

Harvard Law RECORD

Founded in 1946

Victoria Kuohung
Editor-In-Chief

David Weiss
Publisher

Celebrating 50 Years of the RECORD

Looking at the more than 20 black and white photographs of former staffers hanging on the wall in the RECORD office, one is struck by their age: dressed in stiff suits and laced-up loafers, young men stand with smiles on the steps of 23 Everett Street, the site of the old office. The photographs range from the very beginning of the RECORD 50 years ago, when three World-War-II veterans decided that a neutral voice was needed at HLS to inform students on campus about the administration, school politics, and other issues in the law. With the Law School expanding under the deanship of Erwin Griswold, it was an auspicious time, and a new forum was born.

Today, 50 years later, the RECORD is entering yet another volume of publication. Much remains the same as it was at its inception: published weekly, the RECORD's pages are still enlivened by student debate, even though the topics may have changed; the solid writing and wry cartoons which characterized the newspaper from the beginning consistently garner awards from the ABA. And, managed entirely by students from its five-room suite in Ames Hall, the RECORD maintains its continuously strong independence from the HLS faculty and administration.

But much has changed as well. Of the top three positions on the editorial board, two are occupied by women of color; the RECORD's general staff has also changed to reflect the diversity of the student body at large. In a time, too, of internationalization both of the HLS curriculum and of student interests, the RECORD is seeking to expand its scope of coverage, not only by reporting pertinent stories occurring beyond the Law School campus, but also by welcoming submissions from HLS graduates both in the United States and abroad. In addition, a new board of directors, consisting of former RECORD staffers, will be established by the end of the term, to offer alumni resources and guidance when necessary.

Ultimately, however, the RECORD's core mission remains constant: to provide the Law School community around the world with fair reporting and news analysis of events at HLS. The standards of levelheaded judgment that outgoing Editor-in-Chief Greg Stohr '95 exemplified add another goal toward which the new editorial board will need to strive. Under his leadership, the RECORD has established an even stronger reputation for quality journalism, a reputation that out-ranks most other law school newspapers.

Like Greg, both Managing Editor April Rockstead '95 and Co-Production Manager Maria Politis '95 also spent many late nights and long Wednesday afternoons in front of the RECORD's computers. Whether it was writing stories, editing other articles, or painstakingly proofreading each page, April and Maria devoted their all to the paper, ensuring that the final product would satisfy their exacting standards. We are indebted to Greg, April, and Maria for their time, effort and commitment.

May the future bring as much excellence in journalism at the RECORD as the last 50 years.

—Kuohung

Staff

EXECUTIVE EDITOR.....	Katrina Campbell
SENIOR EDITORS.....	Jim Lank, Maria Politis, April Rockstead
COPY EDITOR.....	Colin Meeder
EDITORS.....	Debra Dickerson, Hope Yen
PHOTO EDITOR.....	Gene Rhough
BOOK REVIEW EDITOR.....	Mike Fischer
INTERNATIONAL EDITOR.....	Debbie Solomon
MUSIC EDITOR.....	Jeff Bucholtz
RESTAURANT GUYS.....	Ted Cohen, Jonathan Goldstein
SPORTS EDITOR.....	David Koontz
CONTRIBUTORS.....	Terri Gerstein, Josh Strathman, Paul Weinberger, Justin Weiss
CARTOONISTS.....	Brad Hoylman, Matt Kelly, Sheila Tuller
GENERAL MANAGER.....	Kelby Hagar
ADVERTISING MANAGER.....	Clarke Camper
EDITOR EMERITUS.....	Greg Stohr

Printing By The Harvard Crimson

Editorial/Letters Policy

The Harvard Law RECORD (ISSN 0017-8101) is a publication of the Harvard Law RECORD Corporation, a non-profit, independent, student-owned and run corporation of the Commonwealth of Massachusetts. Harvard Law RECORD, Harvard Law School, Cambridge, MA 02138-9984. Telephone (617) 495-4418. Fax (617) 495-8457.

The RECORD is published weekly on Fridays throughout the academic year and is distributed free of charge to Harvard Law School Students and at a minimal charge to Harvard Law School Alumni. Copy and photo deadlines are 5:00p.m. on the Monday preceding publication. Advertising deadlines are 5:00p.m. on the Tuesday preceding publication.

Submissions may be sent to The RECORD at the above noted address, dropped in the RECORD box located in Markness Commons, or left in the 21 mark box of Victoria Kuohung. All copy must be typed, double-spaced, and submitted on paper and on a computer disk (Macintosh or IBM). The RECORD reads and appreciates every letter we receive; we reserve the right to edit letters for space as necessary. We will return your disks. Off-campus subscriptions are available. Subscription price: \$30.00 year mailed; \$35.00 year mailed outside U.S. Individual copies: 35 cents at newsstands, 50 cents at the Law School, \$1.00 mailed; \$2.50 for back issues and reprints. Second-class postage paid at Boston, MA and additional mailing offices.

© 1995 by the Harvard Law RECORD Corporation and by the contributors.

The RECORD is committed to equality and diversity. We strive to provide a forum for the free exchange of ideas. As a result, the opinions reflected in articles, editorials, and cartoons are those of the authors and do not necessarily reflect the opinions of the RECORD.

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

—First Amendment, US Constitution



• Letters •

HLS Must Take Steps to Diversify

In its 178 years of existence:

- No Latina or Latino has ever been appointed to a full-time position at HLS;
- No Asian Pacific American has ever been appointed to a full-time position at HLS;
- No woman of color has ever been appointed to a full-time position at HLS;
- No Native American has ever been appointed to a full-time position at HLS;
- No openly gay, lesbian, or bisexual person has ever been appointed to a full-time position at HLS;
- No person with a physical disability has ever been appointed to a full-time position at HLS.

This is a shameful history. Whether because of a failure to make faculty diversity a priority or because Dean Clark has been unable to exert the effective leadership that can produce consensus, the faculty has not made significant and tangible strides towards integration. During Dean Clark's tenure, HLS has appointed a single person of color to the permanent faculty (Scott Brewer). In exchange, we have lost Professor Derrick Bell, and Professor Chris Edley is on an extended leave.

While we applaud the recent appointments of white women, we question Dean Clark's commitment to diversity "on all fronts." (See the RECORD, Feb. 10, 1995, page 1.) Elizabeth Warren, Christine Jolls, Anne-Marie Slaughter-Burley, and Diane Ring will bring much to the teaching of bankruptcy, microeconomics, international law, and taxation, but we have no permanent faculty who can teach a course on gender discrimination, critical race theory, disability law, sexual orientation law, or Asian Pacific Americans and the law. We do not understand the faculty's single-minded pursuit of white female scholars.

The Student Task Force on Diversity, which published a long article in the Record two weeks ago, has no substantive role in the appointments process. This task force is another in a line of committees set up by the Administration to appease students and make us believe that we have some say in the quality of our education. In reality, we have no formative role in our legal education at Harvard Law School; we just

take out loans, pay our tuition bills, and attend classes. The faculty do not believe that we have the ability to assist in the recruitment of high-quality legal scholars. Based on the law school's record on diversity, we question the faculty's ability to recruit.

Instead of token measures for diversity, we ask students to support and the faculty to adopt the following five-point plan:

First, support efforts to recruit faculty candidates of color, disabled scholars, and openly gay and lesbians. The faculty should vote to offer tenure to visiting professors Mary Becker, William Eskridge, and Pamela Karlan, because of the quality of their scholarship and teaching. William Rubenstein should be offered a permanent position on the faculty. The faculty should invite African American, Native American, disabled, Asian Pacific American, and Latino/a scholars in the next year.

Second, support substantive student involvement in the appointments process. The current appointments process keeps students in the dark as to who is being considered until a particular candidate is actually approved by both the initial appointments committee and the entire faculty. We have no voice. Students should sit, as non-voting members, on the lateral and entry-level hiring committees. Students should also have the ability to meet with prospective candidates for the faculty. The traditional response to these kinds of proposals has been to deride our ability to judge legal scholarship and doubt our ability to keep matter confidential. Both objections are condescending and false.

Third, support implementation of an affirmative action policy. The university has imposed a plan on HLS which has incredible gaps. There are goals only for women and "minorities." HLS presently violates the plan for women and is slightly above the goal for "minorities." The goals are calculated by considering the average number of "minority" lawyers who passed the bar ten or more years ago. The university plan is basically ineffectual. A "one for two" policy, under which one of every two faculty appointments must be

from an underrepresented group, is justified for three reasons: (1) it accounts for HLS' historical exclusion of scholars from certain groups; (2) it reflects the need for the composition of law faculties to mirror the student body and keep up with demographic shifts; and (3) it ensures that the faculty reflect the globalization of legal education. Any law school policy should break down the category "minority" to ensure that we recruit non-white-straight-male scholars from various backgrounds.

Fourth, support pre- and post-J.D. fellowship programs. Although HLS produces a large number of law teachers from underrepresented groups, we do not keep them here or bring them back to teach. Although these programs receive broad token support, the real commitment must come in the form of active faculty participation in programmatic design and funding. The one-year Houston Fellowship for young African American scholars was de-funded in 1994.

Fifth, prevent cuts in the clinical and lecturer programs. Clinical instructors and lecturers are unusually diverse for HLS. The possibility of cuts in these programs presents yet another challenge to students concerned with the quality of their legal education.

This plan is neither new, nor revolutionary. Students at HLS have been advocating these goals through dialogue and protest for over twenty years. The administration's failure to listen to student voices has resulted, not only in a failure to diversify the faculty and curriculum, but also in student frustration, alienation, and mistrust. This semester, we will engage in activities in order to continue the exploration and pursuit of these goals. As a gesture of good faith, we call upon the faculty to begin consideration and implementation of the plan described above. We call upon the student body to demand full membership in the law school community and to take part in efforts to revive legal education at Harvard.

Kiya Kato '96
Sameer Ashar '96
February 22, 1995

WRITE TO THE RECORD!

