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Stephen Hartwell

University of San Diego School of Law

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CONVERSATIONS IN LEGAL EDUCATION:

ORAL HISTORIES OF THE FIRST HALF-CENTURY OF THE UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

Narrator: Professor Stephen Hartwell

Interviewer: Ruth Levor

Recorder: Ruth Levor

Date: August 31, 2006

Accession No.: OH-LRC-Hartwell-1A

TAPE 1A: SIDE A

RL: This is an interview of Professor Stephen Hartwell for the Oral History project Conversations in Legal Education. Oral histories of the first half century of the University of San Diego, School of Law. The interview is being conducted by Ruth Levor on August 31st, 2006 in the School of Law Legal Research Center. This is the first session of this set of interviews. Tapes and transcripts of this interview will be archived at the University of San Diego's Copley Library.

RL: Steve, thank you so much for agreeing to participate in this project and help us commemorate the 35th anniversary of the Law School's Clinic programs by letting me interview you and get your take on Clinic and a few other things. I'd like to start with just a few questions about your personal background.

SH: Okay.

RL: Where did you grow up?

SH: I was born in Huntington Park, California, which is a suburb of South East LA and was raised there and in Southgate, California.

RL: What about your parents? What were their occupations?

SH: My mother was a farm girl from Litchfield, Illinois who left the farm at 18 and took Highway 66, with her cousins, through Albuquerque, New Mexico to Los Angeles. She was supposed to stay a housewife. She actually worked as a secretary in the 30's and early 40's. My dad was born in Rocky? Rocky Springs? Rocky River, Idaho. His father was a gold miner and a carpenter in the mines. His dad got Rocky Mountain Spotted Fever and the family moved from Idaho to Simi, California where, which was in those days was a tiny little rural village. And he was a chemical engineer. He graduated in the class of 13 went to Cal Tech, which was amazing thing for a guy out of a tiny little high school. He was a chemical engineer at Willard Storage Battery until he retired in 1965.

RL: What were their names?

SH: My father went by Jim and my mother by Margery.

RL: Did you have siblings?

SH: I have an older brother. I see him almost every weekend. He lives in Encinitas. His name is Ted. He was born in '34. And a younger sister, Susan, whom I see a couple times a year and she lives in Portland, Oregon. Both are married and both have kids.

RL: And we should admit that for a while there I knew your brother's son pretty well when he ...

SH: Oh, took the train.

RL: He used to ride the train to Oceanside to work.

SH: Paul is doing fine. He lives up near Oceanside and he's doing very well.

RL: What is he doing now? Do you know?

SH: Yes, he is part of a small firm, of the like three guys, that do computer work on contract for small companies. He's thinking about striking out on his own.

RL: And I'll bet he surfs at lunch time.

SH: He is married and his brother-in-law Kevin is a kayaker. He and Kevin go out kayaking out behind the surf line and fish.

SH: So, he is still in the ocean all the time. He surfs less and kayaks more now.

RL: I see. And two children, he has two children now?

SH: He has two kids, yeah.

RL: Tell me about your wife and children.

SH: My wife Sherry was born in Michigan. She also came out on Highway 66 interesting enough with her folks in 1955 to Hermosa Beach, California. She went to USC starting or whatever that would be, like in 1957. That's where we met. She was trained in University USC as a secondary school teacher and she taught for several years. Then when the kids were young, she didn't work, except in the home. She went back to school in the early 80s and became a marriage family counselor. It's called an MMT now and she has a private practice. And you're asking about kids as well?

RL: Yes.

SH: I have two daughters. Laura born in 67 and Melissa born in 68. Laura lives in France. She is a French citizen. She's got a master's in education from USD. She's working on her Ph.D. She's essentially a bilingual teacher. She teaches English. Melissa born in 68. Interesting background, she dropped out of school at 16. She became an automobile mechanic. She was a mechanic for 5 years, went back to Grossmont when she was 22. Became interested in theater. Saved her life. Got an AA degree, transferred to USD. She graduated magna cum laude. She quit high school at 16 and graduated magna cum laude from USD with a degree in Communications, I think, that's basically was theater. Got a masters from Washington in education. Got a PhD from University of Georgia at Athens about 6 years ago. She teaches at Seattle Central Community College. She teaches theater. She's the baby in the department. Laura has two children. Kevin and Charlotte, they just turned 14.

RL: They turned 14?

SH: 14.

RL: Oh, my goodness.

SH: Kevin is a 6 ft 2. Weighs 170 lbs. Is a very good athlete. Plays basketball, as you might guess. Charlotte is about 5 ft tall. Weighs about a hundred pounds. She's already talking about coming to San Diego. She wants to go to UCSD. She wants to become a lawyer.

RL: Oh, my word, where did you go wrong? Well I have to also put on record that I remember these children as babies at the wonderful recitals that took place at your home when you started working at the cello again.

SH: Right, right. We still have the petrified rock that you brought us. It has a place of honor on the windowsill.

RL: And those recitals really expanded when Sherry got a baby grand piano because she began to accompany you, and then the room had to be expanded.

SH: Yes, it's all true. I did knock the wall out and extended it 3 feet.

RL: And that reminds me a little bit, I think something, nice and personal, that goes into this record as well is the story of the house that you and Sherry live in.

SH: Okay. I don't know when, but at an early age I always wanted to build a house. And when we moved to San Diego Sherry spotted the lot and the lot is on a hillside overlooking Mission Bay. So, it was advantageous to build a house that would have two floors. So, we decided to build a pole house. A pole house is a house that is constructed literally on what most people called telephone poles. Actually, they are bigger than telephone poles. They are 40 feet long. Before they are driven into the ground, concreted into the ground. There is 15 of them. They are bolted together. The house, the house is literally built of the beams that are bolted together to the poles so it's a very unusual design. We actually have had mail delivered to our house that was addressed Hartwell's pole house Pender Street it arrives. Anyway, I started building it with

Sherry's help in 1974 on April Fool's Day which was the appropriate day to start. We moved in in '75. It's a two-story 2500 square foot house. What I called trash wood with Redwood exteriors. It's throwaway Redwood. It's low quality but it makes a fine exterior. Virtually everything in the house is recycled. All the floors are hardwood floors recycled from old houses. A lot of the studs are. Most of the windows are. Most all the doors are. Staircase it is all recycled stuff. We built over a period of about 15 months. It's still incomplete. The kitchen is going to be finished soon.

RL: What is incomplete about the kitchen?

SH: The interior walls haven't been based. It's just plywood. Yucky plywood. The house is filled with furniture that comes mostly from my side of the family. Somethings from Sherry's side of the family. And a few things from our life when we lived in Bogota Colombia. But I have a lot of stuff from my grandmother, on both sides of my family and some things from Sherry's family. So, there is hardly anything in it that doesn't have a story. Everything in the house has a story behind it.

RL: What are some of your favorite stories?

SH: My brother-in-law and I were delivering boat parts out in El Cajon. And the people weren't home so we went out in the backyard to deliver the parts because they are kind of big. I saw an old bathtub. A claw bathtub. And we were building the house and we didn't have a bathtub. So, I put my card on it and said if you want to sell this bathtub, I'll buy it. So, the woman calls me up and she says are you a Hartwell? I said yes and she says that's my maiden name. I'm a Hartwell too. I said what is this about? She said you left your card on the bathtub. I said oh yeah. It's yours as long as it stays in the family. We have a green Sears and Roebuck Art Deco oversized sink upstairs in the upstairs bathroom. That came from a woman across the street and goes to church at the Serbian Orthodox church. And she said I've been watching you build this house. I want you to have the sink. So, she says put in your house somewhere. The other sink is in the downstairs bathroom, comes from my mom's house, it came out of that house. The shower the upstairs shower is all done in tile. The tiles are like five inches in diameter size and they are all put into the wall. They were all hand-painted by Laura and her partner Dominique and painted in the house and fired at the house and then they had to go back to France so we assembled it. The bath, the bathtub's bathroom, shower wall was all done by them. Those are the things that come to my mind immediately. Everything in it comes from somewhere.

RL: Well, I have to attest that the house also has a wonderful spirit. That when you enter it, you become intimately acquainted with it, whether you mean to or not.

SH: It's always a joy to come home. It really is.

RL: I'll bet. I'll bet. When did you come to San Diego?

SH: We returned from the Peace Corps in 1970 and I was looking around for a job as a Legal Services attorney. I interviewed in Riverside, in Bakersfield, and ended up interviewing in San Diego. San Diego had just gotten a million dollars which was a huge amount of money for legal services. And I'm not a native Spanish speaker but I was moderately bilingual because I lived in

Columbia for 2 years. And they really wanted somebody who could handle Spanish and there were virtually no Spanish-speaking attorneys in that era. Isn't that amazing. This is 1970.

RL: It is amazing.

SH: I counted the names of people with the last names like Vettas or Vegas and there was like 10 in the whole county and some of them didn't speak any Spanish. Anyway, so I started working for the Legal Aid Society in 70 that's when we moved here.

RL: Well that's a little bit about how San Diego was different then, which is my next question, in terms of the lack of Spanish-speaking attorneys what other things come to mind as to what San Diego was like then that would kind of surprise us to hear now? Or how is it different then?

SH: Well, I suspect you will hear the sorts of responses. The traffic has multiplied by five. The city is bankrupt. It was in difficulties in that era with a yellow taxi scandal and all that stuff. They are, I think the city's been without direction for the whole time I've been here. That hasn't changed.

RL: I don't know about the yellow taxi scandal.

SH: Oh, I would have to go back and look at the archives but it was a scandal involving the mayor. This is before Roger Hedgcock and all that. I just remember that's the first thing when we arrived, it was a note reading about the scandal. And it seems like it's been, the city has been, with a few exceptions, a few times, when Donna Frye speaks up. A few other times it's a been pretty rough. And its astounding to say, it's got such gifts. I mean the harbor. The weather. There's been attempts to try public transportation which have been only marginally successful. The choice not to build the library was a disaster. At the ballpark to me was a civic disaster. It not like Iraq. I don't mean like that. I mean that to funnel half a billion dollars that we didn't have for something we didn't need. So, like most San Diegans I like to live here because of the of the weather. And the arch. The zoo. And the bay. All the natural things. It is the city itself. It means so much to me.

RL: I imagine that your view on from that Hilltop has changed.

SH: Yes and no. It was moderately built up when we moved there in 1970. There were not that many lots left. And the view remains about the same. The view, as you know, it's of Mission Bay. That's remained about the same. Even SeaWorld could do more than it does in terms of scientific exploration. That sort of stuff.

RL: They're finally ceasing their fireworks.

SH: I was just going to mention that. The fireworks it took a law, a potential law suit to stop that.

RL: And clearly it would seem to a marine scientist that setting off fireworks over a bay ...

SH: Pollutes.

RL: ... was the wrong thing to do.

SH: Gross pollution yeah.

RL: Now can you think back and tell me what led you to decide to study law in the first place?

SH: Yes. I'm really a social science type. I'm an empiricist. I think in a scientific sort of mode. I read Scientific American. Most of what I read are natural sciences. I read National Graphic, all that sort of stuff. I am very interested in, and always have been, the social sciences. I was going to get, when I was in high school, I thought I would be a scientist. So, my dad was an engineer and I was going to go to USC and so I started in engineering. Well it seemed to distant, cold and I'm not good at math. So, the combination of mathematics and they impersonality of science as I experienced it. I don't think it is, but that's what I experienced personally. I thought ha-ha, let's take scientific principles and apply them to people. What would that be. That is law school. So, I thought when I entered law school that it was going to be sort of the application of engineering science type principles to kind of human life. Course I found out like everybody else it's not that. That's what got me in law school. That's part 1. Part 2 was I wanted I was a bit of a social activist in that time and I was I thought I was going to become a criminal defense attorney. That's right. That's what I wanted to do.

RL: Did you concentrate, did you take criminal courses in law school?

SH: No. There were standard courses at USC and I took the standard courses.

RL: So, when you say there were standard courses there was no opportunity to elect enough courses to say that you had a certain kind of concentration?

SH: There may have been. But I didn't. I just took courses.

RL: Yeah, me too. And did you say, were there any lawyers in your family?

SH: No.

RL: And that's why you had no idea...

SH: One of the reasons.

RL: ...of what was involved. I can relate to all that.

SH: Is that so in your family?

RL: Oh yes. There were no lawyers. I probably approached from more of a Librarians point of view. I thought I was going to learn a list of rules and then go out and do nice things for people. I thought that probably I would get around the rules.

SH: And did you?

RL: I don't know. This is an interview of you.

SH: I'm sorry.

RL: So, so, you spent seven years I guess at USC and met Sherry while you were there?

SH: Yes.

RL: And other than that, what are some of your favorite memories of your experiences there?

SH: I don't have favorite memories of law school. I didn't like law school particularly. I worked full time. I worked 40 hours a week.

RL: What kind of work did you do?

SH: I was an attendant at juvenile hall. I worked nights. I had a hard time staying awake in class. It was, hey when I look back on, it was brutal. I commiserate and respect students who work all sorts of hours at USD. I know what it's like. It was really, it was very difficult.

RL: Well that's good that you can empathize with them. What about USC itself? What was it like to go to school there?

SH: I went there because it was close and convenient, I thought it frankly, in that era, I know they changed, kind of a racist small-minded place. That's how I experienced it.

RL: Well now it's known for being in the midst of a maybe not racially diverse area but an inner-city area.

SH: The only blacks that you would see when I went there carried footballs. That's how I would summarize it. I don't have bad memories of it, it was just a place I went to school.

RL: And how did you and Sherry meet?

SH: That's a wonderful story. I looked out the window from the second-floor chemistry lab and saw a woman walk by with an orange dress. And I was, like guys are, instantly in love. And about a month later I saw her on a bicycle pedaling across campus in a blue dress. And I said that's the same woman. And then a few weeks after that, I saw her walking into Town and Gown Dormitory so I knew where she lived. And I knew a woman who lived there named Jenna Hawkins and Jenna knew everybody and so I said Jenna who is and I described her. This tall woman such and such. She said so that Sherry Johnson. So, I went over to the dormitory in December of 1959 and said I wanted to talk to Sherry Johnson. She came down. I said you don't know me. Nothing in that era, I said I can't ask you for a date because we don't even know each

other. I said I'm meeting you now so I can ask you another time. So, we went to a basketball game a week later. We have been dating ever since.

RL: Yes, indeed you have, that's quite, that's quite evident. Do you remember any of the law school professors?

SH: Yeah.

RL: And you say that somewhat diffidently so ...

SH: Well, I had to search my memory.

RL: So, I'm wondering if there were any that made a strong impression on you?

SH: No, they were a couple of them that were good professors, but no they didn't change my life. Inspire me or, I don't remember being in class and saying my goodness I've never thought about that before.

RL: And I'm sensing a lack of passion. That you did not see them as exhibiting a passion that struck you.

SH: No, there was one guy, and I can't remember his name now, that was an adjunct who was interested in Privacy Law and it was at the beginning of Privacy Law. He was passionate about Privacy Law. He'd lecture for an hour and not stop. I had a hard time. I'm a little bit hyper. I have to sit near window and I have to move. But I'm, as you know, I have a stand-up desk and I often work with music on. To sit for an hour is very difficult for me.

RL: Well feel free to stand up at any time.

SH: As you can see, I'm sort of rocking on the chair.

RL: That's fine. Just make yourself comfortable.

SH: Actually, in my class yesterday, I kid you not, this is for real, I told my class all of you during this next 75 minutes I'm requiring you to get up at least once and to leave the classroom. I will call on some of you at random and say where are you going and your response can be what you choose but I prefer you say none of your business. So, in both of my negotiation classes yesterday each and every student got up at least once and left the classroom. So, I tell them if you get dozy and start to slip off into a stupor and your mind goes blank. Stand up and lean against the wall. Go get a drink. Or go to the bathroom. Whatever a law professor says once they say six more times before the end of the semester. You're not going to miss anything.

RL: So, you understand different learning styles.

SH: Oh yeah. If you're if you're not paying attention if you're not all there. I also think this is not in response to your question, but I don't just think, I'm confident of this, the human mind is

designed to operate in about 15minute spurts. So, when I teach, anything I teach, I change the subject matter about every 15 minutes because I think that's what your attention span is if you're passive. You can read an hour for a couple of hours you watch a movie for a couple of hours but if you're if it's intense concentration you need breaks. Teachers don't give it to you. It's easy to teach and go 2 hours without a break if you're teaching. But it's, for me it's impossible as a student. So, you got to learn to give yourself breaks. And you have to do that against a presumption that you're not going to do it. I've asked students how many of you have gotten up ever in a law school class and roughly a third have. 2/3 haven't. They said in three years of law school they have never left their seat. Haven't you had to go to the bathroom? They wait. You give president to a professor over your body. Your body comes first. If you don't take care of your body your mind goes bad. You've got to take care of your body. That means getting up going to the bathroom or getting a drink or taking a stretch or stretch out your back or do whatever you need to do. Anyway, I'm, it's one of my ...

RL: Well that's unique.

SH: I never had a law professor tell me that.

RL: No, none of us did. So, that makes me think about your learning styles as a younger person and how you became aware of these things? Did you have any positive or negative experiences?

SH: Miss Curran, 6th grade, Curran. 4 foot 11 in high heels, probably lesbian as I think back on her. She used to be able to leave our class and go down the hall and come back 20 minutes later and we would be at work. How did she do it? She respected us as people, eleven-year old people. Fondest moment in education. School is out. My mom's a PTA president and she's doing something. And I'm, and everybody's gone home, and I'm in this current class as she's going around putting stuff away. She comes by, she puts a box on my desk. I open the box up and it's full of wires and batteries and electric bulbs and switches and stuff. And I said to her what am I supposed to do with this? And she said whatever you like. That's my goal. That is beautiful teaching. To give you the tools to learn by and let you choose how you want to use those things. And the respect that I'm going to use them wisely. That's how it was. If you are asking about law school?

RL: No.

SH: Earlier you were.

RL: Well yes.

SH: I never had a Miss Curran in law school. She was the ultimate teacher for me. It was probably that age, 11 years old. You can learn a lot at that age. You can learn at any age. 11 is a time when you're not callous yet by the world, and yet you're still already capable of learning a lot. Anyway, did that answer your question?

RL: Yeah, it really did. It made me think of what I tried to do with my children growing up too. It's just that sort of a cafeteria, put things in front of them and let them be little learning machines.

SH: Did it work?

RL: I would say yes. I would say yes if results are any measure but not even by results but just the joy of watching that process...

SH: At the time.

RL: Take place at the time exactly. At USC did they have a clinic program?

SH: No. Oh, sort of. You could, I don't remember the details, because I wasn't thinking in those terms, but you could go to some office downtown. We did some interviews. I have vague, vague, memories of going once or twice. But it wasn't organized and I don't know there was any supervision that I recall. There was no feedback. It wasn't a clinic in the USD sense. It was a clinic in the sense of what was available in 1962 or 3.

RL: And would you say that that was the only experiential learning?

SH: Yes. To the degree it was experiential learning. It wasn't much of anything. But at least it got us out of the building.

RL: And you got credit for it?

SH: I assume I did. I really don't remember much about it. I just remember being in and interviewing a couple people.

RL: Of the client ilk.

SH: Right. I remember interviewing clients.

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TAPE 1A: SIDE B

RL: Was there any public interest law taught, when you were a student, that you recall?

SH: No.

RL: Were there any classes that you would say you enjoyed?

SH: Tape recorder records a long pause while Professor Hartwell stares at the wall. That I enjoyed. Yes. Dorothy Nelson, who became Dean. And later became Federal District Court Judge. I think a federal appeals court judge and did a graduation year commencement. 13 years ago. Did a class called, I think it was called something like administrative law, but it was very open-ended. We were encouraged to do projects on our own. She was an excellent teacher. I remember that class.

RL: And were there any that just gave you fits?

SH: Some of them were so lame. Paul Jones, whom must have been dead now 40 or 50 years, so we can name him, gave the same course every year. We all had a 400-page set of notes that students wrote, in which verbatim was everything that he would say including all of the jokes. And one time a guy named Horowitz came in late. And Jones laid a question on him. And the whole class began to say Horowitz tell him we need a marshalling of the Assets. And the class began to murmur louder and louder a marshaling of the assets, Horowitz, the marshalling of the assets Horowitz. And Paul Jones said: "Horowitz what should we do?" Horowitz said: "A marshalling of the assets Professor." You're right Horowitz, a marshalling of the assets. Isn't that awful?

RL: Yeah. Yes, they were all on the same page in the outline.

SH: Yes, we were all turned to it. We all had the same set of notes.

RL: Well.

SH: How could somebody teach like that.

RL: Isn't that amazing.

SH: That was 1963 or 4 and the book was dated 1941 that we used.

RL: My word.

SH: He didn't even use the updated volumes.

RL: What was the class?

SH: Preparations. 4 years before World War II I remember it was a 40 or 41 Edition. I thought, my God, this book is 22 years old and there must be new additions out. Not for him. He didn't want to learn a new one. He was one of the well thought-of professors in the law school. Take PJ, yeah, he was called PJ, for Corporations. CJ for Contracts and PJ for Corporations. CJ was Charles Jones.

RL: I see.

SH: He was a little better.

RL: And given that, did you ever consider dropping out or was it just a means to an end that became clearer in your mind?

SH: Well by the time I was in law school I was married. And I was more or less, half way through law school. And I wanted to practice law. I had never thought about teaching. And part of it was the era. I was really a 50s kid, not 60s kid. And the 50s had to do with Eisenhower. And family and having four children. Love and marriage, just like a horse and carriage and all the way. Frank Sinatra. Pre rock and roll. Pre drugs. Pre- civil rights. Pre everything. Cold War. Communism. Russians. And there was much less of a sense of students switching majors or doing something like that. It was a much more dutiful era. I think if it if I had been 10 years younger, that is 10 years later, I would have quit and done something else.

RL: Any idea what?

SH: Assuming I had met the right mentor, advisor, read the right book, I would have gone into social sciences. I would have become a social psychologist. I would have studied the Psychology of people as a group, as opposed to personal psychology. I would have then studied more about how the brain works. I probably wouldn't have gone to the computer direction of the brain. I probably would have gone towards the psychological understanding of the brain. If I had, if everything had come out perfectly, I then would have gotten a law degree and I would have the job I have now, except with a PHD in social psychology. So, I came pretty close anyway.

RL: Do you think that you skipped from the 50s world to the 70s world or did the sixties catch up?

SH: We spent most of the sixties, early part of the sixties, and I was at USC and that the second half of the sixties I was overseas. I remember in Bogota Colombia that the Colombians were talking about a group called Los Beatles. And I said who is most Los Beatles? They said oh this is an English rock group. I had never heard of The Beatles. When we were in Kenya, we were out of it. So, when we came back to United States it was 1970. So, the whole sixties era was almost lost on me. That is interesting.

RL: Yeah, that is interesting and we'll talk later about to your experiences overseas.

SH: Okay.

RL: I'm sort of going in chronological order.

SH: You've got your protocol.

RL: Yeah, I do, and try to stay on track, but not too much.

SH: That's the right way to do it.

RL: I was wondering, as a student, do you recall about what proportion of your classmates were women?

SH: Yes. There was Peterson, Lee, Schecter, and Barbara somebody. There were four. Schecter and I partnered up for moot Court competition. She became a district attorney in Ventura. One became a judge. One married a law professor. And I don't know what happened to the other. I think there is one more that I can't picture.

RL: Would you say they were treated differently from the male students?

SH: Yes. Absolutely.

RL: How so?

SH: Women's day. Call on the women. If there was a rape case they got called on.

RL: And the purpose of that was?

SH: Well if purpose assumes some consciousness on the part of the law professor, I think they did it, those it did it, I don't mean to say all the law professors did, but it was notable that it happened. I don't know if they did it out of maliciousness, or just that's what you did sort of thing. Just callousness. Stupidity.

RL: Did they project an idea that it was inappropriate for these women to be studying law?

SH: I'm more sensitive today to that question that you ask now than I was back then. I mean I didn't like it then but it disgusts me now. When I think back on it, that I was a participant. I'm kind of embarrassed by it to be to not have done anything about it.

RL: So, you were a participant by omission.

SH: Participant by omission. I think it was just ignorance. I don't know if they didn't want the women there. I think they did want to have them there so that they could do what they did.

RL: What about their male classmates?

SH: What is the question?

RL: In terms of how they treated their female classmates.

SH: Oh, obviously you have to ask the women. But my observation was that the women were very good students. And they were at least academically respected. They were all very good. My sense that students didn't treat them any differently, they may have, but I don't remember anything otherwise. It came from the faculty. And I think when Dorothy Nelson became Dean that changed.

RL: Do you remember about what year that was?

SH: I graduated in 64 I think she became Dean if maybe like 1970. When did Harvard let in women? It was late.

RL: That's good question. That's a good question. And then the question goes beyond admitting to how they were treated. I mean there are stories of women who studied the law in the early 1900s.

SH: Right. There is the famous one in the 1890s case starts with a B Bradford.

RL: Yes. I think that's right.

SH: She can't join the Illinois Bar. They were keeping her out. And that's the Supreme Court sustained. Said a woman's place is not in the rough and tough fighting, that's for men, that she belongs in the home.

RL: I think that's right. You name some of your classmates and told us what they went on to become. Any other memorable classmates?

SH: No. Was some more Republicans there is, I don't know how many in our class maybe 300, I would say that 90% were Conservatives.

RL: Does that reflect the Los Angeles at that time?

SH: I think it reflected USC.

RL: USC more.

SH: Hm, hm.

RL: Was there much of a law student social life?

SH: No. Not that I knew about.

RL: You of course we're working 40 hours a week.

SH: Soon married and working so I didn't have any time anyway.

RL: And was Sherry still a student?

SH: She was. Let's say she would have gotten her BA when we got married. And she did a year that was part of her teaching credential. So, she was out of Dorsey High School teaching.

RL: And you know law school has been stereotyped by the movie *The Paper Chase*. Which shows as a certain sort of rigor, a certain sort of disrespect, I would say for the students on the part of the faculty. And of course, that came later. The movie came later. What do you remember about competitiveness among students? That type of thing.

SH: Well it is a commuter school so connections between people were mostly at school. So that left us all separated, which would have supported competition. Because it's easier to compete with somebody you don't know. But having said that, I don't remember any books ever being stolen out of the library. That sort of competitiveness. I never participated in any of that learning group you know.

RL: A study group.

SH: I guess people had study groups. Law School is sort of a blank for me.

RL: What kind of student were you?

SH: I was given the working hours, a good student. My strengths were that I understood quickly. And I was an average writer. I've become a better writer. And I could see inconsistencies in things. My weaknesses as a student was, I have an average memory. I don't remember case names as well as other people do and things like that. I didn't think of law school as, I just thought about law school as a place to get my degree. I wasn't a competitive student. I didn't do badly but I was not a top student. But given the amount of, given that most people didn't work in that era. I did I think given my circumstances I did well.

RL: What about reciting in class?

SH: What's the question?

RL: Again, was that daunting for you or were you able to do it and shrug it off?

SH: In most classes it was very mechanical. They would go down the row. So, you knew when your day was coming. So, we stood. But it was never as bad as Paper Chase. Except on ladies' day. It was kind of bad. It could be. I was not that nervous being called on. I didn't mind being called on.

RL: Well I like to find out these things to kind of set the stage for you then as a legal educator.

SH: Oh, I see.

RL: So, thank you for your patience with answering that question.

SH: I don't see much connection between the way I teach and how I was taught. They are like two different worlds.

RL: That's interesting.

SH: Yeah.

RL: That's not true of everybody.

SH: I don't know, there's not a single Professor I could say I teach like him or I teach like her. I didn't learn anything about teaching from Law School. That I can think of. I mean there must be some things but nothing comes to mind.

RL: So, just to ask a broad question, which we will go into in more detail, where do you think your pedagogical learning has come from?

SH: Miss Curran, whom I've mentioned. Peace Corps training, which was cross-cultural training, and which you know a lot of it was learning the language. The whole experience of Peace Corps. A lot of it has to be self-learning on your own a big difference. And surprisingly item number three, I went, I was thinking about becoming a counselor at one point. In the early 80s before I started teaching and I went to National University. And it ain't very academic but they have some very good teachers. We did a lot of stuff like small group learning. Three people who talk first. A lot of fun. Interaction among students. And I learned how to do that at National of all places. That's probably had a big influence on my style in class.

RL: Interesting. So that leads us to the Peace Corps and can you talk about how that came about?

SH: Well, I would describe myself as a Kennedy liberal. I'm not a political radical. I'm a political liberal. By liberal I mean I remain hopeful that there can be structural change in government. That hope has been sorely tested. Remains sorely tested. That's the choice between optimism and pessimism. And sometimes it, I mean if I were in Iraq, I would be pessimistic. I would either kill myself or get out of the country. I could not be an optimist. But I'm always optimistic that starts with changes can take place at some level. So, when Kennedy said ask not what you can get...

RL: Ask not what your country can do for you,

SH: Ask what you can do for your country. That it was, it made sense to me. So, when Hubert Humphrey came up with the idea and Kennedy took it over and it would be score that was just said that that's the thing to do. I have no doubts that's what I wanted to do. So that's the first Peace Corps group started out about the last year when I was in law school. So, I already knew that's what I want to do. I also thought I'm not ready to practice law and I'm 26 years old. I don't have a clue about life. I'm going to be a criminal defense attorney? Knowing what little I know about anything except a semester of criminal law with Pendleton Howard was his name. So, we sent off an application. The two of us we were married at the time already. And they wrote. And I said I'll go anywhere. I have been around the world. We took an around the world trip in 1963 for the summer. And we had gone, among other places to India. And I was overwhelmed by India. So, I wrote, we wrote to the Peace Corps, I'll take any job except I can't go to India and I don't want to be a lawyer for 2 years. So, the Peace Corps wrote back and said we don't have any projects for you in India. I said no. You got it backwards. I don't want to go to India and I don't want to be a lawyer. So, they wrote back and said we don't have any jobs for lawyers. I said never mind, just send me.

RL: Never mind.

SH: So, they sent us. We got this package about Kenya in East Africa. Oh my God what a place to go Kenya. So, we went to Milwaukee Wisconsin in February 1965 in the dead of winter. To practice Swahili and go off to tropical, subtropical Kenya in East Africa. So, we were assigned to an area called Murano, which I'll spell for you later and assigned to the Department of Cooperatives Kenya was attempting to create. The government, they'd only gotten independence two years before. To create a government that was halfway between Western capitalism in Eastern socialism. They decided that they would use co-ops. Do we have any co-ops in the United States? You know what I'm talking about. Where voluntary private cooperative form a business where people raise money together.

RL: Well, I remember people purchasing food.

SH: Yeah, Peoples Co-op. That's what we are talking about. They attempted to create a whole economy. It didn't succeed but it was a noble effort. So are. Oh yeah you asked about where I learned to teach. A whole lot of it, I said Peace Corps. Peace Corps had a huge influence on me. So, I basically became a teacher. And my students were mostly African farmers. Primarily men who were very bright. I always say 130 IQ people with a second-rate education because that's as far as they got to school for all kinds of complicated reasons so they learned quickly. But they

had no background in anything they could just read, and add and subtract. I also found out that they could not pay attention for more than 15 minutes which is where my idea but don't do anything more than 15 minutes. So, we ran classes on everything from Co-op loss, bookkeeping, planning factories. How is coffee sold around the world to African farmers?

RL: How did you know the subject matter?

SH: Well it was pretty basic Co-op laws. I try was one of the group of people who translated them from English to Swahili. So, we had Co-op laws in Swahili and that's what we taught.

RL: Are those sort of like bylaws?

SH: Yeah, bylaws. We taught the bylaws. I used to cut out a little sack that would represent the coffee from their District. Then I would say now here's the whole District this many sacks. This many sacks is one of these big sacks. This big sack is our area. Now in Kenya there's four of these big sacks. They would see their tiny little back down here and these four big bags and they would say oh my God we have to compete against all of Kenya and there is these four huge bags and we are this tiny little bag down here. And I said that's only the beginning. And we'd draw them a road map and draw Brazil and all these bags. And they'd say, we'd say here's your coffee down here and your competition is this whole table. What do we got to do? We've got to grow the best coffee that's what. So, you can get over large concepts if you'd make it visual or tactile and have people handle the sacks and stuff like that. And so that's how we taught. And we had, sometimes we'd talk in classrooms. Sometimes we would teach out, what you picture, in the open-air. It was fascinating.

RL: Did you and Sherry teach together?

SH: We very often did. She did women's groups. The Swahili word for chicken is cuckoo. Tomachuck cuckoo. Co-operative of chickens literally. She did. I did more coffee and stuff like that because that was the run by the men and she did more women of the stuff, although we often worked together. She also started her own bookkeeping course that she did through the mail around the district.

RL: What were the living conditions like?

SH: Good. The British had been there and had left behind stone houses. This is a very long history because this is where the Mau Mau Rebellion took place. We were right in the middle of it. So, would take me an hour to talk about that but basically there are all these stone houses that the British put up with usually running water. Once in a while electricity. But, very comfortable little houses about 500 square feet sort of things wood stove. We got a refrigerator care senior victor to the same years. So, we lived very well even though we're out in the boondocks, out in the countryside. We had a medical doctor assigned to the group. We got good medical care.

RL: What was the size of the group? How many Peace Corps Volunteers?

SH: In our group, which was Kenya two, there were about 40. In the whole country there was about 200, something like that, scattered around the countryside.

RL: And when you were in Wisconsin beforehand, you learned all about the country?

SH: Yeah, they had a half-dozen Kenya teachers. We were basically language teachers for Swahili but they also are there for cross cultural purposes. And then we had people come from University of Wisconsin who taught cross-cultural stuff in African history things like that.

RL: When you worked with the people, did they have leaders or Representatives that you interacted with on a different level?

SH: Not exactly. It's very complicated. They had just gone through a civil war. So, the society was in disarray. It has been a brutal war. The British lost. It doesn't the Kikuya lost tens of thousands of people. And that it happened in the early 60s. And we were there in 65 so it happened like 5 years ago. There were still people in the hills who were MauMaus, who hadn't left, so called MauMaus. Actually, MauMaus was a British invention. The Kenyons never used such a term. It was like the insurgency in Iraq. And you go there to Iraq and you look for the insurgents and you find out they don't even use that sort of language. So, our contact would be people who were seen as Leaders among the farmers and in the community. But they had become leaders through an informal process of respect. Was that what you're asking me about?

RL: Yeah, I'm interested in what the social structure was like that you were brought into.

SH: The social structure of the area, what we say in English, goes by a hillside. The Kikuyu area is hilly. Professor Hartwell is moving his hand up and down to indicate a series of hills.

RL: Thank you.

SH: And each hill has got a stream down at the bottom. The hills come out like fingers. So, each finger is a typically a related community. And if you go very many fingers over the lineage starts to change. If you go 20 miles in Kikuya land they can't understand each other. The language has literally a different name, among people who keep track of stuff like that.

RL: So, it's not really a dialect. It's more like China where there are, there are really different languages.

SH: No. They are dialects. But they are sufficiently isolated that over a couple of generations they finally just start to change independently. So, if you get far enough, if you go hundred miles and it's a different literally a different name and they're called Lulu people rather than Kikuyu people. They are still Kikuyu people that Lulu is indistinct. It is as far apart is French and Spanish. So, anyway in terms of organization they really organized themselves by ridge. Which is geographical. That's because there tends to be isolation between ridges. Isn't that interesting?

RL: It is. And I'm trying to picture then, the let's call them insurgents, are they opposed politically?

CONVERSATIONS IN LEGAL EDUCATION:

ORAL HISTORIES OF THE FIRST HALF-CENTURY OF THE UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

Narrator: Professor Stephen Hartwell

Interviewer: Ruth Levor

Recorder: Ruth Levor

Date: August 31, 2006

Accession No.: OH-LRC-Hartwell-1B

TAPE 1B: SIDE A

RL: So, we're talking about the people in the villages, the farmers, and the like, and you mentioned insurgents still up in the hills and I was asking is there still a political conflict going on?

SH: This is what happened. The Kikuyu in the 40s, and 30s and 40s, 1930s and 40s were had two things. First of all, they are naturally adaptive people giving their culture. The Kikuyu were everywhere running small stores all over Kenya and always have been. They are fixed to adapt. That is part of their culture. That's one. Number two they were in most contact with the Europeans because when the Europeans went to Kenya, they went to the White Islands, what became called the White Islands, and that's Kikuyu land. So, the Kikuyu were surrounded by Europeans or European farms, English mostly. And the British needed farmers to till the land. Pheasants to till the land. So, they introduced what was called in English it would be a head tax. The Kikuyu had to pay a head tax. In order to pay a head tax, you had to work on a farm because that's the only way to get cash. So, there was forced interaction between the Kikuyu and the Brits on the big farms, in the big campus. So, the Africans, the Kikuyu began to pick up British ways, both good and bad. This caused a division among the Kikuyu. Some Kikuyu said we must move into the twentieth century. We must take on British ways. We must learn to speak English. We've got to learn how to read and write. We've got to learn how to drive trucks. We've got to compete with these people. If we can't compete with them, they're going to dominate us. The other half in Kikuyu land said no. Those people are the white Devils. They're going to cause trouble. Let's keep to ourselves. They're trying to Christianize us and make us all Catholics and Baptists. Let's stick to our traditional religions. Let's do things the way we always have. So, there's now a fight, an internal fight, between the Loyalist of the Brits, whom the English liked because they thought of them as being modern, and the traditionalist. That became a civil war. There are always family fights going on, just like in Iraq, between neighbors. And when you lose control of societal power, when the police disappear, if I don't like you and you've insulted my sister, 10 years ago, and I know the police can't get me, I come over and I'll bring your house down. And your brother who finds out about what happens goes and goes after Paul and his family and then Paul finds out and so you have chaos within a civil war starts. The British aligned themselves obviously the people who were Pro future. And they call those the Loyalists they called the others Mau-mau. They weren't Mau-mau, they were traditionalist. British didn't know what to do. So, they put a, literally like an iron curtain, almost literally, put a fence around

Kikuyu land so nobody could get in and out. And they moved all of the loyalists into villages. If you didn't come back home and stay in the village at night you were a Mau-mau, and you can be killed. So, it was a brutal war that went on. And tens of thousands of Kikuyus were killed or missing. The British lost like seventy troops or something. It wasn't anybody. They thought the war was against them. They completely misunderstood what was going on. You have a repetition going on in Algiers with the French. I mean it was the same sort of battle. And although I don't mean to say they're identical, but they're similar patterns going on in Iraq. There is civil strife in Iraq that's been kept under control by Saddam. We come in and remove Saddam. You now have a civil war. You come into Kikuyu land and you put people in villages. The government disappeared and you have a civil war. It's the same, the same, pattern. That's why I use the word insurgents because of that similarity. It's a repeated pattern where Europeans or Americans in this case, completely misunderstand what's going on in the local scene.

RL: So, what then were the circumstances under which the Civil War was considered over?

SH: The British left. When the British left the war ended. The Kikuyus said we've got to get along and the White guys are gone. They did not all leave but they lost their power. They had Jomo Kenyatta who became the president that British had him locked up. Up in Load wire. They released him and he ran for president. And he became a sort of, not as bad as Saddam, he became sort of a relevant benevolent dictator around the country for 15 years. Gave them education. Got school started. Returned to something like middle-class life. Kept an iron hand. Kept the rules down and kept everybody in check. The country it eventually became. We went back in 2000. What an incredible change we saw in 30 years. The country is a mess. It's overpopulated. The roads are falling apart. But it is Democratic. Everybody reads and writes. People do not just vote by tribe anymore. They vote on issues. They know what's going on. They are for water supplies and roads and so we vote for that candidate, even though he's not a Kikuyu. It took them basically 30 years to learn how to run a democracy. It took a generation. It is because the kids all went to school. They learned how to read and write. They come to America and then go to Britain and they get higher education. They go back and they now see themselves, I don't mean everybody, but they see themselves in National terms. Where when we were there, they saw themselves in tribal terms. That takes a generation. I'm moving to Iraq now. For people to see themselves as more than Chilean and Shite, it takes a generation.

RL: At least.

SH: At least. The killing took a generation. Which is amazing.

RL: So, the Peace Corps comes in at this point, potentially another group of white devils.

SH: Yeah, but the war is over and we never got treated that way. Never.

RL: What do you think was their...

SH: They called us Europeans. The European tribe. And we were teachers and that's great. We love teachers.

RL: What do you think was the agenda of the administration?

SH: The American administration?

RL: Uh, huh.

SH: Oh, I did a complicated question.

RL: I know. I mean I know what we all thought it was at the time.

SH: Which was?

RL: And probably the ideas which you went with was one of, of well, I was going to say spreading democracy, but I thought that it was first one of assistance for you.

SH: Yes. It was not supporting democracy. We were never, there was never was a mention that we are going there to spread democracy. Zero. It was not part of the Peace Corps story. That may have been somebody talking but it was not part of the Peace Corps. The Peace Corps was looking for people who wanted to go for good reasons. And good reasons were: I'm interested in travel. I like the culture. I want to learn the language. I'm interested in development. I want to go into the foreign service. They were looking for a lot of practical stuff. Oh, and by the way, I wanted to serve my country. That's good too. People who had only idealistic things remarked involved tears, because when they got there and found out that the Kenyans couldn't care less in a certain sense. And your idealism got knocked out of the deep end. They had trouble. We later found out that our Peace Corps director Batool was a CIA agent. And he was running the Kenya project and was talking to volunteers because the American government thought that the Chinese were going to run a railroad from Mombasa to Zambia, or something like that, and wanted to know what was going on in the countryside and that we were informants for the CIA ideally.

RL: Did you write reports?

SH: No. But we would go into town and go over to Pool's house and talk about what was going on in Kikuyu land. Which was mostly like farm reports. But I mean it was corrupted by the American government.

RL: Do you think that Sergeant Schreiber was in on that?

SH: I can believe that he didn't know. It's possible.

RL: But the Kennedys would have known?

SH: Yes. Duplicity.

RL: We got to face it.

SH: When I found out I was astounded. And it took me awhile to believe it.

RL: When did you find that out?

SH: Years later. From people that we still keep in contact with, who were volunteers. They found out about it. And I believe since checked it out. I believe it. Whether there were CIA in every place it could be a different story. There could be places the CIA didn't care. But they were concerned about Kenya because he was, because of the Chinese influence. One of the old, what was his name, his name was Digna. Double monte they called him. He was very friendly with the Chinese, and he, I think this is correct, I think he'd gone to China for education and all that. So, they...

RL: He was a local leader?

SH: He was a Looyo.

RL: Looyo?

SH: Looyo are the second biggest tribe and they are in conflict and competition with the Kikuyu. The Kikuyu are aligned with the United States.

RL: It's never simple is it?

SH: No.

RL: Do you have a lot of contacts that you still have from those days?

SH: For Peace Corps? Some contact. I email half a dozen of that group from time to time. And we have two really good friends, the Dobermans who live in New York. We vacation with them every year. We first met them in Peace Corps training. Lynn was on the floor killing everybody at Scrabble. Arthur was on the couch reading and I thought what a symbolic meeting that was. She still is a killer at games and he is still on the couch reading. He's a professor at Haustra and they were stationed in Kisi which is 250 miles from us, Ryan Kisi. And we've been in country about a year and we sent them a letter but they never got it. So, they come home from work. They had been at the co-op office doing some something and we are on their front porch in sleeping bags. It's a classic Peace Corps story. We said we want to go to Uganda; you want to go? So, they said if we can get permission. So, they went back to the office and they say we'd like to go to Uganda for a week. So, we um packed our bags or bag. Thumbed a ride went to Uganda. The first night we arrived in. I think it's Kampala. We can't find a place to sleep. We go to the hotel and then hotel is it it's what we call a Gazumbu, that is a European Hotel. And then they want some outrageous sum like \$10 a night that we can't afford. So, we're standing there on the corner Arthur, Lynn, Sherry and myself and it's starting to get dark. Where the hell we could spend the night? So, this Indian Sikh drives by and says you people looking for something or what are you looking for? And he said we're trying to find a place to stay. And he said you want to stay at the Sikh temple? Laughter. We said it sounds good. So, we get over to this Sikh temple and it's dark. And here's the list of people. Arthur Sing, Fred Sing Joe Sing, So Sing, Baba Sing. All of the Sikhs are called Sing. That's their last name. Sherry and I wrote

Sherry Hartwell, Steve Hartwell, Arthur Gilbert, Lynn some sing so sick of seeing such as the same since it seems that just sing. So, they put the four of us in the room and they say no smoking, no drinking. And so, we slept on Sikh beds that night and all night at least while we were awake, we hear this singing in the background. It was an incredible evening. It was pretty. So, we left them some money. Anyway, that's how our weekend started vacationing together. What a start.

RL: So, he is a professor and Lynn...

SH: Lynn does a variety of things. She's basically a writer. She does, she's a foodie. She does food writing and travel writing. And she's also interested in disabilities. And so, she combines the two. She writes for disability magazines and when she goes up places, she always checks in on wheelchair access and that sort of stuff. Arthur is an umm... He was an ethical humanist leader for about 20 years in Westbury New York. And he teaches at Hofstra in the social sciences he has a degree in sociology, I think.

RL: And any of the others I'm kind of interested in what fields they went into.

SH: Barry became a banker. David became a, went back to school to get a PhD in environmental sciences and is a professor of environmental sciences. He is divorced his wife Meredith. She became a science type as well in environment stuff. What's his name guy from, I'm blanking on his name. A bunch of them became teachers. There's a group of 40. There's at least ten of us became university professors. It's a very amazing group.

RL: Are there regular reunions?

SH: No. They had one, which I didn't go to, back in Washington, D.C. Some of them are contacting. There is some who really stay in contact with each other. We showed up on the periphery.

RL: Now what are the circumstances of your being in Bogota?

SH: We left Kenya in 1967 traveled through Europe. Sherri pregnant with Laura, who was conceived in Kenya. Did her pregnancy in Kent in Europe and was born in Washington, D.C. She was on three continents.

RL: And there is some story that you tell. And I can't remember it.

SH: Oh, that's about Melissa, maybe. She was conceived in the Chicken Shack, is that the story?

RL: Yes.

SH: I was doing Peace Corps language training in Escondido for Spanish because I didn't have any Spanish and Sherry came to visit. So, we were at, then stayed at a hotel called The Chicken Shack. And we know that's because of the timing. That's where Elianna was conceived. So, she

was conceived in the Chicken Shack and born in Bogota. So, each child was conceived in one continent and born on another continent. Which was very interesting. So, I got back to Washington, D.C. and I was interested in staying on with the Peace Corps. And I wanted to go to a different continent. I didn't want to go back to Africa. Or which would have been fine but I wanted to do something different. So, I became the desk officer for Peru. And went down to visit Peru and was trying to learn Spanish, meanwhile. And Sherry was a trainer for umm... She did some secretarial training when she was pregnant with Laura. So, once Laura was born, she was pretty much grounded. We were, we didn't have any family around D.C. So, we're in D.C. for a year and then we went from there to Columbia. And we were, I became a regional director which means I had a region. My region was... how do you say it in English? The departamentos. Los departamentos. It's the like a department, but it's like a district or a state.

RL: Oh, okay.

SH: It's called departamentos in Columbia. Which were all rural and very Indianish. And very difficult places to work. The Indians of the mountain areas are basically very depressed. Volunteers who work there have a very difficult time. They were oppressed by the Spanish who were pretty awful. And the Indians who were on the plains were a lot of them wiped out. But it was not good and a lot of them went up to the states. And they went up into the mountains to escape persecution and then they've been and it's cold and it's wet and miserable place to live. So, it was really hard work. Hard work and for them and hard work for the volunteers. And the Peace Corps was, in my opinion, corrupt in Columbia. They didn't mean to be but ...

RL: In a what way?

SH: In a very direct way. For the Peace Corps projects, in my view, were designed to sustain the aristocracy at the expensive of the peasants. They had a label of changing the country. They had a reality of sustaining the country the way it was because the United States wanted Columbia as an ally. And they didn't want Columbia become communist. So, they used the Peace Corps as a means to maintain the status quo. And the status quo is an oligarchy. So, the volunteers who caught on to this sort of stuff said Encoder. Designed to give farms to the peasants has been successful. And never turning a single farm over to single peasant in its existence. It is probably true. We were at a land reform program that reformed no land. So, it was a crisis for me.

RL: I'll bet.

SH: It was very difficult. The volunteers convinced me that the Peace Corps economy was corrupt. Corrupt in the way I described. They were supporting the oligarchy. I had a lot of conflict with my fellow region directors because they didn't think that way. They said you've chosen the work. You volunteered to become a director. You are assigned your work to do. And this is the President of the United States, which at that time was Nixon, supports it and so, I resigned. I was the first and maybe the only Peace Corps Regional director to resign for personal conscientious reasons. And they had no way to handle it because they hadn't had it happen before. It had people go home for sickness and family and all kinds of reasons but they didn't have any conscientious objectors. Which is basically what I was. I said I can't do this. So, they said fine. You can pay your way home. The director quit speaking to me. I didn't go to any more

events. It was really brutal but I had the support of the volunteers. Not all of them, but most of them.

RL: What were they hoping that you could do?

SH: The volunteers? They wanted me to go home. They said if you believe what you say you shouldn't be here. We are individually located. We can do, we have, we have, we don't have ideological commitments. We can do our jobs how we want but you can't. So, I said if you don't send me home, I'll stay and if I stay, I'm going to be a rebel. I can't help it. I'm not going to do what I think's wrong. And I don't know what that's going to be. I have no idea what that's going to be. So, they said we don't want you here. I mean the guy with the directors where the directors are said you are right, you can't stay. We have to have you leave. So, we will make, they called it something, oh, they called it for the benefit of government. They told me you'll never work for the Peace Corps again. You'll never get another government job. Which didn't make a difference to me. But that's how they felt about it. So, anyway we came home. We had been there two years. It was a thirty-month contract. We had been there 24 months. That's how it got back to California.

RL: What was Sherry doing there? Mostly with the kids?

SH: She had two babies. God, you are bringing all this history back. When the kids were like a year old and she could stay out of the house a little bit, she became a teacher. At a pretty good private school that had a kind of an elite attendance, the kids who went there. This was Vietnam era and volunteers, we engaged in a protest march at the embassy. And they told me I could not march. And they told me if I marched, they would like prosecute me. So, I took it literally. I sat on the steps of the embassy with my sign. I said I'm not marching. Sherry marched because she was not an employee. And she carried Melissa on her back in a little carrier and carried the sign. The Columbians had never seen a woman carry a baby and a sign on her back and march. She made every newspaper photograph in Columbia. See the front page. The school directors where she taught saw the picture and said you can't do that. And so, another march was set up like two months later and she went into the school and said I'm going to participate. They said you have to quit. So, she says okay. So, she was fired over it. So, she got fired internally and I got fired externally. I didn't get fired over the Vietnam stuff but that was part of my, what do I want to call it, disconnection from the Peace Corps. I have overall fond memories of the Peace Corp. despite its limitations. I mean despite the albatross around its neck, it did, the volunteers did good work. And they were committed and there were staff who were committed and did good work. I don't mean to lambast the whole thing, but it had its dark side to it. And plenty of experience over all was very difficult for me. I was on an emotional wreck when I got back. Took a couple of months to recuperate.

RL: I can imagine.

SH: I was depressed.

RL: And you came back to San Diego...

SH: San Diego. (Sung)

RL: Because you applied for various legal aid jobs?

SH: Right, and got one in San Diego. And I worked downtown and I helped get the office started out on 28th and Imperial. And then started an office down in San Ysidro. Then I came back to the central office and our director of legal aid, was Phil, what was his last name, Phil somebody. And Phil was an old-style legal aid guy. I mean to say he was not interested in social change. He was interested in Peace Corps as charity. Not Peace Corps. Legal Aid as charity. I mean that was kind of like his stick.

RL: How does charity differ from social change?

SH: In charity you don't look for social change. You help people individually but you don't try to change the system.

RL: I see.

SH: Legal Services means you're trying to make; you are doing impact litigation and trying to change things. Try to organize people and that sort of stuff.

RL: More like an ACLU kind of.

SH: Yeah. Less political more generalized but yes closer to that. If you're on the spectrum it's more on the ACLU side. So, Phil he was a good guy and he wasn't a bad director and I don't mean that. But he hit a drunk driving home one night and it put Phil out of commission. He was a shaky wreck. He felt, I mean he had, he'd killed somebody. He wasn't held at fault. But it just did him in. So, Michael Wise, down the hall, said to me Hartwell, Steven we have to do something about this. Phil's got to go. We've got to get another director because he's just not doing anything. So, Michael and I went down to Phil's office and said how are you doing? I'm not doing too well. So, finally Phil asks me what do you have on your mind? I said what the truth is we want you to leave. We think you are a great guy but you just have lost it. He says you are right, so he quit. So, I became the director. And...

RL: Now what kind of cases was legal aid handling at that time? At your office at least.

SH: Well it's called Poverty Law. It is that kind of law which attends to poverty. Which is anything from AFDC and any kind of social program that is government-sponsored for liking ATCH families with dependent children. Tenants who are being kicked out of apartments. Okay we can't do bankruptcies but protection of people who if that's possible. Consumer things.

RL: Not criminal.

SH: Criminal. Anything that is not criminal. What else comes to mind? Getting credit. School problems. A poor person loses their apartment the kids in trouble so you got to school problems.

Actually, the various clinics in a great and that we have a USD is a very good mirror of what Legal Services.

RL: School integration, special education.

SH: Generally, speaking these problems are not only poor people can't afford to hire lawyers to help them but they're endemic among a poor population. They have more juvenile. We did juvenile dependency hearings. Juvenile but not criminal, not juvenile crimes. We'd stay away from that, because of our funding.

RL: I see. Which came from...

SH: Mostly from the Federal Government. So, I did that for a couple of years and then I found out that I was not designed to be the director of a program.

RL: And why do you say that?

SH: I'm really an academic type I did some good things for Legal Aid. I organized it systemically in the way that it still fits together. There's a vision of working on it. You know I'm prosopagnosia tic, you know that means?

RL: No.

SH: I have a neurological condition. I always tell my class it's not a secret. I cannot, most people automatically remember faces. I have to learn faces. I do not have a neurological device that permits me to recognize people. So, it's an extremely hard for me to deal with people that I don't see every day. If I see somebody and don't see them for a week, I don't recognize them. So, if I go to a meeting, as a legal aid director, and it's filled with people that I've seen once or twice I have no idea who they are.

RL: But you remembered that lady in the orange dress.

SH: Oh yeah. Laughter. Sherry's dress was amazing, that's true.

RL: So that was part of it.

SH: It's part of it. It makes it, it's torture for me to go into a big meeting where I have to, where it is anticipated that I know people. People walk up to me and say hi Steve. I say oh shit, we've met. Then I explain to them listen I'd like to use four minutes now and 4 minutes with you and 4 minutes with you and 4 Minutes and review and explain to each and every person that I can't remember faces. So, I can't do that. So, I listen to the conversation and I look for cues. So, I'll say oh yeah, we've met. Yeah, that's a yeah, here last week. I say okay it's somebody I met here last week. Who did I meet last week? I met a guy, no this is a female, it can't be him. I met a woman and she was the director of the food program. So, how's I would say how's your program going? She says what program? Oops wrong guess. How's your work going? I'm the volunteer. I'm not at work. Oh, I met a volunteer last week, it must be her. So, I go through that

stuff, which is really hard work. I'm having to use limited verbal cues to figure out who somebody is. I have a pretty good memory for that sort of stuff because I've had to. But it's hugely stressful. So, to be a director and meet a lot of people was overwhelming for me. Plus, I'm not a political person. And that job is all about politics. So, I quit. Actually, I started getting depressed again is what happened to me. I am not, I'm not normally a depressed person. But I went to see a counselor, Jack Sanford. And I told my job is driving me crazy and he says why are you doing it? I said I don't know. Why don't you quit? That's the best counselling I got.

RL: He went to school for a long time to learn to do that.

SH: He said, if you could what would you do? I'd go back to being an attorney again. And he said could you do that? And I said sure. He says...end of the tape.