



SPECIAL FEATURE:

International Legal Studies

PART 2

FORUM

CORNELL
LAW



Cornell University
Law School

Lawyers in the Best Sense

Spring 2012

Beyond Borders:
International Programs and
Faculty Scholarship

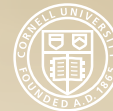
Funding Global Law Education

Jack G. Clarke: A Passion
for International Law

Breaking Ground:
The Expansion and Renovation
of Myron Taylor Hall

Cornell Law School... at your fingertips

lawschool.cornell.edu



Cornell University
Law School

Lawyers in the Best Sense



Our website will keep you current on news and events at the Law School while you read about the students, faculty, and alumni who exemplify A.D. White's founding vision of *Lawyers in the Best Sense*.

To have news delivered straight to your inbox, subscribe to our monthly eNewsletter. Email your request to law-communications@cornell.edu

And, join the conversation on Facebook, Twitter, LinkedIn, or Google+:



[Facebook.com/CornellLawSchool](https://www.facebook.com/CornellLawSchool)
[Facebook.com/CornellLawSchoolAlumni](https://www.facebook.com/CornellLawSchoolAlumni)



[Twitter.com/CornellLaw](https://twitter.com/CornellLaw)



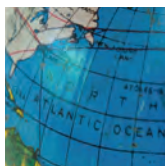
[LinkedIn.com/groups/Cornell-Law-School-1984813?home=&gid=1984813&trk=anet_ug_hm](https://www.linkedin.com/groups/Cornell-Law-School-1984813?home=&gid=1984813&trk=anet_ug_hm)



[Plus.Google.com/u/0/b/106629571553461196997/106629571553461196997/posts](https://plus.google.com/u/0/b/106629571553461196997/106629571553461196997/posts)

FORUM

Spring 2012
Volume 38, No. 1



COVER:
Image Source

CORRECTION:

In the fall 2011 issue (Volume 37, No.2) of the *Cornell Law Forum* in the story "The Tale of Two Eric's" we incorrectly printed Eric Pelofsky's current title. He is a senior advisor to U.S. Ambassador to the U.N. Susan E. Rice on the Arab Spring, Iran, and Afghanistan/Pakistan issues, after serving more than six years in the State Department's legal office and nearly two years at the Senate Intelligence Committee.

A Note from the Dean..... 2

Beyond Borders: International Programs and Scholarship..... 4

by KENNETH BERKOWITZ

How to Fund Global Law Education and Why it Matters..... 16

by LINDA BRANDT MYERS

Jack G. Clarke: A Passion for International Law..... 19

by LINDA BRANDT MYERS

Breaking Ground: Myron Taylor Hall Grows with Law School's Bustling Population..... 22

by OWEN LUBOZYNSKI

Profiles..... 24

Sang-Hyun Song, J.S.D.'70..... 24

Yiwei Chang, J.D.'86/J.S.D.'90..... 25

Marjorie Mpundu, LL.M.'05..... 27

Bai Tao '88..... 28

Briefs..... 30

Barceló Inducted into France's Legion of Honor..... 30

Clarke Program Turns Ten..... 32

Lynn A. Stout Appointed Distinguished Professor of Corporate and Business Law..... 34

Law Students Help Further Somalia's Political Reform..... 35

New International Law/International Relations Colloquium..... 39

Melissa Gallo '12 Named First Rhodes Public Interest Law Fellow..... 43

Cornell Hosts Conference on Middle East Water Scarcity..... 46

Experts Weigh in on the Dodd-Frank Act and Regulatory Reform..... 51

Second Annual Women and Justice Conference..... 52

Alison Nathan '00 Named to U.S. District Court..... 62

Steven Koh '08 Appointed to United Nations War Crimes Tribunal..... 62

Faculty Notes..... 64

Alumni..... 76

"Cornell Now - 2015" Redefines Priorities, Expands Goals..... 76

Doris R. Arthur and Walter W. Arthur '55 Endow Scholarship..... 76

Eight Sworn into the United States Supreme Court Bar..... 82



We are teaching future lawyers for a career that spans a lifetime, and we take great care in that responsibility. We wish our class of 2012 well on their journey and we welcome you to a very distinguished group of alumni.

Dear Alumni and Friends:

As the class of 2012 graduates, my thoughts turn to their professional futures as well as the job prospects of our current and incoming students. The past few years have been rough for college graduates, and law students nationwide have also had their share of challenges in finding employment after graduation. That said, Cornell Law School remains strong and is on an upswing. The recovery is slow but steady and our current graduates and students are in increasingly better positions for job placement.

As the spring issue of *Forum* was nearing print, the ABA released employment data on 2010 law school graduates. I am pleased to report that Cornell Law School—with a 96.9 percent overall employment rate—ranked first in New York State and fifth nationwide in job placement. As I stated in the *New York*

Law Journal article that covered the release of these data, an important benefit of attending a top law school is that we offer not only a high-quality legal education, but also a proven reputation, history, and loyal alumni base to provide a launching pad for our graduates that stays strong even during tough economic times.

In the context of a very challenging period, the class of 2010 did well. The class of 2011 faced even greater challenges, because graduates with deferred job offers from the prior two years were just joining the large firms, shrinking the number of available new positions. The preliminary numbers for 2011 will show an overall employment rate of 92 percent. That is still very high and compares favorably with any law school in the country, but there is softness within those numbers as we track and mentor graduates without full-time paid legal work.

The class of 2012 will have better placement statistics. I am confident that we will continue to compare favorably with other top law schools as we are doing everything we can to ensure that our graduates are in the best position possible for short- and long-run success. I also want to thank our alumni and friends who have hired our graduates and served as mentors. You are exemplars of lawyers in the best sense.

This issue of *Cornell Law Forum* is the second of a two-part series on international studies. How does one encapsulate all that we do in international and comparative law? The subject is a cornerstone of the Law School. The iconic image of the school, the Peace Tower given to us by **Myron Taylor**, is a constant reminder of our mandate. The foundation that **Rudolf Schlesinger** laid in comparative law established our commitment to teach and study international and comparative law as a core part of the school's mission. Today, our faculty knowledge and collaborations run deep through cultures, governments, and institutions far and wide. We are building a broad legal and scholarly framework that can influence change on a global scale. This issue of *Forum* explores how we are making change happen



and what we need to do to build on this momentum.

As we continue to expand our reach throughout the globe, we need a strong foundation here in Ithaca that accommodates the cosmopolitan culture we have created and continue to grow. This year marks an historic milestone. We are breaking ground this summer on the first expansion and renovation of Myron Taylor Hall in twenty-five years. In this issue, you will get a sneak peek at phase one renderings of the new wing (see p. 22).

I often reflect on the quote by **Roscoe Pound** etched in the wall of our MacDonald Moot Court Room, "The law must be stable and yet it cannot stand still." The same is true of our Law School in its curriculum, scholarly endeavors, and physical space. While connected to our history, our Law School must reflect the twenty-first century. That future is transparent, accessible, and adaptable to changing times. More than ever, we must emphasize the accessibility of the law, and the relation between law and



culture in an increasingly diverse world. Our physical space must reflect these ideals. It can also foster these ideals, and I'm confident that we have a design that meets our many practical needs while addressing these grand aspirations.

Finally, I would like to take this opportunity to highlight the achievement of a few faculty members and welcome a new professor. The timing for a *Forum* issue dedicated to international studies was auspicious. **Jack Barceló**, the current patriarch of our international programs, was inducted into France's Legion of Honor in early April in a ceremony at Myron Taylor



Hall attended by the French ambassador to the United States, **François Delattre** (see p. 30). The Clarke Program in East Asian Law and Culture, directed by **Annelise Riles**, celebrated its tenth anniversary in March and officially launched its transpacific think tank, *Meridian 180* (see p. 32). In February, **Muna Ndulo** received the New York Africana Studies Association's 2012 Distinguished Africanist Award for his scholarly work and contributions to Africana studies (see p. 36).

I also want to welcome **Lynn Stout** as the Distinguished Professor of Corporate and Business Law, the first endowed professorship in the Clarke Business Law Institute (see p. 34). Professor Stout is internationally recognized as a leading corporate law scholar and public intellectual,

as well as an outstanding teacher.

We have many outstanding teachers here whose scholarship you will read about in this issue. Great teachers, who can share their intellect and inspire their students to greatness in the law, are the foundation of our mission. We are educating students for a lifetime of learning and service in the law, and we take great care in that responsibility. We wish our class of 2012 well on their journey as they join a distinguished group of alumni.

Happy reading!

Stewart J. Schwab

Allan R. Tessler Dean and Professor of Law
dean@lawschool.cornell.edu

Beyond Borders: International Programs and Scholarship

by KENNETH BERKOWITZ ■ ILLUSTRATION by ERIC HANSON ■ PHOTOGRAPHY by ROBERT BARKER



With the foresight to see a growing need for international lawyers at the end of World War II, diplomat and industrialist **Myron Taylor** helped Cornell found an international legal studies program that would link the Law School to the rest of the world. Half a century later, with the collapse of the Soviet Union and the upheaval that followed, the program re-envisioned its global role, experiencing what **John J. Barceló**, the William Nelson Cromwell Professor of International and Comparative Law, calls “a second founding.”

The Berger International Legal Studies Program, established in 1992, allowed the Law School to greatly expand its approach, which has broadened steadily in the twenty years since. In fulfilling Cornell’s commitment to academic excellence, six internationally respected scholars have taken charge of international and comparative law in both theory and practice, balancing their own scholarly research with the work of the programs they’ve created and nurtured: Barceló, the Elizabeth and Arthur Reich Director of the Berger Program and principal architect of Cornell’s international efforts; **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies, professor of anthropology, and director of the Clarke Program in East Asian Law and Culture; **Muna B. Ndulo**, professor of law and director of the interdisciplinary Institute for African Development; **Chantal Thomas**, professor of law, who leads the Clarke Initiative for Law and Development in the Middle East and North Africa; **Sital Kalantry**, associate clinical professor of law, cofounder and faculty director of the Avon Global Center for Women and Justice, and director of the International Human Rights Clinic; and **Mitchel Lasser**, the Jack G. Clarke Professor of Law, who oversees graduate studies and codirects the Cornell Summer Institute of International and Comparative Law in Paris.

“From the very beginning, we didn’t want comparative law to merely be a theoretical subject of interest to a few people,” says Barceló. “We wanted it to be central to Cornell Law’s scholarly work and treated it as an essential part of our lives and our

students’ lives. We’re fortunate that the Law School’s benefactors saw these changes coming a long time ago and had the courage to be in the forefront of developing new programs.

“Now, at a time of economic integration, of globalization, lawyers need to operate in a world with more than two hundred nation states and more than two hundred legal systems, any number of which can come into play on any particular transaction,” he continues. “These six programs, which are Cornell’s response to the transformation we’ve witnessed since the end of the Cold War, represent an international focus that fits the world we live in today.”





Robert Pohlus, LL.M. '12, from Munich, Germany will be joining the law firm Paul, Weiss, Rifkind, Wharton & Garrison in New York this September as an associate with the corporate department.



The Berger International Legal Studies Program

JOHN J. BARCELÓ, the William Nelson Cromwell Professor of International and Comparative Law

Back in 1974, five years after joining the Cornell Law faculty as an assistant professor, Jack Barceló assumed responsibilities for designing a program in international and comparative law. Thirty-eight years and countless changes later, he remains the program's greatest constant, a world-renowned expert on international trade, arbitration, and business law with a deep commitment to training lawyers in the global sense.

When Barceló began, there were no Cornell Law programs for study abroad. Then in 1994, with the support of the Berger Program, he founded the summer institute, a collaboration between Cornell and the Sorbonne Law School that remains the model for transnational legal education. There are now dual degree programs between Cornell and Université Paris 1 Panthéon-Sorbonne, Humboldt-Universität zu Berlin, Institut d'Études Politiques de Paris, and Shanghai Jiao Tong University; and as the summer institute approaches its twentieth anniversary, it has been joined by partnerships with universities in Amsterdam, Barcelona, Beijing, Berlin, Budapest, Cairo, Cape Town, Gent, Hamburg, Heidelberg, Hong Kong, Lisbon, London, New Delhi, Oslo, Santiago, Shanghai, Sydney, Tel Aviv, Tokyo, and Turin.

"All these exchange programs grew out of the summer institute, which is still going extremely well," says Barceló, who was recently inducted into the Legion of Honor, the highest recognition France gives to noncitizens, for founding and codirecting the institute (see p. 30). "In recent summers, we've enrolled between ninety and one hundred students, including some from Cornell, but most from the rest of the world. They attend classes together, focusing on comparative law, and approach their courses with differing backgrounds in language, law, culture, and education, which creates a very dynamic, vibrant learning experience."

Here in Ithaca, the Berger Program offers an extensive agenda of international speakers; an ongoing series of scholarly conferences; several international moot court teams that compete successfully around the world; a transactional lawyering competition that allows students to practice mock negotiations; the nonprofit Cornell Advocates for Human Rights, which builds relationships with NGOs to supply students with pro bono research and advocacy opportunities; the J.D./LL.M. dual degree in International and Comparative Law and the Berger International Legal Studies Specialization,

each of which offers a specialized degree for international private practice, international business, or government service; the Post-Graduate Fellowship for International Judicial Service, which provides funding for recent graduates to serve in clerkships and visiting-professional appointments at foreign courts; the Briggs Society of International Law, which sponsors events that bring J.D. and LL.M. students together throughout the year; and the student-run *International Law Journal*, one of the oldest and most prominent journals of its kind, which publishes writing by legal scholars, practitioners, and students, and has been advised by Barceló since 1990.

"Some institutes are solely focused on scholarship and research, and though that's an important aspect of the Berger Program, which has a long series of conferences, symposia, and publications to its credit, we've always had a significant orientation toward education in the traditional sense," says Barceló, whose *International Commercial Arbitration: A Transnational Perspective*, being published in 2012 in its fifth edition (with co-author Tibor Varady), remains the standard text on the subject. "That's meant bringing the world here to Cornell, including leading figures in government, practice, and academia, to create an exchange of ideas, as well as sending Cornell faculty and students out to the rest of the world. Looking back, that's really what I've spent my career doing."

"That's meant bringing the world here to Cornell...to create an exchange of ideas..."





The Clarke Program in East Asian Law and Culture

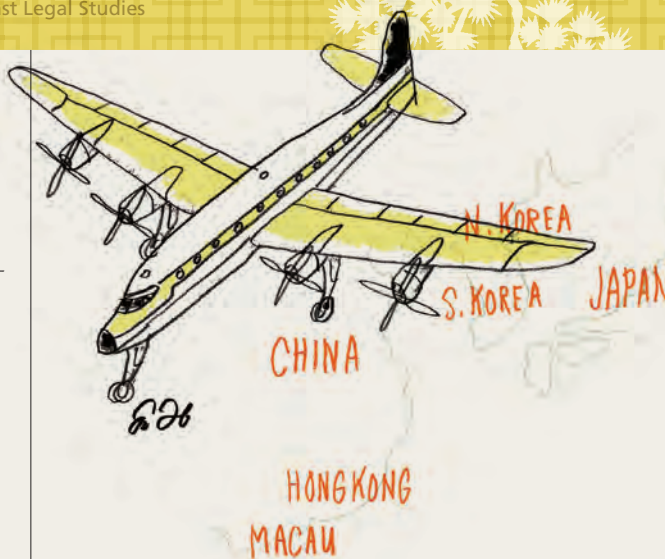
ANNELISE RILES, the Jack G. Clarke Professor
of Far East Legal Studies

By the time Annelise Riles arrived at Cornell in 2002, she had already pioneered the field of cultural law, combining legal studies with anthropologic field work in a study of transnational institutions operating in Fiji. With a J.D. from Harvard Law School and a Ph.D. in social anthropology from the University of Cambridge, she'd spent six years teaching at Northwestern University School of Law and Yale Law School, and published *The Network Inside Out*, which won the best book prize from the American Society of International Law for reconceiving the possibilities of comparative law.

Her first task in Ithaca: **develop the Clarke Program** in East Asian Law and Culture. "When this program was founded, we had two main goals," says Riles, who continues to teach courses in both the Law School and Cornell's College of Arts and Sciences' anthropology department. "One was to dramatically deepen and broaden the understanding of Asian law and Asian legal systems—not just to teach students about Asia, but to change the way Asian legal systems are understood in the United States. The other goal was to bring the Law School into a richer, deeper conversation with the rest of the university. From the very beginning, we've had many, many experts on Asia giving talks here in Ithaca, coming to conferences, and helping create this intellectual project that ties us closer to the Cornell community."

For most of its first ten years, that's exactly what the Clarke Program has done, using lectures, colloquia, and scholarly exchanges to foster collaborations across disciplines and cultures, both inside and outside Cornell; in the most recent example, Riles partnered with the Cornell East Asia Program

"In the past, we imagined that our constituency was primarily here at Cornell," says Riles. "But in thinking about what we'd like to accomplish over the next ten years, we decided to reach beyond Ithaca, beyond the United States, to stage a conversation among intellectuals, lawyers, policy makers, and government officials around the Pacific Rim."



and the Einaudi Center for International Studies to organize a conference on global responses to Japan's 2011 earthquake, tsunami, and financial crisis.

Now, having recently celebrated its tenth anniversary, the Clarke Program has launched its most ambitious project to date (see p. 32). With Meridian 180, Riles has developed a new paradigm for generating real-time solutions to the twenty-first century's transnational challenges, creating an online, multilingual, transpacific community of thinkers who share a belief in affecting change through dialogue.

"In the past, we imagined that our constituency was primarily here at Cornell," says Riles. "But in thinking about what we'd like to accomplish over the next ten years, we decided to reach beyond Ithaca, beyond the United States, to stage a conversation among intellectuals, lawyers, policy makers, and government officials around the Pacific Rim. We're taking a very elite group of thinkers, educating them in the differences across cultures and legal systems, providing translations in Chinese, Japanese, and English to eliminate the misunderstandings that plague encounters across languages, and fostering interdisciplinary conversations that are frank, serious, challenging, and substantive.

"No other law school has ever attempted anything like it," continues Riles. "It's a tremendously important project, a new model, and after a very successful year-long incubation period, our online community is set to expand dramatically."



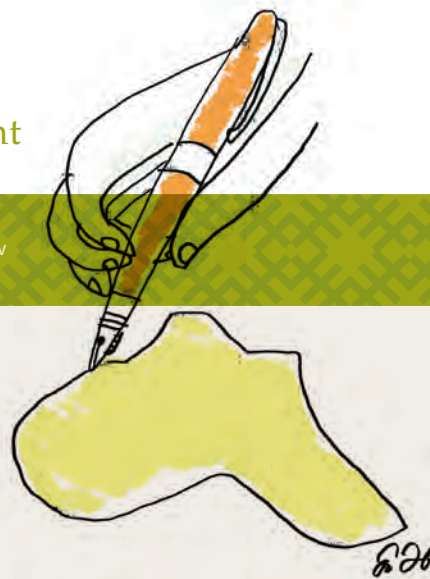
The Institute for African Development

MUNA B. NDULO, Professor of Law

In 2001, when the Institute for African Development needed a new director and a new vision, it looked to Muna Ndulo, who responded by expanding the organization far beyond its original focus on food, hunger, and nutrition, and broadening its approach to include faculty members from all eleven schools and colleges across the university. Ten years later, when Sudan resolved its decades-long civil war, Professor Ndulo was part of a team of consultants engaged by NDI to help in the constitutional making process in that country.

Calling it “an ongoing project of international importance,” Ndulo enlisted the help of two J.D. students (**Kamilka Malwatte ‘11** and **Lilian Balasanian ‘11**) and two L.L.M. students (**Calli Ferreira, LL.M. ‘11** and **Ejemen Ofoman, LL.M. ‘11**), who scoured other constitutions to determine a set of best practices, and ended the semester with a completed draft. “I found their expertise and dedication to the project inspiring,” says Ndulo, who had previously been a consultant to the Kenya and Zimbabwe constitutional processes. “By engaging in this kind of work, our students learn how to structure institutions that can resolve conflicts and disputes, especially the human rights issues that come up in the course of war. It is a multifaceted training that produces lawyers who are sensitive to the needs of the community and the world, with a deep understanding of the importance of serving society.”

Originally from Zambia, Ndulo has a long history of service, both before and after his appointment at IAD, an area program within the Mario Einaudi Center for International Studies. He was a member of the African Union’s High Level Panel on Darfur, Senior Political and Legal Adviser to the Special Representative of the UN Secretary General to South Africa, a legal adviser to the UN Assistance Mission to East Timor, and a legal expert to the UN Assistance Mission to Afghanistan. He has acted as consultant to the African Development Bank and helped the Bank to set up the Africa Legal Support Facility (ALSF), the World Bank, the Economic Commission for Africa, and the International Labor Organization, and continues to serve on the boards of the Southern African Institute for Public Policy and Research, Human Rights Watch (Africa), and the Avon Global Center for Women and Justice.



“...our mandate is to promote cooperation between Africa and Cornell, develop links with African institutions, contribute to policy debates on a wide range of subjects, including law, and promote economic development.”

As an internationally recognized scholar in the fields of constitutional law, governance and institution building, human rights, and investment and trade law, Ndulo has published fourteen books, including 2012’s *The Food and Financial Crises in Sub-Saharan Africa: Origins, Outcomes, and Policy Implications* (co-edited with David Lee), along with eighteen chapters and more than ninety articles in academic journals. Earlier this year, the New York African Studies Association honored him with its 2012 Distinguished Africanist Award for his scholarly achievements.

In the past year, Ndulo and his students have focused on Somalia, contributing legal research and strategies for the transition from war and lawlessness to a constitutional democracy; one paper discussed possible electoral systems, while another explained the necessary steps in creating an electoral commission (see p. 35). “We’ve been feeding into the discussions and outlining issues that people in Somalia should be looking at, and now that they’ve agreed to set up a constitutional assembly, we hope our involvement will continue,” says Ndulo. “This is central to our work at the institute, where our mandate is to promote cooperation between Africa and Cornell, develop links with African institutions, contribute to policy debates on a wide range of subjects, including law, and promote economic development. We want to see an Africa that is progressive, developed, and prosperous.”



The Avon Global Center for Women and Justice

SITAL KALANTRY, Associate Clinical Professor of Law

At a roundtable discussion at the U.S. State Department in March 2008, legal professionals from around the world met to explore ways to end violence against women. As a result of those discussions, Sital Kalantry and **Kim Azzarelli '97** co-founded the Avon Global Center for Women and Justice, which works closely with judges, lawyers, governmental organizations, and NGOs to improve women's access to justice.

The Center for Women and Justice takes into account the perspective of judges in its programming and accepts requests from judges across the globe to conduct pro bono legal research on issues relating to women's access to justice. The Center has studied sexual violence against girls in Zambian schools, researched the barriers faced in New York State courts by survivors of domestic abuse, provided trial advocacy training to lawyers working on cases of human trafficking in Liberia, and reported on acid attacks against women and girls in Bangladesh, Cambodia, and India.

"As a practice-oriented research center based in a university, we are able to delve deeply into problems and design solutions based on our research. Activists in the field often do not have the time or resources to do that," says Professor Kalantry, faculty director of the Center, who has written extensively on acid violence, supervised a wide array of international human rights and immigration law projects, and drafted a training manual on international fair trial standards for court judges in India.

Along with its clinical projects, the Center provides support and research to judges, offering both topical resources and in-depth analysis of particular issues. The Center hosts an online library of legal resources on its website; organizes an annual conference for judges, legal professionals, and advocates; designs training programs for lawyers and judges; investigates and publishes reports on relevant issues; and promotes effective implementation of laws relating to women's access to justice.

"By studying gender violence, we provide a unique opportunity for students to think about the issues behind it, to gain sensitivity to women around the world, and to become passionately engaged in the issues of international human rights," says Kalantry, who also directs the International Human Rights Clinic. "Through the students take an active

role conducting in-depth, legal, factual research, and developing workable solutions based on that work."

For the Center's recent accomplishments, Kalantry points to a conference in New Delhi, which drew more than 200 legal professionals to Jindal Global Law School to talk about "Gender-Based Violence and Justice in South Asia (see p.52)." The Center also participated in the Senior Roundtable for Judges in March 2012; the Justice Ruth Bader Ginsburg Symposium on International Women's Rights, held at the National Association of Women Judges' annual conference in 2011; a roundtable discussion with five Ghanaian women judges that focused on domestic violence and incarceration; and the third annual visit to the Center by an international delegation of women legal professionals, organized through the U.S. Department of State.

"By bringing together judges, policy-makers, activists, and other stakeholders who don't ordinarily talk to one another, we're creating a transborder comparative dialogue that is aimed at identifying and sharing best practices," suggests Kalantry.

"By studying gender violence, we provide a unique opportunity for students to think about the issues behind it, to gain sensitivity to women around the world, and to become passionately engaged in the issues of international human rights."





The Clarke Initiative for Law and Development in the Middle East and North Africa

CHANTAL THOMAS, Professor of Law

In the three years since Chantal Thomas was appointed to lead the Clarke Initiative for Law and Development in the Middle East and North Africa, the world has seen a series of profound social, political, economic, and legal transformations across the region. From North Africa to the Levant, reformers and counter-reformers have struggled to reshape the balance of power. Thomas and the Initiative have raced to keep pace with the changes.

Beginning with a conference on law and development in the fall of 2009, the Initiative has organized a set of interdisciplinary meetings on some of the most challenging issues of the day, from human rights to modernization, post-colonialism, global legal education, and competition

to developing countries around the world, while also being greatly influenced by local and regional dynamics. It's a very rich subject, and one that's been terribly understudied."

Thomas expects both "Labor and Migration" and "Law, Revolution and Reform in the Arab World" to result in published volumes during the 2012–13 academic year, furthering the impact of the conferences and serving the Initiative's twin objectives of educating students and contributing to scholarly and public debates over policy solutions within the region. "The guiding mission of the Clarke Initiative is to contribute in a very broad sense to the advancement of issues relevant to social justice," says Thomas, who is currently pursuing an exchange program at Birzeit University, located

From North Africa to the Levant, reformers and counter-reformers have struggled to reshape the balance of power. Thomas and the Initiative have raced to keep pace with the changes.

for natural resources. This past year saw the Initiative host an international conference on the topic "Water Scarcity and Policy in the Middle East and Mediterranean" (see p. 46); enter into a partnership with the World Bank's Global Forum on Law, Justice, and Development; cosponsor a conference on the topic "Labor and Migration in the Middle East" at the University of Toronto; in partnership with the *International Law Journal*, mark the one-year anniversary of the Arab Spring with a symposium on "Forces Without Borders: Non-State Actors in a Changing Middle East" at the Law School (see p.37); and, following on its Fall 2011 speaker series, host a Spring 2012 scholarly workshop on "Law, Revolution, and Reform in the Arab World."

"This year's conferences represent the fruition of one of the major goals of the Initiative, which is to advance research and scholarship in ways that will have an impact within scholarly discourse," says Thomas, who chaired the Law Department at the American University in Cairo from 2007 to 2008, and whose research focuses on the relationship among international law, political economy, and social justice. "Our vision is to reconsider the region from the perspective of law and development, recognizing that this complex collection of low, medium, and high income states shares many similarities



in the Palestinian territories. "To me, that's at the core of what it means to be a lawyer: always to be aware of your professional responsibility to contribute to the public good. In the case of the Clarke Initiative and the Middle East/ North Africa, that means remaining mindful of the challenges facing this region and helping to develop modes of legal analysis that can positively impact efforts to advance social welfare. The Initiative reflects that commitment."



Graduate Legal Studies

MITCHEL LASSER, the Jack G. Clarke Professor Law

With his first monograph, *Judicial Deliberations: A Comparative Analysis of Judicial Transparency and Legitimacy* (2004), Mitchel Lasser transformed the way scholars think about the European Court of Justice, the French Cour de cassation, and the U.S. Supreme Court. With his second, *Judicial Transformations: The Rights Revolution in the Courts of Europe* (2009), which focused on changes in French law since 2008, he authoritatively bridged the gaps between scholarship on European and domestic law. Taken together, they've been called "the two best books on France in the last twenty years." Lasser's next book project will examine how the European Court of Human Rights' jurisprudence regarding the separation of powers has been transforming the French and UK high courts; but for Lasser, some of his most satisfying work is the opportunity to work with graduate students.

"To me, and to many scholars here at Cornell, there is no greater pleasure than overseeing doctoral research," says Lasser, who directs graduate legal studies, which is administered through the Law School's international program. "The joy of helping graduate students become serious scholars is absolutely irreplaceable, renewing my own commitment to research and reminding me of the scope and ambition we should all have all the time. It inspires me, triggers all kinds of research questions, provokes responses that significantly improve my own writing, and brings a panoramic vision that I wouldn't otherwise have."

In a typical year, the graduate program will welcome between sixty-five and seventy-five new master's students, virtually all of them from abroad, where they've worked as judges, academics, government ministers, human rights workers, or lawyers. Of those students, between one and three will typically continue on to the doctoral program, where Lasser and his faculty colleagues have recently overseen dissertations on property disputes in rural Colombia, human rights organizations in East Asia, judicial institutional reforms in the US and abroad, and a comparison of American and European approaches to healthcare.

"One of the things that's unique about Cornell Law is the way graduate students are integrated into the educational and social life of the entire school, which is not the case at most grad programs around the country," says Lasser. "This program really brings the world to Cornell, which

"Here we are in upstate New York, being challenged by people who have been legally trained in China, Japan, France, Germany, Latin America, or any number of places. That rubs off on all of us, from students to professors."

produces tangible positive effects in a number of ways. First and foremost, the great majority of [our international grad students] will return to their home countries, taking their Cornell education with them, and emphasizing how we think about legal problems.

"Second is the effect it has on all of us by bringing the perspectives of sixty-five to seventy-five jurists who've been trained in a wide range of different legal systems," he continues. "Here we are in upstate New York, being challenged by people who have been legally trained in China, Japan, France, Germany, Latin America, or any number of places. That rubs off on all of us, from students to professors. We may not always agree about what should be done about a given problem, but we tend to share the belief that good lawyering can produce thoughtful policy responses and positive structural changes in political, legal, and social systems worldwide. That optimistic perspective is much of what we export, and that's why we and our students are here together."



International Law and Comparative Law Scholarship

SELECTED RECENT PUBLICATIONS FROM CORNELL LAW FACULTY

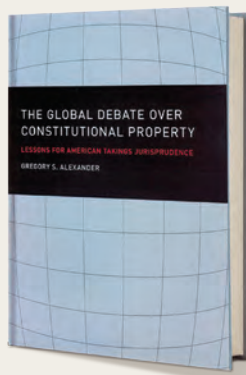
GREGORY S. ALEXANDER

Property and Community.

(Coedited with Eduardo M. Peñalver.)
New York: Oxford University Press, 2010.

The Global Debate over Constitutional Property: Lessons for American Takings Jurisprudence.

Chicago: University of Chicago Press, 2006.



JOHN J. BARCELÓ

The Status of WTO Rules in U.S. Law in Rethinking the World Trading System.

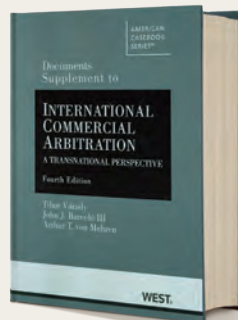
(Coedited with Hugh Corbet.)
Lanham, MD: Lexington Books, forthcoming.

“ECJ Review of Member State Measures for Compliance with Fundamental Rights.”

In *L’Union Européenne: Union de Droit, Union des Droits: Melanges en l’Honneur de Philippe Manin*, edited by Jean-Claude Masclet, Hélène Ruiz Fabri, Chahira Boutayeb, and Stéphane Rodrigues Paris: Pedone, 2010.

International Commercial Arbitration: A Transnational Perspective.

5th ed. (Coauthored with Tibor Várady.)
St. Paul, MN: Thomson/West, 2012.



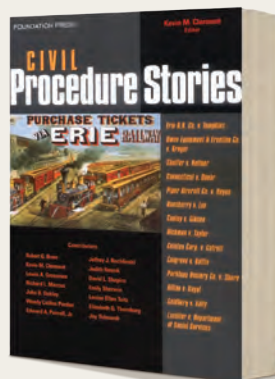
KEVIN M. CLERMONT

“Integrating Transnational Perspectives into Civil Procedure: What Not to Teach.”

Journal of Legal Education 56 (2006): 524–538.

“The Story of Piper: Fracturing the Foundation of Forum Non Conveniens.”

In *Civil Procedure Stories*, 2nd edition, edited by Kevin M. Clermont, 199–231.
New York: Foundation Press, 2008.



“Litigation Realities Redux.”

Notre Dame Law Review 84 (2009): 1919–1974. Adapted from “Litigation Realities Renewed” in *Empirical Studies of Judicial Systems*, edited by Kuo-Chang Huang, 35–104 (Taipei, Taiwan, Republic of China: Institutum Iurisprudentiae, Academia Sinica, 2008).

THEODORE EISENBERG

“Litigation as a Measure of Well-Being.”

(Coauthored with Sital Kalantri and Nick Robinson.) *DePaul Law Review* (forthcoming, 2012).

“Does the Judge Matter? Exploiting Random Assignment on a Court of Last Resort to Assess Judge and Case Selection Effects.”

(Coauthored with Talia Fisher and Issi Rosen-Zvi.) *Journal of Empirical Legal Studies* 9, no. 2 (forthcoming, June 2012): 246–290.

“Actual Versus Perceived Performance of Judges.”

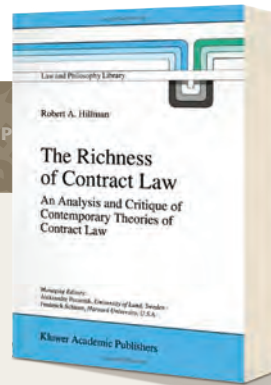
(Coauthored with Talia Fisher and Issi Rosen-Zvi.) *Seattle University Law Review* 35 (2012): 615.

“The Effect of Rules Shifting Supreme Court Jurisdiction from Mandatory to Discretionary—An Empirical Lesson from Taiwan.”

(Coauthored with K.C. Huang.) *International Review of Law and Economics* 32, no. 1 (2012): 3–18.

“Israel’s Supreme Court Appellate Jurisdiction: An Empirical Study.”

Cornell Law Review 96 (2011): 693.



CYNTHIA R. FARINA

"Transparency."

(Coauthored with S. Shapiro and T. Susman.) In *Administrative Law of the European Union: Transparency and Data Protection*, edited by George A. Bermann, Charles H. Koch Jr., and James T. O'Reilly, §§ 1–2. Chicago: ABA Section of Administrative Law and Regulatory Practice, 2008.

VALERIE HANS

"The French Jury at a Crossroads."

(Coauthored with Claire Germain.) *Chicago-Kent Law Review* 86 (2011): 737.

"Japan's New Lay Judge System: Deliberative Democracy in Action?"

(Coauthored with Zachary Corey.) *Asian-Pacific Law and Policy Journal* 12 (2010): 72–94.

ROBERT HILLMAN

"ALI Software Principles: Some Proposals for a Global Licensing Policy."

(Coauthored with Maureen O'Rourke.) In *Research Handbook on Intellectual Property Licensing*, edited by Jacques De Werra. (Edward Elgar, forthcoming 2012).

Modern American Contract Law.

(Coedited with Osamu Kasai.) Japan: Koubundou, 2000.

"Remedies and the CISG: Another Perspective."

International Review of Law and Economics 25 (2005): 411.

The Richness of Contract Law: An Analysis and Critique of Contemporary Theories of Contract Law.

Law and Philosophy Library. Dordrecht, Boston, London: Kluwer Academic Publishers, 1997 hardbound, 1998 paperback. Chinese edition, published by Peking University Press, 2002.

SITAL KALANTRY

"Litigation as a Measure of Well-Being."

(Coauthored with Theodore Eisenberg and Nick Robinson.) *DePaul Law Review* (forthcoming, 2012).

"Enhancing Enforcement of Economic, Social, and Cultural Rights Using Indicators: A Focus on the Right to Education in the ICESCR."

Human Rights Quarterly 32 (2010): 253–310.

"Combating Acid Violence in Bangladesh, India, and Cambodia."

(Coauthored with Jocelyn Getgen Kestenbaum.) *Avon Global Center for Women and Justice Scholarly Papers* (2011).

"Intent-to-Benefit: Individually Enforceable Rights under International Treaties."

Stanford Journal of International Law 44 (2008): 63.

MITCHEL LASSER

"Is the Separation of Powers the Basis for the Legitimacy of an Internationalised Judiciary?"

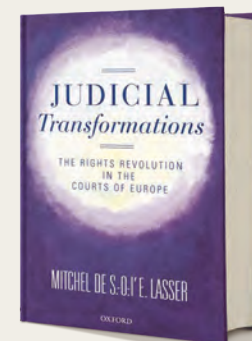
In *Highest Courts and Globalisation*, edited by Sam Muller and Sidney Richards. The Hague: Hague Academic Press, 2010.

Judicial Transformations: The Rights Revolution in the Courts of Europe.

Oxford: Oxford University Press, 2009.

Judicial Deliberations: A Comparative Analysis of Judicial Transparency, Control, Debate, and Legitimacy.

Oxford: Oxford University Press, 2004. Reissued in paperback in 2009.



SELECTED RECENT PUBLICATIONS FROM CORNELL LAW FACULTY

ODETTE LIENAU

"Extending the European Debt Discussion to Broader International Governance."

In *Proceedings of the 105th Annual Meeting of the American Society of International Law*. American Society of International Law, 2012.

"Sovereignty, Legitimacy, and Creditworthiness."

In *Sovereign Debt: From Safety to Default*, edited by Robert W. Kolb. Hoboken, NJ: John Wiley and Sons, 2011.

MUNA B. NDULO

The Food and Financial Crises in Sub-Saharan Africa: Origins, Impacts, and Policy Implications.

(Coedited with David R. Lee.)
Oxfordshire, UK: CABI International, 2012.

"The Prohibition of Unconstitutional Change of Government."

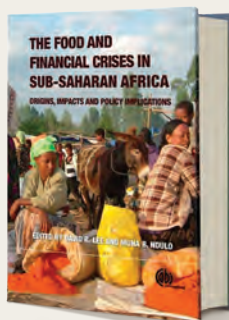
Chapter 12 in *African Union: Legal and Institutional Framework: A Manual on the Pan-African Organization*, edited by Judges Abdulqawi A. Yusuf and Fatsah Ouguergouz. Boston, Lieden: Martinus NijHoff Publishers, 2012.

"United Nations Peacekeeping Operations and Security and Reconstruction."

Akron Law Review 44, no. 3 (2011): 769–807.

"African Customary Law, Customs, and Women's Rights."

Indiana Journal of Global Legal Studies 18 (2011): 87–120.



JENS OHLIN

Targeted Killings: Law and Morality in an Asymmetrical World.

(Coedited with C. Finkelstein and A. Altman.) Oxford: Oxford University Press, 2012.

"Nash Equilibrium and International Law."

Cornell Law Review 96 (2011): 869.

"Joint Intentions to Commit International Crimes."

Chicago Journal of International Law 11 (2011): 693.

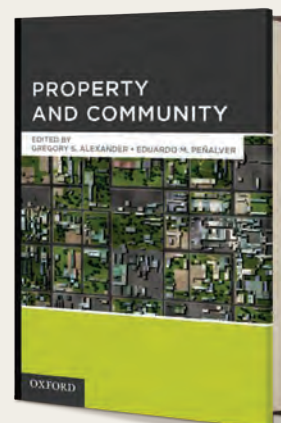
"The Torture Lawyers,"

Harvard International Law Journal 51 (2010): 193.

EDUARDO M. PEÑALVER

Property and Community

(Coedited with Gregory S. Alexander.)
New York: Oxford University Press, 2010.



AZIZ F. RANA

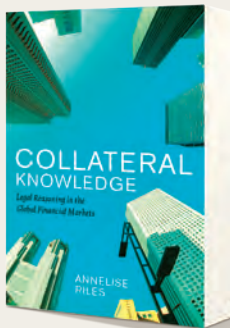
"American Overreach: Strategic Interests and Millennial Ambitions in the Middle East."

(Coauthored with Asli Bali.) *Geopolitics* 15 (2010): 210.

ANNELISE RILES

"From Multiculturalism to Technique: Feminism, Culture, and the Conflict of Laws Style."

(Coauthored with Karen Knop and Ralf Michaels.) *Stanford Law Review* 64 (2012): 589.



Collateral Knowledge: Legal Reasoning in the Global Financial Markets.

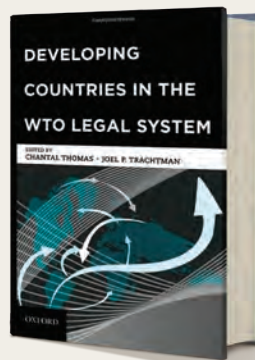
Chicago Series in Law and Society. University of Chicago Press, 2011.

Documents: Artifacts of Modern Knowledge.

Edited by Annelise Riles. Ann Arbor, MI: Michigan University Press, 2006.

The Network Inside Out.

Ann Arbor, MI: University of Michigan Press, 2000.



CHANTAL THOMAS

"The Death of Doha? Forensics of Democratic Governance, Distributive Justice, and Development in the WTO."

In *Global Justice and International Economic Law: Opportunities and Prospects*, edited by Chios Carmody, Frank J. Garcia, and John Linarelli. New York: Cambridge University Press, 2012.

"Law and Neoclassical Economic Development in Theory and Practice: Toward an Institutional Critique of Institutionalism."

Cornell Law Review 96 (2011): 968–1024.

"Migrant Domestic Workers in Cairo: A Case Study of Informality in Legal and Economic Ordering."

American Journal of Comparative Law 58 (2010): 987.

Developing Countries in the WTO Legal System.

(Coedited with Joel P. Trachtman.) New York: Oxford University Press, 2009.

XINGZHONG YU

"Chinese Legal Philosophy in the Post-Global Age: Opportunities and Challenges."

Pacific Journal 19, no. 10 (2011).

"Regulatory and Institutional Framework of Regional Autonomy for Ethnic Minorities in China."

China Law, no. 2 (April 2009): 56–60.

"European Constitution and Its Implications for China."

Legisprudence International Journal for the Study of Legislation 1 (2007): 181–96.

Rule of Law and Civil Orders.

(Fazhi Yu Wenming Zhixu) Beijing: Chinese University of Politics and Law Press, 2006.



How to Fund Global Law Education And Why It Matters

by LINDA BRANDT MYERS ■ PHOTOGRAPHY by ANTHONY-MASTERTSON, DEVONYU AND ROBERT BARKER



The stakes are high and getting higher.

Students must be equipped to live and work in a world whose chief challenges—from coping with climate change to managing the spread of infectious diseases—transcend national boundaries, affirmed Cornell president, **David Skorton**, in a recent white paper to deans and provosts.

Stewart Schwab, the Allan R. Tessler Dean of the Law School, concurs. “Cornell Law School has long had a reputation in international and comparative law,” he asserts. “But while it may sound trite, it’s not untrue: the world’s becoming more global and so is the practice of law, from international corporate clients to international organizations. Top-flight lawyers need to be aware of other legal systems and clients’ needs around the globe.”

Tim Webster ’06, who joins Case Western Reserve’s law faculty in August, comments: “Even if you never leave New York, you’ll have clients from places like China, Canada, Mexico, and the better you understand their legal systems and concerns, the better you’ll be able to talk to them and offer the best legal advice.”

So the need for more and better international legal education is there.



...the world’s becoming more global and so is the practice of law, from international corporate clients to international organizations. Top-flight lawyers need to be aware of other legal systems and clients’ needs around the globe.

— Stewart Schwab



But with the growth of international initiatives outpacing current operating resources at Cornell Law School, where will future funding come from?

“The Law School and university see international programs as a funding priority and we have assumed responsibility for raising at least \$1.5 million, which is fifteen percent of Cornell’s goal for international programs under its ‘Cornell Now - 2015’ campaign,” says **Peter Cronin**, associate dean for alumni affairs and development.

At the Law School, the most significant funding source for international law efforts continues to be generous gifts from far-sighted donors, says Schwab.

A gift from **Leo Berger ’56** and his wife, **Arvilla**, created the Berger International Legal Studies Program in 1992. A gift from **Jack G. Clarke LL.B. ’52** and his wife **Dorothea** established the Clarke Center for International and Comparative Legal Studies in 2001.

Jack Clarke went on to fund the Clarke Program in East Asian Law and Culture, headed by **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies. He also funded the Clarke Initiative for Law and Development in the Middle East and North Africa, headed by Professor **Chantal Thomas**. In addition he made gifts to fund three Clarke professorships, including the first named chair in American legal education on women and the law, held by **Cynthia Bowman**, the Dorothea S. Clarke Professor of Feminist Jurisprudence. Bowman recently organized





Now, we're at an interesting point at which we want to take it to a whole new level. Yes, the school will continue to build and strengthen specific programs. But eventually transnational comparative law may not be viewed as a separate entity. Instead it will become much more a part of the central fabric of legal study. In the past a lot of attention was paid to differences between, say, civil and common law. Now we can go in many more directions and be much more subtle in our study of law and culture.

— Stewart Schwab



the conference, “Women, Sustainable Development, and Food Security/Sovereignty” that attracted participants from around the globe.

Those gifts and other transnational efforts enabled the school to attract and keep top faculty in several international fields, says Schwab, which led to more programs, speakers, visiting scholars, and student and faculty exchanges with universities worldwide, from Hong Kong to Paris to Tel Aviv. “It just developed in a dynamic way. Success led to success. People around the world wanted to come here as we became the place to be.”

Schwab continues, “Now, we’re at an interesting point at which we want to take it to a whole new level. Yes, the school will continue to build and strengthen specific programs,” he says. “But eventually transnational comparative law may not be viewed as a separate entity. Instead it will become much more a part of the central fabric of legal study,” he predicts. “In the past a lot of attention was paid to differences between, say, civil and common law. Now we can go in many more directions and be much more subtle in our study of law and culture.”

Future donors are critical partners in the way that the Law School will be able to move forward, says Schwab. “We want to reach out to more of them. Often these are alumni and friends of Cornell that have built wonderfully successful careers. Cornell helped launch and shape their careers, and they want to give back so that others can have opportunities to constructively shape the increasingly global world we live in.”

A gift from entrepreneurs **Bob Diener ‘82** and **David Litman ‘82**, co-founders of Hotels.com and Getaroom.com, established a faculty and student exchange program with Tel Aviv University’s Buchmann Faculty of Law.

“We thought it would be a great thing to expose Cornell Law students and faculty to Israel,” says Litman. “Israel is an economic powerhouse, especially in areas like software development, and is one of the top four countries in the world for launching high-tech business in the United States.

“The Tel Aviv program has been a huge success,” notes Diener. “We had a great symposium there on empirical legal studies and the Israeli Supreme Court, involving Professor **Ted Eisenberg**, which has led to important publications.”

“My experience at Cornell Law was unforgettable,” says **Ofer Reish**, a Tel Aviv- Buchmann student who studied at the Law School in fall 2010 as part of the student exchange program. “I

improved my legal and intellectual skills in areas from persuasive oral presentations to animal law, and made some great friends.”

“I am so glad I stepped out of my comfort zone and went to Israel because it was an unbelievable experience,” says **Chang Lim ‘11**, who studied at Tel Aviv-Buchmann in spring 2011 and credits it with teaching him the economic theories behind intellectual property rights.

“I think giving our students an international dimension is like adding extra wings that will help them fly higher and farther on their journey,” says **Xingzhong Yu**, a renowned scholar who holds a professorship in Chinese law at the Law School, established by a gift from **Anthony ‘68** and **Lulu Wang**.

“Offering a course in Chinese law at Cornell [he teaches one such course] will prepare [students] to be more competitive in the China market, which is important now that China has become a significant player in the world market,” says Yu. It will help them understand the Chinese legal system better and gain the practical legal skills they’ll need to work with law firms that have practices or projects in China, he adds.

Ryan Delaney, a second-year J.D./LL.M. student in comparative and international law, who has taken Yu’s Chinese law course and enrolled in the Law School’s Paris Summer Institute, comments: “In China, with its emphasis on mediation and arbitration, an American lawyer must be more prepared to interact with ‘lawyers’ in those arenas, and not necessarily with litigators in court. Knowing more about different cultures can help make interactions much smoother and more effective in an increasingly global world.”



I think giving our students an international dimension is like adding extra wings that will help them fly higher and farther on their journey.

— Xingzhong Yu





Almost one hundred people come to the Law School every year from abroad—professors, students, administrators—and they arrive with differences in experience, perspectives, cultures, and personalities that are of great educational value to everybody in the school. That’s a really significant educational opportunity for us, as well as them.

— Mitchell Lasser



Law firms with an interest in expanding the study of international law at premier law schools have emerged as another important funding partner for international programs, says Schwab. One current example: the Tokyo-based international law firm Mori, Hamada, and Matsumoto sponsors faculty exchanges between Cornell Law School and leading Japanese universities. Schwab hopes for more involvement by law firms and businesses.

International students in the Law School’s graduate programs and other visitors from overseas are a tremendous resource for the school’s constituents, says **Mitchell Lasser**, the Jack G. Clarke Professor of Law and comparative law scholar who directs them. “Almost one hundred people come to the Law School every year from abroad—professors, students, administrators—and they arrive with differences in experience, perspectives, cultures, and personalities that are of great educational value to everybody in the school. That’s a really significant educational opportunity for us, as well as them,” Lasser says.

“It’s important for the Law School to be welcoming to them. We need to take full advantage of the richness they bring to the school even as we give them as much as possible to take back with them,” counsels Lasser. “If we are all to be lawyers in the best sense, that matters.”

Reflecting on this reciprocal richness, Schwab points to foundations as another valuable resource for the Law School. Their funding “can offer us an opportunity to do good in the world,” says Schwab. “These groups don’t necessarily have an affiliation with Cornell but might like our vision and see that it matches their goals.” He cites the Avon Global Center for Women and Justice, established by a grant from the Avon Foundation, as an excellent example. The center works to curtail violence against women and girls in India and other countries around the globe by improving their access to justice.

The Center’s efforts led to an affiliation with Jindal Global Law School in New Delhi, which co-hosted the Second Annual Women and Justice Conference in fall 2011 (see p. 52). “This semester Cornell students are doing distance learning with law students at Jindal in a human rights law course co-taught by Professor **Sital Kalantry**, director of the Avon Center,” Schwab notes. Under the direction of Kalantry, students are collaborating with the Rural Governance Clinic of Jindal to teach villagers how to use the tools of legal accountability to claim, and receive, basic human rights. The Leo Nevas Human Rights Fund, endowed by the late **Leo Nevas ’36** and supported by his daughter, **Jo-Ann Nevas Price**, is making this field work, and the advocacy-oriented report the students are writing based on it, possible.

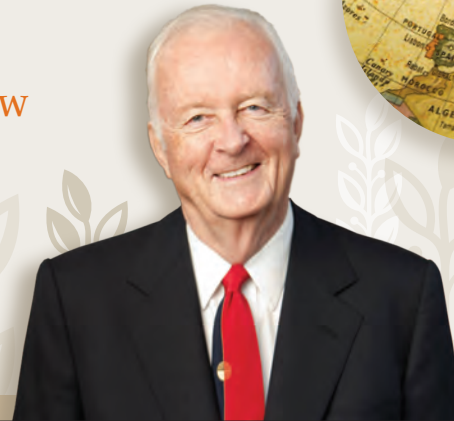
Riles has even higher future ambitions for the role law schools might play globally in the future. “We’re at an exciting moment in international law in which a lot is changing,” she says. “The relative status and stature of various countries is in flux, and old alliances are shifting. But it’s also a dangerous moment because there’s a lot of instability in the world.”

In this shifting environment, she says, American law schools can have a special mission because, “we are able to engage broad thinkers, policymakers, and lawyers and are less bound by constraints” than other players. We are well situated to play a valuable role in conversations about difficult unresolved international law issues—for example, acknowledgement by Japan of its role in using some Korean women as “comfort women” (sex slaves) for Japanese soldiers during World War II. Such a conversation might be able to take place, “in a procedurally regulated way, at a law school,” she suggests.

Should such ambitious goals become reality, it is imperative that needed funds be there, says Schwab. Only with continuing support can the Law School persevere in doing its part to make the world a better place. ■

JACK G. CLARKE: A PASSION FOR INTERNATIONAL LAW

"I've always been interested in international affairs," says Jack Clarke, LL.B. '52, whose exceptional gifts to the Law School have funded the bulk of its international programs.



An early gift, made with his wife, **Dorothea**, endowed a scholarship honoring his most influential professor, the late **Rudolf Schlesinger**, whom scholars credit with inventing the field of comparative law in the 1950s. "He stimulated and excited his students," recalls Clarke, who went on to earn an advanced degree in international law studies at Harvard and rose to become general counsel, then senior vice president and member of the management committee and board of directors at Exxon.

Clarke's gifts have also created great excitement. When he and his wife funded the Center for International and Comparative Legal Studies in 2001, they "demonstrated their extraordinary generosity and great wisdom about the centrality of international law," wrote Dean Emeritus **Russell Osgood**.

Other Clarke centers and initiatives (notably, East Asian Law and Culture, and Law and Development in the Middle East and North Africa) and the scholars who lead them have launched

important conversations about the changing forms of law in different parts of the globe and the impact they are having.

"Jack makes people feel that they have a purpose and can do good in the world—a rare gift," says **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies and director of the Clarke Program in East Asian Law and Culture. "He travels a great deal, often with our faculty and Dean Schwab, to places like China, East Asia, and the Middle East," reports Riles. "He sees his role as encouraging us, with the gentlest of touches, to become more global in our outlook, to get a broader picture of the world today, and to think of Cornell's mission of outreach in light of what we're seeing.

"Not only has he supported the Clarke Program financially but he's the spirit behind it," Riles says. "He'll ask a quiet question that gets me thinking and eventually profoundly reshapes things. After a conference we'd

organized in Hong Kong, he told me: 'The discussions are so fascinating and the people you bring together so important, it's a shame you don't reach a broader audience.'" That led to plans for the newly launched Meridian 180, an online, transpacific, multilingual community of thinkers, scholars, and problem solvers, Riles says [see p. 33].

"Jack Clarke's generosity has been an enormous boost to our international programs," says **Jack Barceló**, the William Nelson Cromwell Professor of International and Comparative Law and Elizabeth and Arthur Reich Director of the Berger International Legal Studies Program. "He also is extremely intellectually gifted and curious—so interesting to talk to, and so interested in ideas."

Barceló recalls Clarke joining him and other professors and alumni on a 2006 trip to Beijing University (Beida) for a major conference on World Trade Organization law. "On the plane, while the rest of us were trying to sleep, Jack stayed up and read a book on the life of Lincoln." And

during the conference, while other alumni were out touring the city, "Jack was in the front row at every proceeding, and he was interested in everything."

"Jack has made an indelible mark on the structure and capacity of the Law School's international programs, our transforming capacity," says **Mitchel Lasser**, a Clarke professor who heads the Cornell Institute of International and Comparative Law in Paris as well as the Law School's graduate programs. "It's unusual to have a single person play such a capital role."

But even more significant, "he cares," says Lasser of Clarke. "He's interested in the work you produce, and he wants to talk it over with you. He really reads things with an intelligent and critical eye that's enormously useful and thought provoking. And he is enormously trusting that the capacities he's made available to you will be put to good use." ■

Breaking Ground: Myron Taylor Grows with Law School's Bustling Population

by OWEN LUBOZYNSKI ■ ILLUSTRATION by ANN BEHA ARCHITECTS AND
TROWBRIDGE WOLF MICHAELS LANDSCAPE ARCHITECTS LLP



When Myron Taylor Hall was dedicated in 1932, the Law School's fourteen faculty members and 157 students came nowhere close to filling the grand building. Eighty years later, the 108 full- and part-time faculty members and 695 J.D., J.S.D., and LL.M. students now boasted by the school are working and studying in close quarters.

"We've recognized for more than a decade that we have a space crunch," says **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law. "The number of bodies has increased, but even more than that, the number of activities has increased." With more than forty officially recognized student groups and a stream of visiting international scholars, "we're bursting at the seams."

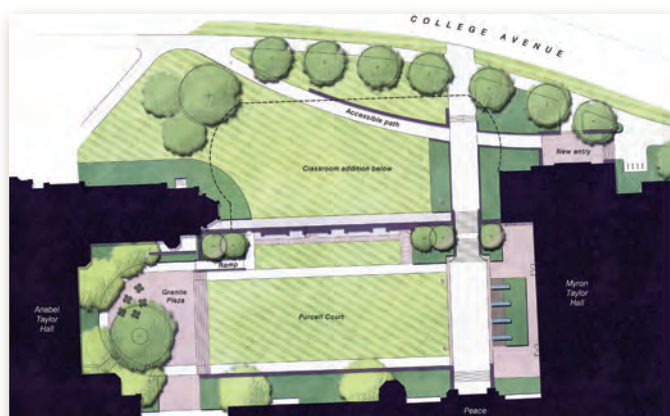
Approaching this challenge as an opportunity to streamline, the Law School is set to embark on its first major renovations project in twenty-five years. This construction—the first phase of which breaks ground this summer—will add more classrooms, refocus the use of the Purcell Courtyard, and add an accessible

entrance to the College Avenue side of Myron Taylor Hall. "It will clarify the circulation systems of the Law School," says Cornell's university architect, **Gilbert Delgado**, who has been working with the designers.

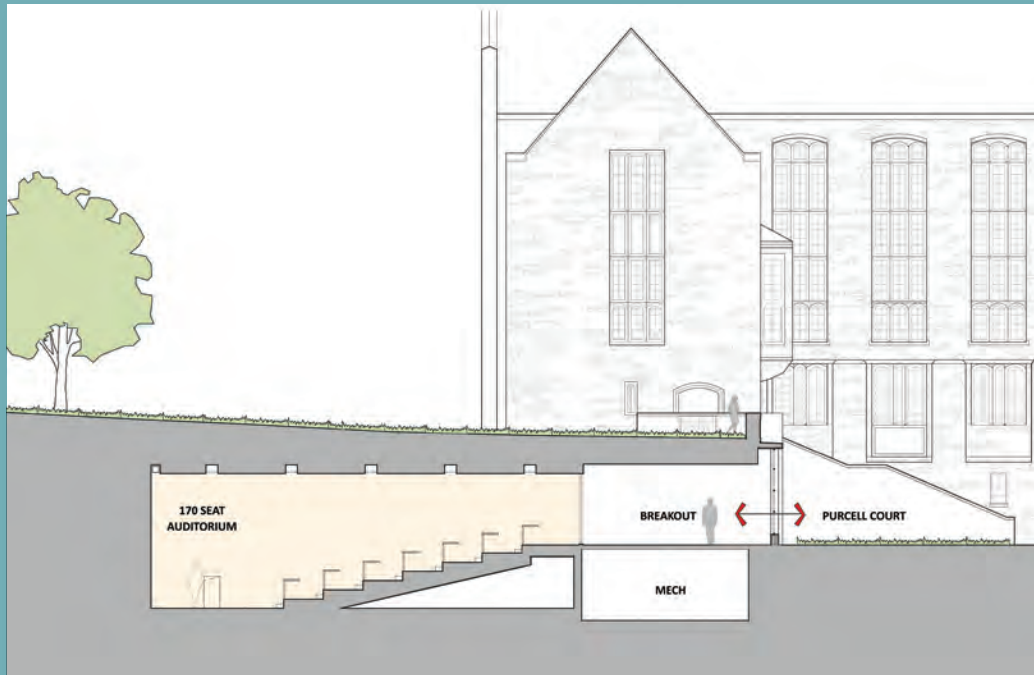
In the first phase of construction, a new wing will be built under the lawn panel between Anabel Taylor Hall and Myron Taylor Hall off the east side of Purcell Courtyard. Housing a lobby and three state-of-the-art classrooms, the addition will be accessible from the courtyard at ground level as well as from the new entrance on College Avenue. The classrooms, Schwab says, will have curved seating areas, forming interactive learning environments conducive to the Socratic teaching style. The new entrance will serve as a clearly recognizable main entry point to Myron Taylor and also "reach out" to the rest of the university.

"It will reinvigorate Purcell Courtyard," says Schwab, who anticipates that the renovations will make the space not only more functional but also more inviting and inspiring. While the College Avenue entrance will closely resemble the surrounding architecture, the courtyard facade of the new wing "will have more of a contemporary feel, still echoing the collegiate gothic of Myron Taylor Hall." Adds Delgado, "The execution is very sympathetic to the geometries and forms" already in place.

According to Schwab, Ann Beha Architects, the firm chosen to design the additions, is well known for its subtlety in melding traditional architecture with new additions. Trowbridge Wolf Michaels Landscape Architects was brought on board to design the Purcell Courtyard and surrounding landscapes. "We have confidence that the architects have understood Cornell Law School," he says, "both our needs and our character—our sense of community." ■

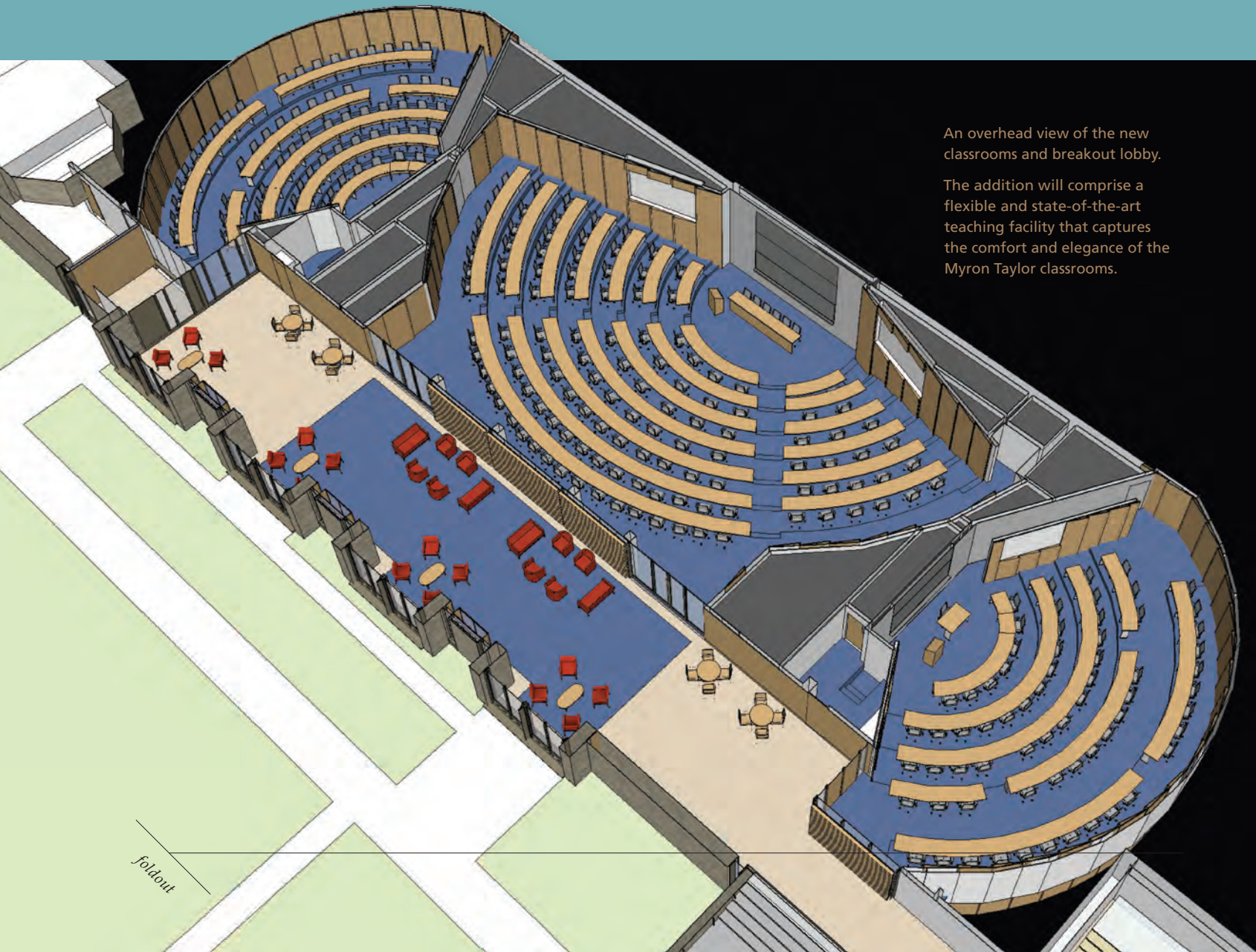


The below grade classroom creates a new west facing facade in the Purcell Courtyard. The roof of the addition will re-instate the existing lawn, trees, and stone balustrade along College Avenue.



The expansion below the College Avenue lawn panel provides new classrooms and gathering space without expanding the building footprint.

The space offers two 70-seat classrooms and one 170-seat auditorium with a lobby/breakout area and direct access to an upgraded Purcell Courtyard, significantly enhancing the use of this primary, but currently under-utilized outdoor space.



An overhead view of the new classrooms and breakout lobby.

The addition will comprise a flexible and state-of-the-art teaching facility that captures the comfort and elegance of the Myron Taylor classrooms.

An architectural rendering of a church renovation project. The main building is a large, multi-story brick structure with a complex roofline featuring several gables and a central steeple. It has numerous arched windows, some with decorative tracery. A modern, single-story brick addition with large glass windows and doors is attached to the side. In the foreground, there is a green lawn, a paved walkway, and a low stone wall. A black lamppost with two red banners stands on the walkway. A few white human figures are placed for scale. The sky is blue with some birds flying. The overall style is a detailed architectural drawing with color washes.

Ann Beha Architects, the firm chosen to design the additions,

“We have confidence that

Stewart J. Schwab says, “both our new

is well known for its subtly in melding traditional architecture with new additions.

at the architects have understood Cornell Law School,"
eds and our character – our sense of community.

”







FAR LEFT: New, accessible entryway to Myron Taylor Hall facing College Avenue. **LOWER LEFT:** A view of the Purcell Courtyard and Myron Taylor Hall from the top of the lawn panel. **BELOW:** A view of the Purcell Courtyard toward Anabel Taylor Hall. **FAR BELOW:** A view of the upper lawn panel and new accessible entryway to Myron Taylor Hall from the bus stop.



FAR LEFT: New College Avenue entry lobby. **LOWER FAR LEFT:** Entry Lobby from the opposite angle. **LEFT:** Interior of the 170-seat auditorium in the underground addition. **BELOW:** The lobby/breakout area outside the new classrooms.



President Sang-Hyun Song, J.S.D. '70 and the International Criminal Court

When **Sang-Hyun Song, J.S.D. '70** was nine years old, war broke out in his home country, Korea. "For three months," he recalled, "my family was hiding in a hot and humid underground bunker. It was my task to find food. I passed hundreds of dead bodies lying on the streets. I can remember the horrible stench."



Crimes against international law are created by men, not abstract entities. Punishing such individuals is an important step toward peace, justice, and the rule of law.

— Sang-Hyun Song, J.S.D. '70



Those experiences led Song to a law degree and further legal studies in the United States and the United Kingdom. At the prestigious Seoul National University, he became professor of law, then dean of the law school. He served on an advisory committee to the Korean Supreme Court and the Ministry of Justice, working on the reform of the national litigation and criminal justice systems.

When the United Nations created the International Criminal Court (ICC) in 2002, Song was elected as one of the judges. In

2009, he became president of the ICC. Song noted that the creation of the ICC "was the most significant development in international law since the adoption of the UN Charter."

Song's international interests developed in 1968 when, he said, "it was extremely rare for any Korean college graduate to leave the country for studies abroad. However, he added, "my professor in Korea emphasized the need to study further in Anglo-American common law systems." Korea was opening its markets for foreign investors, many of whom negotiated under U. S. common law instead of Korean civil law.

With a Fulbright grant, Song attended Tulane University where he earned his LL.M. Because Louisiana combines common law with the civil law of the Napoleonic code, Song explained, "Tulane is academically a unique and assimilating law school." He next enrolled at Cambridge University,

earning a diploma in comparative legal studies.

Then, Song said, "I had to find a leading national law school where I could wind up my advanced legal studies with the aim of obtaining a doctoral degree. An American friend of mine, a professor of law in Florida, recommended Cornell very strongly." He contacted two Korean faculty members at Cornell—not in law, but in botany and engineering. "Their advice reinforced my American friend's recommendation, so I didn't hesitate," Song recalled.

He remembers Cornell and the Finger Lakes region very fondly. "Cornell can be proud of having the most beautiful campus in the whole U.S. if not in the whole world," said Song. He went fruit picking at the Cornell apple orchard. He found time to play basketball, ping-pong, tennis—and golf. "Cornell has a really fantastic golf course," he said. "When I found out the course designer



was **Robert Trent Jones**, I was even more thrilled."

In that same year, **Jack Barceló**, the William Nelson Cromwell Professor of International and Comparative Law, arrived at Cornell Law School as a newly minted assistant professor and met Song, a new candidate for a doctorate in law. "He did his degree in record time," Barceló recalled. "He was very diligent and extremely talented."

William Tucker Dean and **David Curtis** were members of Song's committee, and Barceló recalled sitting in on a meeting. "You could see that Song was destined for great things," he said. Barceló has invited Song back to lecture several times, including a recent alumni event at Cornell's Summer Institute of International and Comparative Law in Paris.

The ICC was established by the 2002 Rome Statute, now signed by 120 countries, with the purpose of ending impunity for war crimes and contributing to their prevention. It is an independent international organization. While the United States was a prime negotiator in the Rome Statute, and is willing to support the court's efforts, they do not plan to join.

Professor **Jens Ohlin**, who specializes in international law, noted that "at first, people were unsure about what the ICC would look like and whether it would be successful. All those doubts have been erased."

Song always stresses the complementarity of the ICC. "It is the responsibility of the national legal systems to prosecute Rome Statute crimes. Only if they can't or do not want to do so, only then does the ICC step in," he said. A state can ask for help from the ICC, and the UN Security Council can request that the ICC look into an issue. In fact, Song characterizes the newly emerging criminal justice system as "a big puzzle," composed not only of the ICC states, but also all intergovernmental organizations, such as the EU and the UN, as well as NGOs.

So far, twenty-eight persons have been subject to ICC proceedings or arrest warrants. On March 14, the court issued its first judgment, in the case against **Thomas Lubanga Dyilo**, for use of child soldiers in the Democratic Republic of the Congo. "Most of the African investigations have been started because a state has referred the case," Ohlin explained, adding that a recent YouTube video about another child soldier case involving **Joseph Kony** "has become viral. You see that the ICC can put certain issues on the forefront worldwide."

"Crimes against international law are created by men, not abstract entities," Song explains. "Punishing such individuals is an important step toward peace, justice, and the rule of law."

~JUDITH PRATT

A Child of China's Cultural Revolution, Yiwei Chang, J.D. '86/J.S.D. '90 Pioneers Path to Success

Yiwei Chang, J.D. '86/J.S.D. '90's life was turned upside down by China's Cultural Revolution when she was still a girl. In 1966 all the schools in China were closed and she was separated from her parents and sent for "re-education" to a remote mountain village that was among the poorest in China. There she labored in the fields, plowing and carrying heavy loads. But the farming families with whom she lived were "the kindest and most generous

people I have known," she says. "They took good care of us, as if we were their own children."

Instead of crushing her, the experience was transforming. "It taught me to be humble, to endure hardships and difficulties, and to care about others," she says.

"Yiwei is extraordinary," says Jack Barceló, the William Nelson Cromwell Professor of International and Comparative Law. "She has self-possession, a powerful inner will, and sense of what's right. But at the same time there's a graciousness, friendliness, warmth, thoughtfulness, and a generosity of spirit."



My parents always encouraged me to get more knowledge, to go for the highest education possible.

— Yiwei Chang, J.D. '86/J.S.D. '90



"My parents always encouraged me to get more knowledge, to go for the highest education possible," Chang says. After China's schools reopened, she jumped from middle school to college, then graduate school there. Then, in 1980, she enrolled in a graduate program in English at the University of California–Los Angeles as part of a new exchange program with her Beijing University.

"Wow! Everything in the United States was new to me, eye-opening," she says. "I was amazed at the opportunities and how rich and open the life was."

Linguistics seemed like a natural extension of her interest in English so after UCLA she enrolled in a doctoral program in Cornell's linguistics department, completing her qualifying exams before switching to law.

"I wanted to do something that would have an impact on society, to help the less privileged with my knowledge. Cornell had a good law school so I contacted them. I'm still very grateful for the opportunity Dean Lukingbeal gave me."

"Yiwei was really a pioneer," says **Anne Lukingbeal**, dean of admissions at the Law School in 1983 when Chang applied. "Not many people could transplant themselves the way she did and become a successful law student in a competitive environment."

After getting her J.D. degree in 1986 and pursuing her J.S.D at Cornell (awarded in 1990), Chang joined Milbank Tweed, a Wall Street firm she credits with teaching her "all my legal practice skills."

While there she assisted former U.S. attorney general **Elliot Richardson**, then a senior partner at Milbank. "He helped persuade the U.S. government to relax some of its trade restrictions toward China, arguing that China was beginning



I try to bring value not only to my company but also to society. By helping China grow its economy, we contribute to the economic and social progress in this country. We help it open up to the world and help the rest of the world get a deeper understanding of China. China is a great marketplace for international companies.

— Yiwei Chang, J.D. '86 / J.S.D. '90



economic reforms and should be granted a special status," she relates. "He was a great statesman, a man of tremendous integrity, and a great friend of China."

Chang left Milbank in 1994 to join the Raytheon Company in Boston as assistant general counsel for international operations. "I learned how to utilize

my legal knowledge and skills in connection with growing a business with extensive international operations."

In 2003 she returned to China permanently when she became vice president of government affairs and general counsel with General Electric's plastics business in Shanghai.

It was an exciting moment. "As soon as I stepped on Chinese soil, I felt that this was my home." She observed with wonder and pride "the tremendous

automation and power technologies. In 2011 she was promoted to senior vice president, general counsel, and head of legal and integrity for both the north Asia region and China.

She likes her job, despite the demands of time and travel (to factories throughout China as well as Japan, Korea, Taiwan, and Hong Kong).

"I try to bring value not only to my company but also to society," she says. "By helping China grow its economy, we contribute to the economic and social progress in this country. We help it open up to the world and help the rest of the world get a deeper understanding of China. China is a great marketplace for international companies."

But she has not forgotten China's past, or her own. Soon after she returned, she traveled to the mountain village where she had endured hardship as a young girl. The farmers there immediately recognized her and called her by her first name.

"I was so amazed," she says, with wonder still in her voice. "There were tears in my eyes and theirs." She has since hosted villagers in her home and contributed to the village school for essentials like books, electricity, and heating. "It can get pretty cold there in the winter," she remembers.

~ LINDA MYERS



Senior Counsel at World Bank Works to Defeat Poverty

Something happened to deflect **Marjorie Mpundu, LL.M.** '05's progress toward a J.S.D. degree from Cornell. Something big: the World Bank.

Mpundu found her way to Cornell through a friend doing social work studies there. On a visit, she had a look at the Law School and met with Professor **Muna Ndulo** and others, eventually applying and gaining admission to the LL.M. program. Arriving with her LL.B. from the University of Zambia, an LL.M. from the University of Manchester in England, and successful navigation of the New York bar exam already under her belt,

as well as the World Bank interviewing students from developing countries. Mpundu put in her application and subsequently was invited to what she recalls as "a five-minute interview. The guy said, 'There's a thousand of you, you know, and we can only take ten,'" and recommended she try the African Development Bank.

Nevertheless, Mpundu soon found that she'd made it to the next—and longer—interview and, a week later, into the World Bank's relatively new Legal Associates Program. She signed on for one year, with the possibility of a second, completing her LL.M. from Cornell, but taking a leave from her doctoral track.

That was almost seven years ago, and now Mpundu is senior counsel for the World Bank's Africa practice group. "I love what I do," Mpundu says. "I've always had a passion to work in development." Negotiating

the terms of project financing for numerous countries—Rwanda, Sierra Leone, Malawi, Burundi, Zimbabwe, and her native Zambia, among others—Mpundu feels she is able to contribute to the defeat of poverty. Her concern with giving back in the course of her work is a recurring principle in her career, something Ndulo confirms. "Marjorie was an exciting student. I found her diligent, cheerful, hardworking, and always eager to help others. It shows in her accomplishments and in the work she has done since graduating from Cornell."

"The beauty of it all is that I am being a lawyer," Mpundu says, "but not in an adversarial way." Always representing the interests of the World Bank, she feels that, at the same time, she is "wearing two hats," because the bank policies are established by a board, on which Mpundu says all member countries are represented, and thus to a

"I've always been interested in the rights of girls. But law was not something that I thought of doing as a child... But when I went to university, I met a lady who was teaching law. She had her Ph.D. She was confident, young, with a family. I saw that law was something that can be done by a woman. I challenged myself to think about breaking through into a male-dominated career. I saw that I could use the law to fight for the rights of girls and to fight poverty."

The beauty of it all is that I am being a lawyer, but not in an adversarial way.

— Marjorie Mpundu, LL.M. '05

”

certain extent, representing the member country. “It’s as good as being a representative of the country.”

Based in the Washington, D.C. area, Mpundu lives with her husband, Mirfin, a pharmacist, and has two daughters, Chi, aged 15, and Tasheni, aged 6. Coming from a warm part of the world, Mpundu has followed her academic path into measurably harsher climates. On scholarship for her LL.M. in Manchester, Mpundu says, “I didn’t like it at all! The weather was miserable, gray and rainy . . . I told my sponsors I was quitting,” she laughs. For the first time, too, she was on her own, cut off from her family support system in Zambia: “I had no babysitter.” But her younger brother came to help, and “it got better.” The first place she lived in the United States was Michigan, where she stayed home with her daughter while her husband pursued his studies.

Throughout, she has managed to mesh her expanding career with her family life, a focus

that surfaced early on. “I’ve always been interested in the rights of girls. But law was not something that I thought of doing as a child,” she says.

“My parents were both teachers, and I thought, I can always be a teacher. But when I went to university, I met a lady who was teaching law. She had her Ph.D. She was confident, young, with a family. I saw that law was something that can be done by a woman. I challenged myself to think about breaking through into a male-dominated career. I saw that I could use the law to fight for the rights of girls and to fight poverty.”

~ BY S.K. LIST



Two Decades after Trailblazing Journey to Cornell, Beijing Lawyer Forges Opportunities for Colleagues

In Ithaca this February, while visiting her son, a junior at Cornell University, **Bai Tao '88** recalls her journey from China to Cornell Law in 1985. “It was really a dream to come to study in the U.S.,” she says. “Now, students in China have more choices. Back then we were very closed to the outside world . . . I was very lucky.”

Anne Lukingbeal, associate dean and dean of students, remembers it was much more than luck that brought Bai to Cornell. As a student at Peking University Law School, Bai caught the attention of a recruiter for Columbia Law School’s Committee for Legal Educational Exchange with China. “He called that summer and said, ‘We have found this phenomenal student, but we think she’d be happier at Cornell than Columbia,’” recalls Lukingbeal. “She’d been at the very top of her class at



what everyone thought was the best law school in China. I think the people at Columbia thought that our smaller, more intimate environment would be more enjoyable for her."

At the time, few U.S. law schools were willing to admit J.D. candidates from the People's Republic of China, where the LSAT was not available. In 1982, however, Cornell Law had slowly begun welcoming Chinese students. Bai was among the first, and at nineteen years old, she was one of the youngest Chinese law students to come to the States during that period. "At the time she did this, it was such an extraordinary thing," says Lukingbeal. "She really was one of the groundbreakers."

"Everything was so foreign and exotic to me," Bai remembers. "I grew up in Beijing. It's a big city, but it was very different then. When I came here in '85, it was my first time using a refrigerator." It was also her first experience with immersion in an English-speaking culture and her first encounter with the Socratic teaching style. "The first semester was pretty difficult," she recalls, "But I had a great time learning the basics in my first-year classes. I think the fundamental themes and concepts are really important for everything in the future."

Equipped with her Cornell J.D., Bai returned to China in 1988. In 1989 she began practicing at C&C Law Offices in Beijing, and in 1992, she became one of the founding partners of the

Commerce and Finance Law Offices. For the past decade she has been a partner at the Beijing offices of Jun He Law, specializing in the areas of corporate law, inbound investment, intellectual property, real estate, anti-dumping, sports law, and dispute resolution. Over the years, Bai has helped many prominent U.S. and European clients navigate the Chinese legal system, among them Coca-Cola, IBM, and Microsoft. With the American

initiatives, she arranges visiting scholar programs between Beijing lawyers and American law schools.

More than two decades after her own education in the States, Bai still vividly remembers a particular small negotiations seminar at the Law School. Initially satisfied with their performances in a hypothetical negotiation, the students were astonished to discover how differently their classmates had

handled the same scenario. The lesson for Bai: "It could always be done better."

"It's easy for lawyers to feel pretty good about themselves," she chuckles. "You have to be hard on yourself, think of different ways to handle the problem." Even after over twenty years in practice, she still adheres to that rigorous approach. "I always tell myself I have to try to do my own best." ■

~OWEN LUBOZYNSKI

"It's easy for lawyers to feel pretty good about themselves," Bai chuckles. "You have to be hard on yourself, think of different ways to handle the problem." Even after over twenty years in practice, she still adheres to that rigorous approach. "I always tell myself I have to try to do my own best."



legal background she acquired at Cornell, she says, "it's much easier to understand what they really want."

Bai hopes to make such a background accessible to more of her fellow lawyers in Beijing. In addition to serving as the standing director of the Beijing Intellectual Property Protection Association and a member of the All-China Bar Association, the Chinese Society of International Law, and the Inter-Pacific Bar Association, Bai is the vice president of the Beijing Bar Association. Responsible for the organization's continuing education



**Get the Latest
Cornell Law School
News Online**

News, events, multimedia,
and more! For the latest
on faculty, students, programs,
and alumni, visit our website at
lawschool.cornell.edu.

Barceló Inducted into France's Legion of Honor

François Delattre, French ambassador to the United States, comes to Myron Taylor Hall to present medal and give public lecture.

Searching for the right place to launch the Law School's first study abroad program in the early 1990s, **John J. Barceló**, the William Nelson Cromwell Professor of International and Comparative Law and the Elizabeth and Arthur Reich Director of the Berger International Legal Studies Program, chose France, creating a partnership with the Sorbonne Law School in Paris. Almost twenty years later, as the Cornell Summer Institute of International and Comparative Law continues to broaden ties between the two countries, by special decree of former **President Nicolas Sarkozy**, France named Barceló to the Legion of Honor, the highest recognition given to noncitizens.

"It came as a complete surprise, a bolt out of the blue, and I'm still feeling flabbergasted," said Barceló, who received the news in a letter from Sarkozy in early January. "I'm deeply honored by it, and when I first learned of the award, it reminded me of all the thinking that had gone into our initial choice of Paris, making it the focus of our activity abroad. Objectively, there were many reasons to choose France, whose legal system has been a central force in developments

During the ceremony, Delattre spoke about Barceló's many connections with France, referring to him as a "Francophile in Chief." Delattre noted that the dual degree program that Barceló was instrumental in creating is one of only two established between an American law school and a French law school.



throughout the world, particularly in relation to civil law. But the decision also had a subjective, personal element to it."

Born and raised in New Orleans, where he earned a J.D. from Tulane University School of Law in 1966, Barceló likes to say he "studied French law before most of the lawyers in France. Not only am I older than most lawyers in France, but from the time I started studying Louisiana law, which is based on the Napoleonic code, I was very conscious of the importance of the French civil law legal tradition. This

helps to explain the role comparative law has played throughout my career."

The medal was formally presented by **François Delattre**, French ambassador to the United States, in a private ceremony in Ithaca on Monday, April 2. During the ceremony, Delattre spoke about Barceló's many connections with France, referring to him as a "Francophile in Chief." Delattre noted that the dual degree program that Barceló was instrumental in creating is one of only two established between an American law school and a French law school.



After the ceremony, Delattre gave a public lecture in the MacDonald Moot Court Room on the topic “New Opportunities in the Franco-American and the Transatlantic Partnership.” Delattre examined economic, diplomatic, and military cooperation between France and the United States, graciously taking questions from students and faculty in attendance.

Joining Delattre and Barceló at the induction ceremony were **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law; **Richard Ortoli '80**, who nominated Barceló for the award and serves as the elected representative of French citizens living in the eastern United States; **Hélène Ruiz Fabri**, dean of the Sorbonne Law School, who also gave two lectures during her stay at

Myron Taylor Hall; Cornell Law professor **Valerie Hans**; **Mitchel Lasser**, Cornell's Jack G. Clarke Professor of Law; and **Claire M. Germain**, the retired Edward Cornell Law Librarian and emerita professor of law. Barceló was also joined by his wife, **Lucy**, and two of his three children, **Amy Barceló Gray '04** and **Steven**.

The process began three years ago with a conversation between Ortoli and Germain, who talked about the links between France and Cornell Law, and proposed nominating Barceló for the Legion of Honor. Surprised to learn Barceló's contributions had yet to be recognized by France, Ortoli helped advance Barceló's candidacy through the Consulate General in New York, the French Embassy in Washington, D.C., the Chancellerie of the

OPPOSITE: Richard Ortoli '80 and Lucy Barceló LEFT TWO PHOTOS: Ambassador Delattre presents Professor Barceló with Legion of Honor medal. BELOW: Dean Schwab unveils a gift from the Law School to Ambassador Delattre as Hélène Ruiz Fabri and Jack Barceló look on. BOTTOM: Jack and Lucy Barceló with two of their children, Amy Barceló Gray '04 and Steven.



Legion d'Honneur, and ultimately Sarkozy, who signed the official decree in December 2011.

“Professor Barceló has been at the center of the Law School's growth in international and comparative law,” said Schwab. “He is a great colleague, teacher, and mentor. He has been intimately connected with the

French legal system and Cornell Law's many programs with French law schools, including overseeing our longstanding Paris Summer Institute, a five-week academic program in international and comparative law at the Université Paris 1 Panthéon-Sorbonne. Jack Barceló is richly deserving of this honor.”

Clarke Program Turns Ten

Program Celebrates Anniversary and Launch of Meridian 180 Initiative

"This is a birthday party," **John J. Barceló**, the William Nelson Cromwell Professor of International and Comparative Law and Elizabeth and Arthur Reich Director of the Berger International Legal Studies Program, said as he addressed fellow guests at an elegant reception on March 12. "We have two birthday children: a ten-year-old and a newborn."

The event, held in the new wing of the Johnson Museum of Art, celebrated the tenth anniversary of the Clarke Program in East Asian Law and Culture, founded by **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies and professor of anthropology. The event also observed the official launch of the program's latest initiative, Meridian 180.

In June 2011, shortly after the catastrophic events resulting from the earthquake and tsunami in Japan, the Meridian 180 website launched in "beta." In the past year, as the initiative evolved from conceptualization to practice, intellectuals from the Asia-Pacific region, the United States, and around the world were invited to participate in substantive, challenging, and interdisciplinary conversations. Participants can converse remotely in English, Chinese, or Japanese, and all



ABOVE: Jack G. Clarke, LL.B. '52
ABOVE RIGHT: Professor Annelise Riles
RIGHT: Professors Robert Green, Steven Shiffrin, and Cynthia Grant Bowman.
BELOW LEFT: Yuji Genda, professor, University of Tokyo with Dean Schwab
BELOW RIGHT: Toru Yamada, Clarke Program postdoctoral associate; Hiroyuki Mori, professor, Ritsumeikan University; and Hirokazu Miyazaki, director of the Cornell East Asia Program



dialogue is translated by postdoctoral fellows at the Clarke Program. The resulting summaries from the first forums are available on the site, and individuals with extensive backgrounds in law, legal scholarship, business, economics, anthropology, policymaking, sociology, philosophy, and

theology can apply for access to participate in the forums. As stated on the Meridian 180 site, the initiative aims to "work toward solutions for the next generation of transpacific relations, and to devise innovative ways of confronting new challenges and tensions that threaten the Pacific Rim region."

The Clarke Program, funded by a gift to the Law School from **Jack and Dorothea Clarke**, sponsors a variety of activities and events, including fellowships, conferences, lectures, collaborative research projects, and scholarly exchanges, as it seeks to expand the purview of legal scholarship

and to develop new ways of thinking about transnational law, politics, and culture.

Joining Barceló in toasting the “incredible amount of interchange and intellectual vibrancy” created by the Clarke Program and bolstered by its newest project were **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law; **Yuji Genda**, professor at the Institute of Social Science, University of Tokyo; **Hirokazu Miyazaki**, director of the East Asia Program and associate professor of Anthropology, Cornell University; and Clarke Program director, Riles. Looking on was **Jack G. Clarke, LL.B. ’52** himself, whom Riles thanked for his “phenomenal commitment.”

Meridian 180 Unites East-West Thinkers in Online Think Tank

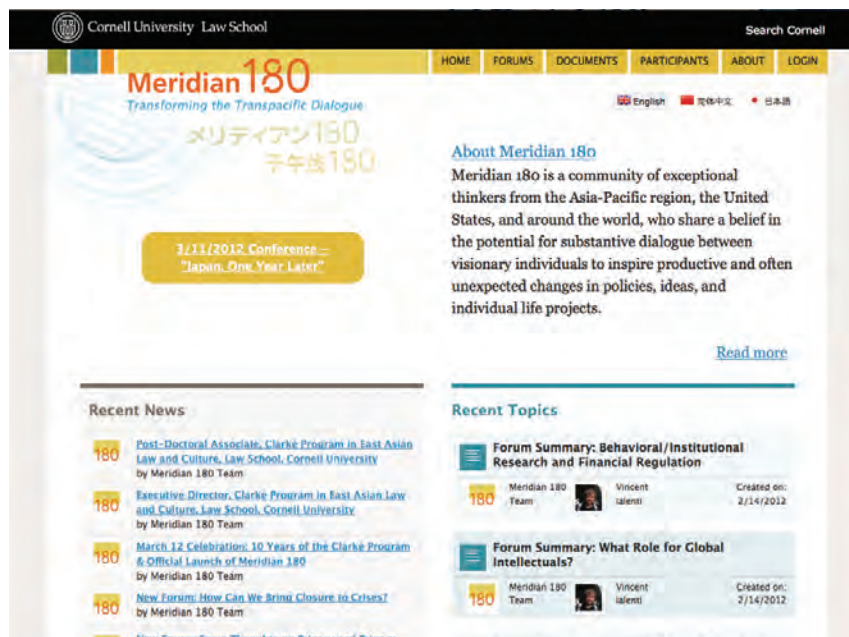
As the world becomes increasingly interconnected, Meridian 180—a think tank for transpacific relations—harnesses the power of online media to help scholars around the world connect and discuss serious global issues.

The Meridian 180 website, which launched this month after a year in development, connects a global community of intellectuals, business and NGO leaders, and government officials across multiple disciplines and areas of expertise. Members include lawyers, business people, policymakers, economists, bureaucrats, religious leaders, philosophers,

and scholars, including many professors at Cornell who focus on Asia-Pacific issues.

The goal of Meridian 180 is to foster international relationships and “inspire productive and often unexpected changes in policies, ideas, and individual life projects,” said **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies and director of the Clarke Program in East Asian Law and Culture at Cornell Law School, who conceptualized the project.

“We’re at a moment where there is a tremendous need for more understanding across countries, but at the same time, there seems to be a lack of interest in seriously engaging with colleagues across the Pacific,” said Riles. Meridian 180, she explained, is trying to attract a “community of exceptional thinkers from the Asia-Pacific region, the United States, and around the world who share a belief in the potential for substantive dialogue between visionary individuals.”



The Meridian 180 website

As the world becomes increasingly interconnected, Meridian 180—a think tank for transpacific relations—harnesses the power of online media to help scholars around the world connect and discuss serious global issues.

Meridian 180 has already received more than 8,000 visitors from more than eighty countries on six continents, with almost half of those visits occurring this year. Its membership includes more than 350 scholars.

Meridian 180’s web pages are multilingual; members can participate in online discussions in English, Chinese, or Japanese. Postdoctoral fellows at the Clarke Program translate online contributions into all three languages. Dialogues among members are organized as “forums.” So far, nine

forums have covered topics including the earthquake and tsunami in Japan, privacy rights, the Occupy movement, and financial issues. Following each forum, summaries of some discussions are posted on the website and are available to the public.

Currently, Meridian 180 forums are members-only to promote a “safe, closed setting” for conversation, said Riles.

“Meridian 180 has given us a venue for transcending disciplinary and regional debates and taking new risks to discuss topics that are difficult, such

as the legacy of World War II, or . . . the meaning of demonstrations against financial institutions around the world,” wrote Riles in Meridian 180’s annual report.

In addition to promoting on-line discussions, Meridian 180 supports visiting scholars and sponsors conferences, such as the “One Year Later” conference at Cornell March 11 and 12, which addressed the long-term consequences of the earthquake and tsunami that hit Japan in March 2011.

Meridian 180’s impact over the past year includes an American law professor who began conversing with colleagues in China for the first time and a Japanese anthropologist who found renewed hope after Japan’s earthquake and tsunami through conversations with an American environmental activist and an American theologian, according to the annual report.

The name Meridian 180 refers to the geographic coordinates of the International Date Line, the imaginary line separating the Eastern and Western hemispheres.

“We thought Meridian 180 was a good metaphor for the divisions we are trying to cross,” said Riles.

Short-term plans for Meridian 180 include adding additional languages such as Korean to the online forum, implementing new resources for policy decisions, and recruiting more members, said Riles.

Cornell Law School Announces Appointment of Lynn A. Stout as Distinguished Professor of Corporate and Business Law

Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law, announced that **Lynn A. Stout** will be joining the permanent Cornell Law School faculty as the Distinguished Professor of Corporate and Business Law, the first endowed professorship in the Clarke Business Law Institute (BLI). Stout will work with a growing group of faculty and the executive director of the BLI, advancing the program to become a national and international institute for the study and practice of business law.

“We are delighted that Lynn Stout is joining our permanent faculty, as we continue to build a preeminent business law program,” said Schwab. “Professor Stout is internationally recognized as a leading corporate law scholar and public intellectual, as well as outstanding teacher. She will be great at getting students, faculty, and alumni engaged in our programs.”

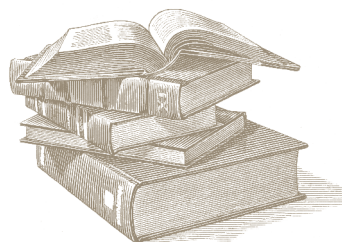
Currently serving as the Law School’s Marc and Beth Goldberg Distinguished Visiting Professor, Stout comes to Cornell from the University of California, Los Angeles School of Law. She is internationally recognized for her expertise in corporate governance, securities regulation, financial



Lynn A. Stout

derivatives, law and economics, and moral behavior. Her most recent book is *Cultivating Conscience: How Good Laws Make Good People* (Princeton University Press, 2011). Her next book, *The Shareholder Value Myth: How Putting Shareholders First Harms Investors, Corporations, and the Public* (Berrett-Koehler, 2012), will be released this spring.

Stout has also taught at Harvard Law School, New York University School of Law, Georgetown University Law Center, and the George Washington University Law School. She has served as a guest scholar at the Brookings Institution in Washington, D.C. She holds a B.A. and a master’s in public affairs from Princeton University and a J.D. from Yale Law School.



Edward Lee Elmore Freed after Thirty Years

Cornell Death Penalty Project Director and Students Worked on Former Death-Row Inmate’s Case

On March 3, **Edward Lee Elmore** walked out of prison after thirty-one years behind bars, twenty-nine of which he spent on death row. His ordeal began in 1982 when he was convicted for the sexual assault and murder of **Dorothy Edwards** in Greenwood, South Carolina. During the lengthy appeal process that ensued, “the state’s case began to unravel,” says **John H. Blume**, professor of law and director of the Clinical, Advocacy, and Skills Programs as well as the Cornell Death Penalty Project. Blume argued Elmore’s third direct appeal in 1987 and has been involved in the case ever since, along with **Diana Holt** and **Chris Jensen**.

“The primary attack was on the reliability of the physical evidence,” he says. Once Elmore’s legal team was able to enlist disinterested qualified forensic experts, it encountered increasingly strong indications that damning evidence had been fabricated or overinterpreted by authorities. In one instance, an evidence bag marked “Item T” went missing for years; when it resurfaced, it was found to contain a pubic hair belonging to a man other than Elmore. Despite such revelations, in 2000 a South Carolina judge again ruled



Edward Lee Elmore and John H. Blume

Students in the project's capital clinics became involved in Elmore's case, performing research, conducting interviews, and drafting claims periodically over the next decades of litigation.

against Elmore saying "one hair was not enough."

In 1993, Blume joined the Cornell Law faculty and, in conjunction with Cornell Professors **Sheri Lynn Johnson** and **Stephen P. Garvey**, formed the Cornell Death Penalty Project to foster empirical scholarship on the death penalty, offer students an opportunity to work on death penalty cases, and provide information and assistance for death penalty lawyers. Students in the project's capital clinics became involved in Elmore's case, performing research, conducting interviews, and drafting claims periodically



John H. Blume

over the next decades of litigation.

In 2010, with Blume as lead counsel, clinic students assisted in an *Atkins* hearing at the conclusion of which a South Carolina state judge ruled,

based on the Supreme Court's decision in *Atkins v. Virginia*, that Edward Elmore was a person with mental retardation and thus not eligible for execution. The judge commuted Elmore's death sentence to life imprisonment and the state chose not to appeal.

In late 2011, however, the U.S. Court of Appeals for the Fourth Circuit, which Blume notes is among the most conservative federal courts of appeal in the country, vacated Elmore's convictions finding that his trial counsel provided constitutionally ineffective assistance during the guilt phase of Elmore's capital trial. State prosecutors offered Elmore an *Alford* plea, whereby Elmore would maintain his innocence while pleading guilty to time served in exchange for his immediate release. Elmore accepted the deal, and after spending the majority of his life in confinement, was finally released.

"I think it is a happy but bitter-sweet ending to a long fight," says Blume, "I am 100 percent convinced he is not guilty and that a jury would have acquitted him, but I can totally understand that he just wanted out and wanted this behind him." Blume described the case as a "lesson in the power of persistence." Reflecting on all those who worked to free Elmore, including the "incredibly dogged" Holt, who developed most of the evidence establishing Elmore's innocence, Blume noted that it was also a "testament to teamwork."

Law Students Help Further Somalia's Political Reform

Somalia has been engaged in conflict since 1980, when the country descended into civil war following a military coup. But a breakthrough agreement to end conflict in Somalia was reached at a February conference under the auspices of the United Nations Political Office for Somalia with input from a Cornell Law School professor and his students.

Somali leaders adopted the Garowe Principles to guide the transition process to a federal parliamentary form of government. UN Secretary-General **Ban Ki-moon** welcomed the agreement, noting that the accord "sets out clear steps for ending the transition and putting in place a constitutional order."

Cornell Law School professor **Muna B. Ndulo**, who serves as a UN consultant to the Somali process, engaged five of his law students to research and write presentations on



Muna B. Ndulo

The UN is encouraging dialogue among the Somali people and helping them to build national support for these changes. I have participated in the meetings, and my presentations at the meetings were informed by the work my students did.

— Muna B. Ndulo

”

such subjects as electoral systems, transition arrangements, and regulation of political parties and political party funding. The students' work supported the negotiations for the Garowe II Principles of peace, security, and reconciliation adopted February 17. Somalia's current transitional government, installed by the international community as an interim entity, is scheduled to evolve into a permanent government August 20, Ndulo said. For that to happen, a new constitution must be drafted and agreed upon to replace Somalia's 1960 constitution.

"You're trying to establish a democratic government, and the basic tenets of a democratic system include human rights, free elections, and an elected government," said Ndulo, who directs Cornell's Institute for African Development. "The UN is encouraging dialogue among the Somali people and helping them to build national support for these changes. I have participated in the meet-

ings, and my presentations at the meetings were informed by the work my students did."

The goal of the process is to draft a new constitution acceptable to all parties. But moving from conflict and chaos to constitutional government raises many challenges, such as what system of government, what type of federal structure, and what electoral system Somalia will adopt.

"The students really are having a role in history," said Ndulo. "Their work is very significant, and the UN acknowledged their contribution to the process."

Ian Brekke, a second-year law student, authored a comparative look at constitutional regulation of political parties.

"The report I prepared ended up in the hands of the UN Development Programme and is being used as reference in current and future negotiations in Somalia," Brekke said.

"The chance to dive into such meaningful and pertinent research under Professor Ndulo has exposed for me many of

the complexities of constitutional negotiations, especially negotiations that take place in the unique circumstances Somalia and its people find themselves in."

Third-year student **Ann Eisenberg** said she "researched post-conflict election guidelines and learned quite a bit throughout about the challenging process of nation-building."

Other law students working with Ndulo were **Bill Garthwaite '12**, **Genevieve Ballinger '13**, and **Patrick Meson '13**.

The international community will need to support and help Somalia to emerge from decades of crisis, Ndulo said. Work there "is ongoing. I am very proud of my students and their contributions. They are very committed to internationalism and to helping the world. In resolving conflicts you can't succeed simply with force. You need dialogue and open channels of communication to solve problems."

Law School's Ndulo Named Distinguished Africanist

Muna B. Ndulo, professor of law and director of Cornell's Institute for African Development, received the New York African Studies Association (NYASA)'s 2012 Distinguished Africanist Award for his scholarly achievements and contributions to Africana studies.

Ndulo received the award at NYASA's thirty-seventh annual

conference, which met at Pennsylvania State University February 24 and 25. Previous recipients of the award include **Chinua Achebe**, **Joseph E. Harris**, **Mamood Mandani**, **Molefi Kete Asante**, and **Ali A. Mazrui**. The conference's focus was "Africans in the Americas and African Americans in Africa: the Shifting Boundaries of Citizenship in the Twenty-First Century."

"I am deeply honored and humbled to have been selected to receive this award and to be counted in the company of such distinguished prior honorees," Ndulo said. "I commend the New York African Studies Association for continuing its important work of advancing the study of Africa and the African Diaspora. The NYASA's February meeting presented an excellent opportunity to exchange ideas and scholarship on Africana studies. As countries and communities become increasingly linked through the web of information and scholarship, such gatherings are crucial for the strengthening of intellectual ties."



Muna B. Ndulo

Their Day in Court

Students Take Field Trip to See U.S. Supreme Court in Action

The U.S. Supreme Court is a topic of study for many Law School students, but for a small group of them this winter, it was also a classroom. Participants in "Prelude to the U.S. Supreme Court" had spent the inter-session period studying the substantive material, writing research memos, and presenting their work relating to two companion cases pending before the Court: *Kiobel v. Royal Dutch Petroleum* and *Mohamad v. Ra-joub*. Both cases involve liability of corporations and other non-natural entities for egregious human rights violations committed abroad.

On February 28, their coursework culminated in a trip to Washington, D.C., to attend oral argument. "Students get a lot out of attending the oral argument, because they are so engaged in the material," says **Angela B. Cornell**, clinical professor of law, who teaches the course. "This year it was a very lively argument to attend, with lots of questions from the justices."

"Attending the oral argument was a terrific experience, because I was able to watch experienced attorneys articulate and argue the legal issues," says **Teresa Lewi '12**. "Also, observing the nine justices in action was such a treat, because we read so many of their opinions in law school but do not typically get to see how they arrive at their decisions. By listening



Teresa Lewi '12, Vanessa Clark '12, Professor Angela Cornell, Ting Ting Tam '12, Polina Schwartzman '12

to their questions, I think I was able to see how they perceive the issues in the case and how that may shape their opinions."

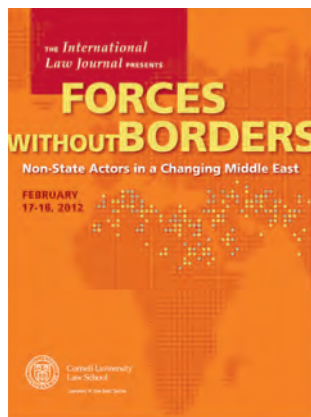
In addition to researching and observing current cases, course participants gained perspectives on the Supreme Court through presentations from other Law School faculty. **John H. Blume**, professor of law and director of both the Clinical, Advocacy, and



Skills Programs and the Cornell Death Penalty Project, discussed arguing death penalty cases before the Court, and **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, related his experiences as a clerk for Justice **Sandra Day O'Connor**.

Law School Hosts International Law Journal Symposium, "Forces without Borders: Non-State Actors in a Changing Middle East"

On February 17 and 18, scholars from various countries and disciplines gathered at Myron Taylor Hall for the 2012 *International Law Journal* symposium, "**Forces without Borders: Non-State Actors in a Changing Middle East**." International law has traditionally focused on states, but "Forces without Borders"



explored the role and legal status of increasingly prominent non-state forces—including protesters, women's rights groups,

religious organizations, corporations, and others—in the Arab Spring.

Jordan Paust of the University of Houston Law Center delivered the keynote address, which considered the importance of dignity as an international legal value and examined the idea of self-determination assistance in Libya and other contexts. **Hannibal Travis** of Florida International University College of Law gave a paper exploring the complex set of forces contributing to the Arab Spring. **Shima Baradaran** of

BYU Law School presented research on international safeguards against terrorism based on an experiment in which her research team posed as religious charities seeking to incorporate anonymously in a number of different countries.

Cornell's own **Chantal Thomas**, professor of law and director of the Clarke Initiative for Law and Development in the Middle East and North Africa, moderated a panel entitled "Women: Visibility, Rights, and a Status in Flux," which featured **Erika George** of the



TOP: Jordan Paust ABOVE: Students organized and participated in the Symposium.

University of Utah, S.J. Quinney College of Law, **Hedayat Heikal** of Cleary Gottlieb, and **Ann Mayer** of the Wharton School.

In his paper, **D.A. Jeremy Telman** of Valparaiso University School of Law used the contemporary Middle Eastern context to examine certain strengths and weaknesses of rationalist international theory. Based on field research in Algeria, Tunisia, and Egypt in the spring of 2011, **Karima Bennouna** of Rutgers School

of Law presented a paper on the interaction of fundamentalism and women's rights groups. **Dr. Yaël Ronen** from the Sha'arei Mishpat College and Minerva Center for Human Rights, Hebrew University, presented a paper exploring the human rights obligations of non-state territorial entities.

Finally, **Jens Ohlin**, associate professor of law at Cornell, moderated a panel entitled "Transitional Rule of Law, Human Rights, and the State/Non-State Dichotomy," featur-

ing **Bernard K. Freamon** of Seton Hall University School of Law, **Scott MacLeod** of the American University in Cairo, and **Moria Paz** of Stanford Law School.

Various members of the *Journal* organized the symposium, including **Ann Eisenberg '12**, **Sarah Heim '13**, **Andrew Orr '12**, and **Courtney Finerty '13**. The *Journal* will publish an issue devoted to the symposium, and video from the event will eventually be available online.

Cornell Law Students Compete in Jessup Moot Court Competition

Congratulations to the Jessup team for its performance in the Northeast Super Regional of the **Phillip C. Jessup** International Law Moot Court Competition in New York City February 16 through 19.

Jessup is the world's largest moot court tournament and draws participants from over 500 law schools in more than eighty countries. The competition simulates a dispute before the International Court of Justice.

Team members **Sean Langille '13**, **Drew Levine '13**, **Jovana Crncevic '13**, **Cody Herche '13**, and student coach **Ting Ting Tam '12** allocated their winter break to researching and writing briefs for the competition. The team also spent months preparing for oral rounds by practicing before Professors **Joel Atlas**, **Odette Lienau**, **Thomas Mills**, **Muna B. Ndulo**, **Jens Ohlin**, and **Azia F. Rana**. Crncevic and Levine argued issues relating to the legitimacy of governments after coups d'état, the illegal use of force in humanitarian intervention, and state responsibility for the missions of international organizations. Herche and Langille's arguments focused on the destruction of cultural property during armed conflict and jurisdictional immunity for egregious international law violations.

The Cornell team advanced to the semifinals and won the award for second best brief at the competition. Herche won the seventh best oralist award and Crncevic won thirteenth best oralist.



Drew Levine '13, Sean Langille '13, Cody Herche '13, Jovana Crncevic '13 and Ting Ting Tam '12

Law School Joins with Cornell Department of Government to Offer International Law/International Relations Colloquium

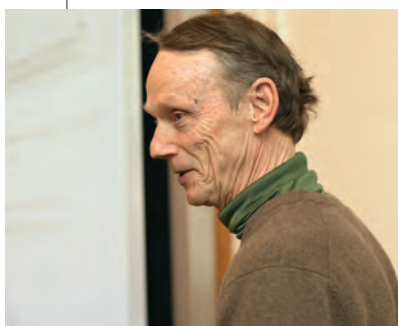
"I've never worked as hard as I did on this paper," **Peter Katzenstein** told a packed Myron Taylor lecture hall on February 13 as he presented in the International Law/International Relations Colloquium.

Held at the Law School and jointly offered with Cornell's Department of Government, the colloquium invited scholars to present interdisciplinary research spanning a broad substantive and methodological spectrum. It was coordinated by Law School professor **Odette Lienau** and **Sarah Kreps**, professor in Cornell University's Department of Government.

This paper is a wonderful example of the value of interdisciplinary work in understanding shifting trends in international relations and transnational law.

— Odette Lienau

”



FAR LEFT: Sarah Kreps and Odette Lienau LEFT: Peter Katzenstein

pete with, and learn from one another.

"This paper provides an extremely nuanced view of the complex mechanisms by which non-state actors—important but often overlooked participants in the international arena—prove crucial in diffusing and translating legal approaches across national boundaries," said Lienau. "It is a wonderful example of the value of interdisciplinary work in understanding shifting trends in international relations and transnational law."

The colloquium was sponsored by the Berger International Legal Studies Program. Named in honor of **Leo Berger '56** and his wife, **Arvilla**, the Berger Program sponsors a varied and indispensable array of activities each year, providing Cornell Law students with legal training and skills of global relevance, and giving the Law School a presence in France, Italy, Belgium, and Germany.

2011-2012 International Law/International Relations Colloquium Speakers:

Rachel Brewster,
Harvard Law School

John Ciorciari,
University of Michigan

Laura Donohue,
Georgetown University
Law Center

John Kaag, University of
Massachusetts, Lowell

Peter Katzenstein,
Cornell University

Suzanne Katzenstein,
Duke University School
of Law

Sarah Kreps,
Cornell University

Darryl Li, Harvard University

Sandra Liebenberg,
Stellenbosch University
Faculty of Law

Odette Lienau,
Cornell Law School

Katerina Linos,
University of California,
Berkeley School of Law

Jon Pevehouse, University
of Wisconsin, Madison

Tonya Putnam,
Columbia University

Galit Sarfaty,
University of Pennsylvania,
Wharton School

Katzenstein, the Walter S. Carpenter Jr. Professor of International Studies at Cornell University, is the author, coauthor, editor, and coeditor of more than thirty books or monographs and over 100 articles or book chapters, noted Kreps in her introduction, "I think because he never sleeps."

Katzenstein presented the paper, "Lost in Translation? Non-State Actors and the Transnational Movement of Procedural Law," coauthored by **Benjamin Brake**, J.D. '10/ Ph.D. '11 (Government) of the U.S. State Department. Katzenstein's presentation guided colloquium attendees through an examination of the ways that legal systems coerce, com-

New Opportunities to Study Abroad

Cornell Law Students now have two more schools to choose from when studying abroad.

The University of Chile in Santiago, Chile, and the University of Oslo in Norway have joined twenty other law schools where students may spend a semester.

Larry S. Bush, executive director of the Clarke Center for International and Comparative Legal Studies, explained how these new universities became part of the Law School's extensive study-abroad options.

"Scandinavia and South America have been some of the voids on our map," said Bush. (The "map" includes ten universities in Europe and schools in Egypt, Israel, South Africa, India, China, Japan, and Australia.)

The University of Chile's School of Law is the country's oldest and most prestigious. Cornell will exchange up to two students with the school each year. Bush was looking for a partner in South America, and the University of Chile "had been on my radar screen for awhile," he explained. "It is very well regarded."

Once he and his counterparts at Chile and Oslo agreed on the exchange, Bush proposed it to the oversight committee for international studies and both parties signed an exchange agreement and memorandum of understanding.



Oslo, Norway



Larry S. Bush

Studies at Chile will be in Spanish. "We've sent four or five students to South America over the last dozen years or so, when we didn't have a partner program, and the classes at our two partner schools in Barcelona are also in Spanish," Bush said.

He noted that "an impressive number" of Law School students are fluent in a second language. Most of those speak Spanish; other languages include French and Japanese. However, many of the Law School's partner schools offer their programs in English.

That is true of the University of Oslo, the oldest and largest law school in Norway, with ten multidisciplinary areas to its credit. "With Chile, I was on the lookout for a partner school," explained Bush. In

Bush, "just want to have a broadening experience. I can certainly make a case for the student who will never do anything like this again."

Interestingly, students focusing on international law don't make up the majority of those who study abroad. Many, said Bush, "just want to have a broadening experience. I can certainly make a case for the student who will never do anything like this again."

the case of Oslo, **Laura Underkuffler**, the Law School's associate dean for academic affairs, had worked with colleagues there and suggested the connection.

Students have attended schools in Denmark on an ad hoc basis—that is, the student makes the connection, not Cornell. Oslo "looked like a good opportunity," said Bush. "Of course, this doesn't foreclose other places in Scandinavia, nor other places in South America. We are actively looking for an appropriate partner in Brazil—though we can't count on students being fluent in Portuguese!"

Interestingly, students focusing on international law don't make up the majority of those who study abroad. Many, said

Riles Lectures at University of Hong Kong

December 5 found **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies and director of the Clarke Program in East Asian Law and Culture, at the University of Hong Kong, where she delivered the Rowdget Young Lecture on commercial law. Presenting on her book *Collateral Knowledge: Legal Reasoning in the Global Financial Markets*, Riles drew on ten years of fieldwork in the Japanese derivatives market to argue for the importance of legal reason in global governance. Examining the ways in which global financial governance is influenced by the daily use of mundane legal techniques such as collateral, Riles's

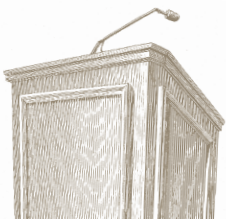


Annelise Riles

research aims to democratize our understanding of legal technique.

“Her lecture was very inspiring because of her interdisciplinary approach,” says **Guanghua Yu**, associate professor of law and director of the Centre for Chinese Law at the University of Hong Kong. Yu, who is currently sojourning at Cornell as a Clarke Program in East Asian Law and Culture Visiting Scholar, adds that a main reason why Riles was invited to present was her expertise in Asian law from an anthropological perspective.

“It was truly a great honor to have an opportunity to present my research and my ideas about financial market regulation to an audience of legal scholars and practitioners familiar with the Hong Kong and Chinese markets,” says Riles. “I learned a lot.”



Green Card Stories

Cornell Law’s Yale-Loehr and Collaborators Present Narratives of Immigrant America

The geography of U.S. immigration has shifted, says **Stephen W. Yale-Loehr**, adjunct professor of law. Today’s immigrants arrive predominantly from Asia, Africa, and Latin America instead of Europe, and many are choosing to settle in cities across America rather than in traditional points of entry along the borders and coasts. Though its details have changed, however, immigration continues to tell our essential story: E pluribus unum—Out of many, one.

One of the nation’s preeminent authorities on U.S. immigration and asylum law, Yale-Loehr has been gathering immigration stories for thirty years. About four years ago, he and fellow immigration lawyer and scholar **Laura Danielson** began to mine their own experiences and those of attorneys and advocates from around

the country to create a work that would celebrate the resourcefulness, determination, and diversity of today’s immigrant America.

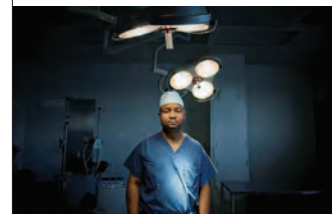
The result is *Green Card Stories*, written by nationally recognized journalist **Sandra Amrhein**, with compelling portraits by photographer **Ariana Lindquist** and an introduction by Yale-Loehr and Danielson. The coffee table-style book shares the narratives of fifty recent immigrants, all with permanent residence or citizenship. Those profiled include a Japanese hip-hop dancer for **Gwen Stefani** whose career was inspired by **Michael Jackson**; an Iraqi bodyguard for U.S. forces who was blinded by a car bomb; and **Saah Quigee**, who sur-



Stephen W. Yale-Loehr

vived torture at the hands of rebel and government forces during his native Liberia’s civil war and is now a circulation supervisor at Cornell’s Africana library.

The *Green Card Stories* book tour launched with events in New York City and continues to other locations nationwide in the coming months. The book is also profiled on CNN. Those interested in finding events, learning more, or ordering the book can visit www.greencardstories.com.



Judge and Special Masters of 9/11 First Responder Litigation Share “Perspectives from the Bench”

“Everything that happened was done in a fish bowl,” Hon. **Alvin Hellerstein** said of the lawsuit brought against the City of New York by first responders who labored at Ground Zero after the 9/11 terrorist attacks. Hellerstein, the United States district judge who oversaw the seven-year litigation, was speaking before a lunch audience in the Saperston Student Lounge on December 1. The panel, “9/11 First Responder Litigation: Perspectives from the Bench,” also included **Aaron Twerski**, the Irwin and Jill Cohen Professor of Law at Brooklyn Law School, and **James A. Henderson Jr.**, the Frank B. Ingersoll Professor of Law at Cornell. Twerski and Henderson served as special masters during the litigation.



Judge Alvin Hellerstein and Professor James Henderson

Throughout a wide-ranging discussion, the panelists explained some of the innovative techniques they used to guide the litigation and reach the \$712 million settlement between approximately 10,000 rescue and clean-up workers and the city. Speaking of the sophisticated database the court developed to analyze suits and select cases for early trial, Henderson said, “we were finally in control of the facts and could determine what was happening (and had happened) from almost any angle . . . it blew our socks off.”

The panelists touched also on the urgency of expeditiously and fairly resolving cases that involve so many injured people. Twerski spoke of the need to prevent delays like the one that held up the first responder litigation in the Second Court of Appeals. Hellerstein, who caused a stir in March 2010 when he rejected an initial settlement as inadequate, said, “People were injured. They

were seriously injured. People who used to run marathons couldn’t walk with their children . . . I felt they deserved compensation.”

The panel was presented by the Cornell Jewish Law Students Association (JLSA), a cultural, social, educational, and religious organization that reflects the varied interests of the Jewish student community of Cornell Law School.

Robert Hockett Coauthors “The Way Forward”

In the weeks following the fall 2011 release of “The Way Forward,” a sweeping reassessment of the global economic crisis, **Robert C. Hockett**, professor of law, witnessed an outpouring of responses, from *The Atlantic*, *Bloomberg*, *Business Insider*, *The Daily Beast*, National Public Radio, and *The New Republic*. Reuters praised the paper as “bold and ambitious,” and the *New York Times* called its recommendations “far more ambitious than anything being talked about in Washington.” More recently, the paper was cited in the President’s Jobs Council’s 2011 Year End Report.

“The reaction has been exceedingly encouraging, even astonishing,” says Hockett, who coauthored the article with **Daniel Alpert**, managing partner of Westwood Capital, and **Nouriel Roubini**, professor of economics at New York University. “Already, there are plans afoot for us to dine with members of Congress, and



Robert Hockett

meetings are being organized with policy analysts, policy makers, and investment bankers. It’s touched a nerve, and I suspect that’s because we’re not the only ones who have experienced frustration at the seeming irrelevance, the uselessness, of all the measures attempted thus far. People are apparently relieved that there are finally answers to the question, ‘What is the actual nature of the problem and how do we solve it?’”

The paper’s central premise is that the root causes of the current slump, the deepest since the Great Depression, go far beyond the bursting of the debt bubble in 2008, which is as much symptom as cause. This is more than just an ordinary cyclical downturn, and even more than an ordinary debt deflation—it’s the result of fundamental changes in the global economy, including the growth of massive private sector debt in the developed world, itself stemming from the addition of over two billion workers to the global labor force without compensating

The paper's central premise is that the root causes of the current slump, the deepest since the Great Depression, go far beyond the bursting of the debt bubble in 2008, which is as much symptom as cause.

increases in aggregate demand. For the authors, the solution is clear: Instead of arguing over the best way to reduce the deficit, the United States must over the next several years massively increase government spending on infrastructure, restructure mortgage debt, and rebalance relationships between debtor and creditor nations before the nation sinks into a double-dip recession that lasts for decades.

"Until now, no one has correctly diagnosed the problem, which renders it difficult if not impossible to proffer the right policy prescriptions," says Hockett, who also works as a consultant to the Federal Reserve Bank of New York. "We like to think this paper does both, and if we've managed to convey our message effectively, it should prompt even those who have been skeptical about financial stimulus and mortgage debt restructuring to re-think their positions. There's a gaping demand hole, and we must get serious about filling it over the medium term, as well as about economic repair for the longer term, right now."

Melissa Gallo '12 Named First Rhodes Public Interest Law Fellow

Melissa Gallo '12 has been chosen as Cornell Law School's first **Frank H.T. Rhodes** Public Interest Law Fellow. Gallo will commence her two-year fellowship in the fall of 2012 with the Community Development Project at the Lawyers' Committee for Civil Rights, through which she will provide supportive transactional services to nonprofits that improve access to affordable housing for underserved Latinos in the Gulf Coast region.

"After working directly with the homeless prior to law school, I became exposed to the lack of safe, affordable, and supportive housing opportunities," says Gallo. "There are three million homeless people nationally, with a third made up by children. Of that group, Latinos face additional barriers ... With this fellowship, I hope to start working toward changing that. I feel truly honored and blessed to go to a law school where an opportunity like this is possible, and I am excited to get to work!"

The Rhodes fellowship selection committee was chaired by **Andrea J. Mooney**, clinical professor of law, and included **Anne Lukingbeal**, associate dean and dean of students; **Joel Atlas**, director of the Lawyering Program and clinical professor of law; **Karen V. Comstock**, assistant dean for public service; and **Elizabeth K. Peck**, director of public service.

"At a time when nonprofit organizations have been forced to cut legal services to the most vulnerable, we are thrilled to award our first Frank H.T. Rhodes Public Interest Law Fellowship," says Comstock. "It was a difficult, but exciting, selection process. The five candidates presented excellent projects, all of which proposed creative strategies to address pressing legal needs. The fellowship committee selected Melissa because her proposal, host organization, and connection to the community she will serve seemed to be the best overall fit for this inaugural fellowship."



Melissa Gallo '12

Funded by the Atlantic Philanthropies and shared by the Law School and Cornell's Population Center, the Frank H. T. Rhodes fellowships are named for Cornell University's president from 1977 through 1995, also a former Atlantic board member and chair. The fellowships further scholarship and research in poverty alleviation, public health, human rights, and support for the elderly and disadvantaged children.

There are three million homeless people nationally, with a third made up by children. Of that group, Latinos face additional barriers . . . With this fellowship, I hope to start working toward changing that.

— Melissa Gallo '12



Transactional Lawyering Competition Draws Enthusiastic Response

On Saturday and Sunday, November 12 and 13, forty-eight students competed in the Law School's second Transactional Lawyering Competition—essentially a “moot court” for students who are interested in becoming deal lawyers. The competition is the only intramural competition of its kind in the country.



Both students and alumni participated in the Transactional Lawyering Competition—the only intramural competition of its kind in the country.



Divided into twenty-four two-person teams, representing the buyer or seller, participants engaged in mock negotiations over the sale and purchase of a private airport facility in upstate New York. They were judged by a distinguished panel of twenty-eight deal lawyers from around the country, many of them Cornell alumni. Students were required to attend five lectures on basic deal structuring in order to participate in the competition. Each team also received twenty minutes of direct feedback

from the instructor-judges following each round of negotiations. They were judged on the basis of their mark-up of a modified purchase agreement and their ability to negotiate effectively on behalf of their respective clients.

“One thing I learned is that, with any negotiation, progress is best made when you understand the other party’s interests as well as your own,” said **Adam Hubbard ‘12** of the winning buyer team. Added his partner, **Paul Swanson ‘12**,

None of this would be possible without the strong support of alumni who bring real-world experience to students, and students who put in the extra work necessary to develop transactional skills in law school.

— Professor Charles K. Whitehead

”



Adam Hubbard '12, Mystyc Metric '13, Dean Schwab, Tiina Vaisanen '13, and Paul Swanson '12

“As law schools continue to send significant numbers of their graduates into business law, exposure to transactions becomes even more essential. I’m glad that Cornell is leading the way in that regard.”

Partners on the winning seller team were **Mystyc Metric ‘13** and **Tiina Vaisanen ‘13**. “We were excited to win,” they said. “We also learned a lot, had fun, and feel much more confident going into our summer jobs after the competition.”

“None of this would be possible without the strong support of alumni who bring real-world experience to students, and students who put in the extra work necessary to develop transactional skills in law school,” noted Professor **Charles K. Whitehead**. “I would like to thank both for working together to make the competition a success.”

That success reflects the widespread interest of Cornell Law students in transactional lawyering, which was also evidenced the week before when 130 students flocked to the three-hour “Anatomy of a Private Deal Negotiation.” Sponsored by the Clarke Business Law Institute and the Cornell Business Law Society, the mock deal negotiation was presented by five senior lawyers from Kaye Scholer under the leadership of senior partner **Joel Greenberg**.

The Clarke Business Law Institute was created in 2007 with a \$5 million lead gift from **Jack**

G. Clarke, LL.B. ‘52 and his wife, **Dorothea S. Clarke**. The BLI offers a venue for students to learn from nationally-recognized scholars, senior lawyers, regulators, and business leaders. At its core, the BLI focuses on hiring faculty who concentrate on business law areas, developing courses in business law, facilitating business law projects between Law School faculty and other Cornell departments, and organizing conferences that use the Law School’s academic platform as a neutral forum for the discussion of pressing topics involving business law.



Transactional Lawyering Competition Alumni Instructor-Judges:

John Alexander ‘71,
Sayles & Evans

John Altorelli ‘93,
DLA Piper

Karen Bertulli ‘01,
Winthrop & Weinstine

Franci Blassberg ‘77,
Debevoise & Plimpton

Dave Boehnen ‘71,
SuperValu Inc.

Joseph Calabrese ‘81,
O’Melveny & Myers

William Casazza ‘85,
Aetna

Emanuel Cherney ‘77,
Kaye Scholer

Mitsuru Claire Chino ‘91,
Itochu Corporation,
Distinguished Practitioner
in Residence at Cornell
Law School (fall term)

Thomas Christopher ‘84,
Kirkland & Ellis

Robert Davis ‘78, Cleary,
Gottlieb, Steen & Hamilton

Todd Feinsmith ‘91,
Pepper Hamilton

Steven Flyer ‘91,
AUA Private Equity Partners

Joel Hartstone ‘70,
Stonegate Capital Group

Denise Hauselt ‘83,
Corning Incorporated

Sarah Hewitt ‘82, Schnader,
Harrison, Segal & Lewis

James Hill ‘91,
Morgan Stanley Structured
Credit Products

Sital Kalantry,
Cornell Law School,
Avon Global Center for
Women and Justice

Jeffrey Kochian ‘98,
Akin, Gump, Strauss, Hauer
& Feld

Ira Marcus ‘74, Marcus Brody

Raymond Minella ‘74,
Cornell Law School,
Clarke Business Law Institute

Dale Okonow ‘83,
The Watermill Group

Jay Rakow ‘77,
The Lincy Foundation

Ira Roxland ‘67, SNR Denton

John Schwolsky ‘85,
Wilkie Farr & Gallagher

William Shiland ‘83,
Rexford Management
Company

Mark Underberg ‘81,
Paul, Weiss, Rifkind,
Wharton & Garrison

Raymond Zemlin ‘80,
Goodwin Proctor



TRAYVON MARTIN DEMONSTRATION In late March, the Latin American Law Students Association (LALSA) and the Black Law Students Association (BLSA) organized a demonstration that gathered students, faculty, and staff to raise awareness about the racial implications of “Stand Your Ground” laws in states like Florida.

Cornell Hosts Conference on Middle East Water Scarcity

Scholars from Egypt, Ethiopia, Greece, Israel, Lebanon, the Occupied Palestinian Territories, Spain, and Tunisia gathered at the Law School for a conference on Water Scarcity and Policy in the Middle East and Mediterranean. The conference, held on November 4, 5, and 6, addressed the legal, technical, political, and cultural problems of the region, focusing on potential solutions in water rights, land use, resource management, and water sharing.

“Our objective was to bring together scholars from different disciplines to discuss the implications of water law and policy in one of the driest regions of the world,” said professor **Chantal Thomas**,



Chantal Thomas

who directs the Clarke Initiative for Law and Development in the Middle East and North Africa, which co-sponsored the event. “This conference reinforced how directly connected scarcity issues are to the central political conflicts of the region, which both



The conference benefited from the support of many Cornell colleagues. Professors Muna Ndulo and Cynthia Bowman are among those pictured here with keynote speaker, Dr. Baylie Damtie of Bahir Dar University, Ethiopia.

affect and are affected by disputes over access to water.”

In a pre-conference panel, **Natasha Bhushan '12**, provided the international legal context for water management in the Mediterranean; **Diana Biller '13**, lectured on “Localizing

Water: The Benefits and Drawbacks of Community-Based Water Schemes”; **Tamaron Greene '12**, presented an example of using the democratic process in North African groundwater resource management; and **Matt Danforth**,

J.D./LL.M. '12, talked about "Equity in Water Privatization: Balancing Governance and Financial Incentives for Private Participation."

The conference formally opened with a welcome by **Baylie Damtie**, president of Bahir Dar University, who discussed his university's role in Ethiopia's five-year program to improve the lives of its poorest citizens through water conservation, hydroelectric power, and renegotiated treaties within the region. "Ethiopia's plan to combat the poverty in our country depends on water," he said. "We have a huge amount of water resource, but the part we have used up to this point is next to none."

Panel presentations continued on Saturday, with speakers focusing on groundwater law in the Nile Basin, post-revolution resource management in Tunisia, land acquisition in Ethiopia, and the amount of water necessary to sustain a viable Palestinian state. In Saturday's keynote address, **Stephen McCaffrey**, professor at McGeorge School of Law at the University of the Pacific, asked and answered the question, "Is There International Water Law in the Twenty-First Century?"

"Yes, I think there is," argued McCaffrey, whose work formed the basis of the 1997 United Nations convention on non-navigational uses of international watercourses, which remains ten nations short of becoming fully ratified. "The

codification of treaty, even one that is not in force, makes a difference as a practical matter, and the evidence is observable both in state practice and judicial decisions . . . Neither party in a dispute may have ratified the treaty, and indeed, the treaty itself may not be in force, yet the principles it expresses may be binding."

For Thomas, who moderated Saturday's panel on water rights, the conference was a significant step forward, with a wide range of speakers who addressed both working solutions and the underlying questions of governance and justice. "Cornell Law is a leader in its commitment to interdisciplinary collaboration, and hosting this conference was an expression of that commitment," she said. "Ideally, a collaboration in the relatively technical domain of water management can establish a platform for building trust and cooperation in other areas of policy, which will constitute a key component of any sustainable solution to the problems of the region."

McRoberts and Flanagan Chairs Appointed

At a meeting in October, the Cornell Law School Board of Trustees elected Professor **Cynthia Farina** to the position of William G. McRoberts Research Professor in Administration of the Law and Professor **Sheri Lynn Johnson** to the position of James and Mark Flanagan Professor of Law. The election followed a

We share a conviction that truly understanding the role of law in society requires attention to both theory and actual practice. And we share the belief that these are among the most important questions legal scholars can address.

— Cynthia Farina

”



Cynthia Farina

recommendation made to the provost by **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, after he had consulted with the Law School's chaired faculty.

Established through a bequest of **William G. McRoberts** in 1953, the McRoberts chair is devoted to the scientific study of the administration of the law. Robert S. Summers was the last holder of the McRoberts chair, from 1976 through 2011, and has been the McRoberts Professor Emeritus since July 1.



Sheri Lynn Johnson

"I am delighted with the appointment to the McRoberts Chair and honored to follow Professor Summers in holding it," says Farina. "We share a conviction that truly understanding the role of law in society requires attention to both theory and actual practice. And we share the belief that these are among the most important questions legal scholars can address." A nationally known scholar of the administrative process and coauthor of the oldest and leading casebook in administrative law, Farina leads the

Regulation Room project as a member of the Cornell e-Rule-making Initiative (CeRI) team.

The Flanagan Chair was established in 1973 through the bequests of brothers **James G. Flanagan, LLB '37** and **Thomas Mark Flanagan**. "I am grateful for this honor," says Johnson, an expert on the interface of race and criminal procedure. Johnson is the assistant director of the Cornell Death Penalty Project, an initiative she cofounded in 1993 to foster empirical scholarship, offer students an opportunity to work with practitioners, and provide information and assistance for lawyers. Johnson currently teaches constitutional and criminal law and supervises the post-conviction litigation and capital trial clinics.

"Professor Farina and Professor Johnson are richly deserving of this honor," explains Schwab. "They have each been leaders on the Cornell Law faculty for more than a quarter-century. They are highly visible national leaders in their scholarly fields, and inspiring teachers and mentors for students here in Myron Taylor Hall."



Clarke Program Colloquium: Julie Chu Examines What Happens "When Infrastructures Attack"

In 2007, the city of Fuzhou, in southern China, launched a campaign to turn its Lanes and Alleys neighborhood into a tourist-friendly historic district. Attendant upon this project were the sort of mass evictions and demolitions that have rankled communities throughout China in recent years, the flip side of the impressive infrastructural achievements that have become iconic of Chinese might. As **Julie Chu** explained to a Law School audience on November 2, the point where the demands of infrastructural progress meet the resistance of those in its path has become a crucial site for grappling with state power.

Chu, assistant professor of anthropology at the University of Chicago, is a socio-cultural anthropologist and author of *Cosmologies of Credit: Transnational Mobility and the Politics of Destination in China* (Duke University Press, 2010). Her current project examines border technologies and the various infrastructures for managing the flows of people and things between southern China and the United States. Her lecture, "When Infrastructures Attack: The Politics of Disrepair in China," presented through the Clarke Program in East Asian Law



Julie Chu

and Culture Colloquium Series, was drawn from field research in Lanes and Alleys.

Chu took this neighborhood as a case study of the evolving tactics and results of demolition in China. Following a wave of governmental land acquisition that manifested in dramatic scenes of demolition—and provoked equally dramatic scenes of protest—local governments wary of bad publicity have taken to employing small, furtive demolitions, couching their tactics in legal terms, and ostensibly providing legal channels of objection, said Chu. She observed that the new regime has largely served to



Annelise Riles

contain rather than ameliorate the grievances of displaced residents, but she suggested that it also seems to be incubating creative forces. Though judges and bureaucrats are stymied by pressure from above, dogged petitioners pursue

Fall 2011 Colloquium Speakers:

Minoru Aosaki, LL.M. '05,
Freeman Spogli Institute
for International Studies at
Stanford University

Mitsuru Claire Chino '91,
Itochu Corporation,
Distinguished Practitioner in
Residence at Cornell Law
School (fall term)

Julie Chu,
University of Chicago

Valerie Hans,
Cornell Law School

Susumu Hirano, LL.M. '90,
Chuo University and Visiting
Scholar at Cornell Law School

Amy Levine,
Changwon National University

Zhu Suli,
Peking University, Anthony
W. and Lulu C. Wang
Distinguished Visiting
Professor of Law at Cornell
Law School (fall term)

Chika Watanabe,
Blueshift Global Partners

their suits as instruments of media outreach and community engagement. Through casual meetings in court hallways and surreptitious asides, meanwhile, officials are offering guidance. It is in these interstices of “productive disconnection,” says Chu, that real legal reform is occurring.

“Julie Chu’s work gives us a highly nuanced view of what is the emerging Rule of Law in China, in all its contradictions, complexities, and potentialities,” says **Annelise Riles**, Jack G. Clarke Professor of Far East Legal Studies and director of the Clarke Program in East Asian Law and Culture. “Her research takes us from the ordinary person’s experience of the law to the experiences of judges, prosecutors, lawyers, and other elites. The paper was an exciting demonstration of the value of ethnographic research in understanding emerging legal institutions.”

The Clarke Colloquium Series is presented by the Clarke Program in East Asian Law and Culture, funded by a gift to Cornell Law School by **Jack G. Clarke, LL.B. ’52** and his wife, **Dorothea**.

Judge Sepúlveda of International Court of Justice Speaks at Law School

On October 31, Law School students, faculty, and visitors gathered for a lecture on the role of the International Court of Justice (ICJ), the principal judicial organ of the United

Nations. This “broad brush of review” was delivered by one of the court’s fifteen judges, Hon. **Bernardo Sepúlveda Amor**.

Sepúlveda, who has sat on the ICJ since 2006, is a professor of international law at El Colegio de Mexico and an associate member of the Institut de Droit International. He was Mexico’s secretary of foreign relations from 1982 through 1988, served as its ambassador to Washington and to London, and was a member of the United Nations International Law Commission from 1997 through 2005.



Bernardo Sepúlveda Amor

and cosponsored by the Graduate and Professional Student Assembly Finance Commission, touched on such areas of the World Court’s jurisdiction as the use of force, the law of the seas, individual rights, and environmental protection. Sepúlveda also explained that more than 300 treaties grant the ICJ authority over disputes

Because of his distinguished career in diplomacy and foreign affairs, in academia, and now as a World Court judge, we are very, very pleased and proud to have [Judge Sepúlveda] here.

— John J. Barceló



“Because of his distinguished career in diplomacy and foreign affairs, in academia, and now as a World Court judge, we are very, very pleased and proud to have [Judge Sepúlveda] here,” said **John J. Barceló**, director of the Berger International Legal Studies Program, in his introduction. Sepúlveda’s lecture, presented by the Berger Program and the Briggs Society of International Law

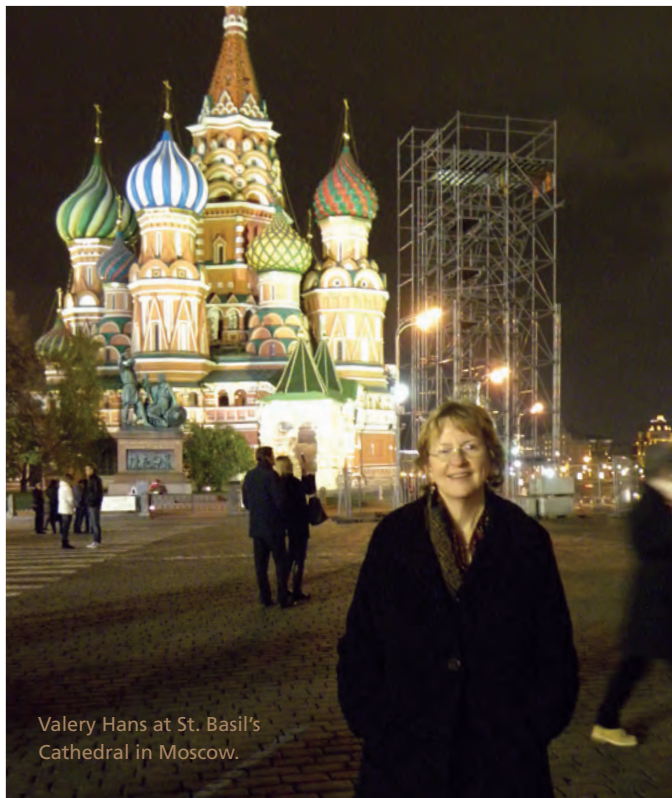
and treaty interpretation. “As the court’s volume of cases grows,” said Sepúlveda, “the significance of its role increases.”

Named in honor of **Leo Berger ’56** and his wife, **Arvilla**, the Berger International Legal Studies Program sponsors a varied and vital array of activities that provide Cornell Law students with legal training and skills of global relevance.

The Berger Program has built links to law schools throughout Europe (for example, in France, Germany, Hungary, Italy, the Netherlands, Spain, and the United Kingdom) and in Australia. Other programs at the Law School have been active in Africa, East Asia, and the Middle East. The Briggs Society of International Law, a student-run organization, was named in honor of one of Cornell’s best known public international law teachers and scholars. In cooperation with the Berger Program, the Briggs Society sponsors a number of field trips and events designed to bring J.D. and LL.M. students together throughout the year.

Rule of Law Fellow Valerie Hans Observes the Russian Jury System at Close Range

In October 2011 the Paul Klebnikov Fund awarded its most recent Rule of Law Fellowship to Cornell’s **Valerie Hans**, professor of law. One of the foremost authorities on the jury system, Hans has written extensively on citizen participation in legal proceedings and jury decision making. Hans spent her two-week fellowship at Moscow State University. In Moscow, she gave four formal presentations about jury systems worldwide; met many knowledgeable Russian scholars, students, judges, lawyers, and policy-makers; and engaged in fruitful discussions about the Russian jury system.



Valery Hans at St. Basil's Cathedral in Moscow.

"As a scholar of the jury system, I have long been fascinated by Russia's modern democratic experiment with trial by jury," says Hans. "The Paul Klebnikov Fund Rule of Law Fellowship offered me an unparalleled opportunity to observe the Russian jury system at close range."

Hans plans to write and present a paper summarizing her observations at an international law and society meeting in June 2012. "As the Russian jury experience becomes more fully understood," she adds, "I am confident that it will provide important lessons for scholars and policymakers alike about how best to employ citizens as legal decision makers."

Hans's Rule of Law Fellowship visit to Moscow State University follows that of fellow Cornell Law professor **Theodore Eisenberg**, an expert in empirical research. A Rule of Law Fellowship also brought **Gayane Davidyan**, associate professor of law at Moscow State, to Cornell in 2010.

The Paul Klebnikov Fund Rule of Law Fellowship was designed to deepen ties between the Russian and American legal communities and provide opportunities for collaborative research. The fellowship program is made possible by the generous support of the U.S.-Russia Foundation and the assistance of numerous individual supporters.

Moot Court Competition Addresses Health Insurance Mandates

On Saturday, October 29, the Cornell Law School Moot Court Board presented the 2011 Cuccia Cup Moot Court Competition. The Board established a fictional statute, the Act to Care for America, based on the Patient Protection and Affordable Care Act, which is being challenged before the U.S. Supreme Court. Appearing before fourteen student judges, thirty second- and third-year students addressed whether the individual mandate to purchase health insurance is a valid exercise of congressional power under either the Commerce Clause or the Taxing and Spending Clause. The scenario was based on several health care cases that have been decided in circuit courts around the country. Participant teams represented either a hypothetical petitioner

—an uninsured individual challenging the mandate based on the change in spending habits it has imposed on her—or her respondent.

The finals, held in the MacDonald Moot Court Room and open to the public, pitted petitioner representatives **Sean Langille '13** and **Jovana Crncevic '13** against respondent representatives **Nick Karasimas '13** and **Hahn Liu '13**. Sitting on the esteemed panel of judges were Hon. **Barrington D. Parker Jr.** of the U.S. Court of Appeals for the Second Circuit; Hon. **D. Brooks Smith** of the U.S. Court of Appeals for the Third Circuit; Hon. **Kathleen Cardone** of the U.S. District Court for the Western District of Texas; Hon. **William C. Turnoff '73** of the U.S. District Court for the Southern District of Florida; and Hon. **Anne Patterson '82**, of the Supreme Court of New Jersey. Langille



The Cuccia Cup finals, held in MacDonald Moot Court Room, were open to the public and drew a crowd of supporters.



The Cuccia Cup panel of distinguished judges included William C. Turnoff '73, Kathleen Cardone, Barrington D. Parker Jr., D. Brooks Smith, and Anne Patterson '82

and Crncevic were declared the winners. **Cody Herche '13** and **Chad Mizelle '13** won the prize for best brief.

Finalists' prizes for the Cuccia Cup are funded annually through endowed gifts from the late **Francis P. Cuccia, LL.B. 1912** in memory of **Mary Heagan Cuccia**, as well as from **Helen Belding Smith** and the estate of **Henry P. Smith III '36**. The prizes for best brief are funded through an endowed gift from **Louis Kaiser, LL.B. 1921**.



Jovana Crncevic '13 and Sean Langille '13

Experts Weigh in on the Dodd-Frank Act and Regulatory Reform

On October 28, Cornell Law School hosted an all-day conference in New York City on issues facing financial regulatory reform following passage of the Dodd-Frank Act. The conference featured luminaries from the worlds of law, finance, government, and academia, as well as forty law students who traveled from the Ithaca campus. The speakers' viewpoints often clashed, but were candidly discussed in a discourse that reflected the conference's academic setting.

Raymond J. Minella '74, executive director of the Clarke Business Law Institute, and **Brian Hogue '12**, then-editor in chief of the *Cornell Law Review*, opened the conference. Commissioner **Troy A. Paredes** of the U.S. Securities and Exchange Commission was the first speaker. He discussed challenges that face the SEC, including difficulties in

undertaking the cost/benefit analysis it must conduct when introducing new regulation.

Mark Zandi, chief economist and cofounder of Moody's Economy.com, gave the luncheon address. He argued that, while Dodd-Frank may not be a slam-dunk, financial regulatory reforms were likely to be a net-plus in the long run.

Panel moderators included Cornell Law Professor **Robert C. Hockett**, as well as law students **Mark Chen '12** and **Paul Swanson '12**. Papers presented at the conference



Lynn A. Stout



Katherine Ward Feld, MBA '82, JD '83, greets students attending the Dodd-Frank conference in New York City.

Mark Zandi, chief economist and cofounder of Moody's Economy.com, gave the luncheon address. He argued that, while Dodd-Frank may not be a slam-dunk, financial regulatory reforms were likely to be a net-plus in the long run.

Commissioner Paredes was followed by an impressive array of speakers and panelists, including (in order of presentation):

John C. Coffee Jr.,
Adolf A. Berle Professor of
Law, Columbia Law School

Jeffrey Siegel '03,
senior counsel, Senate
Committee on Banking,
Housing, and Urban Affairs

Oren Bar-Gill, professor of
law, and Ryan Bubb, assistant
professor of law, New York
University School of Law

James A. Huizinga,
partner, Sidley Austin LLP

Leonard (Len) J. Kennedy '77,
general counsel, and Patricia
A. McCoy, assistant director
for mortgage and home
equity markets, Consumer
Financial Protection Bureau

Robert J. Ingato '85,
executive vice president,
general counsel,
and secretary, CIT Group

Lynn A. Stout, Marc and
Beth Goldberg Distinguished
Visiting Professor of Law,
Cornell Law School

Thomas A. Russo '69,
executive vice president and
general counsel, American
International Group

Charles K. Whitehead,
professor of law, Cornell Law
School

James J. Hill '91,
managing director and global
credit derivatives officer,
Morgan Stanley

Randall S. Thomas,
John S. Beasley II Professor of
Law and Business, Vanderbilt
University School of Law

Arthur M. Siskind '62,
senior advisor to the chair-
man, News Corporation

Edward F. Greene,
senior counsel, Cleary
Gottlieb Steen & Hamilton

Roberta Romano,
Sterling Professor of Law,
Yale Law School

will be published in a forth-
coming issue of the *Cornell
Law Review*.

While not everyone agreed on
Dodd-Frank's merits, most
conceded that the outcome of
the Act will depend on imple-
mentation and administration.

It was noted that eighty-two
percent of Americans support
Wall Street reform, and most
participants at the conference
agreed that some change was
necessary. Nevertheless, it was
emphasized, reform is more a
marathon than a sprint—with
no easy answers, no quick so-
lutions, and no silver bullets.
As Minella commented,
"There are more pages in the
table of contents of the Dodd-
Frank Act than comprise the
'33 and '34 Acts combined,
under which the securities in-
dustry operated for the better
part of seventy years. This
conference represented a first
step in understanding the
changes wrought by this semi-
nal piece of legislation."

Cornell Law professor *Charles
K. Whitehead* observed, "The
conference built on the Law
School's neutral forum as a
place where experts can discuss
important topics of pressing
concern. Our speakers and
panelists were second-to-none,
and the level of engagement
with students and other audi-
ence members was exceptional.
Thank you to everyone for
your participation and support.
We look forward to future
opportunities to bring together
the same high level of exper-
tise in other areas of interest."

Second Annual Women and Justice Conference

*Avon Global Center for Women
and Justice at Cornell Law School
Convenes Scholars, Judges
and Advocates in New Delhi*

On October 22 and 23, in New
Delhi, India, the Avon Global
Center for Women and Justice
at Cornell Law School hosted
its Second Annual Women
and Justice Conference, "Gen-
der-Based Violence and Justice
in South Asia." Cohosted by
Jindal Global Law School, the
conference was developed in
collaboration with UN Women;
Virtue Foundation; Kriti Team;
the International Center for
Ethics, Justice, and Public Life
at Brandeis University; and
Acid Survivors Trust Interna-
tional (ASTI).

The Second Annual Women
and Justice Conference con-
vened more than two hundred
people from over fifteen coun-
tries. Participants included
senior and distinguished judges
from national and international
courts, including judges from
the highest courts of Bangla-
desh, Nepal, India, and Sri
Lanka, eminent scholars, and
human rights activists.

In addition to creating a
dialogue across national
boundaries, the Women and
Justice Conference was orga-
nized to foster interactions
between people who, though
working toward common
goals, often operate in isolation
from one another. Speakers
and participants included
economists, women's studies
scholars, legal professionals



TOP: Judges' Colloquium participants included supreme court justices from India, Nepal, Sri Lanka and Bangladesh, as well as a judge from the Caribbean Court of Justice, and four judges from the United States. **LEFT:** Jindal Global Law School Dean C. Raj Kumar and Dean Schwab.

and scholars, and health professionals.

"By bringing together stakeholders across sectors, we created opportunities for cross-fertilization of ideas and best practices," says **Sital Kalantry**, faculty director of the Avon Global Center for Women and Justice and associate clinical professor of law at Cornell Law School. "Professors were able to present their scholarly works to policymakers and activists who could put those theories into practice. Judges heard from victims of violence outside of the formal setting of a court room and learned firsthand of the difficulties they face within the criminal justice system."

Adds **Elizabeth Brundige**, interim executive director of

the Avon Global Center for Women and Justice, "One participant, an acid attack survivor, spoke movingly about her experiences not only as a survivor of a horrific form of gender-based violence, but also as someone who has felt abandoned and betrayed by her country's justice system. By the time she reached the end of her presentation, there were few dry eyes in the room. Her powerfully personal story and courage in sharing it provided an important grounding for participants' discussion about promoting access to justice for women survivors of violence around the world."

Looking forward, Kalantry says, "We are pleased to have received very positive feedback on the value and impact of the conference. We hope that this convening not only reinforced important existing initiatives but also sparked new ideas and forged new connections that will advance further solution-oriented collaborations."

Established in 2009 with a generous five-year grant from

the Avon Foundation for Women, the Avon Global Center for Women and Justice works with judges, legal professionals, and both governmental and non-governmental organizations to improve access to justice in an effort to eliminate violence against women and girls.

A report that summarizes and highlights key proceedings from the Women and Justice Conference is available at www.womenandjustice.org. Videos of the proceedings will be made available soon at the same address.

Constitution and Society Colloquium Welcomes Distinguished Visitors

"Teaching a joint colloquium with **Mike Dorf** in the Law School this year has been a joy and a challenge," says **Sidney Tarrow**, the Maxwell M. Upson Professor Emeritus in the Government Department at Cornell and a visiting professor at the Law School, "a joy because it has exposed me to a

scintillating colleague and to engaged and thoughtful students, and challenging because it has exposed me to a scintillating colleague and to engaged and thoughtful students."

The Colloquium on Constitution and Society, which examines the processes by which social and constitutional change interact, has welcomed visiting scholars in law, political science, and related fields to present works in progress throughout the term.

"Students and scholars of constitutional law know instinctively that understandings of the Constitution evolve in



Michael C. Dorf



Sidney Tarrow



Kim Lane Scheppele

response to, and in turn shape, social movements,” says Michael C. Dorf, the Robert S. Stevens Professor of Law. “We see the evidence in the law governing race relations, sex equality, gun control, same-sex marriage, and a host of other subjects. Yet lawyers rarely pause to go beyond that banal observation. Collaborating on this colloquium with Tarrow—who literally wrote the book on social movements—has been a wonderful opportunity to drill down into the deep connections between American society and American constitutionalism.”

On October 18, the colloquium welcomed **Richard H. Pildes**, faculty advisor at the Center on Law and Security and the

Sudler Family Professor of Constitutional Law at New York University School of Law. One of the nation’s leading scholars of public law, Pildes is coauthor of the casebook *The Law of Democracy*, and his work has been cited numerous times by the United States Supreme Court.

Pildes’ presentation, “Law and the President,” offered a critique of the recently published book *The Executive Unbound* by **Eric Posner** and **Adrian Vermeule** and addressed the questions “How much does law constrain the exercise of presidential power?” and “How much should it?” Opening the discussion to a room packed with students and visitors (including former Justice

Department official **Dawn Johnsen**), Pildes then fielded comments touching on everything from Abraham Lincoln to the recent U.S. military action in Libya.

Two weeks later, an eager audience once again filled the colloquium classroom, this time for “Post-Communism, Neo-Fascism, and Political Opportunism: A Perfect Hungarian (Legal) Storm,” presented by **Kim Lane Scheppele**. Director of Princeton’s Program in Law and Public Affairs (LAPA), Scheppele is also the Laurance S. Rockefeller Professor of Sociology and Public Affairs in the Woodrow Wilson School and the University Center for Human Values at Princeton. Scheppele spent half of the years between 1994 and 2004 living in Hungary and then in Russia, studying the countries’ constitutional courts and the influence of their new constitutions.

In her talk, Scheppele shared insights from her extensive research on the Holy Crown of Saint Stephen, an artifact regarded by Hungarians as embodying the country’s sovereignty and, of late, employed by Hungary’s growing conservative powers as a crucial constitutional symbol. As Scheppele explained to colloquium attendees, she believes that the object can be reclaimed by the opposition through a reinterpretation that reflects its long, varied, and multicultural history.

Barceló Visits Chinese Universities to Present Lectures, Discuss Collaboration

“Cornell is very well known in China,” says **John J. Barceló**, the William Nelson Cromwell Professor of International and Comparative Law and Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program, reflecting on the enthusiastic response he received during a recent trip.

In mid-October Barceló, accompanied by his wife, journeyed to China to visit two universities. He traveled first to Zhejiang University in Hangzhou, southwest of Shanghai. Barceló had been contacted by **Jun Zhao ’06**, a former student and research assistant of his at Cornell Law and now a professor at Zhejiang, and was then formally invited by the university to deliver the 2011 Zhu Kezhen Distinguished Lectures. On October 12, he addressed a general university audience on the topic of business dispute arbitration as an instrument for economic development, and the following day, he presented on climate control border measures and World Trade Organization law before students and faculty of the university’s Guanghua Law School. Barceló also met with law school faculty and students to discuss mutual research and study interests.

On October 14, Barceló traveled to Shanghai, where he gave a

Fall 2011 Constitution and Society Colloquium Speakers:

Laurel Fletcher,
University of California,
Berkeley School of Law,
International Human Rights
Law Clinic “Transitional
Justice”

Joseph Margulies,
Northwestern University
School of Law, Roderick
MacArthur Justice Center,
“The Dark Side of the
Creed: Stable Values and
Constructed Meaning in
American Thought”

Michael McCann,
University of Washington,
“Beyond Legal Mobilization:
Rethinking How Law Matters
in the Transpacific Struggles
of Filipino Cannery Workers”

Eileen McDonagh,
Northeastern University,
“Constitutional Foundations
of a Gendered State”

Richard Pildes,
New York University School
of Law, “Law and the
President”

Kim Lane Scheppele,
Princeton University,
“Creating a History from
Which We Follow: Imagined
Pasts in Hungarian
Constitutional Law”





Professor Barceló presents one of two 2011 Zhu Kezhen Distinguished Lectures at Zhejiang University to a packed audience of more than 500 students.

talk on international commercial and investment arbitration before students and faculty of Jiao Tong University's KoGuan Law School. Cornell and KoGuan signed an official agreement of educational cooperation in August 2011.

"It was a very fruitful trip," says Barceló. Though he found the graciousness of his hosts and the beauty of Hangzhou remarkable, the most striking aspect of the excursion, he recalls, was the attendance for his general presentation at

Zhejiang, where he arrived to find 500 students packed into the lecture hall, many standing or sitting on the ground. (He was later told that the turnout was even greater than that for a lecture once given in the same room by **Jürgen Habermas**.)

"It was a great pleasure to see their eagerness to study the issue of arbitration," says Barceló, adding, "I tried to make the topic somewhat sexy by [relating it] to economic development."

From the NFL Lockout to the BP Oil Spill: Thomas Heiden '71 Inspires Students with Talk on High-Stakes Litigation

"I believe in our system. I believe our system is the best devised so far," **Thomas J. Heiden '71** told an audience of Cornell Law students on October 18 as he spoke on big-ticket civil litigation. Heiden certainly knows the system well. A partner in the Chicago office of Latham & Watkins, he has tried cases

in every region of the United States. He is admitted to practice in the United States Supreme Court; the U.S. Court of Appeals for the District of Columbia, Sixth, and Seventh Circuits; and various United States district courts. He is also admitted for specific trials in federal and state courts in eleven states. Among the clients Heiden has represented in complex litigation in recent years are the cities of Austin and San Antonio, New England Power, Ford Motor Company, and Westinghouse.



Thomas Heiden '71

After standing up in a multitude of courtrooms, Heiden could now tell the aspiring lawyers before him, whom he urged to cherish every professional opportunity entrusted to them, however daunting, "Believe you can do it, because you can do it."

But Heiden focused his presentation on two recent high profile cases. The first was the 2011 NFL lockout case, in which he represented the NFL Players Association (NFLPA) against league owners and won. On the basis of the owners' written communications, Heiden argued that recurring words and phrases—"weapon," "war chest," "deal-breaker," "freeze out Fox," and others—demonstrated the owners' concerted efforts to strong-arm the television networks for a "war chest" of \$4.078 billion which they intended to use to finance the lockout. The court determined that these actions violated the prevailing collective bargaining agreement.

Heiden isn't Cornell Law's only connection to the dispute: **Jim McFarland '80**, a former NFL player, sits on the NFLPA Executive Committee, and **William Buckley "Buck" Briggs**, adjunct professor of law, is vice president of labor arbitration and litigation with the NFL.

Presenting a contrast to this "narrow and expedited trial," Heiden then spoke of the massive body of ongoing cases, more than 400 in various courts, related to the explosion of BP's Deepwater Horizon drilling platform, ensuing ninety-eight-day oil spill, and cleanup efforts in the Gulf of Mexico. Heiden's firm is representing one of the defendants, the manufacturer of the dispersants applied to the spill area.

In closing, Heiden turned from such high-profile cases to his days as a student and novice lawyer scared to open his mouth in court. "I remember the man who told me, 'when you stand up, it's your courtroom,'" he said. "I thought he was high." After standing up in a multitude of courtrooms, Heiden could now tell the aspiring lawyers before him, whom he urged to cherish every professional opportunity entrusted to them, however daunting, "Believe you can do it, because you *can* do it."

Professor Gregory Alexander Joins Fellow Takings Law Scholars at Renowned Property Rights Conference in China

On October 14 and 15, Cornell Law School's **Gregory Alexander**, the A. Robert Noll Professor of Law, traveled to Beijing, China, to participate in the Eighth Annual Brigham-Kanner Property Rights Conference, sponsored by the College of William and Mary, Marshall-Wythe School of Law. The conference brought together esteemed scholars, jurists, and practitioners from around the world to explore recent developments in takings law and other areas of the law affecting property rights.

One of the foremost U.S. scholars on takings law, Alexander participated in a panel entitled "Property as an Instrument of Social Policy." He drew upon his research

It was a wonderful opportunity for a robust engagement of ideas with folks who have had a very different experience regarding property, and have been engaged in a project of developing a regime of property rights for the first time. The conference was very policy-oriented and could help shape property law globally."

— Gregory Alexander

”



Gregory Alexander

over the past ten years on constitutional property in Africa, particularly related to the South African constitution, which is charged with transforming society in the wake of the apartheid regime, and more specifically, transforming the land regime.

Noting China's recent adoption of a property code, Alexander said he was most interested in participating in exchanges with U.S. and Chinese scholars.

"Most of the major American scholars in constitutional property law were at the conference, representing a full spectrum of views," says Alexander. "It was a wonderful opportunity for a robust engagement of ideas with folks who have had a very different experience regarding property, and have been engaged in a project of developing a regime of property rights for the first time." He added, "The conference was very policy-oriented and could help shape property law globally."

During the conference, retired Supreme Court justice **Sandra Day O'Connor** received the 2011 Brigham-Kanner Property Rights Prize and was a featured speaker. Her widely cited dissenting opinion in *Kelo v. City of New London* (2005) has been hailed as a pivotal opinion in property law jurisprudence. A formal reception

was held on October 13 at the United States Embassy in Beijing to honor O'Connor and the conference's Chinese host, Tsinghua University School of Law.

Alexander has taught at the Law School since 1985. A prolific and recognized writer, he is the winner of the American Publishers Association's 1997 Best Book of the Year in Law award for his work *Commodity and Propriety*. His most recent book is *The Global Debate over Constitutional Property: Lessons for American Takings Jurisprudence*, and he has coauthored two forthcoming books to be published in 2012 by Cambridge University Press and Aspen Publishers.

MacKinnon Speaks on Women's Human Rights in the International Arena

On Thursday, September 29, the Law School's MacDonald Moot Court Room was packed to overflowing for a lecture by renowned legal scholar **Catharine MacKinnon**.



The global consciousness of women's right to human status... is exploding across the potent artifice of states' barriers, erupting through the fissures of state subordination, and rising from the ashes of states' collapse.

— Catharine MacKinnon



Catharine MacKinnon

Organized by University Lectures and the Dorothea S. Clarke Program in Feminist Jurisprudence, "Women's Status, Men's States" examined the bearing of developments in international human rights law on the legal status of women.

MacKinnon was introduced by **Cynthia Grant Bowman**, the Dorothea S. Clarke Professor of Feminist Jurisprudence. "I think it is fair to characterize MacKinnon as the founder of feminist legal theory," said Bowman, citing her books *The Sexual Harassment of Working Women*, *Feminism Unmodified*, and *Toward a Feminist Theory of the State* for their critique of liberal equality theory and articulation of sex equality

"not as a question of formal equality in the Aristotelian sense but as a question of dominance and power."

This theme played prominently in MacKinnon's presentation, which identified the state as an institution of male power and elucidated its impediments to the redress of sexual injustice. The international human rights framework, MacKinnon argued, has presented promising challenges to this increasingly obsolete establishment, concluding, "The global consciousness of women's right to human status... is exploding across the potent artifice of states' barriers, erupting through the fissures of state subordination, and rising from the ashes of states' collapse."

MacKinnon is the Elizabeth A. Long Professor of Law at the University of Michigan Law School, a visiting professor at Harvard Law School, and special gender adviser to the prosecutor of the International Criminal Court. She works with Equality Now, an international NGO promoting sex equality worldwide, and the Coalition Against Trafficking in Women (CATW).

Zhu Suli, the Anthony W. and Lulu C. Wang Distinguished Visiting Professor of Law, Presents the 2011 Clarke Lecture

On September 28, members of the Cornell community gathered in Anabel Taylor Hall for the Law School's 2011 Clarke Lecture, which is given every year by a high-profile scholar brought to Cornell through the Clarke Program in East Asian Law and Culture. This year's scholar was **Zhu Suli** of Peking University, who presented "The Unnoticed Functions of Bridewealth in Traditional China."

Zhu is not only this year's Clarke Lecturer but also the Anthony W. and Lulu C. Wang Distinguished Visiting Professor of Law for 2011–2012.

"Coming to visit Cornell Law School is a terrific academic experience for me," says Zhu, "and I will learn a lot from colleagues here, which will certainly challenge and inspire me. And, by the way... the scene around Ithaca in the fall is very beautiful."

Zhu, one of China's foremost legal scholars, focuses his research on law and society, judicial process in China, and law and literature. His major books include *Sending Law to Countryside* (2000, 2010), and *Something May Have Happened: Legal Academic Transformation in China* (2004), and he has translated the work of **Benjamin Cardozo**, **Richard Posner**, and **Robert Ellickson**.



Roger C. Cramton, former dean and Robert S. Stevens Emeritus Professor of Law, with Jack G. Clarke, LL.B. '52

into Chinese. Zhu served as dean of Peking University Law School from 2001 through 2010. He has also been a visiting scholar of Harvard-Yenching Institute and Yale Law School.

Opening comments at the Clarke Lecture were provided by **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, and by **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies, professor of anthropology, and director of the Clarke Program. "This is the high point of our year," said Riles, extending thanks to Schwab, to the program's team, and to **Jack G. Clarke, LL.B. '52**, whose gift to the Law School funds the Clarke Program, and who was in attendance. Riles then introduced Zhu, lauding him as "truly interdisciplinary in the best sense" and, therefore, an ideal scholar to present the lecture, whose mission is to illuminate issues of pressing concern by fostering collaboration not only across cultures, but also across disciplines.



Zhu Suli

Zhu presented the findings of his research on bridewealth, or "caili," gifts of money and/or goods given by the family of a prospective groom to the bride or to her family. Though caili in traditional Chinese villages has previously been viewed simply as a payment for the transfer of labor or a compensation to the bride's family for the investment of her upbringing, says Zhu, "my research challenges [that] conception and finds the complexity, which is not only interesting as an academic issue, but . . . may be useful to revise [the] law concerned."

"Professor Zhu is one of the most original legal scholars I

know," said Riles. "His scholarship is informed, innovative, and courageous. He has a true love of ideas, as well as an unsurpassed knowledge of Chinese legal problems and institutions. His energy, seriousness of purpose, and scholarly integrity are inspiring."

The Clarke Program brings a broad interdisciplinary and humanistic focus to the study of law in East Asia. Through research, teaching, and scholarly dialogue, expands the purview of legal scholarship and develops new ways of thinking about transnational law, politics, and culture. The Clarke Program enriches its offerings by hosting a series of extremely distinguished Chinese law scholars at Cornell Law School every year. Visiting scholars are supported by an endowment created by Anthony W. Wang '68 and his wife, Lulu C. Wang.

Clarke Initiative Colloquium: Omar Dajani Speaks on Palestine in "Stalled between Seasons" Lecture

On Thursday, September 22, with **President Mahmoud Abbas** preparing to appeal to the United Nations for recognition of Palestine as a sovereign state, Law School students and faculty gathered for a timely analysis by visiting lecturer **Omar Dajani**.

Dajani, professor of law at the McGeorge School of Law of the University of the Pacific and one of the nation's foremost

experts on the legal aspects of the conflict in the Middle East, served as political adviser on Palestinian affairs to the United Nations Special Coordinator for the Middle East Peace Process from 2001 through 2003 and as legal adviser to the Palestinian negotiating team in peace talks with Israel from 1999 through 2001. He continues to provide occasional advice both to the Palestinian negotiating team and to institution-building and peace-building projects in the Middle East and elsewhere.

In his lecture, "Stalled between Seasons: State Building and Mass Mobilization in Palestine," Dajani elucidated three "visions of Palestine" that have informed its contentions and negotiations on the world stage: as a people struggling for individual human rights, as a state struggling for national determination, and as a front of larger regional movements. Dajani observed that the current bid for UN recognition highlights a crucial tension between these visions, and he distinguished between the dominant Palestinian authorities, whose maneuverings to win statehood have "sacrificed the vibrancy of the [PLO] movement," and a younger cohort seeking to shift the discussion to human rights. He argued that the movements can be reconciled but that, for such an outcome, "it is absolutely critical" to establish "a safe space for strategic discourse." This discourse has implications for us all, he



Professors Aziz Rana and Chantal Thomas with Omar Dajani



Omar Dajani

observed, as the conflict of purpose confronting Palestine raises broader questions about the state's role as a vehicle for protecting individual rights, questions that have "also bedeviled Thomas Jefferson... and indeed President Obama." The Arab Spring has obliged us to consider the fragility of the state and the difficulty of maintaining energy and participation within its institutions. "We are all Palestinians," concluded Dajani. "We are all, in a sense, stalled between seasons."

Dajani was brought to Cornell through "Law, Revolution, and Reform in the Arab World," the 2011 Colloquium Series presented by the Clarke Initiative for Law and Development in the Middle East and North Africa, which seeks to be a part of the ongoing progress in the rule of law and in the evolution of the legal processes in the Middle East.

"Indulge the Thing You Love": Best-Selling Author Barry Eisler '89 Speaks about Work and the Meaning of Success

You can achieve success in an alternative career, argues **Barry Eisler '89**. You can get paid to do the thing you would pay to do.

"Indulge the thing you love," he advised his audience at Myron Taylor Hall on a late-September afternoon. "Good things might happen." A

former employee of the CIA, Eisler has practiced law and been executive of a software-development startup. When the hardcover rights to his first novel sold in ten countries, he stepped off this career path to write fulltime. An attraction to "forbidden knowledge—anything the government does not want most people to know" dovetailed with his longtime interests in foreign affairs, judo, and jazz, and the result has been eight international-espionage thrillers since *Rain Fall* introduced the Japanese-American freelance assassin named John Rain in 2002.

Written while Eisler was living and working in Japan, *Rain Fall* took eight years to complete. It garnered enthusiastic reviews, has been translated into many languages (including Japanese), and in 2009 was released as a motion picture. Such success, although always desired, was not part of the

Fall 2011 Law, Revolution and Reform in the Arab World Colloquium Speakers:

Jason Brownlee,
University of Texas at Austin,
"Resisting Democracy: America
and the Egyptian Regime"

Chibli Mallat,
S.J. Quinney College of Law,
"Law and the Mideast 2011
Revolution: On Nonviolence,
Constitutional Moments,
and Transitional Justice"

Nathan Brown,
George Washington University,
"Egypt's Constitutional
Revolution"

Omar Dajani,
McGeorge School of Law,
"Still Stalled between Seasons:
State-Building and Mass
Mobilization in Palestine"

Anver Emon,
University of Toronto,
"Legitimacy, Authority, and
Sovereignty in Islamic
Thought: Toward a Pluralist
(Political) Ethic"



Stewart J. Schwab and Barry Eisler '89

author's approach. "I couldn't make my goal the *New York Times* bestseller list because that isn't attainable at the start. Many other things had to happen, none of which I could control. I had to focus on what I could control, and that was to write the manuscript. So that became my goal: to write the manuscript, to finish it."

A "plan large, work small" strategy is effective for any long-term project. "If you think of writing a novel as having to write 100,000 words, it can be overwhelming. I break it down into smaller pieces. I ask myself, 'Can you write a thousand words today?' And I know I can; it's about three pages. I write the thousand words, pat myself on the back, say, 'Nice work, pal,' and give myself the rest of the day off. If I do that every day for a little more than three months, I'll have 100,000 words."

This process reflects a key principle of success: focus on doing great work and let the results happen. "In any career, remember that your job is not to be successful. Your job is to do everything possible to increase your chance of success."

Barry Eisler's ninth novel, *The Detachment*, was published as an e-Book original through Amazon.com.

Goethe University's Forst Gives 2011 Stevens Lecture

On Friday, September 23, an enthusiastic crowd gathered in Myron Taylor Hall for the Law School's annual Stevens Lecture. This year's presentation, "Toleration and Democracy," was given by **Rainer Forst**, professor of political theory

and philosophy at Johann Wolfgang Goethe University in Frankfurt and one of the foremost political theorists working today. Forst, who studied under both Habermas and Rawls, was the Theodor-Heuss-Professor of Political Science and Philosophy at the New School for Social Research in New York in 2005 and 2006 and has also taught at the

Free University of Berlin and the University of Giessen. His book on toleration and democracy will be available in English next year.

Introductions were given by Professor **Bernadette A. Meyler** who spoke on behalf of **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, and by **Steven H. Shiffrin**, the Charles Frank Reavis Sr. Professor of Law. Forst began his exploration of toleration with examples from contemporary German law that illustrated the "profound ambivalence" that surrounds the idea. Delving not only into the concept's elements and paradoxes but also into its past, his presentation was rich with historical scholarship, with seventeenth century Europe serving as the backdrop and French philosopher Pierre Bayle a major presence. Reaching even further back in time as he ended his lecture, Forst observed that "tolerance is, as Aristotle said about all the virtues, painful," reiterating his characterization of this "virtue of justice" as "a weighing . . . a self-overcoming," a challenge.

The Stevens Lecture Series, which Meyler hailed as "one of the intellectual highlights of the year," was established in 1955 in honor of Robert S. Stevens, Cornell's longest-serving dean. The series provides law students with an opportunity to expand their legal education beyond the substantive and procedural law taught in the Law School.

Forst began his exploration of toleration with examples from contemporary German law that illustrated the "profound ambivalence" that surrounds the idea. Delving not only into the concept's elements and paradoxes but also into its past, his presentation was rich with historical scholarship, with seventeenth century Europe serving as the backdrop and French philosopher Pierre Bayle a major presence.



Rainer Forst converses with students.

Clinical Professor Barry Strom Retires

"**Barry Strom** was a core member of Cornell's Legal Aid Clinic literally for decades," says **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law. The Legal Aid Clinic, Cornell Law's first clinical program, has been providing civil legal services to low-income clients in Tompkins County since the late 1960s. Strom, who retired from the Law School in late 2011, joined its faculty in 1975, the year after he earned his J.D. from Cornell.

"He was fiercely dedicated to his students, and through them to his clients, and believed passionately in the value of clinical education," adds Schwab. "Former students were grateful for his mentorship and many singled out his classes as a high point of their legal education."

Strom shares their enthusiasm: "For more than thirty years I have had a near perfect job—working with great students in



ABOVE LEFT: Barry Strom holds the original Legal Aid Clinic sign given to him by the Law School. ABOVE RIGHT: The Strom Family

helping to provide clients with food, shelter, and medical care. In the process, I have made long-term friendships with many former students around the country and world who have gone on to do significant and important work."

In deciding to retire, he says, "I came to the conclusion that my many great memories were beginning to outnumber my dreams. I am now looking forward to pursuing new dreams in traveling and exploring other realms. My wife and I have just returned from a six-week trip to Chile and Argentina that was very rewarding and great fun."

CeRI Boosts Public Participation in New Proposed Federal Regulations Affecting Air Travelers with Disabilities

The Cornell e-Rulemaking Initiative (CeRI) and the Department of Transportation (DOT) are working together to make it easier for the public to comment on proposed new federal regulations requiring air travel websites and airport check-in kiosks to be fully accessible to travelers with disabilities.

The U.S. Census Bureau estimates there are more than 15 million adults in the United States with vision, auditory, or mobility disabilities. About thirty percent of adults with disabilities travel by air, and the DOT expects this number would rise if it were easier to buy tickets and other services online, and to check in using

kiosks. Airlines and online travel agencies have argued, however, that the costs of achieving full accessibility are too great.

Travelers with disabilities, web designers, usability experts, and others with an interest in this proposal can use CeRI's online participation site, Regulation Room, to get easy-to-read explanations of the proposal, look at the cost and benefit estimates, and discuss how the proposal could be improved. Then, CeRI will summarize the discussion on Regulation Room and submit it as a public comment that DOT will consider in finalizing the accessibility regulations.

"The Department's partnership with the Cornell e-Rulemaking Initiative makes it easier than ever for the public to comment on our proposed rules," said U.S. Transportation Secretary

Ray LaHood. "I encourage everyone interested in our proposed website and kiosk accessibility to share their thoughts on the user-friendly Regulation Room site."

"CeRI and DOT are both committed to getting more of the public involved meaningfully in the rulemaking process, and we believe that Regulation Room efforts so far have been quite successful," said **Cynthia Farina**, the William G. McRoberts Professor in Administration of the Law and CeRI principal researcher. "We are especially excited about doing the air travel accessibility rule. DOT needs help from travelers with disabilities and from others with practical experience in accessible design to answer many questions the Department has about creating reliable, cost-effective standards for websites and kiosks."



Cynthia Farina

This is the fourth rulemaking in which DOT and CeRI are using Regulation Room to make it easier for ordinary people to participate effectively in important government policy decisions. "We look forward to again providing an open, transparent, and collaborative forum for people to have their voices heard on an important federal policy initiative," said Farina.

Alison Nathan '00 Named to U.S. District Court

In a 48 to 44 vote along strict party lines, the Senate confirmed **Alison Nathan '00** to the U.S. District Court for the Southern District of New York, making her the first openly gay woman to become a federal judge in New York. "The president welcomes the confirmation of Alison Nathan," said White House spokesman **Shin Inouye**. "She will serve the American people well from the district court bench."

After earning her juris doctorate from Cornell, where she was editor in chief of the *Law Review*, Nathan clerked for Judge **Betty Binns Fletcher** of

the United States Court of Appeals for the Ninth Circuit and for Associate Justice **John Paul Stevens** of the United States Supreme Court. She was an associate at WilmerHale, a visiting professor at Fordham University School of Law, and a fellow at New York University School of Law.

During the 2008 presidential campaign, Nathan served as a senior adviser to **Barack Obama**. The following year, she was appointed associate White House counsel, and in 2010, she became special counsel to the solicitor general of New York.

At her judiciary committee hearing, Nathan faced ques-



Judge Alison Nathan '00

tions about her views on the death penalty, gun rights, and judicial precedents. On Capitol Hill, her nomination was opposed by the conservative Heritage Action for America and the Concerned Women for America Legislative Action Committee, which criticized Nathan for representing the ACLU, Lambda Legal, Servicemembers Legal Defense Network, and individual service

members in challenges to "Don't Ask, Don't Tell."

In response, Senator **Charles Schumer** praised Nathan, saying that she "represents the best the New York bar has to offer," and urged colleagues to support her nomination. "Alison Nathan has tremendous legal experience... She is a gifted young lawyer whom New Yorkers would be fortunate to have on the bench, hopefully for a long time."

Koh Appointed to United Nations War Crimes Tribunal

Steven Arrigg Koh '08 has been appointed associate legal officer at the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague, working in chambers on the *Prosecutor v. Radovan Karadžić* case. The case, expected to last until 2014, charges the former president of Republic Srpska with committing international crimes such as genocide, persecution, murder, and deportation.

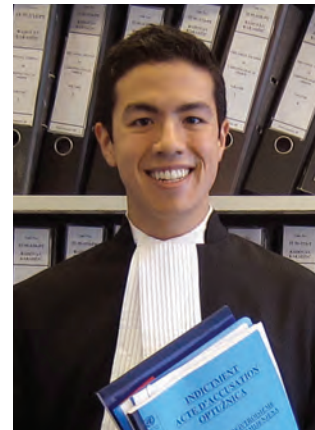
"I am honored to be working on this historic trial in The Hague," says Koh, who also served for eight months

assisting the legal adviser to President **Sang-Hyun Song** of the International Criminal Court (ICC). Koh previously worked as a visiting scholar at Seoul National University Law School and before that served as a law clerk for Hon. **Carolyn Dineen King** of the U.S. Court of Appeals for the Fifth Circuit. "Every day brings me a greater appreciation of how best to advance international criminal practice and procedure."

As an associate legal officer for four judges at the ICTY, Koh helps ensure that the trial is fair, expeditious, and adheres to the tribunal's rules of procedure and evidence. While working in The

Hague, Koh also coauthored a forthcoming article, "The Emerging Enforcement Practice of the International Criminal Court," which is the first to focus on the actual practice of enforcement at the ICC, with particular emphasis on the enforcement of sentences. He is also currently writing an article about the United States, South Korea, and the benefits of globalization, based on his previous scholarship in Seoul.

"Cornell not only provided me with an excellent legal education, but also ignited my passion for international law," says Koh, crediting the influence of professors **Muna Ndulo**, **David Wippman**, and



Steven Arrigg Koh '08

Sital Kalantry, who oversaw Koh's work as a student advocate at the Law School's International Human Rights Clinic. "I feel grateful to the school for preparing us for a global future."

Database Links Students and Grads with Alumni Mentors

Over the past five years, the Law School has developed a database of 650 alumni lawyers to act as mentors, offering their advice, assistance, and experience to Cornellians trying to find their way into the working world. Mentors practice around the country in all sectors of the legal economy.

“Statistics tell us that 75 to 90 percent of all job openings are never advertised,” says **Elizabeth K. Peck**, director of public service, who helps to oversee the program. “The only way to find those hidden jobs is to talk with people. The alumni mentoring database is full of graduates who have raised their cyber-hand to say, ‘I want to help. I’m happy to listen, and I’m very approachable.’ Those people may not have a job for a student or recent graduate right now, but they can provide advice, information, and referrals which may ultimately lead to a job.”

For mentees, the process is easy. Using their existing Symplicity account, they can search for mentors by city, state, practice area, career field, law school graduation date, undergraduate college, or undergraduate major. Each listing includes a brief biography and all the contact information necessary to begin a mentoring relationship.

“The database is a great way to get started networking or to expand your base of contacts,” says **Alexis Saba ’11**, a legal fellow at Columbia Law School’s Center for Climate Change Law. “During my job search, I was able to contact alumni from across the country to learn about their practices. Nearly all of them wrote back, and all who did were excited to speak with me. I truly enjoyed our calls and the chance to hear firsthand accounts of their experience. These conversations helped me think about my career interests and place my initial job search in a broad context. It was very encouraging to know I had a group of advisors at hand.”

For mentors, the process is simple too. Graduates who would like to serve as mentors can email law.mentoring@cornell.edu. They’ll get a personal reply from a student working for the mentoring program who will walk them through the quick registration process. “Finding your place in this field can be an incredibly rewarding experience,” says **Carrie Pollak ’08**, an attorney at Harris Beach in Ithaca. “This is true for every attorney, no matter their practice. Our experience as attorneys is so rich and so challenging that we want to share it with other alumni. So if you are a law student or law grad who is looking for a mentor, take the initiative and reach out. Lawyers are eager to talk about their experiences and hear about your potential.

Statistics tell us that 75 to 90 percent of all job openings are never advertised. The only way to find those hidden jobs is to talk with people. The alumni mentoring database is full of graduates who have raised their cyber-hand to say, ‘I want to help. I’m happy to listen, and I’m very approachable.’

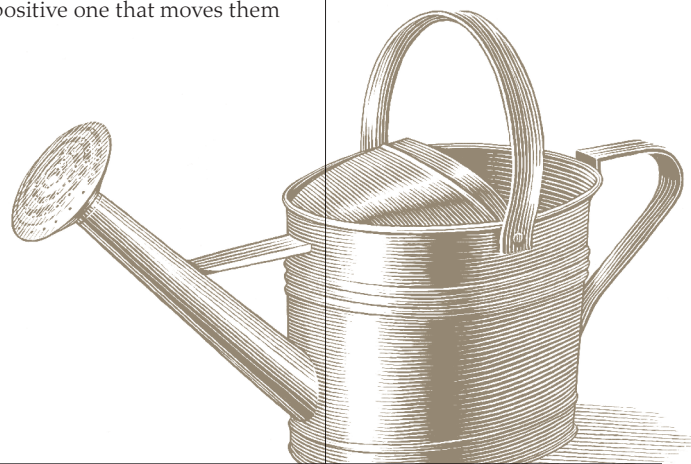
— Elizabeth K. Peck

”

You just have to give them the opportunity.”

It’s a win-win situation, and as the database continues to grow, the ability to create complex networks keeps expanding, offering mentors a way to give back and mentees a path to follow on their job search. “As a career counselor, I want to make sure our students’ first interaction with a mentor is a positive one that moves them

forward,” says Peck. “Once they get that traction, they’re better able to find the connections they need. Our goal is to have an alumni mentoring network that will not only lead them to jobs in the short term, but will teach them the networking skills they’ll need for the rest of their lives.” ■





John J. Barceló, the William Nelson Cromwell Professor of International and Comparative Law and Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program, traveled to Zhejiang University in Hangzhou, China, October 6 through 14, by special invitation from the university to deliver lectures in the 2011 Zhu Kezhen Distinguished Lecture Series. On October 12, he addressed a general university audience of more than 500 students on the topic, “Resolving International Business Disputes—Arbitration as a Path to Economic Development.” On October 13 he addressed a law school audience on the topic, “Cap and Trade Border Measures and WTO Law.” He also delivered a talk to select members of the law faculty and students on foreign law study and exchanges. On October 14, Barceló traveled to Shanghai, where he met with law faculty at KoGuan Law School of the Jiao Tong University, which partners with Cornell Law School in offering a dual degree program. That afternoon he gave a talk to law faculty and students at KoGuan on the topic of “International Commercial and Investment Arbitration.”

In early January, Barceló completed the manuscript for the fifth edition of his leading course book, *International Commercial Arbitration: A Transnational Perspective* (coauthored with Tibor Varady and the late Arthur von Mehren). The book and the fifth edition *Documents Supplement* will be published by West in 2012.

As director of the Berger International Legal Studies Program, Barceló organized several guest lecture events at the Law School during the fall semester and served on the board of the Scheinman Institute on Conflict Resolution in the Cornell School of Industrial and Labor Relations.



In August, **John H. Blume**, professor of law and director of the Clinical, Advocacy, and Skills Programs and the Cornell Death Penalty Project, was a featured speaker at the National Habeas Corpus Seminar in Charlotte, North Carolina, where he presented “Habeas Is Alive and Well: It Just Looks a Little Different” and facilitated a breakout session on litigating mental retardation/intellectual disability issues in capital litigation. Blume also published the

twenty-third edition of the *Federal Habeas Corpus Update*, an annual compendium of habeas corpus developments.

Several capital punishment clinic clients also recently obtained new trials or sentencing hearings. Edward Elmore, who has been incarcerated for almost thirty years, was granted a new trial by the U.S. Court of Appeals for the Fourth Circuit based on ineffective assistance of counsel. Elmore has been a client of the clinic since its inception in 1997. In 2010, Elmore’s death sentence was modified to life imprisonment after he was found to be mentally retarded and thus ineligible for execution. Blume was lead counsel at the mental retardation hearing, and he was assisted by several current and former clinic students. In December, the federal court of appeals determined that there was a substantial likelihood of factual innocence, and awarded Elmore a new trial. Mr. Elmore was released from prison on March 2 2012. Another clinic client, Jonathan Binney, was granted a new sentencing trial in state post-conviction proceedings on the basis of an erroneous jury instruction. Emily Paavola ’05 was co-counsel in the case along with Professor Sheri Johnson.

Professor Blume would like to thank all the clinic students who helped with both of these cases over the years.



Cynthia Grant Bowman, the Dorothea S. Clarke Professor of Law, was on leave during the fall 2011 semester, working to design a new hybrid family law course with a clinical component. She met and talked with judges, legal aid lawyers, and domestic violence advocates to identify important unmet legal needs in the Ithaca area that law students could meet and developed an up-to-date training manual clinic students can use to draft divorce and support petitions for their clients.

As a board member of the Avon Global Center for Women and Justice, Bowman attended and served as a commentator at the Center's annual conference, which was held in New Delhi, India, on October 22-23, on the topic of gender-based violence and justice in South Asia. Bowman also continued her collaboration with the Cegla Center at the Buchmann Faculty of Law, Tel Aviv University, by co-editing a special issue of *Theoretical Inquiries in Law* devoted to articles from the conference "Rights and Obligations in the Contemporary Family: Retheorizing Individualism, Families, and the State" jointly sponsored by the Cegla



Thomas R. Bruce, research associate and Legal Information Institute (LII) director, spent the fall semester tending to his duties as director of the LII. In September, the LII concluded the largest re-engineering effort in its twenty-year history, moving its collections to an entirely new technical architecture that will enable a variety of new features and services. Among them is a handsome edition of the Code of Federal Regulations (CFR) that offers the same advanced functionality as the LII's U.S. Code. The CFR is a new and interesting focus for the LII, with many new features and services waiting to be built.

Bruce continued his work with the African Legal Information Institute; African LII now sponsors and advises LIIs in eight countries in southern Africa, and will expand over the next few years to cover nearly twenty.

Bruce and his LII colleagues are hard at work on a new set of comprehensive data models commissioned by the federal legislative branch.



Sherry F. Colb, professor of law and Charles Evans Hughes Scholar, continues work on her book, tentatively titled *The Inhumane Society* and scheduled for publication in 2012. The book poses a variety of questions about animal rights, including what the implications of such rights might be for faith-based human exceptionalism, for the traditional practices of indigenous peoples, and for our attitudes toward predation in nature. Colb considers these and other questions in some novel ways, offering a prism through which we can envision a world of abundance that is simultaneously free of slaughterhouses.

Colb also has a work-in-progress about the parallels between the pro-life and animal-rights movements. The work explores some of the challenges that face the two movements and a hypothesis about why their respective responses to these challenges have sometimes differed quite dramatically.

In August 2012, Colb will once again participate in the Practicing Law Institute's Supreme Court Review, a continuing legal education event at which she will review the U.S. Supreme Court's criminal procedure cases from the current term of the Court.

Bowman presented her article "The New Illegitimacy: Children of Cohabiting Couples" to a faculty workshop at Brooklyn Law School in September.

During the fall semester, Bowman also played host to Dean Mulela Margaret Munalula of the University of Zambia School of Law. Munalula was invited to the Law School under the Dorothea S. Clarke Program in Feminist Jurisprudence, which brings African feminist scholars and activists to the Law School each year to spend a period as visiting scholars.

Center, Cornell Law School, and the Dorothea S. Clarke Program in Tel Aviv in December 2010.

In addition, Bowman presented her article "The New Illegitimacy: Children of Cohabiting Couples" to a faculty workshop at Brooklyn Law School in September and prepared commentary on domestic homicide in various historical settings for the Social Science and History Association conference in November.

Colb also continues to publish biweekly columns on Justia.com's legal commentary site, Verdict (<http://verdict.justia.com/>). Her recent titles include "The Supreme Court Decides the GPS Case, *United States v. Jones*, and the Fourth Amendment Evolves" (a 2-part series); "Governor Cuomo Urges New York Constitutional Amendment Legalizing Casino Gambling: Good Idea or Serious Mistake?"; "Why Can't Jurors Distinguish 'Knowing' From 'Reckless' Misconduct?"; "A New York Woman Is Arrested for Self-Induced Abortion: What Does This Tell Us about Abortion Law?"; "The U.S. Supreme Court Takes Up the Eighth Amendment and Juvenile Killers: Is Life without Parole Too Severe?"; "*Cavazos v. Smith*: The Supreme Court Preserves the Chain of Command by Returning a Grandmother to Prison"; "What Purpose Does the Double Jeopardy Clause Serve? The U.S. Supreme Court Grants Review in *Blueford v. Arkansas*"; and "Barbara Sheehan and the 'Battered Woman's Defense': Must Domestic Violence Be Imminent to Justify Self-Defense?" Colb writes a related blog post at Dorf on Law (www.DorfOnLaw.org), fellow Cornell professor Michael C. Dorf's legal blog, where her biweekly posts appear on the same day as her Verdict columns.



Charles D. Cramton, assistant dean for graduate legal studies, welcomed an incoming LL.M. class of seventy-one students representing twenty-eight countries and nationalities (citizenship and/or education) this past fall. For the second time, there were more women than men in the LL.M. class

joined our fourteen continuing J.S.D. students and five visiting doctoral students from around the world.

During the fall Cramton worked with the Cornell J.S.D. Association and the Cornell LL.M. Association to plan and coordinate events and seminars for the international students, including all facets of career services for the LL.M. students. In his capacity as the Law School's coordinator for

This past year the New York Court of Appeals amended the rules for admission of foreign-trained attorneys, and Cramton was in frequent contact with both the New York Board of Law Examiners and the Court of Appeals in order to ensure that our LL.M. students will continue to qualify to sit for the New York State Bar Examination upon completion of their LL.M. degrees.

with forty-two women and twenty-nine men. Seventy percent of the students are from Asia (with the largest representation from China), twenty-four percent from Europe (principally western Europe), and the balance from the rest of the world (with the Americas—North, Central, and South—and Africa having the largest representation). We also welcomed four new J.S.D. students (two from the LL.M. class of 2011, one from the class of 2010, and one Fulbright Scholar from Turkey). They

continuing legal education, Cramton secured the Law School's renewal of its accredited provider status in New York for another three-year term. In calendar year 2011, the Law School sponsored a total of fifty-four continuing legal education programs, including seven webinars, on a wide variety of topics.

Cramton continued his service as an active member of the New York State Bar Association's Committee on Legal Education and Admission to the Bar, the

National Association for Law Placement's Advanced Degree and International Advising Section, and the Association of American Law Schools' (AALS) Graduate Programs for Non-U.S. Lawyers Section. This past year the New York Court of Appeals amended the rules for admission of foreign-trained attorneys, and Cramton was in frequent contact with both the New York Board of Law Examiners and the Court of Appeals in order to ensure that our LL.M. students will continue to qualify to sit for the New York State Bar Examination upon completion of their LL.M. degrees. In January, Cramton attended the AALS annual meeting in Washington, D.C., and participated in the annual International Student Interview Program (one of two job fairs in the United States for international LL.M. students), cosponsored with New York University School of Law and thirty other U.S. law schools.



In October, **Michael C. Dorf**, the Robert S. Stevens Professor of Law, delivered two endowed lectures. His Cutler Lecture at the College of William and Mary, Marshall-Wythe School of Law was titled "Franken-

stein's Monster or Spandrel? The Vices and Virtues of Legal Retrofitting." At the University of Cincinnati College of Law, he delivered the annual William Howard Taft Lecture on Constitutional Law, speaking on the topic "Tainted Law."

In addition to his biweekly columns on Verdict.Justia.com and frequent blog posts on DorfonLaw.org, Dorf published three new scholarly articles: "Same-Sex Marriage, Second-Class Citizenship, and Law's Social Meanings" appeared in the *Virginia Law Review*; "Coming Off the Bench: Legal and Policy Implications of Proposals to Allow Retired Justices to Sit by Designation on the Supreme Court" (coauthored with Lisa McElroy) was published in the *Duke Law Journal*; and "'Early-Bird Special' Indeed: Why the Tax Anti-Injunction Act Permits the Present Challenges to the Minimum Coverage Provision" (coauthored with Neil Siegel) appeared in the *Yale Law Journal Online*. During the fall semester, Dorf, with Professor Sidney Tarrow of Cornell's Government Department, co-convened the Colloquium on the Constitution and Society, hosting a variety of legal scholars and social scientists.

By invitation, Regulation Room work will be discussed in chapters of two forthcoming international e-government books: Case Studies in e-Government 2.0: Changing the Citizen Relationship and Human-Centered System Design for Electronic Governance.



At their October meeting, the trustees approved the appointment of **Cynthia R. Farina** as the William G. McRoberts Research Professor in Administration of the Law. Professor Emeritus Robert S. Summers was the previous chair holder.

With executive director and senior researcher Mary J. Newhart, Farina continues to run the Regulation Room project, an experimental online participation platform designed to increase effective citizen engagement in rule-making. By invitation, Regulation Room work will be discussed in chapters of two forthcoming international e-government books: *Case Studies in e-Government 2.0: Changing the Citizen Relationship and Human-Centered System Design for Electronic Governance*. At the urging of

the White House Office of Science and Technology Policy, the project is now expanding its work to the Office of the National Coordinator for Health Information Technology. As part of the organization's larger redesign, a new Planning Room site will be established to mount a nine-month public discussion of the strategic plan that will implement new statutory requirements about electronic health records and success-based provider compensation.

In addition, Regulation Room is developing plans for collaboration with a group of Israeli e-government researchers at Bar-Ilan University.

Over the fall and winter, talks on the Regulation Room project included: "Broadening the Spectrum for Participation: Lessons from Experiments on Online Participation in Rule-making," presented at a New American Foundation, by-invi-

tation, experts' workshop; Fifty-Seventh Annual Meeting of the Association of Law Libraries of Upstate New York; and "Developments in e-Rule-making" at the Administrative Law Conference.

The e-Government Clinic comprises fourteen to sixteen law students who continue to contribute legal information design to the project and moderate discussion on Regulation Room. On January 8, CeRI (Cornell e-Rulemaking Initiative) cosponsored with the Israeli chapter of the Internet Society a workshop in Tel Aviv on using the Internet for public engagement in policymaking.



Stephen P. Garvey published "Alternatives to Punishment" in the *Oxford Handbook on the Philosophy of the Criminal Law* (John Deigh and David Dolinko, eds., 2011) and presented a paper on the authority of the criminal law at a conference on criminalization held at the University of Stirling in Scotland.



Valerie Hans visited Japan, Russia, and Taiwan this fall, enabling her to examine firsthand recent international developments in the use of juries and lay citizen decision makers. In Japan, she observed a saiban-in trial, where six Japanese citizens and three professional judges decided a case of arson. While there, Hans also spoke to an international conference about the use of victim impact evidence in jury trials. In Taiwan, she met with judges, lawyers, and legal scholars who are debating the introduction of *Guan Shen*, a system in which advisory jurors will sit with professional judges and share their perspectives. And in Russia, as the Paul Klebnikov Rule of Law Fellow, she observed a Russian jury trial and spoke with students, legal scholars, judges, lawyers, and journalists about the challenges facing the institution of the jury in Russia and worldwide.

Back home, along with Law School colleague Professor Rachlinski and Cornell economist Emily Owens, Hans edited a special issue of the *Journal of Empirical Legal Studies*, "Judgment by the Numbers, Converting Qualitative to

Quantitative Judgments in the Law." The special issue, published in December, contains articles by legal scholars, psychologists, and economists, and reports new insights about numerical judgments in legal settings, including probability determinations, sentencing, and damage awards. The issue includes a piece by Hans, "To Dollars from Sense: Qualitative to Quantitative Translation in Jury Damage Awards," coauthored with Cornell cognitive psychologist Valerie Reyna.

Hans completed her work as a member of the New York Jury Demographics Working Group, which advised New York State's Office of Court Research in its study of New York jury pools and how representative they are of their communities. She published an assessment of New York's efforts in an entry in the new *Cornell Journal of Law and Public Policy* blog, Jury Representativeness: It's No Joke in the State of New York.



Susan V. Hazeldean, assistant clinical professor of law, published an article entitled "Confounding Identities: the Paradox of LGBT Youth under Asylum Law" in the *University*

Hazeldean discussed the particular vulnerability of transgender youth to violence at school, in foster care, and in juvenile detention programs, and the need for legal reform to better protect children from mistreatment.

of California Davis Law Review in December. The article argues that while the asylum system was initially ahead of constitutional jurisprudence in recognizing the rights of lesbian, gay, bisexual, and transgender (LGBT) people, it has since fallen behind in evolving constitutional norms on LGBT rights and children's rights. As a result, LGBT youth have been unfairly denied asylum even when they had a legitimate claim to relief based on a well-founded fear of anti-gay persecution in their native countries.

In November Hazeldean was a presenter at the symposium, "Justice in Transition: Serving the Transgender Community in Law and Practice" at New York University School of Law. Hazeldean discussed the particular vulnerability of transgender youth to violence at school, in foster care, and in juvenile detention programs, and the need for legal reform to better protect children from mistreatment. In December,

Hazeldean published a blog post on the *Cornell Journal of Law and Public Policy Blog* entitled, "Of Bathrooms and Bullycides: How Not to Protect LGBT Youth from Harassment" concerning the rash of suicides by LGBT children bullied at school because of their sexual orientation or gender identity. In January, Hazeldean launched a new clinic at Cornell Law School: the Advocacy for LGBT Communities Clinic represents low-income LGBT people facing discrimination based on their sexual orientation or gender identity and conducts advocacy projects to advance LGBT equality. For example, the clinic currently represents a young woman who faces homophobic persecution in her native country and is applying for asylum in the United States. Clinic students are also preparing a report on LGBT domestic violence victims' access to domestic violence shelter programs in New York State.



During the fall semester **Michael Heise** presented papers at numerous conferences. "Law and Policy Entrepreneurs: Empirical Evidence on School Choice," was presented at the Educational Innovation and the Law Symposium, hosted by Notre Dame Law School. "Religion, Schools, and Judicial Decisionmaking: An Empirical Perspective," forthcoming in the *University of Chicago Law Review*, was presented at Loyola's Second Annual Constitutional Law Colloquium. Finally, Heise (along with numerous Cornell Law School colleagues) served as a commentator at the Sixth Annual Conference on Empirical Legal Studies (CELS), hosted by Northwestern University School of Law.



Robert A. Hillman, the Edwin H. Woodruff Professor of Law, completed work on his portion of volume one of the treatise, White, Summers, and Hillman, *Uniform Commercial Code* (6th ed.), which will be published during the summer 2012. He also completed two

draft chapters of his book manuscript, *Contract Lore*, which he presented to the faculty at its winter retreat in January. The manuscript discusses traditional beliefs about contract law that are not even close to true but are largely shared by lawyers, judges, and scholars who write about and apply contract law. The manuscript also investigates the reasons for the primacy of contract lore and discusses its ramifications.

Hillman's chapter (with Maureen O'Rourke) entitled "ALI Software Principles: Some Proposals for a Global Licensing Policy" will be published this spring in the *Research Handbook on Intellectual Property Licensing*.

Hillman also completed two draft chapters of his book manuscript, Contract Lore, which he presented to the faculty at its winter retreat in January. The manuscript discusses traditional beliefs about contract law that are not even close to true but are largely shared by lawyers, judges, and scholars who write about and apply contract law.



William A. Jacobson, associate clinical professor of law and director of the Securities Law Clinic, coauthored the 2011–2012 edition of the *Securities Arbitration Desk Reference*, published in September by West Publishing as part of its Securities Law Handbook Series.

In October, Jacobson gave a presentation, "Piercing In-House Privileges in the Securities Industry," at the Public Investor Arbitration Bar Association's (PIABA) Annual Securities Law Seminar, which he chairs. Jacobson, who is a member of PIABA's board of directors, also was appointed to PIABA's five-member executive committee.



In October, **Sital Kalantry**, associate clinical professor of law and faculty director of the Avon Global Center for Women and Justice, hosted an international conference in New Delhi. The conference convened over 230 people from sixteen countries. Participants included senior and distinguished

judges from national and international courts, including judges from the highest courts of Bangladesh, Nepal, India, and Sri Lanka, as well as judges from trial and appeal courts of the United States. Kalantry also supervised a team of students who drafted and filed a brief in the U.S. Court of Appeals for the Ninth Circuit arguing that a man who was tortured by Kenyan police should be entitled to asylum in the United States.

Kalantry also supervised a team of students who drafted and filed a brief in the U.S. Court of Appeals for the Ninth Circuit arguing that a man who was tortured by Kenyan police should be entitled to asylum in the United States.

In January, Kalantry traveled to New Delhi, India to commence her Fulbright-Nehru grant to conduct empirical studies on Indian courts. She will be in New Delhi, India, until May 2012.



Anne Lukingbeal is entering her twenty-fourth year as associate dean and dean of students and her thirty-fourth year as an administrator at Cornell Law School, having originally arrived in July 1978 as the dean of admissions.

During the fall semester, she continued to serve on the Accreditation Committee of the American Bar Association Council on Legal Education. She traveled to Chicago in September and Kansas City in November to attend regular meetings of the group. In September, she also attended a meeting of the New York State Board of Law Examiners. The NYSBLE is making important changes in the New York Court of Appeals Rules regarding the eligibility of ABA-approved law school graduates to sit for the bar exam in New York.

In September, Lukingbeal hosted a well-attended reception for the Women's Law Coalition and faculty at her home. On behalf of the Cornell Prelaw Advisors, she moderated "More Than You Ever Wanted to Know about Law School Applications," an annual program always well attended by Cornell undergraduates. Lukingbeal traveled out of town in October to

attend a meeting of peer schools' deans of students, held this year at the University of Virginia.



This fall, in his article "Abandoning Law Reports for Official Digital Case Law," **Peter W. Martin**, the Jane M.G. Foster Professor of Law Emeritus, examined the gains and challenges experienced when a jurisdiction substitutes digital publication for print law reports. The article was published in

In October, Martin spoke at Mercer University Law School on the topic "Why U.S. Court Take-up of Digital Technology Has Been So Slow and Uneven" and presented his paper "Possible Futures for the Legal Treatise in an Environment of Wikis, Blogs, and Myriad Primary Sources" at a Mercer faculty workshop.

the *Journal of Appellate Practice and Process*, vol. 12, pages 25–89. At the beginning of the term, Martin's 2011–12 e-book edition of *Introduction to Basic Legal Citation* was distributed by the Center for Computer-Assisted Legal Instruction (CALI), along with three other Legal Information Institute titles. In October, Martin spoke at Mercer University Law School on the topic "Why U.S. Court Take-up of Digital Technology Has Been So Slow and Uneven" and presented his paper "Possible Futures for the Legal Treatise in an Environment of Wikis, Blogs, and Myriad Primary Sources" at a Mercer faculty workshop. In December he submitted detailed comments to the Colorado Supreme Court on its proposed public domain citation scheme, and these were reflected in that court's final directive on the matter.



Andrea J. Mooney, clinical professor of law, spent time in the United Kingdom in the early part of December. She presented "Legal Aspects of Physical Restraint" to child and youth care providers in

the cities of Doncaster and Hull, England; Glasgow, Scotland; and Belfast, Northern Ireland. Mooney also coauthored a chapter entitled "Children's Representation" in the book *Children's Services: Working Together*, published by Pearson Education. The chapter discusses various models and methods of representing children in the United States and the United Kingdom.



On October 5, **Muna B. Ndulo**, professor of law and director of Cornell University's Institute for African Development, spoke at Roger Williams University School of Law in Professor Emeritus Robert Kent's law class. He spoke about lessons learned during the South African transition from Apartheid to democratic rule, from 1992 to 1994, when he was legal adviser and chief political adviser to the United Nations Observer Mission to South Africa (UNOMSA). In his lecture he emphasized the importance of including all stakeholders in negotiations aimed at resolving conflicts and stressed that in negotiations, the process is as important as the substance. Other factors include leadership and a willingness to talk.

In New Delhi, on October 22 and 23, Ndulo attended the Avon Global Center for Women and Justice's second annual conference, "Gender-Based Violence and Justice in South Asia." He was a commentator on the panel, "Using International Human Rights and Comparative Law to Advance Women's Rights in the Domestic Context."

On December 3 and 4, Ndulo participated in the Achebe Colloquium on Africa 2011 held at Brown University. He was a speaker on the panel, "China's Presence in Africa: Collaboration or Colonialism?" In his presentation, Ndulo acknowledged problematic issues in China/Africa investments, including employment of Chinese workers, health standards in factories, and China's policy of noninterference, which can result in indifference to human rights violations, but he argued that to suggest that African dictators exist because of China is disingenuous. Africa's dictators, where they exist, were in power long before China emerged as a major investor on the continent. He argued that investors from anywhere in the world are likely to behave the same way: seeking to maximize profits. It is up to African governments to regulate foreign investment to the benefit of their people.

In January, Ndulo served as an advisor at meetings in Djibouti concerning the Somali constitutional/political process. The

Ndulo spoke about lessons learned during the South African transition from Apartheid to democratic rule, from 1992 to 1994, when he was legal adviser and chief political adviser to the United Nations Observer Mission to South Africa (UNOMSA). In his lecture he emphasized the importance of including all stakeholders in negotiations aimed at resolving conflicts and stressed that in negotiations, the process is as important as the substance. Other factors include leadership and a willingness to talk.

meetings brought together 148 Somali stakeholders including the prime minister in the transitional government of Somalia, and ministers and members of the transitional Parliament. The group discussed various options for transitioning the nation from its conflict status to a peaceful Somalia. In this work, Ndulo has been assisted by a research group of five students: Bill Garthwaite '12, Ann Eisenberg '12, Genevieve Ballinger '13, Patrick Meson '13, and Ian Brekke '13. The students researched various constitutional issues, and their findings were shared with participants in the Somali process. The negotiations resulted in the February 17 adoption of

what are termed the Garowe II Principles. The principles will inform the drafting process of the new constitution for Somalia as well as the transitional process itself. On February 15, Ndulo spoke at Cornell's Hans A. Bethe House about the challenges to the peace process in Somalia and the current status of peace negotiations.

On February 16, Ndulo presented a paper, "United Nations Peace-Keeping Missions: Conflicts and Reconstruction in Africa," as a part of the Institute for African Development seminar series. In his talk he outlined the way peacekeeping operations are established and the regulations that govern their operations.

He emphasized that the critical document in any peacekeeping operation is the mandate, the one document that lays down the objectives of the Mission, its rules of engagement, and jurisdiction. Ndulo advised conflict countries to ensure that their concerns are addressed in any mandate that is to govern a peacekeeping operation being deployed in their countries. He pointed out that the success of a mission is largely dependent on its mandate, adequate resources, leadership, and cooperation from the warring parties.

At the New York African Studies Association's annual conference held at Pennsylvania State University, Ndulo received the association's Distinguished Africanist Award in recognition of his scholarly achievements and contributions to Africana studies. His acceptance remarks focused on the generation of knowledge: how it affects Africa, how it influences policies, and how it shapes perceptions about phenomena in the world. He urged the audience to consider how to promote the democratization of knowledge and how to contribute to the production of knowledge that will establish objective truth about Africa, emphasizing the critical role universities and research institutions play in the creation of knowledge.



During the fall semester, **Eduardo M. Peñalver** was a visiting professor at the University of Chicago Law School. In October and November, he presented chapters from his forthcoming book (coauthored with Professor Alexander) at the University of California, Los Angeles School of Law and the University of Chicago, respectively. The book, *An Introduction to Property Theory*, is forthcoming from Cambridge University Press later this spring. It surveys the leading theories of property and then applies them to contemporary property debates. In his workshops, Peñalver focused on the property theory of John Locke and his contemporary libertarian followers. He also discussed the nature of the right to exclude and its intersection with civil rights laws.



During the fall semester, **Jeffrey J. Rachlinski** was on sabbatical leave and took advantage of the time to present twenty different lectures

about his work on the psychology of judicial decision making. He spoke to lawyers, judges, and academics in four countries in North America and Europe. These included presentations to judges at the Canadian National Judicial Institute's annual "Art and Craft of Judging" conference in Newfoundland, the National Association of Administrative Law Judges in Santa Fe, the New York City Administrative Judicial Institute,

In August, Rachlinski presented his work on unconscious biases in trial judges as a Presidential Showcase Program at the American Bar Association's annual meeting.

and the New Jersey Judicial College. Rachlinski also presented to groups of lawyers at: the Texas Association of Civil and Appellate Trial Specialists; a workshop sponsored by Osgoode Hall Law School in Toronto; the Ontario Securities Commission; and a session sponsored by the law firm of Pels Rijcken, in The Hague.

In August, Rachlinski presented his work on unconscious biases in trial judges as a Presidential Showcase Program at the American Bar Association's annual meeting. He also presented research in faculty workshops at the University of

Vienna and at Osgoode Hall Law School, and participated in a workshop on stare decisis at the University of Baltimore School of Law. In addition, Rachlinski gave papers on his research at the Conference on Empirical Legal Studies at Northwestern University School of Law. He was honored by Erasmus University in Rotterdam when he was invited to deliver the annual "Die Natal" lecture to commemorate



Annelise Riles, the Jack G. Clarke Professor of Far East Legal Studies, director of the Clarke Program in East Asian Law and Culture, and professor of anthropology, published a chapter entitled "Too Big to Fail" for the book *Recasting Anthropological Knowledge* (Cambridge University Press). In December she delivered the Rowdget Young Lecture at the University of Hong Kong where she presented her book *Collateral Knowledge: Legal Reasoning in the Global Financial Markets*. While in Hong Kong, she also gave a workshop about her book at a conference entitled "Legal Transplants: Technicalities, Language, and Culture" at the Chinese University of Hong Kong.

In the fall she gave two presentations about the book in Copenhagen, Denmark, at the Copenhagen Business School and the IT University of Copenhagen. She also presented at the Association of American Law Schools' section on Financial Institutions and Consumer Finance. Riles gave talks at the University of Chicago Department of Anthropology, Saint Louis University Faculty of Law, and the Princeton Institute for International and Regional Studies. At Cornell, she hosted a speaker series on Asian law under the

auspices of the Clarke Program in East Asian Law and Culture. Riles also continues her work on Meridian 180, an online community of leading intellectuals in Asia, Europe, and North America, featuring discussions of current policy issues in three languages—Chinese, Japanese, and English. More information about Meridian 180 is available at meridian-180.org.



Wintering on the Gulf in Naples, Florida, Professor Emeritus **E.F. Roberts** had ample opportunity to reflect. Darwin suggests there is no purpose to nature or our existence. Given the benign indifference of the universe to our antics, we invent the world we inhabit. One such world disappeared after 1914. The world my generation was born into no longer exists. Thus the world needs constantly to be reinvented, but it is only as an aesthetic phenomenon that existence and the world are justified. Nothing can be known with certainty, the future remains indeterminate, a rational course of action remains a chimera and, as Keynes would have it, intuition rather than analysis is the real basis of our

actions. Given the absence of a voice of poetry in the realm of law and politics, Roberts has decided that the frontispiece of his unbook should be a copy of Durer's *Melencolia*.



Faust F. Rossi, the Samuel S. Leibowitz Professor of Trial Techniques, is on sabbatical leave in the Washington, D.C., area for the 2011–2012 academic year. He is currently collaborating with Glenn Altschuler, Cornell University's Thomas and Dorothy Litwin Professor of American Studies, on a book of great American trials. Over the last dozen years, Rossi and Altschuler have lectured together at Cornell's Summer Adult University on various important trials of the twentieth century. This book will transform ten or twelve of these lectures into separate chapters, the theme of which is to show that each case demonstrates important lessons of trial advocacy while at the same time exploring important issues of cultural and political American history. They will range from the historic trials of Sacco and Vanzetti, the Scottsboro Boys, and Alger Hiss to the more current trial of Dan White for

the murder of Harvey Milk, and the well publicized O.J. Simpson case.

In September, Rossi presented a one and one-half day continuing education program for lawyers and judges at the West Virginia University College of Law. The program featured an update on recent developments in the law of evidence and advocacy. In early 2012, Rossi also gave evidence lectures in Philadelphia, Chicago, and Los Angeles.

Rossi is currently collaborating with Glenn Altschuler, Cornell University's Thomas and Dorothy Litwin Professor of American Studies, on a book of great American trials... They will range from the historic trials of Sacco and Vanzetti, the Scottsboro Boys, and Alger Hiss to the more current trial of Dan White for the murder of Harvey Milk, and the well publicized O.J. Simpson case.

Schwab conducted a workshop based on a paper he published with Justice Sandra Day O'Connor, "Affirmative Action in the Next Twenty-Five Years."



In October, **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, conducted a workshop on affirmative action in higher education at the Jindal Law School in New Delhi, India. The workshop was based on a paper he published with Justice Sandra Day O'Connor, "Affirmative Action in the Next Twenty-Five Years," adapted to take into account the considerable issues India higher education faces in dealing with the legacy of its caste system. Schwab was in New Delhi to attend the 2011 conference on "Gender-Based Violence and Justice in South Asia," sponsored by Cornell Law School's Avon Global Center for Women and Justice.



This fall, **Emily L. Sherwin** completed a three-year project of extensive revisions to a textbook on remedies (written in collaboration with Professor Eisenberg). This book incorporates materials on equity first assembled by James Barr Ames and further developed by Zechariah Chafee; the book was expanded by Edward Re to include other aspects of remedies and will now appear as *Sherwin and Eisenberg, Ames, Chafee, and Re on Remedies*.

Sherwin participated in a Boston University symposium about the new Restatement of Restitution, contributing an article on constructive trusts in bankruptcy that will appear in the *Boston University Law Review*. She also participated in a symposium on private law at Harvard Law School, contributing comments on remedies that will appear in the online version of the *Harvard Law Review*. She has several other articles in various stages of the editing process and continues to pursue a graduate degree in philosophy.



Steven H. Shiffrin, the Charles Frank Reavis Sr. Professor of Law, published an article entitled "Freedom of Speech and Two Types of Autonomy" in *Constitutional Commentary*. In Seattle, Shiffrin served as a critic of papers by Corey Brettschneider, Brown University; Nancy Rosenblum, Harvard University; Tommie Shelby, Harvard University; and Anna Marie Smith, Cornell University at an American Political Science Association political theory panel, "The Complexity of State Spending and Human Rights."

Shiffrin is working on a book entitled *What's Wrong with the First Amendment*. He is the chair of the Admissions Committee and the president of Loaves and Fishes of Tompkins County. He blogs at religiou-sleftlaw.com.



This fall, **Chantal Thomas** was a visiting professor at the Center for Transnational Legal Studies in London, where she taught International Economic Law to a class composed of

students from twelve law faculties around the world, Mexico City to Moscow. In addition, her essay, "The Death of Doha? Forensics of Democratic Governance, Distributive Justice, and Development in the WTO," was published as a chapter in the volume *Global Justice and International Economic Law* (Carmody, Garcia, and Linarelli, eds., Cambridge University Press, 2012). The essay elucidates reasons for the continued stalemate in World Trade Organization negotiations under the rubric of the Development Agenda adopted at the WTO's 2001 Ministerial Conference in

dictions may have been easier to overlook with a smaller set of key players in earlier trade rounds; in the more inclusive negotiations following the Doha Ministerial, they are much harder to ignore.

As director of the Clarke Initiative for Law and Development in the Middle East and North Africa, Thomas co-organized, with Professor Rana, a fall colloquium series, "Law, Revolution, and Reform in the Arab World." This colloquium considered the constitutional and legal aspects of political transitions in the Arab world. (The colloquium will be

As director of the Clarke Initiative for Law and Development in the Middle East and North Africa, Thomas co-organized, with Professor Rana, a fall colloquium series, "Law, Revolution, and Reform in the Arab World." This colloquium considered the constitutional and legal aspects of political transitions in the Arab world.

Doha. Many of the problems can be described as institutional—collective action problems that impede the coordination of state behavior potentially available from international institutions. Underlying and perhaps exacerbating these coordination difficulties, however, lie deep normative contradictions. These contra-

followed up by a scholarly conference in April 2012 in New York City.) In November, the Clarke Initiative also co-sponsored a conference on the topic "Water Scarcity and Policy in the Middle East and Mediterranean." The conference, held on November 4-6 at the Law School, addressed the

legal, technical, political, and cultural problems related to water scarcity in these regions.

Also in November, Thomas was invited to speak on challenges facing the Middle East and North Africa at the World Bank's fall meeting, "Law, Justice and Development," in Washington, D.C. In her remarks, Thomas focused on the need to revitalize educational institutions, drawing specific examples from her experience as chair of the Law Department at the American University in Cairo. While at the World Bank, Thomas agreed to join the Bank's new initiative, the Global Forum on Law, Justice, and Development. The forum is designed to connect, in the Bank's phrasing, "World Bank Group units, developing countries, think tanks, regional and international organizations, international financial institutions, and civil society organizations with relevant research and practice to improve development outcomes."



Charles K. Whitehead presented "Sandbagging: Default Rules and Acquisition Agreements," forthcoming in the *Delaware Journal of Corporate Law*, at the annual meeting of the ABA Mergers and Acquisi-

In the Mergers and Acquisitions world, a buyer "sandbags" a seller when, knowing the seller has materially breached a warranty, it closes the deal and then asserts a post-closing claim. Whitehead's paper considers the interaction between common law default rules and contractual provisions that address sandbagging.

tions Committee. In the M&A world, a buyer "sandbags" a seller when, knowing the seller has materially breached a warranty, it closes the deal and then asserts a post-closing claim. Whitehead's paper considers the interaction between common law default rules and contractual provisions that address sandbagging. Whitehead also presented, "The Goldilocks Approach: Financial Risk and Staged Regulation," which proposes the staged implementation of new financial reforms, at a Law School conference on "Regulatory Reform in the Wake of the Dodd-Frank Act." The paper will be published in the *Cornell Law Review*. An earlier paper, "The Volcker Rule and Evolving Financial Markets," published in the *Harvard Business Law Review*, comprised part of the briefing materials on the Volcker Rule prepared for the House Committee on Financial Services, as well as by the American Bankers Association and the U.S. Chamber of Commerce.

Whitehead moderated the second annual Transactional Lawyering Competition, the country's only "moot court" for students interested in exploring a transactional career. He also co-launched a new course on complex deal structuring, which included alumni speakers from around the country. In addition, Whitehead participated in the Cornell Law School Paris Summer Institute, co-teaching

a course on comparative corporate governance and acquisitions. He was also a visiting professor at the School of Law, University of Paris 1 Panthéon-Sorbonne, teaching a course on the intersection between the financial markets and corporate governance. Whitehead was interviewed by *Bloomberg*, *Reuters*, and *BusinessWeek*, as well as by other news and industry publications. ■

To have news delivered straight to your inbox, subscribe to our monthly e-Newsletter. Email your request to law-communications@cornell.edu

Or, follow us on one of the leading social networks:
facebook.com/CornellLawSchool
twitter.com/CornellLaw
linkedin.com/groups?home=&gid=1984813

"Cornell NOW!—2015" Redefines Priorities, Expands Goals

In anticipation of the sesqui-centennial of its founding, Cornell University has launched "Cornell NOW! – 2015," an expanded capital campaign designed to achieve an institutional transformation. As articulated by university

As articulated by university president David J. Skorton, a comprehensive roster of development initiatives aim to make Cornell the leader in every academic discipline and the provider of solutions to the world's most urgent problems.



president **David J. Skorton**, a comprehensive roster of development initiatives aim to make Cornell the leader in every academic discipline and the provider of solutions to the world's most urgent problems. To realize this ambition, the university hopes to attract an additional \$1.45 billion in gifts during the next four years. By extending the campaign through the end of 2015, "Cornell Now" builds on the success of development initiatives that have secured \$3.3 billion in gifts and pledges since 2006. The expanded goal for total giving is \$4.75 billion.

As a committed participant in "Cornell NOW!—2015," the Law School continues to follow a development plan that complements the intentions and goals of the larger university. The Law School's campaign goal of \$83 million (\$35 million during "Cornell Now") features the abiding priorities of endowed funds for student scholarships and faculty chairs, and increased giving to the annual fund, which facilitates faculty recruitment and retention, supports established programming, promotes academic excellence, and pays ongoing operating costs. Having raised \$57.5 million in new gifts and pledges since 2005 (as of March 20), the Law School looks forward to attracting an additional \$25.5 million by the close of business on December 31, 2015.

The dean, faculty, and students of Cornell Law School, along with its development staff, invite alumni and friends to monitor its progress during "Cornell Now" through the web page at <https://now.cornell.edu/law>, which offers hyperlinks to key funding priorities described on the Law School's website. To explore gift opportunities at the Law School, please visit the web page at <http://www.lawschool.cornell.edu/alumni/giving/give.cfm>, or contact Peter Cronin, associate dean for alumni affairs & development, at pc253@cornell.edu and 607-255-3370.

Doris R. Arthur and Walter W. Arthur '55 Endow Scholarship

A bequest from the estate of Doris Arthur has established the **Doris R. Arthur and Walter W. Arthur '55** Scholarship for Cornell Law School.

After Doris Arthur passed away in April 2011, the Law School learned it was the main beneficiary of her estate. This gift was humbling, for no one currently at the Law School had a relationship with either Doris or Walter Arthur. **Leroy Schober**, the attorney who drafted Doris Arthur's will in 2003, noted that prior versions also made this bequest. "Doris instructed me to include that clause," Schober said. "She and Walter had decided some time back that they would leave their assets to Cornell. They had no children."

Schober was the Arthurs' friend as well as their attorney and Walter's legal colleague at the firm of Dudek & Schober, which later became Dudek & Arthur. He remembers Walter as "an unassuming, a very modest person" who was nevertheless "very proud to have gone to Cornell." As a WWII veteran—he served as a navy pilot—Walter attended Cornell on the GI Bill of Rights and with financial support from the Law School. "That is how individuals like Walter and I were able to attend expensive schools," Schober said.

At Hartford Hospital in 1999, Walter met **Reverend Timothy Gilbert** who was serving as

Of the Arthurs' bequest, Reverend Timothy Gilbert said, "Walter had received financial help when he was in school, so they decided that they would give back to Cornell for the help they had once received."



Walter W. Arthur '55 and
Doris R. Arthur

chaplain. Eventually the executor of Doris Arthur's will, Gilbert has given us a glimpse of the Arthurs' life. They lived simply but comfortably in Enfield, Connecticut, in a modest, ranch-style house. Doris worked as an accountant and Walter, after he retired from legal practice, taught law at Manchester Community College and was beloved by his students. The Arthurs traveled the world and furnished their home with items they discovered in foreign lands. They were devoted to one another and their marriage lasted more than fifty years, until Walter's death in 2001.

Doris and Gilbert remained close after Walter's passing. Gilbert remembers Doris as a "devoted, caring" friend who readily expressed admiration and respect. Of the Arthurs' bequest, Gilbert said, "Walter had received financial help when he was in school, so they decided that they would give back to Cornell for the help they had once received."

Law School's Inaugural 3L Campaign a Success

The J.D. Class of 2012 began a tradition of philanthropic giving with a student-directed 3L Campaign during the spring term. Setting a goal of participation rather than dollars, the members of the Class of 2012 were arrayed according to their respective 1L sections and pitted against one another in a drive toward 100% participation. In this competition, the carrot was in fact not a carrot but an exclusive wine tasting at the Moakley House at the Robert Trent Jones Golf Course at Cornell University.

Featuring a wide and illustrious assortment of red and white wines from selected Finger Lakes wineries, and including a rich assortment of cheeses provided by local cheese makers, this event—together with the prerogative of "bragging rights"—lent extra motivation to the contending, section-based teams.

On Convocation Weekend, the Moakley House hosted Section B which achieved 100% participation—a percentage all the more notable in the context of a participation rate of 62% for the entire class. Section A ran second, with a participation rate of 73%, and Section E followed admirably at 64%. Total dollars raised were \$3,939.62, which included a special "kick-off" gift of \$2,012 from **Jeffrey S. Feld '83** in honor of the Class of 2012. Feld is a member of the Law School Dean's Special Leadership Committee and owner of L. Epstein Hardware in Orange, New Jersey. The impetus for the 3L Campaign originated with the Advisory Council, whose membership includes many of the Law School's most prominent and generous benefactors.



New Service Launched by Cornell Law School Alumni Association Executive Board of Directors— Alumni Helping Alumni

The Alumni Association's executive board of directors has created a new program called Alumni Helping Alumni (AHA) to facilitate a connection between experienced alumni and fellow alumni who are exploring their career options.

This program is designed to support Cornell Law attorneys who are:

- questioning whether their current career is as rewarding as it could be, including whether it is in line with their true passions or
- looking to explore new career options by leveraging their experience and Cornell Law education.

The AHA program is designed to help Law School alumni step back, assess their current situations, and explore ways to enhance their careers. The program allows participants to enjoy one-on-one discussions with an experienced and knowledgeable Cornell alumnus who will offer objective feedback, serving as both a sounding board and advisor in reviewing different aspects of the attorney's work history, education, values, life experiences, and future plans. Together they identify possible

(and perhaps previously unconsidered) choices, hone goals and interests, and develop strategies for achieving new direction toward a rich and fulfilling career path.

AHA expands the landscape for career opportunity and offers guidance in mapping it. Although some job assistance may result, AHA is not designed to generate jobs or networking leads, but will

help attorneys gain better understanding of their strengths and passions and how they can be incorporated into a new career strategy. Interested alumni will find more information at www.lawschool.cornell.edu/alumni/Alumni-Helping-Alumni.cfm.

The program allows participants to enjoy one-on-one discussions with an experienced and knowledgeable Cornell alumnus who will offer objective feedback, serving as both a sounding board and advisor in reviewing different aspects of the attorney's work history, education, values, life experiences, and future plans.

Cornell Latino American Law Students Association and Black Law Students Association Host Alumni Mixer

On January 12, Weil, Gotshal & Manges was buzzing with excitement as generations of Cornell LALSA and BLSA alumni reunited at a mixer organized by the current executive boards of each organization. Alumni from the New York City area caught up with old friends and were delighted to see in attendance **Anne Lukingbeal**, associate dean and dean of students, and **Sheri Lynn Johnson**, the James and Mark Flanagan Professor of Law and assistant director of the Cornell Death Penalty Project. Current LALSA and BLSA students also had the opportunity to meet former graduates and learn about their experiences.

"The ultimate goal of the mixer," said **Marihug Cedeño '13**, president of LALSA, "was to begin cultivating a stronger Black and Latino community so that both alumni and current students feel more connected to each other and the law school community." From the perspectives of those who attended, this was a shared goal. "Building a sense of community is extremely important," said **Melissa Colón-Bosolet '07**, "and I hope that we can continue to have these types of events on an annual basis."

Malissa Osei '14, a first-year law student, made very special connections at the mixer. "It gave me the feeling that I belonged to a legal community outside of my experiences in the classroom," she

LEFT: Andrianne Payson '00, Andowah Newton '06, Nora Ali (admitted student) ABOVE: Lori Lewis '10; Mirna Cardona '09; Adeola Adejobi '09; Kristen Echেমendia '08; Melissa Colón-Bosolet '07; Cynthia Galvez '13; Marihug Cedeño '13; Gina-Gail Fletcher '09; Maria Fernandez '92; Nicole Wright '07

said. "I hope these gatherings can become a tradition at Cornell Law School."

The mixer was generously cosponsored by Weil, Gotshal & Manges and Cornell Law School Office of Alumni Affairs.





While the rituals of warm reminiscing, optimistic networking, and lighthearted lunching have remained more or less unchanged, the topic of conversation has continually evolved to match current trends and advancement in legal affairs.



One Hundred Thirty Attend the Annual Luncheon in New York City

This past January, 130 Cornell Law alumni and their guests gathered in the luxurious Le Parker Meridien hotel in midtown for the New York Annual Luncheon, preserving a tradition that dates back to the 1950s. While the rituals of warm reminiscing, optimistic networking, and lighthearted lunching have remained more or less unchanged, the topic of conversation has continually evolved to match current trends and advancement in legal affairs. **Jeffery H. Boyd '81**—president, CEO, and board of directors member of Priceline.com—adhered to this standard in delivering his speech, “Online Commerce with Global and Mobile Networks.”



Speaking on the global nature of Priceline.com, Boyd discussed overseas units and the impact of new international privacy laws on Priceline’s business. Included among his key points were strategies for staying on top of search engine lists, the assertion that mobile apps are the key trend going forward, and an “electrifying” example of the value of instant metrics as tools for decision making and planning. Boyd also reflected upon his

need, as CEO, to shift his perspective on advertising, viewing it from much broader, more creative, and visionary angles.

When asked about the value of his law degree, Boyd cited critical thinking skills and the ability to make fact-based decisions as the most vital elements of his J.D. experience. He also commented on a Cornellian presence in the online hotel business, referencing

ABOVE LEFT: Dean Schwab and Jeffery Boyd '81. LEFT: Dean Schwab gives welcoming remarks.

several alumni in key positions within the Priceline family and two CLS alumni who founded Hotels.com. Boyd concluded his speech by thanking **Jay Walker**, Cornell University alumnus and Priceline.com founder, for his vision, which the company continues to build on.

The luncheon was graciously sponsored by Proskauer Rose (**Paul A. Salvatore '84**); Morrison & Foerster (**Joel C. Haims '93**); Skadden, Arps, Slate, Meagher & Flom (**David E. Schwartz '94**); Tortoise Investment Management (**Ian J. Yankwitt '93**); Willkie Farr & Gallagher (**James C. Dugan '93**); Dewey & LeBoeuf (**John J. Altorelli '93**) and the Cornell Law School Admissions Office.

Law School Community Celebrates Seventh Annual Public Service Awards

On February 10, some 140 people gathered at the Association of the Bar of the City of New York to honor Law School students and alumni at the Seventh Annual Presentation Ceremony of Public Service Awards.

"It's a community-building and recognition event," said **Karen Comstock**, assistant dean for public service. "We recognize our alumni who are out there doing public service, so they know that we value their work, and so they may be able to mentor our students."

This year the event honored ten alumni and thirteen students. Alumni accomplishments included community development, preservation of marine ecosystems, and the provision of free legal services to indigent clients in Mexico City.

"I talked with the students at the event, and they were all really thrilled with it, gratified to see lawyers they want to emulate," Comstock said.

Nominations are submitted by Law School alumni, faculty, and administrators and reviewed by the Public Service Committee. "We receive more than fifty nominations every year," said Comstock. "We like to have diversity in every way possible—type of work, age, geography."

The best part of the evening, Comstock said, is hearing the



ABOVE: Len Kennedy '77
ABOVE RIGHT: (front) Andrew Cowan '08, Matthew Faiella '05, Neil Getnick '78; (center) Michael Levine '80, Betty Barker '89, Robin Lunge '95; (back) Gabriella Solis, LL.M. '02, Peggy Lee '96, Jason Patlis '92, Len Kennedy '77

alumni talk about their work. "It's so interesting, moving, and inspirational."

"A lot of these folks are out there toiling away and trying to do justice, and they are not recognized," she continued. "One of the awardees told me that when he got the phone call about the award, he shut his office door and burst into tears."

It's hard for Comstock to choose a representative awardee, but **Elizabeth Barker '89**, who has been a public defender for twenty-seven years, "is the type of person I really love to recognize," she said. "Public defenders are often derided for representing people who committed heinous crimes, but they do it because they believe in human rights and respect for the rule of law."



We recognize our alumni who are out there doing public service, so they know that we value their work, and so they may be able to mentor our students.

— Karen Comstock

”



Yvette Harmon '69, Franci Blassberg '77, Anne Lukingbeal, Jacqueline Duval '92

"One student who's a real superstar told me 'I don't see why I was nominated, I'm not that special!'" Comstock notes. Reading both the student and alumni biographies makes it clear that all of them are superstars, with a wide range of passionate commitments.

One winner of the Freeman Award for Civil-Human Rights, **Ann Eisenberg '12**, volunteered with the Peace Corps in Morocco before coming to the Law School. **Jackie Solivan '12**, a winner of the Stanley E. Gould Prize for Public Interest Law, interned with the Federal Bureau of Consumer Protection.



LEFT: Jackie Solivan, Susan Millor (front), James McHale (back), Erin Agee, Ben Tettlebaum, Ann Eisenberg, Jennifer Holsey, Melissa Koven, L. Sheldon Clark, Jing-Lan Lee, all class of 2012



UPPER LEFT: Gabriela Solis, LL.M. '02, Karen Comstock UPPER RIGHT: Jason Patlis '92 ABOVE: Lisa Eisenberg, Ann Eisenberg '12, Matthew Gates, Ted Eisenberg

Ben Tettlebaum '12 was one of the winners of the Seymour Herzog Memorial Prize given to students demonstrating excellence in law, a commitment to public interest, and a love of sports. Tettlebaum has taken his love of the outdoors into a passion for environmental justice.

Comstock believes that the Public Service Award Ceremony is succeeding in its goals. Student/alumni connections continue to flourish. "I hear from many people that this is their favorite alumni event of the year," Comstock concludes.

Exemplary Alumni Public Service Awards:

Elizabeth Barker '89
Deputy Public Defender,
Contra Costa County
Office of the Public Defender,
Martinez, CA

Andrew Cowan '08
(Rising Star Award)
Trial Attorney, Committee for
Public Counsel Services,
Public Defender Division,
Dedham, MA

Gabriela Solis de Ibarrola, LL.M. '02
Attorney, Bufete Juridico
Gratuito Social,
A.C., Mexico City

Matthew Faiella '05
(Rising Star Award)
Attorney, U.S. Department of
Education, Office of Civil Rights,
New York, NY

Neil V. Getnick '78
Partner, Getnick & Getnick,
New York, NY

Len Kennedy '77
General Counsel, U.S. Consumer
Financial Protection Bureau,
Washington, D.C.

Peggy Lee '96
Senior Staff Attorney,
Southeastern Ohio Legal Services,
Athens, OH

Michael Levine '80
Executive Vice President and
General Counsel, Local Initiatives
Support Organization,
New York, NY

Robin Lunge '95
Director of Health Care
Reform, State of Vermont,
Burlington, VT

Jason Patlis '92
President, National Marine
Sanctuary Foundation,
Washington, D.C.

Student Public Interest Prizes, Class of 2012:

FREEMAN AWARD FOR CIVIL-HUMAN RIGHTS

Awarded annually to the law student or students who have made the greatest contributions to civil-human rights during their Law School careers:

Erin Agee, Kira Devin, Ann Eisenberg, Jennifer Holsey, Melissa Koven, James McHale, Susan Millor.

STANLEY E. GOULD PRIZE FOR PUBLIC INTEREST LAW

Awarded annually to a third year student or students who have shown outstanding dedication to serving public interest law and public interest groups:

L. Sheldon Clark, Jing-Lan Lee, Christine Ou, Jackie Solivan.

SEYMOUR HERZOG MEMORIAL PRIZE

Awarded annually to a student or students who demonstrate excellence in the law and commitment to public interest law, combined with a love of sports: **Andrew Jacobson, Benjamin Tettlebaum.**

Eight Sworn into the United States Supreme Court Bar

On October 5, the Cornell Law School Alumni Affairs Office hosted its annual group admission to the United States Supreme Court Bar Association. Eight inductees raised their right hands to uphold their office as newly sworn-in members of the bar.

The ceremony commenced at 10:00 a.m. in the courtroom of the United States Supreme Court in Washington, D.C. Among those admitted were **Thomas Brown '94**; **Patricia Crown**; **Thomas Gilbertsen '89**; **Jennifer Miller '80**; **Lloyd Patross, M.B.A. '70/J.D. '71**; **Joseph Serafini '67**; **Pedro Urdaneta, LL.M. '94**; and **John Vukelj '03**.

After being sworn in, the newest members of the U.S. Supreme Court bar and their guests were invited to stay and listen to the day's oral arguments and also enjoyed a private presentation on the history of the Supreme Court and its building. The curator, while offering information about the portraits hung in the West Wing Conference Room, pointed out the portrait of Chief Justice **Charles Evans Hughes**. Cornell Law School's Hughes Hall is named in honor of this former chief justice of the United States.

The evening before the swearing-in activities, everyone met for a private dinner at the Monocle Restaurant on Capitol Hill. Student **Kelly Halford**



'12, editor-in-chief of the LII Bulletin, also attended the celebration and, during the dinner hour, presented an overview of the cases that would be heard the next day.

The Alumni Affairs Office recognizes and thanks **Norma Schwab**, associate university counsel in the Office of University Counsel, Cornell University, who moved the party forward in Court. Schwab was sworn in as a member of the Supreme Court bar in 2008.

✿ The 2012 swearing-in is scheduled for Monday, November 26. If you are interested in being part of this prestigious group, please contact **Kristine Hoffmeister**, director of Alumni Affairs, at ksh54@cornell.edu.

John Vukelj '03; Pedro Urdaneta, LL.M. '94; Norma Schwab; Thomas Brown '94; Patricia Crown; Thomas Gilbertsen '89; Joseph Serafini '67; Jennifer Miller '80; and Lloyd Patross, M.B.A. '70/J.D. '71

On October 5, the Cornell Law School Alumni Affairs Office hosted its annual group admission to the United States Supreme Court Bar Association. Eight alumni raised their right hands to uphold their office as newly sworn-in members of the bar.



Judge Joseph L. Tauro '56 Celebrated in New Biography

Recently published by the Massachusetts Continuing Legal Education Foundation (MCLE), *Benchmarks XXIV: The Life and Legacy of Joseph L. Tauro* honors the achievements of Massachusetts' twenty-fourth United States District Judge, who graduated from Cornell Law in 1956.

"The new biography of Judge Tauro succeeds in genuinely portraying the rich life and historic (indeed continuing) contributions of an enormously interesting man and important federal judge," says **John Nadas '76**, managing partner of Choate Hall & Stewart and a former clerk of Tauro's. "The book captures Judge Tauro's historic work and constructive impact on a wide range of pressing and often controversial legal and social issues ranging from reform of state institutions for the intellectually disabled, to voting rights, to war powers, to gay marriage. At the same time, the book gives the reader a true appreciation for the judge's unusual character, decency, humor, and warmth. It's a great read about a great man and his important place in our times, our community, and in history."

All proceeds from the sales of the biography—the first in a series on federal judges commissioned by the United

The book captures Judge Tauro's historic work and constructive impact on a wide range of pressing and often controversial legal and social issues ranging from reform of state institutions for the intellectually disabled, to voting rights, to war powers, to gay marriage. At the same time, the book gives the reader a true appreciation for the judge's unusual character, decency, humor, and warmth. It's a great read about a great man and his important place in our times, our community, and in history.

— John Nadas '76

”

States District Court for Massachusetts—help fund MCLE program scholarships for legal services attorneys, practitioners who accept pro bono cases, and other lawyers who have financial need. Orders can be placed at http://www.mcle.org/books-cds/books-catalog.cfm?product_code=2120259B01. ■

Class Notes are Online

Search for news on your classmates and other Cornell Law School alumni.

You can also submit your own notes through the Law School website:

lawschool.cornell.edu/alumni/classnotes/index.cfm

In Memoriam

Michael P. Aspland, LL.B. '48

Charles W. Avery '47

Louis F. Avino Jr. '83

Rev. George Hudson Ball, LL.B. '38

Arthur William Braiman, LL.B. '62

Daniel A. Cohen '58

William M. Cox '50

Margery F. Gootnick '52

Daniel E. Holland Jr. '53

George H. Kleinberger, LL.B. '59

H. Brian Levinson '67

Judge Israel "Ike" Margolis '50

Joseph T. McLaughlin '68

John H. McDonald, LL.B. '55

Dennis M. O'Connell '70

Mary E. O'Donnell-Moore '08

Willard J. Overlock, LL.B. '48

Royce Glenn Rowe Jr., LL.B. '52

Pamela S. Shelinsky '05

Janet G. Speck '80

Francis P. Sutton, LL.B. '51

Nathaniel S. Thayer, LL.B. '51

Walter E. Thomas Jr., LL.B. '66

Marvin Wahl, LL.B. '38



FORUM

Spring 2012
Volume 38, Number 1

Richard D. Geiger

ASSOCIATE DEAN, COMMUNICATIONS AND ENROLLMENT

Tricia M. Barry

EDITOR

Michael Heise

FACULTY EDITOR

Martha P. Fitzgerald

DIRECTOR OF COMMUNICATIONS

Darcy Bedore

COPY EDITOR

Robin Awes Everett

DESIGN DIRECTOR

Kenneth Berkowitz, Marihug Cedeño, Joyanna Gilmour, Kristine S. Hoffmeister, Branden Kirchmeyer, John A. Lauricella, S.K. List, George Lowery, Owen Lubozynski, Linda Brandt Myers, Judith Pratt, Ting Ting Tam '12

CONTRIBUTING WRITERS

Nancy Adler (p. 62); Anthony-Masterson (pp. 1, 17); The Estate of Walter and Doris Arthur (p. 77); Associated Press Images (p. 35); Robert Barker/Cornell University Photography (pp. 5, 21, 28, 32, 34, 39, 41-43, 65); Ann Beha Architects and Trowbridge Wolf Michaels Landscape Architects LLP (pp. 1, 22-23, foldout); Dave Burbank/Cornell University Photography (p. 50-51, 60); Marihug Cedeño (p. 78); Janet Charles Photo (p. 51); Cornell University Photography (back cover, p. 69); Devonyu (p. 18); DiMeo Photography (pp. 2, 35, 47, 53, 56, 65-67, 70, 72, 74); Lindsay France/Cornell University Photography (p. 36, 38, 41, 47, 48, 53, 57-59, 61); Eric Hanson (pp. 1, 4, 6-11); Anton Hazewinkel (p. 3); Gerard Hermand (p. 3); Gary Hodges/Jon Reis Photo + Design (p. 40, 75); Hans Hordijk (p. 24); Bruce Hutchison Illustration (inside back cover, pp. 34, 41, 48, 54, 63, 82); Image Source (front cover); Steven Koh (p. 62); Jason Koski/Cornell University Photography (inside front cover, pp. 30-31, 41, 42, 46, 68); KRITI Team (p. 53); Teresa Lewi (p. 37); Thomas Mills (p. 38); Randy Plett Photographs (p. 3); Jon Reis Photo + Design (p. 74); sakaasa (p. 40); Sheryl Sinkow Photography (pp. 35, 44-46, 48, 49, 53, 55, 59, 61, 64, 66, 67, 68, 69, 70, 72, 73, 80-81); sonofsteppe (p. 3); the wicked witch of the east (p. 3); Zhejiang University students (p. 55)

PHOTOS AND ILLUSTRATIONS

Cayuga Press of Ithaca

PRINTER

The editors thank the faculty, staff, alumni, and students of Cornell Law School for their cooperation in the production of this publication. Select articles in the "Briefs" section reprinted courtesy of *Cornell Chronicle*.

Cornell Law School publishes *Cornell Law Forum* two times per year. It is an eco-friendly publication. Business and editorial offices are located in 119 Myron Taylor Hall, Ithaca, NY 14853-4901 (phone: 607-255-6499; email: tmr82@cornell.edu).

Cornell Law School on the Web:
www.lawschool.cornell.edu

©2012 by Cornell University. All rights reserved.

Looking for a small way to
make a big impact on a
Cornell Law student or graduate?

Become a mentor!

No matter where you work, our students and alumni want your advice on building a successful career. The service is confidential, customizable, easy-to-use, and won't make huge demands on your time.

For full details, email mentoring@lawschool.cornell.edu



Cornell University
Law School

Lawyers in the Best Sense





Cornell University
Law School

Lawyers in the Best Sense

Myron Taylor Hall
Ithaca, New York 14853-4901

Change Service requested

www.lawschool.cornell.edu

