

as an increasingly senior Treasury Department official, Shleifer's efforts in Moscow; and, once he returned to Harvard as president, defended his protégé." (During the litigation, the Harvard Corporation asked former president Derek Bok to serve as consultant on the case.)

Shleifer remains a star of the economics department. In 1999 he received the John Bates Clark Medal as the best American economist under 40 years of age, and in 2002 was appointed to his endowed chair. Shleifer's recent book, *A Normal Country: Russia after Communism* (Harvard University Press), defends his work in Russia, his native land, and asserts that the institutions he helped put in place there will prevent that nation from ever reverting to a centralized, planned economy. Hay's attorney,

Lawrence Spiegel, released a statement asserting that the project's innovations in Russia "...included mass privatization, the establishment of the first capital market institutions, establishment of the legal basis for land privatization and real estate registration, modern corporate, securities and other commercial laws adapted to Russian reality and legal traditions, tax reform..." that "contributed to Russia's dynamic economic development and integration into the world economy. Nothing the U.S. Government has argued has thrown into question the value of the work accomplished by Mr. Hay and others." Whether Shleifer and Hay taught the Russians capitalism by example as well as intervention is a question that will probably be debated for years to come.

## Google Pauses

AN UNDERTAKING greeted by Harvard librarians as potentially "a revolutionary new information-location tool" and "an important public good" is on hold, in part, until November 1 at least and has also become the subject of litigation.

Google announced last December that it had reached agreement with Harvard, Stanford, the University of Michigan, Oxford, and the New York Public Library to create an on-line reading room—to add to its database, at its expense, digital, searchable copies of millions of books in those libraries (see "Harvard's Googled Library," March-April, page 71).

Although some of Google's library partners were prepared to go full speed ahead, Harvard entered only into a pilot project in which Google would digitize 40,000 books at the Harvard Depository in Southborough, Massachusetts. If the pilot went well, Google would go on to digitize all of the University's 15 million books. Google staff began work in Southborough in January.

Harvard chose to proceed cautiously for several reasons, as reported here earlier; librarians wanted to be sure Google wouldn't damage books, for instance. Another reason given by director of the University Library Sidney Verba was that "the laws that apply to digitized books still under copyright are uncertain and

changing, and even though many publishers have already entered into agreements with Google about how their books may be used, it is not certain that the grand plan won't be challenged."

It was. The plan for the Google Print Library envisioned that Internet users would be able to browse or print out the entirety of books in the public domain, but books still under copyright could be accessed only in *snippets*. Should a copyrighted book still be in print, Google would tell users where they could buy it.

But publishing groups challenged Google's position that the fair-use doctrine of copyright law allows for digitization of entire works. "The Association of Learned and Professional Society Publishers calls on Google to cease unlicensed digitization of copyright materials with immediate effect, and to enter into urgent discussions with representatives of the publishing industry in order to arrive at an appropriate licensing solution..." Sally Morris, chief executive of that association, said in a July statement.

Google held its ground until August 12, when it announced that it would halt the scanning of copyrighted works until November 1 to give publishers and other copyright holders the chance to tell Google which of their works they do not want included in its database.

"Google's announcement does nothing to relieve the publishing industry's con-

## HARVARD BY THE NUMBERS

### Harvard Business School Class of ...

1949 2005

Applications

2,372 8,526



Enrollment

687 895



Female

0% 35%



International

6% 33%



Age at admission

24-25 27-28\*



\*class of 2004

Top 3 undergrad schools



First job placement

MANUFACTURING 41% FINANCIAL 30%  
MARKETING 15% CONSULTING 28%



cerns," Patricia Schroeder, J.D. '64, president and CEO of the Association of American Publishers, told the press. "Google's procedure shifts the responsibility for preventing infringement to the copyright owner rather than the user, turning every principle of copyright law on its ear."

Although publishers naturally are in

favor of encouraging sales of their books, said Schroeder, some are concerned that Google may sell advertising relating to the results of searches of copyrighted material without sharing this revenue with the copyright owners.

On September 20 three authors filed suit against Google and this project in the

U.S. District Court for the Southern District of New York, claiming that it constituted "massive copyright infringement." They were joined as a coplaintiff by the Authors Guild, a trade group that says it represents 8,000 published authors. The plaintiffs seek class-action status, ask for damages, and demand an injunction to halt further infringements.

"As both an author and publisher, I find the Guild's position to be exactly backward," wrote Tim O'Reilly '76 in a September 28 op-ed piece in the *New York Times*. A publisher of computer books, O'Reilly is a member of Google's publisher advisory board for this project, which, he writes, "promises to be a boon to authors, publishers and readers if Google sticks to its stated goal of creating a tool that helps people discover (and potentially pay for) copyright works."

Meanwhile, Harvard's pilot project moves ahead, but Google's people in Southborough are scanning only those books that are in the public domain. The University Library's Sidney Verba was quoted by the *Chicago Tribune* in September as hoping that the two cultures in play in this matter will come together and that Google will eventually scan Harvard's incopyright books. "Everyone I know who thinks Google is the end of Western civilization," says Verba, "uses it when they want to write something about Western civilization."

### Katrina's Ripples

**In response to Hurricane Katrina**, Harvard College, the Graduate School of Arts and Sciences, the Graduate School of Education, and Harvard Law School each offered to accept 25 students from affected institutions for a semester of tuition-free study—an accommodation comparable to those made by peer universities. The Graduate School of Design and Harvard School of Public Health (HSPH) made places available, too. And the Extension School also offered up to four courses, free of tuition, to students who live within commuting distance and would otherwise be enrolled at institutions closed by flooding. Faculty of Arts and Sciences (FAS) dean William C. Kirby reported on September 27 that some 100 applicants sought to study at the College, 45 were admitted, and three dozen are enrolled, most from Tulane; the graduate school admitted 20 students, enrolling 15, and the extension school 20 more.

Drawing on its scholarly expertise, Harvard Medical School offered a free on-line family disaster-planning guide ([www.health.harvard.edu/disaster](http://www.health.harvard.edu/disaster)). And professor of geology and geophysics Göran Ekström's Science A-43 Core course, "Environmental Risks and Disasters," seemed, sadly, even more relevant. More broadly, on September 30, the Harvard Humanitarian Initiative sponsored a "teach-in" on Katrina moderated by Jennifer Leaning, professor of the practice of international health at HSPH. The 11 panelists, from HSPH, the business and medical schools, the Kennedy School, and FAS, drew on their experience in natural disasters, wars, refugee crises, and other catastrophes around the world to stimulate thinking about the U.S. response to its own unaccustomed humanitarian horrors. Among the speakers, Michael VanRooyen, of the division of international health and humanitarian programs at Brigham and Women's Hospital, lamented planners' shortsightedness toward the most vulnerable population in New Orleans—the reverse of practices he has advocated and helped implement in Sudan, Haiti, and elsewhere. As a result, he said, the United States "passively condoned the survival of the fittest" as its policy. Assistant professor of psychiatry David Henderson focused on the characteristic marginalization of mental-health care for people who had been traumatized by the death of relatives, destruction of property, and loss of control over their lives—treatment he compared to the lack of resources in impoverished nations like Rwanda. A separate discussion, about public-health priorities, was held on October 6 at HSPH.

President Lawrence H. Summers made Katrina and the enduring social and racial inequities it revealed the subject of his Morning Prayers remarks on September 19, the first day of classes (see [www.president.harvard.edu](http://www.president.harvard.edu)).

And putting money behind its talk, the University, echoing a precedent it established after the Asian tsunami disaster, offered to match faculty, staff, and student contributions to relief organizations, up to \$100. The tsunami drive netted 3,359 donations from faculty, staff, and students, totaling \$307,255; using unrestricted University funds, Harvard matched qualifying gifts in the amount of \$245,877. (In an interesting twist, Yale also extended a \$100-matching program within its community for donations to Katrina relief. But those matching funds were provided by personal charitable contributions from the seven university officers, totaling \$70,000, and deans and fellows of the Yale Corporation—not from institutional resources.)

### Money and Military Recruiting

WITH A FISCAL GUN at the University's head, Harvard Law School (HLS) has reversed its position on military recruiting on its campus. The armed services now have access to students through the Office of Career Services (OCS), rather than through informal arrangements made by students or alumni. HLS dean Elena Kagan explained the change in a letter to the community on September 20. The Department of Defense notified the school during the summer that it would "withhold all possible funds" from Harvard: the so-called Solomon Amendment enables the government to cut off *all* research funding to an