a small project for a law firm or a public service organization, it

“I’m glad there is a pro bono requirement. It brought me back to why I came here in the first place.”
—suma nair ’05

could be a really great add-on to what you’re doing in class.”

After clerking next year for Chief Justice Margaret Marshall of the Massachusetts Supreme Judicial Court, Weems wants to use her legal skills to help poor people obtain and retain affordable housing. Both her summer jobs and two of her clinical assignments at the Hale and Dorr Legal Services Center have prepared her, giving her a range of experience, from eviction cases to policy work.

When asked why she is drawn to the legal services work she came to law school to do, she laughed. “I guess I’m just one of these people who want to make the world a better place.”

W

HEN YOU ASK Tessa Platt ’05 why she came to law school, her answer is the same. But the causes that drive Platt are different: “furthering religious liberties, protecting the sanctity of life and promoting traditional family values.”

During her 1L summer, Platt was one of three HLS students to hold a Blackstone Legal Fellowship, an internship for Christian law students through the Alliance Defense Fund. The Arizona-based public interest law firm’s recent efforts include defending religious holiday displays in public spaces, opposing a challenge to a parental consent law for minors seeking abortions and supporting measures to prevent gay marriage.

“It was exciting to be working on issues that were so important to me,” Platt said. “That’s what I really appreciate about the Harvard pro bono program. It doesn’t put you into a mold. The best type of pro bono is pro bono you feel passionate about.” *

ALUMNI INTERESTED IN SUPERVISING STUDENTS ON A PRO BONO LEGAL PROJECT SHOULD CONTACT LISA DEALY AT PROBONO@LAW.HARVARD.EDU.



Suma Nair '05

Gateway to a better



ommencement is still weeks away, but Chi Mgbako '05 already feels like a seasoned human rights advocate. She's been to Rwanda three times in three years, documenting human rights abuses and preparing reports for NGOs like Amnesty International and Human Rights Watch. In February, Front Line, an NGO for the protection of human rights defenders, published a report she co-wrote on the persecution of human rights activists in Rwanda. For Mgbako, this is testimony to the training she received through Harvard Law School's Human Rights Program.

"I feel like I've come full circle," said Mgbako. "As a 1L, I went to the Human Rights Program and said I wanted to work in Africa, and I did. Going back for the third time, I really felt I had some expertise. I knew

**EXPANDED PROGRAM HELPS
HARVARD LAWYERS ADVANCE
HUMAN RIGHTS ABROAD**

by Margie Kelley

world



Pooja Bhatia '06 (above) in Haiti, where she traveled in January to investigate factional violence and human rights abuses. Chi Mgbako '05 (right) in Rwanda. Mgbako visited the country three times with the HRP, most recently to write a report on the persecution of human rights activists.



what I was doing, and yet, I was still learning. It was amazing.”

More and more students like Mgbako are finding a niche in human rights advocacy and a home in the HRP, an academic program that has pioneered legal training in international human rights through an interdisciplinary curriculum that combines scholarship with work in the field.

The program has grown from the first handful of interested students in the mid-1980s to some 200 students involved today, coming into its own as an important part of legal education at Harvard, according to James Cavallaro, its associate director.

“Twenty years ago, human rights was a fringe field,” Cavallaro said. “That’s clearly changed. In an increasingly globalized world, human rights has greater importance. It’s a way to help students understand injustice and give them a language to respond to that injustice.”

Student Advocates for Human Rights to give students more opportunities to gain practical experience in human rights work. Today, organization members are doing clinical work in Europe, Asia, Africa, Latin America and the United States.

“[HLS Advocates] was started because much of the clinical work was limited to the summer or winter breaks or through classes, which meant the work was usually done independently,” said Ronja Bandyopadhyay ’04, who co-founded the organization in 2002 with classmates Daniel Schlanger and Michael Camilleri.

“This was a chance to make sure that everyone who was interested in clinical work could participate—especially 1Ls, who can’t get clinical credit, but they can still get the experience through HLS Advocates,” she said.

Through the organization, Bandyopadhyay, whose parents are from India, found herself steeped in human rights issues in Asia. After

STUDENTS HAVE BEEN THE DRIVING FORCE BEHIND THE HUMAN RIGHTS PROGRAM’S GROWTH.

Established by Professor Henry Steiner ’55 in 1984, the program was among the very first human rights centers instituted at a law school, and the first to offer a human rights curriculum at Harvard University. From humble beginnings, it is now at the center of a vital and energized community of students, practitioners, scholars, alumni and human rights organizations worldwide.

Indeed, while Mgbako may be amazed by the level of support and training she has received, Steiner says students today expect no less.

“At the start, students were puzzled by what this all amounted to, and so was I. We were all learning,” said Steiner, who will step down as director when he retires this July. “Students now assume the program has been here forever. It’s not that it’s no longer maverick, but that it’s so clearly institutionally established. It’s part of the landscape now, and it’s always going to be. It’s wonderful—my fondest dream.”

Students have been the driving force behind the program’s growth from the beginning. In 1988, they established the Harvard Human Rights Journal, now the leading scholarly journal in the field, and more recently they formed the Harvard Law

working on an amicus brief to the Indian National Human Rights Commission about the forced disappearances of thousands of Sikhs in Punjab, she turned her focus on the Ahmadiyya community, a minority group in Bangladesh.

“The government of Bangladesh declared a ban last year on publications by the Ahmadiyya,” said Bandyopadhyay. In mainstream Islam, there is a “finality of prophethood” that essentially ends with Muhammad, she explained. “But the Ahmadiyya are a Muslim branch that believes a reformer came after Muhammad. Many mainstream Muslims view this as heretical and reject them.”

According to Bandyopadhyay, that rejection has led to harassment and violence against Ahmadis by the majority Muslim population in Bangladesh, and many Muslims there have called for their excommunication. The government’s ban on the group’s publications has raised a red flag in the human rights community, she says.

Last March, Bandyopadhyay and another student from HLS Advocates traveled with their HRP supervisor to Bangladesh to interview government officials and Ahmadis in cities and rural villages to document the situation. This work has

been incorporated into a report published recently by Human Rights Watch.

Meeting face-to-face with the people she hoped to help was a powerful experience.

"When you're talking to real people, [the work] becomes much harder, but that's also what drives you," she said. "So many people count on you. When you come from America and an institution like Harvard, you have incredible resources, and people you meet often believe you can solve the problem. You've created a hope.

"That makes you want to act, but also truly makes you question what you're doing and why you're doing it, and to think critically about human rights work, because your actions will have consequences."

Since HLS Advocates was founded, the number of students engaged in clinical work (noncredit and credit) has grown from 25 to more than 100, stretching supervisory capacity to the limit. Last year the organization lobbied the law school administration and successfully secured funding for two advocacy fellows to supervise students, more travel abroad and a project to strengthen the links between clinical work and the classroom.

That initiative, known as the Clinical Advocacy Project, pairs on-the-ground clinical experience with a mandatory seminar or classroom workshop in human rights advocacy, so students can evaluate their clinical work and relate it concretely to theory and scholarship. "Human rights advocacy is broader than what is ordinarily bundled in the standard legal curriculum," Cavallaro said. While independent January and summer-term travel has always been supported through the program, "what's fundamentally different now is that, through CAP, we're doing supervised travel," he added. "Each trip is part of an ongoing research, documentation and advocacy project."

Pooja Bhatia '06 was curious about fieldwork when she signed on to travel to Haiti with Cavallaro and Benjamin Litman '06 in January to investigate factional violence and human rights abuses that have erupted since Jean-Bertrand Aristide was ousted from power last year.

"I wanted to see what it was like to practice," said Bhatia, whose interest was initially sparked by the International Human Rights class she took with Assistant Professor Ryan Goodman last spring. "Haiti is a really interesting country. If it's not a failed state, it is close to being one. It

intrigued me."

Bhatia did research for the trip during the fall as part of the Human Rights Advocacy seminar taught by Cavallaro and Binaifer Nowrojee LL.M. '93. She then spent a week in Haiti conducting interviews with government officials and victims of the violence. She gathered information that will be used by an NGO, and took away something else that she couldn't have learned in the classroom alone.

"I knew there were a lot of conflicting versions of the Haiti story," she said. "I didn't realize just how politicized information was, and how difficult it would be to deal with conflicting versions of purportedly the same events. I realized that finding a balance between them would be a challenge."

Like Bhatia, several other students have gone abroad on CAP missions this year. Human Rights Program advocacy fellow Tyler Giannini took two students to the Thailand-Burma border to interview victims of forced labor. Jamie O'Connell, another advocacy fellow, traveled with three students to a remote area of Guyana to document the impact of mining operations on natural resources and on the health of indigenous people.

The HRP now boasts several hundred alumni actively engaged in human rights work around the world, whether through full-time jobs or part-time and pro bono projects. Nearly a dozen alumni have gone on to establish human rights-focused academic programs at universities worldwide. They are activists, advocates, attorneys, judges, teachers, scholars, entrepreneurs and lawmakers, whom Steiner described as having a "fundamental commitment to human dignity."

HRP alumni "are out there doing extremely valuable things," Steiner said. "It's one of the great prides of the program. They are a tremendous resource."

Soon one more alumna will be added to that list, in Africa.

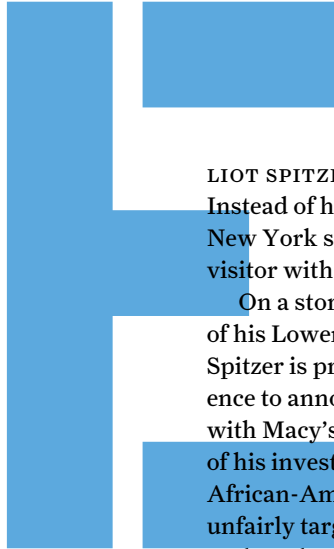
"The Human Rights Program has given me a career," said Mgbako, who has served as president of HLS Advocates this year. "It's my dream to be a human rights defender. I couldn't have done it without the support of this community and without being given the chance." *

Margie Kelley is a freelance writer living in Attleboro, Mass.



the

EQUALIZER



LIOT SPITZER '84 HAS no time to waste. Instead of hello and a handshake, the New York state attorney general greets a visitor with "OK, let's get to work."

On a stormy day, from the 25th floor of his Lower Manhattan office building, Spitzer is preparing for a press conference to announce a \$600,000 settlement with Macy's department stores—a result of his investigation into complaints that African-Americans and Latinos were unfairly targeted for shoplifting arrests. He has also just brokered an \$850 million settlement with Marsh & McLennan over insurance bid-rigging allegations. And, of course, he is in the early stages of his campaign to be elected governor of New York in 2006.

It's all in a day's work for Spitzer, New York's attorney general since 1999, who is hoping that his high-profile investigations into conflicts of interest in the financial services industry, polluting power plants and low-wage labor violations by grocery stores will catapult him into the Empire State's highest office. "The problem-solving nature of this job has prepared me for the governor's office," says Spitzer, 45, noting that he is excited by the prospect of moving into the policy-making position once held by his political role model, Theodore Roosevelt, whose sepia portrait hangs on his office wall.

Even outside New York, Spitzer's image is becoming familiar. His trim face, protruding jaw and intense gaze have

by Michelle Bates Deakin
photographs by Andrea Artz

**ELIOT SPITZER'S
ZEAL FOR
JUSTICE HAS
MADE HIM
ENEMIES AND
FRIENDS. IT
MAY ALSO MAKE
HIM GOVERNOR.**

accompanied recent articles in magazines ranging from *The Economist* and *The Atlantic Monthly* to *Vanity Fair* and *People*. While Spitzer is celebrated as a populist, a reformer and a champion of civil rights, he has also become a familiar target for critics who say that many of the issues he takes on are better left to the federal system. Last June, *National Review* described him as “the most destructive politician in America.” And U.S. Chamber of Commerce President Tom Donohue has blasted his corporate prosecutions, calling him “the investigator, the prosecutor, the judge, the jury and the executioner. It is the most egregious and unacceptable form of intimidation that we have seen in this country in modern times.”

Spitzer does his best to ignore the comments, which—positive or negative—tend to be extreme. “Our job is just to enforce the law,” he says. “I reject the notion that the cases we are making are out of a political agenda.” Early in his tenure as attorney general, Spitzer says, he was told that taking on powerful targets would end his political career. But he has maintained that he is not so

concerned about his political career that he won’t pursue transgressions at the highest levels. He also worked at the New York law firm of Skadden, Arps, Slate, Meagher & Flom and was a partner at Constantine & Partners. In between his stints in the private sector, he served as an assistant district attorney in Manhattan from 1986 to 1992, rising to become chief of the Labor Racketeering Unit, where he successfully prosecuted organized crime and political corruption cases.

In a strange coincidence, the prosecutor who promoted Spitzer to chief of that unit, Michael G. Cherkasky, now heads Marsh & McLennan, which the New York attorney general’s office has charged with rigging bids for property and casualty insurance contracts and favoring insurers that paid higher incentive commissions. It is another turn in his career that Spitzer says he never would have predicted. “He’s a friend,” Spitzer says of Cherkasky. “He was brought in to restore integrity to the company.” Skeptics have wondered whether Marsh & McLennan chose Cherkasky to lead the company this past fall because of his ties to Spitzer. Cherkasky could not be reached for comment for this article, but in November he

“ELIOT HAS A SENSE OF OUTRAGE ABOUT WHAT OTHER PEOPLE SEE AS BUSINESS AS USUAL.” -JIM CRAMER '84

concerned about his political career that he won’t pursue transgressions at the highest levels.

He also shrugs off concerns that he is spread too thin—that his rapid-fire probes are not carefully prepared. “We are always cognizant of the allocation of resources,” says Brad Maione, a spokesman for Spitzer’s office, which includes 1,800 employees—of which more than 600 are lawyers—and an annual budget of \$191 million. Although some investigations result in settlements, the office is not afraid to go to court, says Maione, pointing to the high-profile litigation involving former New York Stock Exchange Chairman Dick Grasso’s controversial \$187.5 million compensation package.

This was not the career Spitzer imagined for himself as a student at Harvard Law School. “I thought I’d clerk, spend a few years at a firm, a few years at a prosecutor’s office, and then go into business with my dad,” he says, referring to his father, Bernard Spitzer, a self-made multimillionaire real estate developer. Instead, he followed a path into public service. He did clerk, for U.S. District Court Judge Robert W. Sweet. And he was an associate at Paul, Weiss, Rifkind, Wharton & Gar-

told Forbes, “We’re not going to pay one dollar less in restitution than if I wasn’t here. It’s just not going to happen.”

Spitzer looks back fondly at his HLS days. He forged lasting friendships and political alliances there, and it is where he met his wife. Among his favorite classes were a seminar on international treaties and arms control with Abram Chayes '49 and a corporate tax class with Alvin Warren. He also admired Alan Dershowitz, for whom he worked as a research assistant when Dershowitz was defending Claus von Bulow. “He was one of my favorite students,” recalls Dershowitz, who remembers Spitzer as “the library guy” and says, “He was such a shy young man, the only student who always called me ‘sir.’” But, Dershowitz continues, “He is an absolutely first-rate, brilliant lawyer. If I ever started a law firm and Eliot were out there, he’d be the first guy I’d want to hire, based on legal skills.”

Spitzer’s wife and '84 classmate, Silda Wall, is president of Children for Children, a New York nonprofit that fosters community involvement and social responsibility in young people through youth service and philanthropy programs. They

have three daughters, Elyssa (15), Sarahbeth (12) and Jenna (10), and two homes, one in Manhattan and one in Columbia County, N.Y. Spitzer admits that finding a work-family balance is a struggle. He travels at least two days a week as attorney general, and now he is adding campaign activities on top of that. He makes a point of being home by 9 p.m. on weekdays, and he sets aside every other weekend to spend with family.

"He's a great dad and a great husband, as well as being right on every issue," says Jim Cramer '84, Spitzer's longtime friend. Cramer, a former Goldman Sachs trader who once ran his own hedge fund, is the markets commentator on both CNBC and TheStreet.com. With his ear constantly to Wall Street, Cramer has heard many criticisms of Spitzer's investigations of the financial services industry. "So many people on Wall Street think he has overstepped," he says. "I find that somewhat funny. I think the bad guys have overstepped. Eliot has a sense of outrage about what other people see as business as usual. He has a finely calibrated sense of fairness and honesty, and he understands what corruption means."

In addition to the Wall Street critics, there are those who accuse Spitzer of inspiring other state attorneys general to bring suits that previously would have been the province of the Securities and Exchange Commission, the Environmental Protection Agency or U.S. Attorney's Offices. Spitzer is fueling a federalism debate over the regulatory and enforcement roles of states' attorneys general—even though the issue predates his tenure, beginning in earnest with the state tobacco litigation of the late 1990s. But even Spitzer has some concerns over 50 different attorneys general pursuing the same industries in different ways. "I am not thrilled at the notion of a Balkanized regulatory world," he says. "I am sympathetic to the view that it leads to inconsistency."

At the same time, however, Spitzer says that a little healthy competition among prosecutors and regulators is beneficial. "Competition works—even in law enforcement and in regulatory agencies," he says. "Monopolies don't work in the private sector or in government." The competition from Spitzer has spurred federal prosecutors and regulators, as well as other states' attorneys general, to keep pace.



"Balkanization is not a bad thing," says Dershowitz. "It's not bad to have different offices with different results. Everyone wants to be Eliot Spitzer now, and that's a very good message."

As Spitzer's reputation as a righter of corporate wrongs has grown, his office has been regularly besieged with phone calls and tips on conflicts of interest and fraud. It has also become routine for people—"serious people," Spitzer says—to approach him on the campaign trail with new reports of fraud in financial services. "People care about their money, and if they know you will act on tips, they will come to you," he says. "Success breeds success."

Even Dershowitz is getting inquiries from people seeking Spitzer's help. "I get calls from people saying, 'We got screwed in California. Is there anything Spitzer can do?' He's become a symbol of rectitude," says Dershowitz. "He'd be a phenomenal governor, senator, president—or anything else he wants to be." *

Michelle Bates Deakin is a writer living in Arlington, Mass. She is the author of "Gay Marriage, Real Life," to be published by Skinner House Books this fall.



MY PUBLIC
SERVICE

Letter from

by Nick Brown '02
photograph by Brent Stirton

Baghdad

Like many of my former classmates from Harvard Law School, when I head to work in the morning, I gather everything I need to bring to the office. I pack up my laptop, my case documents and then shuffle together any other work I may have taken home. These days, however, I also make sure to grab my M16A2 assault rifle, bulletproof flak vest and ballistic helmet. I then say a quick prayer ... with the hope that my fellow soldiers and I don't get bombed today.

I am a captain in the U.S. Army JAG Corps, supporting the 3rd Infantry Division in the Trial Defense Services field office in Camp Liberty, Iraq. I work as a criminal defense attorney for the young men and women serving as part of Operation Iraqi Freedom III. If I do my job well, my clients return to doing their jobs, namely, being soldiers, which is perhaps the toughest job any American may have today.

**At the Baghdad court where Saddam Hussein was arraigned,
Capt. Nick Brown '02 represents U.S. soldiers.**

Many HLS alums may remember me from my participation in the CBS reality television show "Survivor: The Australian Outback." Today, it is the survival of my clients that worries me the most. I worry because they patrol the dangerous streets of Baghdad, on constant watch for an enemy attack. I worry because I can see the stresses of war on their faces when they come into my office looking for help. They are serving in a war where defining the enemy is a difficult task. Knowing when, where and how the next attack will come is impossible. Many of the soldiers I represent are just barely out of high school, but they have been shot at, they've ridden in vehicles hit by explosive devices and they've witnessed firsthand the devastating realities of war.

Judge advocates are everywhere in the Middle East. Today there are more than 200 JAG attorneys in the Army in Iraq and Afghanistan, providing a full range of legal services. I practice only criminal defense, but attorneys here advise commanders on operational law, help soldiers navigate family law issues such as divorces and custody battles, assist local residents with claims for money, even prepare tax returns. The reality is that modern wars cannot be waged without a host of attorneys supporting the mission.

As a defense attorney, I represent soldiers accused of committing a wide array of crimes. Most offenses are minor, typically involving the use and distribution of illegal drugs or alcohol. Both are strictly prohibited in a combat zone but can be easily obtained. I believe some soldiers get involved with drugs and alcohol as a way to deal with the anxieties of serving in a deployed environment. Others are simply too young or immature to consider the consequences. My colleagues and I also represent soldiers accused of more serious offenses, including theft, sexual assault and murder. I manage cases from beginning to end, from the initial client meeting to the completion of the soldier's court-martial.

In my time here, I've seen that the morale of soldiers varies tremendously. Most of my interaction with them, of course, is not in the best of circumstances, and their morale reflects their position. In general, however, I believe morale is good.

Practicing law in a combat zone is unlike any-

thing I have ever experienced. In my work for the JAG Corps in the United States, it was easy to focus almost solely on case strategy and preparation. I could meet with my clients and witnesses just about as frequently as I wanted. I could easily drive to crime scenes, walk across the street to negotiate with prosecutors and accomplish any administrative task. Nothing is that simple in a combat zone. Many of the soldiers I defend are based throughout the greater Baghdad region. I often have to schedule rides on Blackhawk helicopters to outlying bases in order to meet with my clients. More frequently, either the soldier or I must convoy through the city in order to simply meet and discuss a case. Being on the city streets, you simply cannot know if the next Humvee hit by a rocket, roadside bomb or hand grenade dropped from a bridge will be yours. Every time I step outside the gates of relatively safe Camp Liberty, I bring along six or seven magazines fully loaded with ammunition. Sometimes it's difficult for me to comprehend that a whole team of soldiers must convoy across the city simply so one soldier can seek my legal advice. Quite often, the soldier driving us is barely 19 and the one protecting us from behind the .50-caliber machine gun isn't any older. All of this is to make sure that criminal justice functions.

Although practicing law here is tough both professionally and personally, I am cherishing my time in Iraq. This is my generation's war. For better or for worse, for the soldiers on the ground, this is our Vietnam. Politics aside, it is fascinating to be a part of history. My colleagues and I flew into Baghdad just days prior to Iraq's first democratic election. One of the courtrooms we use for our courts-martial is the room in which Saddam Hussein was initially arraigned. Sitting in my office, I sometimes feel isolated from the day-to-day happenings of life in Baghdad, but I recognize that history is being written around me every day. More important, I truly enjoy what I do for a living. The soldiers I represent are America's youth. They have agreed to put their lives on the line to fight in Iraq. I see it as an opportunity to help them get their lives back on track. My public service is defending those who defend America. *

**SOMETIMES IT'S
DIFFICULT FOR ME TO
COMPREHEND THAT
A WHOLE TEAM OF
SOLDIERS MUST
CONVOY ACROSS THE
CITY SIMPLY SO ONE
SOLDIER CAN SEEK MY
LEGAL ADVICE.**

Brown arrived in Baghdad in January and expects to be stationed in Iraq through February 2006.

Government Startup

Paul V. Applegarth J.D./M.B.A. '74 runs a government

IT WAS in Vietnam's Mekong Delta that Paul V. Applegarth, then a U.S. Army lieutenant fresh out of college, had his first exposure to international development work. But along with building schools and training village chiefs came combat.

These days, Applegarth J.D./M.B.A. '74 is leading a much larger international development effort on behalf of the U.S. government—and this time no rifle is required.

Last year, President Bush appointed Applegarth CEO of the Millennium Challenge Corp., the independent government corporation he charged with implementing a new approach to foreign aid.

To choose recipients, the MCC uses criteria such as a demonstrated commitment to political and economic freedom. It provides grants instead of loans and treats recipients more like partners than beneficiaries of handouts. Applegarth said the job “represents a culmination of an awful lot I've done in my life. The job and the whole mission seemed to be made for me.”

He first caught the bug for international affairs during a college backpacking trip through Central America. After graduating from Yale, he wound up in Vietnam, serving in the Army in a role he says was part Peace Corps and part Special Forces.

Applegarth returned to the relative calm of Cambridge, where he graduated from Harvard Law

and Harvard Business schools.

After nearly a decade at the World Bank, Applegarth jumped to Wall Street, working as a financier at Bank of America, American Express and Lehman Brothers. But the job he's most proud of was at the United Way of America, where, as chief financial officer, he helped restore credibility to the scandal-plagued charity.

His interest in international development drew him to an asset management firm that focused on emerging markets, where he was responsible for operations in the Philippines and Indonesia. He also was the chief operating officer of a fund, sponsored by European governments, that combined public- and private-sector money to build roads, power plants and other infrastructure in sub-Saharan Africa.

That work caught the eye of the Bush administration, eager to find a leader for the MCC. Applegarth jumped at the chance to lead the organization, which he likens to a government startup. “I've always been a builder,” he said.

His first office in the MCC's new headquarters was certainly a starter-upper when he arrived last year. But that's fine with Applegarth, who intends to lead a lean, businesslike operation of fewer than 200 employees. He's already outsourced administrative functions such as financial accounting and information technology.

Applegarth still speaks the

language of a financier, promising to undertake “due diligence” before picking recipients and thinking about aid in terms of what would be a “good investment of taxpayer money.”

“He's treating this like a business,” said Patrick M. Cronin, senior vice president at the Center for Strategic and International Studies, a Washington, D.C., think tank. “That's been very impressive to all who have seen him in action.”

It's too early to gauge whether Applegarth's new organization will help ease global poverty or grow the economies of developing nations.

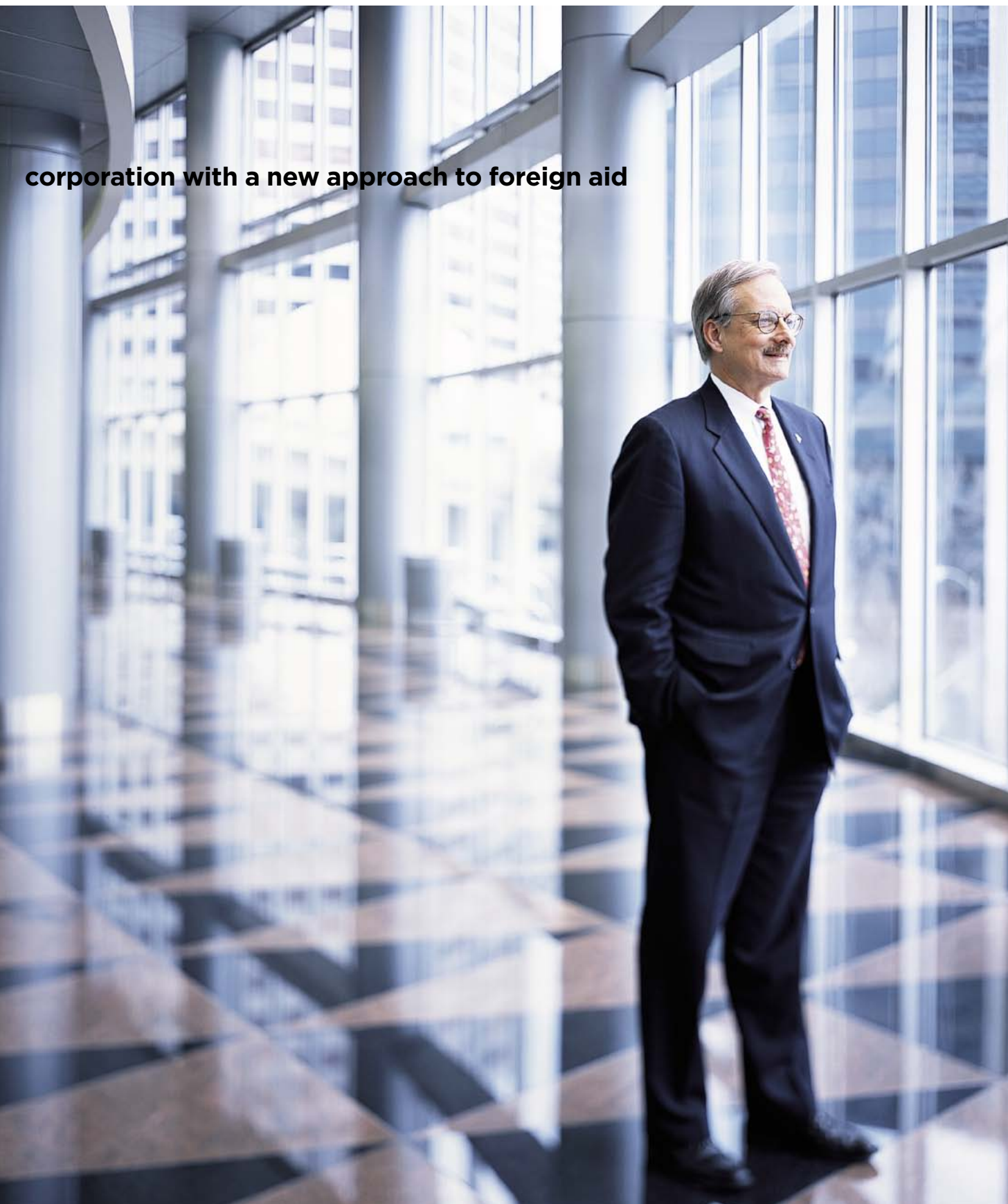
The MCC has only recently made its final selection of the first 17 countries that are eligible to receive assistance. The board approved the first package of grants in March—\$110 million for Madagascar—but the money Congress has appropriated for the organization (\$2.5 billion) is not nearly as much as was originally proposed by the Bush administration.

Still, Applegarth says his travels from Mongolia to Mozambique suggest that potential recipients are taking notice: While proposing an anticorruption program, Bangladesh's finance minister, Saifur Rahman, recently cited his country's exclusion from eligibility for aid as an example of the price his country was paying for being considered corrupt.

“This,” Applegarth said, “is the United States at its best.” *

By Seth Stern '01 | PHOTOGRAPHED BY DAVID DEAL IN ROSSLYN, VA., FEB. 16, 2005

corporation with a new approach to foreign aid



Social Change Inc.

Linda Singer '91 heads an organization bridging private

TRAVELING ACROSS the country, sowing apple seeds and watching them grow sounds like an American folktale. For Linda Singer '91, it's her job.

As executive director of the Washington, D.C.-based Appleseed Foundation, a network of nonprofit public interest law centers, Singer recruits lawyers and business professionals to form local centers to address public policy issues. In the past decade, she has helped the organization expand from one center in Boston to 16 in 14 states and Mexico. In the process, the foundation has generated more than \$30 million in pro bono support for projects as diverse as a death-penalty moratorium in Illinois, a meatpacking workers' bill of rights in Nebraska and a bill that bolsters protection against predatory lending practices in South Carolina.

The idea for the Appleseed Foundation germinated at the 35th reunion of the HLS Class of 1958, when a group of alumni, many of whom began their careers in government during the Kennedy administration, decided it was time to give back. They raised \$150,000, assembled a board of 29 classmates and formulated a vision of national law centers focused on projects that promoted social change. In late 1993, they hired Singer as the foundation's first employee, giving her a mandate to make the founders' vision a reality.

"I used to joke that my job was like that person who came into your house and threw dirt on your rug and promised they could clean it up," said Singer. "But we didn't have a vacuum cleaner then. It really was a leap of faith."

Singer had previously worked as a defense attorney for the Legal Aid Society of New York, representing people charged with misdemeanors and felonies. Although she loved being a public defender, she felt she wasn't "advancing the system."

"Your clients come back," she said. They face other charges or are victims of other crimes. "What has always interested me about Appleseed is the ability to step beyond people's individual legal problems to try to fix the systems that make and leave people vulnerable."

A 1988 graduate of Harvard College, Singer says she attended law school knowing she wanted to be involved in public service. While at HLS, she worked as the Boston-area coordinator for Amnesty International and was active in the law school's clinical program. Among her mentors was Professor Gary Bellow '60, then faculty sponsor of the Hale and Dorr Legal Services Center.

In 1990, as a founding member of the HLS Coalition for Civil Rights, she was one of a group of students who filed suit against HLS, alleging that the school had engaged in discriminatory hiring practices that unfairly excluded many women and minority candidates from tenured

and tenure-track appointments. She later worked with former HLS Professor Derrick Bell on his book "Confronting Authority: Reflections of an Ardent Protester."

A parent of 5- and 7-year-olds in the D.C. public school system, Singer is lobbying for school reform in D.C. and working with Appleseed centers to find a way to fairly implement the No Child Left Behind Act. She also spends much of her week persuading lawyers and other professionals to volunteer their time and talent at local Appleseed centers, and to collaborate on national issues.

"One of the real challenges I see for people who are public interest lawyers or thinking about being public interest lawyers is sometimes the sense that the smartest, most ambitious, most driven students go into private practice," said Singer. "I've always believed it takes so much intelligence and stamina and creativity to make things work when you don't have the private-sector resources behind you." Appleseed, she believes, bridges the divide between private practice and public service.

In October, the foundation celebrated its 10th anniversary. Over the next decade, it plans to add up to 10 new centers. "Ultimately, there will be an Appleseed Center everywhere," said Singer, "because the needs are there and the commitment to do good is there." *

By Christine Perkins | PHOTOGRAPHED BY DAVID DEAL IN WASHINGTON, D.C., FEB. 18, 2005

practice and public service



Calendar

APRIL 14-17, 2005
SPRING REUNIONS WEEKEND
Classes of 1955, 1965, 1970,
1980, 1995
Harvard Law School
617-495-3173

MAY 13-14, 2005
HLSA SPRING MEETING
Harvard Law School
617-495-4698

JUNE 8, 2005
**ALUMNI SPREAD AND CLASS
DAY EXERCISES**
Harvard Law School
617-495-4698

JUNE 9, 2005
COMMENCEMENT
Harvard Law School
617-495-3129

JULY 21, 2005
**HLSA OF NEW YORK CITY
SUMMER RECEPTION**
617-495-4698

SEPT. 16-17, 2005
**HLS LEADERSHIP
CONFERENCE**
Harvard Law School
617-495-4906

OCT. 20-23, 2005
FALL REUNIONS WEEKEND
Classes of 1950, 1960, 1975,
1985, 1990, 2000
Harvard Law School
617-495-3173

APRIL 27-30, 2006
SPRING REUNIONS WEEKEND
Classes of 1956, 1966, 1971,
1981, 1996
Harvard Law School
617-495-3173



Coming Attractions *A Celebration of Black Alumni*

Harvard Law School
September 16-18, 2005
617-495-4698

ALSO: The launch of
the Charles Hamilton
Houston Institute for
Race and Justice,
Sept. 15, 2005



Scenes from the first
HLS Celebration of
Black Alumni, held
in September 2000

In Memoriam

Obituary Information

Details may be sent to Harvard Law Bulletin, In Memoriam Editor, 125 Mount Auburn St., Cambridge, MA 02138

1930-1939

Walter Schachtel '32 of Wynnewood, Pa., died June 23, 2004. A Philadelphia lawyer for more than 50 years, he founded and was senior partner of Schachtel, Einhorn & Gerstley, which later became Schachtel, Koplin & Levine. He was involved in the Germantown Exchange Club and, for more than 40 years, was president or a board member of the Germantown Boys & Girls Club. After encouraging others in their 90s to write their personal histories, at 91 he wrote an autobiography, "Memoirs of a Lucky Lawyer," which details cases from his career, including one concerning the formation of the world's first supermarket.

John H. Wanner '32 of Woodbridge, Va., died Nov. 20, 2004. He was general counsel of the Civil Aeronautics Board, after joining the legal staff in 1938. He was in charge of the legal work involved in the construction of Washington National Airport, and he represented the United States at many international conferences to develop air policy. After retiring from the CAB, he briefly worked at Verner Lipfert in Washington, D.C. Earlier in his career, he worked for the Public Works Administration in Santa Fe, N.M., and Washington, D.C., and helped organize the U.S. Housing Authority and draft the U.S. Housing Act of 1937.

Leo G. Bayer '32-'33 of Duxbury, Mass., died Dec. 28, 2004. A lawyer and writer, he practiced law in Cleveland for more than three decades and wrote novels, plays and short stories. He co-wrote several plays and published five mysteries with his first wife. After their divorce, he continued to write and, after the age of 60, wrote 13 novels. During WWII, he served in the U.S. Navy in Washington, D.C., and he remained in the U.S. Naval Reserve until 1950.

Lewis H. Van Dusen Jr. '32-'33 of Philadelphia died Nov. 16, 2004. He began practicing at Drinker Biddle & Reath in 1935 and was head of the firm from the 1950s to the 1970s. He continued to go to his office until last year. As chairman of the ABA's standing committee on ethics and professional responsibility, he helped develop the Model Code of Professional Responsibility and received the Michael Franck Award, the ABA's highest award for professional responsibility. In the early 1950s, he was

the first director of the U.S. representation to NATO. He was president of the Pennsylvania Bar Association and chancellor of the Philadelphia Bar Association. During WWII, he was a lieutenant colonel in the U.S. Army and served in North Africa, Normandy and southern Europe. He received the Purple Heart, the Bronze Star and other decorations.

Milton M. Abramoff '33 of Dallas died June 14, 2004. Formerly of Rumson, N.J., he was of counsel of what is now known as Ansell Zaro Grimm & Aaron in Ocean, N.J. He practiced law in Red Bank, N.J., in the 1930s and formed his own practice in the 1960s. He continued to go to the office regularly until he moved to Dallas at the age of 92. The Monmouth County Bar Association awarded Abramoff the Certificate of Honor, its most prestigious award, and a resolution was passed in the New Jersey State Senate honoring him for his "extensive record of excellence and achievement in public service." He served in the military during WWII, attaining the rank of captain in the Adjutant General's Office.

Townsend K. Wellington Jr. '33-'35 of Bennington, Vt., died Oct. 21, 2004.

Edward M. Brown '34 of Oxford, Ohio, died July 3, 2004. He was an executive of Teledyne Inc. and chairman of the board at Teledyne Canada. After retiring, he served as a consultant to a publishing firm. In the 1950s and 1960s, he worked for Sperry Rand Corp. He was also board chairman of Abilities Inc. During WWII, he was a lieutenant commander in the U.S. Naval Reserve and received the Bronze Star.

Sidney H. Gittelsohn '34 of Hewlett, N.Y., died Oct. 13, 2004. A practicing attorney for 69 years, he was also a hearing examiner on the Nassau County (N.Y.) Family Court and a board member of Temple Judea of Manhasset, N.Y.

Helge Holst '34 of Concord, Mass., died Feb. 19, 2004.

Charles D. Post '34 of Westwood, Mass., died Dec. 30, 2004. A tax and trust partner at what became Goodwin Procter in Boston, he joined the firm in 1934 and was a specialist on real estate investment trusts and a founder of the National Association of

Real Estate Investment Trusts. He was also president and director of the World Affairs Council of Boston, president of the Boston Tax Forum and, for 25 years, treasurer of the Federal Tax Institute of New England. Active in the ABA, he was chairman of various committees and represented the association on the first advisory committee to the commissioner of the Internal Revenue Service in Washington, D.C. During WWII, he was an air combat intelligence officer in the U.S. Navy and received the Bronze Star.

Milton H. Cohen '35 of Haverford, Pa., died Oct. 30, 2004. Formerly of Glencoe and Chicago, Ill., he was a partner at Schiff Hardin in Chicago and a seminal figure in the history of the U.S. Securities and Exchange Commission. After graduating from HLS, he joined the fledgling SEC in Washington, D.C., and served three years as director of corporate regulation. He later moved to Chicago and joined what is now known as Schiff Hardin. In the 1960s, he was chosen by the SEC chairman to lead a review of the nation's securities markets. The results of his study, published in a six-volume report, became the foundation of today's integrated national market system. He was an HLS visiting professor in 1966 and wrote an article for the Harvard Law Review that was the impetus for changes to the commission's disclosure requirements. In the 1970s, he led the legal team that created the world's first options market, the Chicago Board Options Exchange. In 1959, he was corporate secretary of the Chicago White Sox.

Milton Greenfield Jr. '35 of St. Louis died June 24, 2004. A partner at Greenfield Davidson & Ward in St. Louis, he specialized in estate planning and probate. He was president of the American College of Probate Counsel and an academician of the International Probate and Trust Academy. He also lectured on Missouri probate law revisions and estate planning.

Charles Jackson Jr. '35 of Dover, Mass., died Dec. 4, 2004. He specialized in securities law as a partner at Gaston & Snow in Boston, where he practiced for more than 40 years. He served on Dover's Board of Appeals for 30 years and was president of the Massachusetts Fund for Children and Youth from 1974 to 1980. He was also a director of the United Way of Massachusetts Bay and the Family Service Association of Greater Boston.

Theodore Jaffe '35 of Bethesda, Md., died Oct. 16, 2004. A vice president of Warner Communications, he retired from the company in 2000 at the age of 90. He was counsel to the Rolling Stones and many recording artists and actors, including Quincy Jones and Sonny and Cher. He helped run John F. Kennedy's presidential campaign in New York and was later appointed to the Foreign Claims Settlement Commission, where he served from 1960 to 1971. He was a founding member and a director of Ben-Gurion University of the Negev in Israel. During WWII, he served in the U.S. Army.

Martin J. White '35 of New York City and Quogue, N.Y., died Aug. 22, 2004. He was regional counsel for the Federal Aviation Administration at JFK International Airport and worked for the federal government for 41 years. During WWII, he served in the U.S. Naval Reserve, attaining the rank of lieutenant commander.

Chester A. Petersen '35-'36 of San Francisco died Jan. 20, 2004.

Edward W. Lane Jr. '36 of Jacksonville, Fla., died July 26, 2004. He was president and CEO of Atlantic National Bank in Jacksonville and later served as chairman of the board of Atlantic National Bank of Florida, now known as Wachovia Bank. Earlier in his career, he practiced law with McCarthy, Lane, and Adams in Jacksonville. He served on many civic and professional boards, including as chairman of the board of directors of the Cummer Museum and the Children's Home Society, as a member of the board of governors of the Jacksonville Area Chamber of Commerce and as president of the Florida Bankers Association. During WWII, he served as a lieutenant commander in the U.S. Navy aboard the USS Savo Island in the Pacific theater.

Daniel B. Bryan Jr. '36-'37 of Wilmington, N.C., died June 30, 2004. Formerly of San Mateo, Calif., he was a special agent for the FBI in Washington, D.C., for more than 25 years.

Robert Y. Jennings G.C. '36-'37 of Cambridge, England, died Aug. 4, 2004. He was a judge and president of the International Court of Justice in The Hague, Netherlands, and Emeritus Whewell Professor of International Law at Jesus College in Cambridge, England. He was a fellow of the college since 1939. An international lawyer, he was involved in the Beagle Channel islands dispute between Chile and Argentina. He wrote "The Acquisition of Territory in International Law" and co-edited the ninth edition

of "Oppenheim's International Law." He was named president of the Institute of International Law and received the Manley O. Hudson Medal from the American Society of International Law.

Franklin W. Bates '37 of Boynton Beach, Fla., died Nov. 18, 2004. He worked for the Arabian American Oil Company and its subsidiaries in San Francisco; Beirut, Lebanon; New York City; The Hague, Netherlands; and Dhahran, Saudi Arabia. In 1937, he was an attorney at Pillsbury, Madison and Sutro in San Francisco, whose clients included Standard Oil of California. He became West Coast counsel for ARAMCO in 1947, moving to Beirut in 1949. During WWII, he served in the U.S. Navy aboard the USS Steele and wrote the ship's log. He later wrote "Pacific Odyssey: History of the USS Steele during WWII." He was working on a book of his memoirs and his extensive collection of travel slides and photographs at the time of his death.

Philander S. Ratzkoff '37 of Brookline, Mass., died Jan. 20, 2002. He was a senior partner at Parker, Coulter, Daley & White in Boston, where he worked for more than 50 years. He specialized in insurance, estate planning and appellate work. He lectured on insurance law and was a proprietor of the Social Law Library in Boston.

Edmonstone F. Thompson '37 of St. Louis died Sept. 18, 2004. He co-founded Thompson, Walther, Shewmaker & Gaebe in St. Louis in 1961 and specialized in corporate and estate law. The firm later merged with Lewis, Rice & Fingersh. Earlier in his career, he practiced law with his father and uncle at Thompson Mitchell and Thompson. For almost 60 years, he was on the board of the St. Louis Symphony Society. He was involved in the society's purchase and renovation of what is now Powell Symphony Hall, and was instrumental in establishing the symphony's first endowed chair. During WWII, he commanded a squadron of PT boats in the Pacific. He later joined the U.S. Naval Reserve, retiring in 1967 with the rank of commander.

Milton C. Borenstein '38 of Chestnut Hill, Mass., died Sept. 23, 2004. He was a partner at Concorde Associates in Boston, specializing in estate planning and real estate. For many years, he served as an executive, officer and director of Maryland Cup Corp. and president of its Sweetheart paper division. He was a trustee of Boston College, Brandeis University and Combined Jewish Philanthropies of Boston. He also was a director of the American Jewish Congress and

American Friends of Hebrew University and a founder of the Holocaust Museum in Washington, D.C.

Francis H. Burr '38 of Beverly, Mass., and Islesboro, Maine, died Nov. 25, 2004. A long-time partner at Ropes & Gray in Boston, he joined the firm in 1938 and was chairman of its policy committee from 1967 to 1978. As a trustee and later chairman of Massachusetts General Hospital, he helped raise more than \$165 million for the hospital. He was a fellow and later senior fellow of Harvard College, and in 1971, he led the search that resulted in the selection of Derek Bok '54 as Harvard president. He served on the corporate boards of Corning, Raytheon and American Airlines, among others. He also served on several nonprofit boards, including the United Negro College Fund and the American Civil Liberties Union. During WWII, he was a combat intelligence officer in the U.S. Navy in the Aleutian Islands.

Richard W. Smith '38 of Lincoln, Neb., died Aug. 12, 2004. He joined Woods & Aitken in Lincoln in 1938 and practiced law for almost 60 years, specializing in construction law and government contracts. He was a director of Smith-Dorsey, Lincoln Community Playhouse and the University Place Art Center, and a trustee of Lincoln Symphony Orchestra and the Nebraska Art Association. During WWII, he served as an FBI special agent and later became a gunnery and legal officer in the U.S. Navy.

Herman T. Van Mell '38 of Stuart, Fla., died Sept. 5, 2004. For more than 40 years, he was senior vice president and general counsel at Sunbeam Corp. He also served as counsel to Pope, Ballard, Shepard & Fowle in Chicago and was a longtime director of the Parker Pen Co. and Manpower Inc. A sailor for 75 years, he sailed in the Chicago Yacht Club's 333-mile race to Mackinac Island in northern Michigan. He served 33 years as the club's judge advocate and two years as commodore.

George P. Byrne Jr. '38-'39 of Larchmont, N.Y., died July 27, 2003. He was an FBI agent and legal counsel for Trade Association Management. He was also a trustee of the Larchmont Avenue Church.

1940-1949

Alvin L. Berman LL.M. '40 of Silver Spring, Md., died Sept. 1, 2004. He was with the Federal Trade Commission and specialized in antitrust work.

Jerome Ferris Lieblich '40 of Win-

chester, Va., died Oct. 19, 2004. For 23 years, he served in the U.S. Army, retiring in 1963 as a colonel. He served in the Amphibian Corps in Europe during WWII, was stationed in Germany and the Netherlands, and had several postings at the Pentagon. He also served in the Adjutant General's Corps. After retiring from the military, he was a consultant for several years before practicing law in Fairfax, Va., from 1973 to 1992.

Theodore Cabot Osborne '40 of Washington, D.C., died May 26, 2004. He was a longtime counsel to the U.S. Department of the Navy's Bureau of Ordnance, where he supervised the enforcement of government contracts and helped negotiate the sale of guided missile systems to the NATO Alliance. He received the Navy Superior Civilian Service Award. During WWII, he was part of the 10th Mountain Division's Ski Troops in the Aleutian Islands and later served at the Pentagon in military intelligence.

William S. Rawls '40 of Chestnut Hill, Pa., died March 14, 2004. A litigator for 35 years, he was a senior partner at Ballard Spahr Andrews & Ingersoll in Philadelphia. From 1980 to 1985, he served as an assistant attorney general in Philadelphia. He was chairman of the city's Republican party, a founder of the Chestnut Hill Civic Association and president of the Urban League of Philadelphia. During WWII, he was a combat pilot in Europe and was shot down over southern Poland. He flew a total of 32 missions and received the Distinguished Flying Cross and an Air Medal with three oak leaf clusters.

Milton S. Tyre '40 of Los Angeles died Oct. 21, 2004. He was a partner of Tyre Kamins Katz Granof & Menes in Los Angeles, where he practiced general law with an emphasis on management-labor relations. He was on the board of the California Hospital Association and on the executive committee of the board of Cedars-Sinai Medical Center.

Christ J. Petrow '40-'41 of Johannesburg, South Africa, died Nov. 1, 2004. He founded and served as director of C.J. Petrow & Co. in Johannesburg.

Vincent R. Brogna '41 of Winthrop, Mass., died Dec. 26, 2004. A justice of the Superior Court of Massachusetts, he was appointed to the bench in 1961 to fill the vacancy left by the death of his father, Judge Vincent Brogna. He retired in 1982 and practiced law at Brogna & Butters in Boston. Prior to his judicial appointment, he practiced law in Boston and was briefly

legal counsel to Gov. Foster Furcolo. He also worked as a lawyer with the U.S. Securities and Exchange Commission. During WWII, he served as a captain in the U.S. Army Quartermaster Corps at the Presidio in San Francisco.

Herman J. Schmidt '41 of Greenwich, Conn., died Oct. 18, 2004. He was vice chairman of Mobil Oil Corp. He joined the company in 1951 as general counsel, served as executive vice president for 15 years and retired as vice chairman in 1979. Prior to joining Mobil, he was an attorney with Cravath, Swaine & Moore in New York City. A director of many companies, including H.J. Heinz Co., Mapco Inc. and C.I.T. Financial Corp., he also served as director of the American Enterprise Institute and the University of Iowa Foundation. During WWII, he served in the U.S. Army in military intelligence at the Pentagon and in England.

Jack Steinman '41 of Marlboro, N.J., died Dec. 19, 2004. He practiced maritime law in New York City until his retirement in 1995.

Robert F. Weingartner '41 of Rochester, N.Y., died Sept. 1, 2004. He was a partner at Case, Weingartner, Yorks, Spadone and Frey in Rochester, where he specialized in real estate, wills and trusts. In 2001, a collection of his poetry and prose, "Transient Places," was published by his daughter's press. During WWII, he served in the Office of Strategic Services.

Bailey Brown '42 of Memphis, Tenn., died Oct. 6, 2004. In 1961, President Kennedy appointed him to a judgeship on the U.S. District Court for the Western District of Tennessee. He served as chief judge of that court from 1966 to 1979 and was then elevated by President Carter to a seat on the U.S. Court of Appeals for the Sixth Circuit, where he served until his retirement in 1997. Earlier in his career, he was in private practice in Memphis. During WWII, he was a lieutenant in the U.S. Navy.

Kenneth Kraemer '42 of Portland, Ore., died Oct. 29, 2003. For more than 50 years, he was an attorney in Portland. He specialized in probate, tax, trusts and real estate law. From 1950 to 1951, he served in the Oregon State Legislature. He was a life master and member of the American Contract Bridge League. During WWII, he served in the U.S. Air Forces in the South Pacific.

Victor F. Weiss '43 of Sheboygan, Wis., died May 31, 2004. He was a solo practitioner in Sheboygan.

Alfred Schulman LL.M. '46 of Houston died April 23, 2004. He was a member of Smith Schulman Rawitscher Carnahan in Houston and president of the Congregation of Emanu El and the American Jewish Committee. During WWII, he served in the U.S. Air Forces as an intelligence officer in Italy.

Covington Hardee '47 of Washington Depot, Conn., died Nov. 1, 2004. An HLS professor in the 1950s, he was a trustee and later chairman and chief executive of Lincoln Savings Bank in Brooklyn, N.Y. During his tenure, the bank expanded to serve all of New York City. Previously, he was general counsel for Union Pacific Railroad. He joined the HLS faculty in 1950 as an assistant professor and from 1953 to 1954 taught Accounting, Corporations and Agency as a professor. He was a director of the Diners' Club, chairman of the Brooklyn Museum's governing committee and a trustee of Brooklyn Botanic Garden. During WWII, he served as a communications officer in the U.S. Naval Reserve. After the war, he continued to serve in the Reserve as a lieutenant commander.

John F. McKenna Jr. '47 of Pasadena, Calif., died April 7, 2004. He was a solo practitioner in Pasadena.

James A. Rousmaniere '47 of Southbury, Conn., died Oct. 22, 2004. A longtime resident of Oyster Bay, N.Y., he was a yachtsman and professional fund-raiser. He helped organize development campaigns for the United Negro College Fund, the Museum of Modern Art and other organizations. He was a roommate of John F. Kennedy's at Harvard and was part of the Harvard team that won the national intercollegiate sailing championship in 1938. In 2001, he received the Lifetime Service Award from the Inter-Collegiate Sailing Association for his contributions to college sailing. In the 1970s, he was commissioner of commerce and industry for Nassau County, N.Y.

Eugene E. Pantzer '47-'48 of Springdale, Ark., died Sept. 8, 2003. A professor emeritus of modern languages at New England College in New Hampshire, he served three terms in New Hampshire's state legislature. He also worked for the U.S. Department of State.

John E. Britton '48 of Erie, Pa., died Nov. 24, 2004. A businessman, a philanthropist and an Erie attorney for more than 50 years, he was of counsel at MacDonald Illig Jones & Britton. He was a director of many companies, president of Urick Foundry Co. and chairman of Erie Bottling Corp. In 1969, he

helped form Tannetics Inc., where he served as president and vice chairman of the board. He was also president and a director of the Britton Family Foundation. He and his wife were honored by the Hamot Health Foundation Second Century Fund as members of the fund's 1997 Summit Circle, and in 1999, the United Way of Erie County named him that year's outstanding individual philanthropist. During WWII, he served as a pilot in the U.S. Army Air Forces.

Joseph T. Fahy '48 of Belmont, Mass., died Oct. 23, 2004. He was a partner at Nixon Peabody in Boston, where he worked for 45 years. He played a major role in the formation of Massachusetts trade secret law. He represented Jet Spray Cooler in *Jet Spray Cooler Inc. v. Crampton*, contending that former employees of the company had improperly used a trade secret when they set up a rival manufacturing firm. Appointed by the Supreme Judicial Court of Massachusetts, he served on the subcommittee that drafted the current Massachusetts Rules of Civil Procedure.

Benjamin Forman '48 of Potomac, Md., died Sept. 20, 2004. He was assistant general counsel for international affairs for the U.S. Department of Defense and served under seven secretaries of defense during his career. He had previously worked in the Civil Division of the U.S. Department of Justice. Active in international organizations, including the American Society of International Law, he was a member of the U.S. delegation to two multilateral conferences. He was awarded a Department of Defense Distinguished Civilian Service Award. After retiring from the Pentagon, he was a senior corporate adviser to LTD Aerospace and Defense. During WWII, he served in the U.S. Army.

Hugh W. Goodwin '48 of Fresno, Calif., died June 2, 2004. He was Fresno's first black lawyer in the early 1950s and the city's first black judge, appointed to the bench in 1976 by Gov. Jerry Brown. He was an advocate for the rights of the disadvantaged and practiced law into his 70s. A devout Christian, he gained national attention in the 1970s as a municipal court judge for making church or Bible-study class attendance a probation condition for defendants convicted of misdemeanor offenses.

James B. Hannah '48 of Minneapolis died Nov. 1, 2004. He was a partner at Mackall, Crouse & Moore. He was chairman of the March of Dimes, Planned Parenthood of Minnesota and the Minneapolis Chamber of Commerce's Aviation Committee. A lieutenant

in the U.S. Navy, he served as a skipper and gunnery officer.

Haydn H. Hilling LL.M. '48 of Tijuana, Mexico, died May 29, 2004. He was president and general manager of H.H. Hilling, a moving and storage company in Chula Vista, Calif. Earlier in his career, he was an assistant attorney general for the state of Washington.

William M. Kimball '48 of New York City died Aug. 25, 2004. He was a solo practitioner in New York City, specializing in litigation. He served in the U.S. Army during WWII.

Robert D. Risch '48 of Indianapolis died Sept. 9, 2004. A longtime bond attorney, he was a senior partner at Ice Miller in Indianapolis, where he specialized in municipal finance. He was chairman of the board of directors of the YMCA of Greater Indianapolis. A jazz fan, he was a member of the Indianapolis Jazz Club and a treasurer of the International Association of Jazz Record Collectors.

Walter M. Robinson Jr. '48 of Nashville, Tenn., died Nov. 21, 2004. A prominent business leader in Nashville, he was CEO of NLT Corp., the parent company of National Life & Accident Insurance Co. He was head of the company in 1982, during its takeover by American General Life Insurance Co. He was later a partner at Bass, Berry & Sims, retiring in 1999. He was also a director of Northern Telecom and a benefactor of the Nashville Public Library. During WWII, he served as a second lieutenant in the U.S. Army's 346th Field Artillery Battalion. He participated in the Battle of the Bulge and received the Bronze Star.

Paul V. Salter '48 of West Palm Beach, Fla., died Aug. 15, 2004. Formerly of Chestnut Hill, Mass., he practiced law for more than 50 years at Wasserman and Salter in Boston, specializing in commercial litigation, bankruptcy and probate law. After retiring in Florida, he was president of the Golf & Racquet Club at Eastpointe in Palm Beach Gardens. During WWII, he served as a lieutenant in the U.S. Navy on the destroyer USS *Melville*.

Philip Baskin '49 of Pittsburgh died Jan. 2, 2005. For more than four decades, he practiced law in Pittsburgh, and for a period, he was chairman of Baskin Flaherty Elliott & Mannino. He was assistant solicitor in the Allegheny County Law Department in the 1950s and later served as special counsel for the department. He was a city councilman

from 1961 to 1969. Chairman of the board of the Auditorium Authority, he was also a board member of many civic and Jewish organizations. In 1975, he was named the "Pittsburgh State of Israel Bond Man of the Year." He was named "Man of the Year" in 1977 by the American Jewish Committee of Pittsburgh, and in 1982 by the Jewish National Fund of Pittsburgh. During WWII, he was a combat navigator and squadron leader in the U.S. Army Air Forces. He flew 31 missions and earned the Air Medal with three clusters and the Distinguished Flying Cross.

Donald X. Clavin '49 of Valley Stream, N.Y., died Sept. 3, 2004. He was a Nassau County (N.Y.) District Court judge from 1976 to 1986 and later served as counsel to state Sen. Norman Levy. Prior to his judicial service, he was a prosecutor for 17 years, becoming chief of the County Court Trial Bureau. During WWII, he served in the U.S. Navy as a commanding officer of a minesweeper in the Pacific.

Dario De Benedictis '49 of Walnut Creek, Calif., died Nov. 16, 2004. An attorney with Thelen, Marin, Johnson & Bridges in San Francisco, he concentrated on construction law. After retiring from the firm, he was an arbitrator/mediator of construction disputes and served on many dispute review boards. A longtime member of the Associated General Contractors of America, he received a Lifetime Achievement Award from the association in 1999. He also was a member of the Beavers, a heavy engineering construction organization, and the Engineers Club of San Francisco. During WWII, he served in the U.S. Army in the Pacific theater, attaining the rank of captain and earning the Bronze Star.

William W. Brown Jr. '49-'50 of Charlotte, N.C., died Sept. 7, 2004.

Philip J. McLaughlin '49-'50 of Hollis, N.H., died Sept. 13, 2004. He was a police captain in Nashua and an investigator in the Consumer Protection Division of the New Hampshire attorney general's office. For many years, he worked as a police officer and detective in Nashua before retiring as captain in 1968. He later served as director of Nashua's Code Enforcement Agency. He was a founding member of the Nashua Boys Club, a director of the Nashua Municipal Employees Credit Union and campaign chairman of the United Way of Nashua. In 1968, he received the Book of Golden Deeds Award from the Nashua Exchange Club.

1950-1959

Samuel S. Binnian '50 of Seattle died

IN MEMORIAM

June 27, 2004. He was a solo practitioner in Seattle.

Henry A. Hoover '50 of South Bend, Ind., died Dec. 30, 2004. A South Bend attorney for 35 years, he successfully fought against parking meters in the late 1950s, filing a lawsuit challenging the city of South Bend's parking ordinance on constitutional grounds. The city eventually adopted a new ordinance to address the issues raised in the lawsuit. He ran unsuccessfully for state representative in 1958 and state senator in 1962. He was active in Presbyterian Players, a local theater group.

Edward E. Murphy '50 of Glendale, Mo., died Aug. 16, 2004. A longtime St. Louis lawyer, he was a chairman of the St. Louis County Council and served on the St. Louis County Planning Commission for many years. He practiced law with Coburn, Storekman and Croft in St. Louis, before opening his own firm in 1955. In the 1960s, he went into partnership in the firm that continues today as Kortenhof and Ely. In 1993, he became a solo practitioner in Clayton, Mo. During the 1990s, he spent summers tracing the Lewis and Clark expedition's route to the Pacific Ocean, flying or driving to particular locations.

Jessel Rothman '50 of Flushing, N.Y., died July 15, 2004. He practiced business and corporate law at the eight-person firm of Jessel Rothman in Mineola, N.Y.

William J. Pechilis '51 of Weston, Mass., died Dec. 29, 2004. A senior partner at what became Goodwin Procter in Boston, he worked for the firm for 42 years. He specialized in estate and trust law and was a leading member of the probate department. He was counsel to and a director of Wang Laboratories and served as a director of the Wang Institute of Graduate Studies and the Wang Center for the Performing Arts. He was also a trustee of Concord Academy and Anatolia College. During WWII, he was an ensign aboard the USS *Andromeda* in the South Pacific.

Frederick E. Nichols '51-'52 of Madisonville, Ky., died Aug. 17, 2004. He practiced law for 50 years at Nichols & Nichols in Madisonville and was city attorney for Dawson Springs. He was elected to the Kentucky General Assembly in 1959 and served in the Kentucky Senate from 1961 to 1963. He also served as legal counsel for the Kentucky Public Service Commission, and in 1994, he was a special justice of the Kentucky Supreme Court.

Brock Adams '52 of Stevensville, Md., died Sept. 10, 2004. He was a U.S. senator from Washington state from 1986 to 1992 and transportation secretary during the Carter administration. He was appointed U.S. attorney for the Western District of Washington by President Kennedy and, in 1964, was elected to the U.S. House of Representatives. He served 12 years in Congress and was the first chairman of the House Budget Committee. He practiced law in Washington, D.C., for a number of years before running for U.S. Senate. He retired from public life in 1992. During WWII, he served in the U.S. Navy.

Franklin L. Gurley '52 of Fribourg, Switzerland, died May 7, 2004. An official historian of the U.S. Army's 100th Infantry Division, he wrote "Into the Mountains Dark: A WWII Odyssey from Harvard Crimson to Infantry Blue" (Aberjona Press, 2000). As an infantry scout during WWII, he kept a diary, in violation of Army regulations, and recorded his experiences of daily life, training and combat.

Charles L. Palms '52 of Brooklyn, N.Y., died Dec. 17, 2004. For 27 years, he worked for Bedford Stuyvesant Restoration Corp. After retiring, he remained on the board. He also served as chairman of the board of the Bedford Stuyvesant Family Health Center and on the community district planning board for his Brooklyn neighborhood.

Robert B. Williamson Jr. '52 of Yarmouth, Maine, died Aug. 27, 2004. He was an attorney at Verrill & Dana in Portland for more than 50 years and the fifth generation of his family to practice law in Maine. He was president of the Cumberland County Bar Association and state chairman of the American College of Trust and Estate Counsel. He was secretary to the board of trustees of Maine Medical Center and helped form the center's first mental health facility. After retiring from active practice, he did pro bono work for Legal Services for the Elderly. During WWII, he served in the U.S. Navy in Okinawa, Japan, and later on the USS *Orion*. He remained in the U.S. Naval Reserve until 1962, attaining the rank of lieutenant.

Robert I.H. Hammerman '53 of Baltimore died Nov. 11, 2004. A circuit court judge in Baltimore for almost four decades, he retired from the bench in 1998. At the time, he was the longest-serving trial judge in Maryland's history. In 1961, he was appointed to Baltimore's Municipal Court. Six years later, he was appointed to what became the Baltimore Circuit Court, and he spent

many years presiding over the city's juvenile court. He helped found the Lancers Boys Club in 1946 and was active in the organization until the time of his death.

John P. Olin '53 of Minneapolis died Sept. 22, 2002. He was a vice president of the Federal Reserve Bank of Minneapolis and founder of the Tremolino Boat Co. A lifelong sailor, he designed, built and sailed a line of trimarans and was one of the founders of the Lake of the Woods Regatta in Ontario, Canada. He served in the U.S. Navy.

Richard J. Barnet '54 of Washington, D.C., died Dec. 23, 2004. He was a co-founder of the Institute for Policy Studies, a liberal think tank in Washington, D.C., and was included on President Nixon's "enemies list." He served as the institute's co-director from 1963 to 1978 and was later a senior fellow until his retirement in 1998. He wrote 15 books, primarily on globalization and U.S.-Soviet relations, and was a frequent contributor to *The Nation*, *Harper's Magazine* and *The New Yorker*. Earlier in his career, he practiced law in Boston before joining Harvard's Russian Research Center and working for the U.S. Department of State. He served in the U.S. Army.

Samuel Hoar '54 of Essex, Mass., died Sept. 13, 2004. He was a partner and led one of the nation's first environmental law groups at Goodwin, Procter & Hoar in Boston. He fought to save New Hampshire's Franconia Notch and Old Man of the Mountain from highway extension plans and headed a legal battle to clean up Boston Harbor. In his late 60s, he began a new career in alternative dispute resolution as a principal at Judicial Arbitration and Mediation Services. He also served as a director of the Conservation Law Foundation. He briefly worked as an assistant U.S. attorney, prosecuting tax cases. He was an Essex town selectman and moderator and served on the town's Finance Committee, Zoning Board and Conservation Commission.

Herman M. Levy '54 of San Jose, Calif., died April 5, 2004. He was a labor arbitrator and a law professor at Santa Clara University, where he taught for nearly three and a half decades. He was named "Outstanding Professor of the Year" in 1977, and he served as president of the university's faculty senate. For 13 years, he was an appellate attorney for the National Labor Relations Board in Washington, D.C. He helped draft California's Agricultural Labor Relations Act and served as a consultant to the U.S. Department of Labor and the U.S. House of Representatives Subcommittee on Labor-

Management Relations. He was also a member of the San Jose Human Rights Commission. He served in the U.S. Army Counter Intelligence Corps in Germany.

Joseph F. Linehan '54 of West Bridgewater, Mass., died Sept. 26, 2004. A longtime resident of and practicing attorney in West Bridgewater, he was a member of the Plymouth County Bar Association, West Bridgewater Lions Club and Democratic Town Committee. He was also a director of the Brockton Symphony Orchestra. During WWII, he served in the U.S. Army.

James J. Sevick '54 of Sausalito, Calif., died Sept. 4, 2004. He was a solo practitioner specializing in real estate law in Sausalito.

Daniel B. Bickford '55 of Vinalhaven, Maine, died Jan. 7, 2005. Formerly of Concord and Carlisle, Mass., he practiced law for 25 years in Boston. Earlier in his career, he was chief of the civil division in the U.S. Attorney's Office and, from 1960 to 1963, first assistant to the U.S. attorney in the First Circuit. A sailor, he was navigator on the schooner that won the 1962 Bermuda Race's Navigator's Trophy and a member of the Cruising Club of America. With six other men, he designed and raced a one-ton sloop, helping to bring that off-shore class of racing to the United States from Europe. He was a selectman in Carlisle for nine years and a trustee of the Belmont Hill School in Belmont, Mass., and the Carroll School in Lexington, Mass. For 17 years, he volunteered in the trial advocacy program at HLS.

Howard J. Marsh '55 of Salt Lake City died Sept. 17, 2004. He taught at the University of Utah and worked for the FBI before attending HLS. After securing his J.D., he practiced law in Dallas; Corpus Christi, Texas; Salt Lake City; and Hawaii. He was a visiting fellow at Clare Hall, Cambridge, England, and a visiting scholar at Princeton Theological University. A member of the Church of Jesus Christ of Latter-day Saints, he served the church as a district president in New England, bishop in Dallas, mission president in Venezuela and regional representative in Texas and Louisiana. He published a personal retrospective, "Family History—A Righteous Posterity"; a book of poetry; and a book of his religious thinking. During WWII, he served as an ensign in the U.S. Navy.

Robert O. Flotten '57 of St. Paul, Minn., died Aug. 27, 2004. For 30 years, he practiced law at Dorsey & Whitney in Minneapolis, where he specialized in real estate

finance law. He served in the U.S. Army's Judge Advocate General's Corps.

Marcus Schoenfeld '57 of Bryn Mawr, Pa., died July 5, 2004. A professor of law at Villanova University, he joined the faculty in 1966 and taught for 35 years. He specialized in federal taxation and helped form and served as director of the law school's federal tax clinic for low-income taxpayers. He was author of a number of articles published in academic law reviews, several book chapters and many Bureau of National Affairs Tax Management Portfolios. Earlier in his career, he was an associate editor at Prentice-Hall, practiced law in New York City and taught at Cleveland-Marshall College of Law. He was a director of the Pennsylvania and Philadelphia chapters of the ACLU.

Eugene L. Vogel '58 of New York City died Sept. 20, 2004. He was a partner at Katzenbach, Munchin, Davis, Rosenman & Associates in New York City for more than 40 years and was chairman of the tax department. He was a founding member of the Appleseed Foundation, chairman of the Association of the Bar of the City of New York's Committee on Taxation and a member of the executive committee of the New York State Bar Association's tax section.

1960-1969

Richard S. Arnold '60 of Little Rock, Ark., died Sept. 23, 2004. A federal appellate judge, he was considered by President Clinton in 1994 as a possible U.S. Supreme Court nominee to replace Justice Blackmun. In 1978, President Carter nominated him to the U.S. District Court for the Eastern and Western Districts of Arkansas, and two years later, he was elevated to the U.S. Court of Appeals for the Eighth Circuit. He served as chief judge from 1992 to 1998 and assumed senior status in 2001. Earlier in his career, he was in private practice in Washington, D.C., and Arkansas. In May 2002, the U.S. Courthouse in Little Rock was renamed in his honor. He received many awards for his service and leadership, and in October, he was posthumously awarded the American Inns of Court Lewis F. Powell Jr. Award for Professionalism and Ethics.

Byron Golden '61 of White Plains, N.Y., died May 15, 2004. He was a solo practitioner in Manhattan for many years.

Camille Schmid LL.M. '61 of Luzern, Switzerland, died June 23, 2004. He was a court of appeal judge for the Canton of Zürich in Switzerland.

Bruce M. Stiglitz LL.M. '61 of Beverly Hills, Calif., died July 14, 2004. He practiced law at Loeb & Loeb in Los Angeles, and in 2001, he received the Dana Latham Award for lifetime achievement in tax law from the taxation section of the Los Angeles County Bar Association. He served on the board of governors' finance committee at Cedars-Sinai Medical Center and the board of directors for Vista Del Mar Child and Family Services.

Leslie Susser '61 of New York City died Dec. 11, 2004. An attorney with Vale and Co. in New York City, he focused his practice on real property law and business and corporate law.

Dale A. Thorn '61 of Miami died Sept. 30, 2004.

S. David Levy '62 of Washington, D.C., died Sept. 15, 2004. He helped found the Biograph Theatre and was co-owner of the Key Theatre, both alternative movie theaters in Washington's Georgetown neighborhood that featured classic and foreign films. He also founded, with his wife, a club for independent and foreign film fans in 1992, the Key Sunday Cinema Club. Early in his career, he did legal work for the National Labor Relations Board and the National Capital Planning Commission and had a private practice. He was president of the Georgetown Business and Professional Association and a board member of the Alexander Graham Bell Association for the Deaf and Hard of Hearing.

Thomas J. McCann Jr. '62 of Cleveland died Jan. 7, 2005. He was a shareholder and director of HTV Industries and vice president of acquisitions for ALCO Standard Corp. in Valley Forge, Pa. Earlier in his career, he was a partner at Thompson, Hine and Flory in Cleveland, where he specialized in corporate, securities, and mergers and acquisitions law. He also negotiated property acquisitions and managed operations for St. Lucie-Jupiter Development Corp. in Stuart, Fla. He served as chairman and longtime director of Wheels Medical Transport. He also was on the board of the Lake-Geauga Center on Alcoholism and Drug Abuse in Chardon, Ohio.

John R. Burdick Jr. '63 of Chicago died Oct. 1, 2004.

Daniel G. Goyder LL.M. '63 of Ipswich, England, died Feb. 17, 2004. He was a visiting professor at King's College in London and a consultant to Linklaters & Paines. A practicing attorney for more than 35 years,

he was a member of Britain's Monopolies and Mergers Commission, now the Competition Commission, from 1980 to 1997. In 1991, he was appointed a deputy chairman of the commission and was responsible for advising the MMC on the implications of European rules for its own investigations. He wrote "EC Competition Law" and co-wrote "The Antitrust Laws of the United States of America."

Mohammed Bello '63-'64 of Lagos, Nigeria, died Nov. 4, 2004. A chief justice of Nigeria, he began his career working with the Northern Nigerian Judiciary as a magistrate. He served as a judge of North-Central state, now Kaduna and Kwara states, and later was chief justice of Northern Nigeria. He was appointed a justice of the Supreme Court of Nigeria in 1975. In 1987, he was named chief justice of the Federation, and he retired from the bench in 1995. He was chairman of the arbitration panel of the African Development Bank and received the fourth-highest national honor, Commander of the Order of the Niger.

Michael J. Milton '64 of Washington, D.C., died Oct. 24, 2004. He was of counsel at Krooth & Altman in Washington, D.C., where he focused his practice on state and municipal bonds and financing.

Gaston E. Métraiiller LL.M. '67 of London died Sept. 24, 2004. He was tax counsel and manager of taxes for Chevron U.K. in London.

1970-1979

F. Martin Belmore '70 of Chicago died Sept. 5, 2004. He was an international tax partner at Mayer, Brown, Rowe & Maw in Chicago for many years. Earlier in his career, he was a tax associate at Dewey Ballantine in New York City. An advocate of public transportation, he served on Chicago committees that addressed transportation issues and he never owned a car.

Beverly C. Moore Jr. '70 of Washington, D.C., died Nov. 24, 2003. He was a partner at Moore & Brown in Washington, D.C., and for nearly 30 years he was the owner, editor and publisher of Class Action Reports, a legal periodical that reports and analyzes class-action cases in all areas of law. Early in his career, he worked with Ralph Nader '58 as a class-action expert. In the 1970s, he wrote several books and his articles appeared in many legal publications. He formed his own firm in 1979, which later became Moore & Brown, and represented class-action plaintiffs. In the 1990s, he

consulted and gave expert testimony on topics such as the fairness of class-action settlements and attorney fee requests. He also helped draft class-action legislation in Ontario and Quebec, Canada, and was asked to help draft legislation in Thailand. In 1997, he received the Public Justice Achievement Award from Trial Lawyers for Public Justice.

Lawrence B. Wernick '73 of Longmeadow, Mass., died Nov. 4, 2004. A justice of the Massachusetts Superior Court, he was appointed to the bench in 1996 by Gov. William Weld '70. He practiced at the Boston law firms of Burns & Levinson and Craig and Macauley, before joining Cohen Rosenthal in Springfield, Mass. He was chairman of the merit selection panel for the appointment of the magistrate judge for the U.S. District Court in Western Massachusetts. He served on the boards of the Jewish Federation of Greater Springfield and Jewish Family Services.

Conor D. Reilly '75 of Short Hills, N.J., died Nov. 6, 2004. A partner at Gibson, Dunn & Crutcher in New York City for 16 years, he had a mergers and acquisitions practice. Before joining the firm, he was a partner at what is now LeBoeuf, Lamb, Greene & MacRae. He also worked for three years in the Hong Kong office of Coudert Brothers. He was chairman of the board of directors of Acorn Products, vice chairman of the board of directors of Memorex Telex and director of John Deere Insurance. He was also a member of the Millburn Township (N.J.) Board of Education. He coached Millburn recreation department youth basketball and was head coach of the Millburn High School debate team, leading the team to the state championship in 2003-2004.

Eddison J.M. Zvobgo LL.M. '75 of Harare, Zimbabwe, died Aug. 22, 2004. A Zimbabwean politician, he was a founder of the ruling Zimbabwe African National Union-Popular Front party and served as a cabinet minister for almost 20 years. He was once considered a likely successor to Zimbabwe President Robert Mugabe. In the 1960s, he was involved in the liberation struggle against white minority rule in what was then Southern Rhodesia. He played a key role in international negotiations in London that ended the Rhodesian bush war in 1979 and led to the country's independence in 1980. He later won a seat in parliament, where he served as a minister before becoming a legislator in southern Zimbabwe.

Countess P. Jeffries '77 of Huntington Beach, Calif., died Dec. 15, 2003. A senior partner at Jeffries Advocates Law Offices in

Costa Mesa, Calif., she was a member of the Lawyer Pilots Bar Association, the Orange County Bar Association and the Commercial Law League of America. She also served on the executive committee of Free Arts for Abused Children.

1980-1989

Stephen Howard Dart '80 of Harbor Springs, Mich., died Nov. 4, 2004. A practicing attorney for many years, he most recently worked for Capitol Bancorp in Lansing, Mich. He was chairman of the Harbor Springs Zoning Board and a member of its city council.

Stephen W.S. Livingstone LL.M. '84 of Belfast, Northern Ireland, died March 20, 2004. A professor of human rights law and head of the school of law at Queen's University, Belfast, he published widely on human rights, the judiciary, and constitutional and prison law. He began teaching at Queen's in 1984 as a law lecturer, was named a professor in 1998 and went on to serve as director of the university's Human Rights Centre from 1999 to 2002. He also taught for a year as a visiting associate law professor at Detroit University and for three years at the University of Nottingham. He was a member of the Equality Commission for Northern Ireland and a chairman of the Committee for the Administration of Justice.

Jack Adam Schwartzman '86 of Redwood City, Calif., died July 16, 2004. A partner at Griffiths, Castle & Schwartzman in Redwood Shores, he had a mediation practice and was a special master and discovery referee in Bay area superior courts. He was also a mediation panelist for California's First Appellate District.

Kathleen T. Clover '89 of Pittsburgh died March 1, 2004. She was assistant general counsel of Education Management Corp. in Pittsburgh. During her career, she worked in Pittsburgh in the legal departments of Rockwell International Corp. and PNC Bank and as an associate at Jones Day. She was vice president and program chairwoman of the Pittsburgh chapter of the Society of Corporate Secretaries & Governance Professionals. She served in the U.S. Army as a medic.

1990-1999

Gregory Shadid '99 of San Francisco died Oct. 8, 2004. He was an associate with Brobeck, Phleger & Harrison in San Francisco until 2003, when he established his own practice.

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Career



Personal

Name

(FIRST)

(LAST)

(MAIDEN, IF APPLICABLE)

Firm/Business

(CITY)

(STATE)

Title

Phone

E-mail address

Year and degree

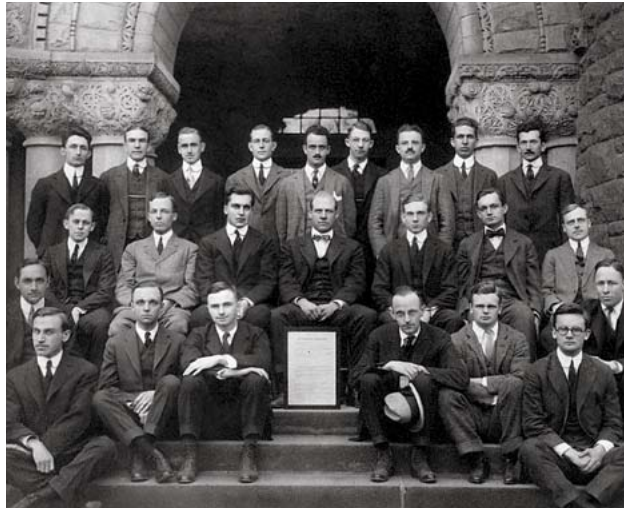
Address change?

yes

no

I would like to read more about

Since 1914, when a group of Harvard Law students formed an organization to provide legal aid to the poor, the Harvard Legal Aid Bureau has served as a bridge to the legal profession for nearly 2,000 students. The first year, from rented office space in Central Square, students took on 191 cases and won \$4,268.13 for their clients.



90 Years at the Bureau

TODAY IT IS only a short walk from class to the Harvard Legal Aid Bureau's offices. But when Tina Platto '06 enters their doors, she feels she's traveled a long way toward her goal of becoming a legal services lawyer. Each of the bureau's 41 members takes an average of eight cases per year and commits 20 hours a week for two years. Students spend "pretty much all of their free time" preparing their cases and running the organization, said Platto, who is the bureau's president. But she believes it all pays off. Her work with clients has put the issues discussed in class in context and helped her get some of the training she'll need for a career in legal services.

In 2004, students worked on 348 cases for clients involved in landlord-tenant disputes, domestic relations problems and public benefits claims. Supervised by an experienced and licensed attorney and clinical instructors, they won 80 percent of the cases that went to litigation or administrative hearings.

This year, the bureau—the oldest student-run legal services program in the country—was designated a clinical program by the law school in recognition of its high standards for pedagogy and practice.

One of its most famous alumni, Justice William Brennan Jr. '31, once said that the bureau "shows the fascinating world of the practitioner ... as it actually is." For Platto and other members working there today, that is exactly what they want to see. *

—Linda Grant

As chairman of International Specialty Products Inc., Samuel Heyman '63 is a leader in business. But his early experiences in the U.S. Department of Justice made him a firm believer in government service. He founded the Washington, D.C.-based Partnership for Public Service, a nonpartisan, non-profit organization dedicated to the revitalization of federal government service, as well as the Heyman Fellowship Program, which provides financial assistance to HLS graduates who pursue work in the federal government.

The Art of Selling Government Service

You began your career in the Department of Justice as a trial lawyer during the Kennedy administration. What drew you to public service?

When I graduated Harvard Law School in 1963, the Kennedy administration was in office—those were the days of the “New Frontier.” John F. Kennedy’s election in 1960 had created an enormous sense of excitement for young lawyers, as lawyers played key roles in the new administration. Robert Kennedy, as attorney general, was a charismatic figure who inspired us all with a sense of purpose and change.

Robert Kennedy took a particular interest in the department’s young lawyers, and I remember being invited to his office for a beer on a Friday afternoon with 10 or so colleagues. Kennedy recounted that he himself had started at the Justice Department right out of law school and reminded us, “If you’re bright,

capable, work hard, and your brother is elected president, you too can become attorney general!”

You made a decision to leave the government to work in your family’s real estate development business. Did your legal experience continue to serve you well?

I could not have achieved whatever I’ve been able to accomplish in business without it. I’ve been involved in proxy contests, corporate takeovers and a whole range of business and legal matters that I would never have been able, or had the inclination, to undertake without being comfortable with the legal issues. And no matter how high the quality of legal representation, there is no substitute for a client’s focus, passion and commitment to a matter in which he has a significant stake.

What motivated you to create the Heyman Fellowship Program?

It was sparked, actually, by a conversation I had with [former] Dean Robert Clark four or five years ago. When I graduated Harvard, almost 30 percent of our class went to federal, state or local government. He informed me that the number had declined, I think, to only 3 or 4 percent.

The government is unable to recruit more of the

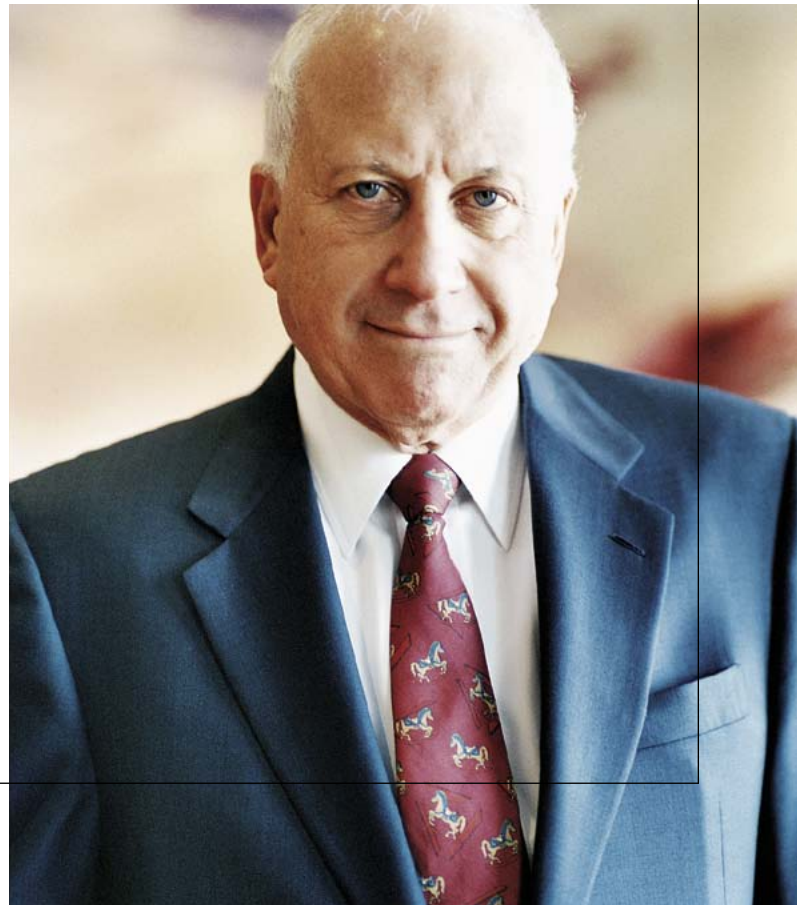
brightest and best today in part because many students are graduating with significant debt—which was simply not a factor in the ’60s. It is the objective of our fellowship program to substantially reduce the financial disincentive associated with government service.

You have one of the world’s great art collections. What catches your eye?

My wife and I have been collecting art together since we were married 35 years ago. We are not into what one would call “pretty pictures” but are interested in more difficult art which is challenging, sometimes even disturbing and always thought-provoking.

What advice would you give to today’s law students?

I am continually amazed at the fact that most young people today have little concept of what government service is all about, which is unmistakably the result of the government’s failure to communicate its message. While the financial opportunities are greater in the private sector, the psychic rewards and job satisfaction are incalculable where you can make a difference on issues affecting the direction of the country. Public service does not have to be a lifetime career—it can be a segment of your professional life that may enhance or even outshine the rest. *



“I’m glad
there is a
pro bono
requirement.
It brought me
back to why I
came here in the
first place.”

suma nair '05

