UPCOMING EVENTS

**John Hueston, Enron Prosecutor**

4:30 P.M. - 5:30 P.M., February 6  ■  Harriet Stein Mancuso ’73
Amphitheater (G90)


**Grace Kuo, Chung-Cheng University Department of Law**

February 6  ■  277 Myron Taylor Hall

The Clarke Program in East Asian Law and Culture Colloquium Series welcomes Grace Kuo who will present “When Local Family Law Meets Global Trend: An Ethnographic Study of the Foreign Spouses and the Intimate Citizenship Regulations in Taiwan.” Lunch will be served.

**Exemplary Public Service Awards and Celebration**

7:00 P.M. - 9:00 P.M., February 8  ■  Cornell Club, 6 E 44th St., NYC

A celebration recognizing the exceptional public service contributions of six outstanding Cornell Law alumni and eight current Cornell Law School students. The event is free. RSVP by February 5 to alumni@lawschool.cornell.edu or call 607-255-5251.

**Human Rights in the United States Since 9/11**

12:15 P.M. - 1:30 P.M., February 12  ■  Harriet Stein Mancuso ’73
Amphitheater (G90)

A talk titled “The United States and Human Rights: Five Years After,” presented by Harold Koh, dean of Yale Law School, and cosponsored by Cornell Advocates for Human Rights and the Clarke Middle East Speaker Series.
Cynthia Bowman on Heterosexual Cohabitation
8:30-10:00 A.M., February 15  ■  146 Myron Taylor Hall
The Institute for the Social Sciences’ Evolving Family Theme Project Seminar presents “Social Science and Legal Policy: The Case of Heterosexual Cohabitation” by Cynthia Bowman, the Marc & Beth Goldberg Distinguished Visiting Professor of Law at Cornell Law School.

Final Round of the Winter Cup Moot Court Competition
5:00-7:00 P.M., February 17  ■  MacDonald Moot Court Room

“Immigration Policy: Who Belongs?”
4:30-5:30 P.M. Fri. & 9:30 A.M.-5:00 P.M. Sat., February 23-24  ■  Harriet Stein Mancuso ’73 Amphitheater (G90)

Public Interest Fellowship Cabaret and Auction
7:00 P.M. - 12:00 A.M., February 24  ■  Clarion Hotel
This is the major fundraiser for the Law School’s Public Interest Fellowship (PIF) grants (stipends to law students in the form of unpaid public interest or government summer internships). Show off a talent, watch students and professors perform, auction off or bid on lots of cool/funny/useful/useless/weird/delicious/amazing stuff while contributing to a good cause.

Sally Merry on Women’s Human Rights in the Vernacular
3:30-5:00 P.M., March 2  ■  165 McGraw Hall
Sally Merry is a professor of law and anthropology at New York University. She will present “Women’s Human Rights in the Vernacular: Legal Pluralism and Traveling Rights in India, China, and the USA.” This is a Clarke Colloquia event cosponsored with Cornell University Department of Anthropology.

Public Interest Law Career Symposium
12:00-5:30 P.M. Fri. & 11:00 A.M.-2:00 P.M. Sat., March 30-31
A two-day symposium featuring Cornell Law School alumni practicing in a variety of public service law fields. Topics to include civil rights, criminal defense and prosecution, poverty law, government practice, & international law.
**UPCOMING EVENTS**

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**Langfan Moot Court Final Competition**
5:00-7:00 P.M., April 14 ■ MacDonald Moot Court Room

The William and Marion Langfan Family First-year Moot Court Competition is open to first year students at Cornell Law School.

**Annual Clarke Lecture**
4:30-6:00 P.M., April 17 ■ Weiss Faculty Lounge

Annual Clarke Lecture with Zhiyuan Cui of Qinghua University School of Management. Reception will follow in the Berger Atrium.

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**UPCOMING ALUMNI EVENTS**

**Boca Raton Alumni Reception**
6:30-8:00 P.M., February 7 ■ Boca Raton Bridge Hotel, Boca Raton, FL

Reception for Law School’s Boca Raton alumni to meet with Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law, at the Starlight Room in the Boca Raton Bridge Hotel, 999 E Camino Real.

**Alumni Wine Tasting & Reception in Atlanta**
6:00-8:00 P.M., February 23 ■ King & Spalding LLP, Atlanta, GA

Cornell Law School and the Johnson School Club of Atlanta present a wine tasting and reception featuring a presentation by L. Joseph Thomas, the Johnson School’s Associate Dean for Academic Affairs and the Nicholas H. Noyes Professor in Manufacturing and Professor of Operations Management.

**Pre-reunion Happy Hour**
6:00-8:00 P.M., March 14 ■ Cornell Club, 6 E 44th St., New York, NY

Cornell Reunion 2007 pre-reunion happy hour at the Cornell Club.

**Corporate Integrity Continuing Legal Education Program**
6:30-8:30 P.M., March 20 ■ Weill Medical College New York, NY

Cornell Law School and the Cornell Law Association host the Corporate Integrity Continuing Legal Education Program and alumni reception to be held at Weill Medical College in New York City. Speakers include Ron Goldstock ‘66, Cornell Law School adjunct professor; Neil Getnick ’78; Mary Gail Gearns ’85; Marion Bachrach, ’77; and Kathryn Quirk ’79.

**Boston Law Alumni Reception**
5:30-7:30 P.M., April 25 ■ Goodwin Proctor LLP, Boston, MA

Cornell Law School Boston alumni reception with Vice Provost David Wippman. He will speak about “Applying the Laws of War to the War on Terror.”

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New Jersey Annual Alumni Dinner
6:00-9:00 P.M., May 16 ■ Maplewood Country Club, Maplewood, NJ
Cornell Law School New Jersey annual alumni dinner will be held at the Maplewood Country Club, 18 Baker Street, Maplewood, New Jersey. The featured speaker will be Justice Barry T. Albin ’76, of the New Jersey Supreme Court.

Reunions 2007
June 7-9 ■ Ithaca, NY

For a complete and up-to-date list of Cornell Law School alumni events, please visit our Web site, www.lawschool.cornell.edu. If you are interested in hosting an event in your area, please contact the Office of Alumni Affairs and Development at 607-255-5251.

FACULTY PUBLICATIONS

Looking Deathworthy: Perceived Stereotypicality of Black Defendants Predicts Capital-Sentencing Outcomes


by Sheri Lynn Johnson, Cornell Law School; Jennifer L. Eberhardt, Stanford University; Paul G. Davies, University Of California, Los Angeles Department Of Psychology; and Valerie J. Purdie-Vaughns, Yale University, Department Of Psychology

ABSTRACT: In this study, we examine whether the likelihood of being sentenced to death is influenced by the degree to which a Black defendant is perceived to have a stereotypically Black appearance. Controlling for a wide array of factors, we found that in cases involving a White victim, the more stereotypically Black a defendant is perceived to be, the more likely that person is to be sentenced to death.
Forty Years of Codification of Estates and Trusts Law: Lessons for The Next Generation


by **Gregory S. Alexander**, Cornell Law School and **Mary Louise Fellows**, University of Minnesota School of Law

**ABSTRACT:** In this paper we first argue that uniform law proposals that ask courts and practitioners to abandon revered legal traditions and ways of thinking about estates and trusts face resistance until, in time, the glories of the past and the risks of a new legal regime fade in importance in legal thought. Second, we argue that, the glories of the past and the risks of a new legal regime fade fastest when a uniform law proposal limits the effect of intent-defeating rules.

“Constitutional Avoidance in the Executive Branch”


by **Trevor W. Morrison**

**ABSTRACT:** When executive actors interpret statutes, the prevailing assumption is that the actors can and should use the tools that courts use. Is that assumption sound? This article takes up the question by considering a rule frequently invoked by the courts—the canon of constitutional avoidance.

“Discounting on Stilts”


by **Douglas A. Kysar**

**ABSTRACT:** This paper provides a critical overview of several articles presented at the Intergenerational Discounting and Intergenerational Equity Conference held at the University of Chicago Law School on April 27–28, 2006.

“The Political Economy of Education Federalism”


by **Michael Heise**

**ABSTRACT:** The No Child Left Behind Act represents the federal government’s most significant foray into the nation’s elementary and secondary public school policy-making terrain.


by **Douglas A. Kysar** and **Thomas Owen McGarity**

**ABSTRACT:** This article highlights the hazards of hindsight analysis of the causes of catastrophic events, focusing on theories of why the New Orleans levees failed during Hurricane Katrina in 2005 and, particularly, on the theory that the levee failures were “caused” by a 1977 National Environmental Policy Act (NEPA) lawsuit. This theory resulted in a temporary injunction against the U.S. Army Corps of Engineers’ hurricane protection project for New Orleans.

“What Kinds of Stock Ownership Plans Should There Be? Of ESOPs, Other SOPs, and ‘Ownership Societies.’”

_Cornell Law Review_, Forthcoming

by **Robert C. Hockett**

**ABSTRACT:** Present-day advocates of an American ownership society (OS) do not seem to have noticed the means already employed to become an OS, with regard to homes and human capital (higher education). Nor do the advocates appear to have considered whether these same means—which amount to publicly enhanced private credit markets—might be employed to spread shares in business firms, with a view to completing our OS. This article, the third in a series, seeks tentatively to fill that gap.


by **Robert C. Hockett**

**ABSTRACT:** This article, the second in a trilogy, interprets American ownership-spreading programs, past and present, under the aspect of a comprehensive theory of “the American ownership society” (OS) developed in its predecessor article, titled “Whose Ownership? Which Society?” The second article identifies what appears to be a significant gap in our efforts to become a comprehensive OS, thus far.

Review Essay: “The Limits of Their World”


by **Robert C. Hockett**

**ABSTRACT:** I take a recent monograph on international law, Jack Goldsmith & Eric Posner’s “Limits of International Law,” as a case study in a more general inquiry into the limitations of rational choice and game theoretic accounts of international law.
“Three (Potential) Pillars of Transnational Economic Justice: The Bretton Woods Institutions as Guarantors of Global Equal Treatment and Market Completion”


by **Robert C. Hockett**

**ABSTRACT:** This essay first lays out an institutionally enriched account of what a just world economic order would look like. The essay then suggests how, with minimal if any departure from familiar canons of traditional international legal mandate interpretation, each of the Bretton Woods institutions—particularly the General Agreement on Tariff and Trade, administered by the World Trade Organization, and the International Monetary Fund—can be viewed, at least in part, as charged with the task of fostering equal treatment and ultimate market completion within one of those realms.

“From ‘Mission-Creep’ to Gestalt Switch: Justice, Finance, the IFIS, and Globalization Intended Beneficiaries”


by **Robert C. Hockett**

**ABSTRACT:** This essay suggests means by which the international financial institutions (IFIs)—the International Bank for Reconstruction and Development and the International Monetary Fund, in particular—and indeed “globalization,” more generally, might be rendered more friendly to humanity.

“Whose Ownership? Which Society?”

*Cardozo Law Review*, Vol. 27 (2005), pp. 1–103

by **Robert C. Hockett**

**ABSTRACT:** This article seeks to bring theoretic and programmatic coherence to the idea of an American ownership society (OS), in hopes of generating an enduring and endurable version of it.

“From Macro to Micro to ‘Mission-Creep’: Defending the IMF’s Emerging Concern with the Infrastructural Prerequisites to Global Financial Stability”


by **Robert C. Hockett**

**ABSTRACT:** Charges that the IMF has been engaging in “mission creep,” gradually taking on a growing number of activities that exceed its constitutive mandate, have grown both in vehemence and in frequency since the late 1990s. In this article, I argue that, whatever the substantive merits of its actions, the IMF’s developing attention to the structural determinants of global financial stability is not ultra vires.
“Economic Emergency and the Rule of Law”
DePaul Law Review, 2007
by Bernadette A. Meyler

ABSTRACT: Academic work extolling the merits of the “rule of law,” both domestically and internationally, abounds today. Yet the meanings of the phrase itself seem to proliferate. Two of the most prominent contexts in which rule of law rhetoric appears are those of economic development and states of emergency.

Book Review: “The Myth of Law and Literature”
Legal Ethics (Winter 2005), Hart Publishing
by Bernadette A. Meyler

ABSTRACT: In The Myth of Moral Justice, Thane Rosenbaum generates an ambitious and idealistic plan for a rapprochement between law and morality, between emotion and reason, and between law and its literary representations.

“Restoring the Right Constitution?”
by Eduardo M. Peñalver

ABSTRACT: This essay suggests means by which the international financial institutions (IFIs)—the International Bank for Reconstruction and Development and the International Monetary Fund, in particular—and indeed “globalization,” more generally, might be rendered more friendly to humanity.

FOR MORE INFORMATION

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General comments may be sent to Kathleen E. Rourke, editor.