



LECTURES AND EVENTS



The Center for Transnational Legal Studies Opens in London

Grand Opening of a Global Law School



Representatives from CTLS member schools at the October 28 signing ceremony. (Front) Georgetown University President John J. DeGioia; Mayo Moran of the University of Toronto; Dean Alex Aleinikoff; Dean Yoav Dotan of the Hebrew University of Jerusalem; Dean Timothy Macklem of King's College, London. (Second row) Dean James Hathaway of the University of Melbourne; Dean Tan Cheng-Han of the University of Singapore; Markus Heintzen, dean of the Free University of Berlin; Professor Pascal Pichonnaz of the University of Fribourg, Switzerland; Professor Gianmaria Ajani of the University of Torino; Professor Calixto Salomao Filho of the University of Sao Paulo. Not pictured: Richard Trainor, principal of King's College.

On October 28, Dean Alex Aleinikoff and representatives of nine other premier law schools from around the world gathered in what was once the public records office of the United Kingdom to set a record of their own — the establishment of the Center for Transnational Legal Studies, a first-of-its kind, collaborative offering of transnational legal education in a truly global setting.

The Center, which is spearheaded by Georgetown Law, is not just another study-abroad program but a unique experiment in legal education that marries form — a truly global campus with professors and students from all over the world — with function — the study of international, transnational and comparative law.

The opening ceremonies reflected that vision, as Aleinikoff and Georgetown University President John J. DeGioia joined representatives from each of the Center's participating schools at King's College, London, for a document-signing ceremony.

"We're delighted to gather in this historic setting with our partner institution, King's College, ... to celebrate the successful opening of our shared academic



STEVE FORREST

The Rt. Hon. Baroness Brenda Hale of Richmond, a judge on the United Kingdom's highest court, at the opening of the Center for Transnational Legal Studies in London October 28.



RICK REINHARD

Professor David Vladeck

Professors Brief Press on Court Cases

A new presidential administration loomed on the horizon, but Fall 2008 was business as usual for the Supreme Court — and Professors Susan Low Bloch, James Forman, Lisa Heinzerling, Martin Lederman and David Vladeck gathered in Gewirtz Student Center on September 22 to help national and local news media make sense of it all. At the Supreme Court Institute's annual press briefing, legal experts gave journalists an idea of what to expect in the High Court's 2008 term. Vladeck, an expert in federal preemption and food and drug law matters, discussed *Wyeth v. Levine*, a case that raises questions about whether state law claims concerning drug labeling warnings should be preempted by federal law. "It would be a 'sea change' in the way we do products liability law," said Vladeck, who filed an amicus brief on behalf of former FDA commissioners.

enterprise," Aleinikoff told the crowd in his brief opening remarks. "Our inaugural class of students and faculty has been hard at work for the past eight weeks, teaching and learning together in a global learning space."

DeGioia noted that the document was being signed on the birthday of the humanist scholar Erasmus, who lived during the Renaissance, the first great era of globalization. "By helping to teach all of our law students to be better global lawyers, this new Center for Transnational Legal Studies will help ensure the promise of greater global justice [and] a stronger global community — which, as Erasmus recognized nearly five centuries ago, we are all part of," DeGioia said.

Later, at London's 18th-century Spencer House, the Rt. Hon. Baroness Brenda Hale of Richmond, the first woman judge to serve on the United Kingdom's highest court, congratulated Georgetown Law on its "splendid initiative." Some U.S. judges, she noted, have paid little attention to foreign law — claiming that the U.K., for instance, has become too heavily influenced by the differing legal traditions of Europe. "Those traditions, I am glad to say, are very well represented among the universities that are part of this enterprise," she said, drawing a chuckle from the crowd.

Georgetown Law professors hosted panel discussions during the two-day celebrations — attended by, among others, members of the Law Center's European Law Alumni Advisory Board. The panelists, which included Ted Burke (L'86), William P. Frank (C'63), and Robert Ruyak (L'74), discussed the role of the global lawyer and lent their thoughts on the new Center.

"Call me a romantic if you want, but I still believe that law is a great vehicle for peace and for justice — at the local level, at the national level, and the global level," Aleinikoff said. "As we teach our students, work together with colleagues and faculty and interact with the members of the profession, we all contribute our hope to a more just world through the pursuit of transnational law."

The O'Neill Institute Colloquium

An Education in Health Law



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(Left) Dr. Anthony S. Fauci and Professor Larry Gostin. (Top) Solly Benatar, founding director of the University of Cape Town's Bioethics Centre; Elias Zerhouni, former director of the National Institutes of Health; Jim Kim of the Harvard School of Public Health and Roger Glass of the Fogarty International Center at a November 12 symposium. (Bottom) Former U.S. Global AIDS Coordinator Mark Dybul (C'85, M'92, H'08), a distinguished scholar at the O'Neill Institute, with Gostin.

Why would law students hurry to a crowded lecture every week to hear discussions on health-related topics such as HIV/AIDS, tuberculosis, drug labeling and obesity? Because distinguished members of the national and international community were coming to Georgetown Law to discuss some of the most critical national and global health law issues of our time.

The weekly lectures, offered from September 9 to December 2, were part of a semester-long colloquium sponsored by the O'Neill Institute for National and Global Health Law. Students could attend the lectures as a full-credit class — with papers to

write — or they could simply attend as part of the Georgetown Law community. The colloquium was led by Lawrence Gostin, the Linda and Timothy O'Neill Professor of Global Health Law and faculty director of the O'Neill Institute, and former O'Neill Institute Executive Director John Monahan (C'83, L'87); fellows Susan Kim and Paula O'Brien assisted in the effort.

An inaugural lecture on September 9 featured a talk on global health and infectious diseases by Dr. Anthony S. Fauci, M.D., director of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health. Fauci noted

that 20th-century advances in germ theory, vaccines and sanitation led some scholars in the 1960s to predict the virtual end of infectious disease — right at the time when Fauci was beginning a fellowship on the subject at the National Institutes of Health.

"It was like somebody telling you that from now on, there's going to be no law," Fauci said to the crowd of law students — adding that, contrary to the predictions, infectious disease continues to be a significant problem across the globe.

On October 28, Ambassador Mark Dybul (C'85, M'92, H'08), then U.S. global

Third Annual O'Connor Project Conference

Alan Greenspan on the Market and the Courts

continued from previous page

AIDS coordinator who led the implementation of the President's Emergency Plan for AIDS Relief, discussed the global AIDS pandemic as well as PEPFAR, the largest international health initiative in history. Dybul recently joined the Global Business Coalition on HIV/AIDS, Tuberculosis and Malaria as senior adviser and became a distinguished scholar at the O'Neill Institute.

Other colloquium events featured Georgetown Law Professors David Vla-deck, John R. Thomas, Tim Westmoreland, Gregg Bloche, Angela Campbell, Wendy Collins Perdue and Jacqueline Scott, who teamed up with experts in the community to discuss topics ranging from intellectual property issues surrounding vaccines to legal solutions in health reform. At a November 18 event, for example, Perdue examined the ways in which the government contributes to the nation's obesity problem — through zoning laws, no less.

Other panels looked at issues as far reaching as the health of the global workforce, international health assistance, and the ways in which lawyers advance the public health. An all-day symposium sponsored by the O'Neill Institute on November 12 examined "The Role of Science in Advancing Health Diplomacy." Another Institute initiative on October 25 paired law students with microbiology students on Georgetown's main campus, staging a mock pandemic flu crisis. The exercise helped to explore the potential responses by government and health officials in the event of an emergency.

The primary goal, Gostin said, "is to enable a group of students who are taking the colloquium to be educated in a variety of topics in national and global health — and also for the wider Georgetown community to get to hear some of the most influential speakers in Washington and the nation."



Former Federal Reserve Chairman Alan Greenspan, former Supreme Court Justice Sandra Day O'Connor, Supreme Court Justices David Souter and Stephen Breyer, Georgetown University President John J. DeGioia and Dean Alex Aleinikoff.

In the midst of what former Federal Reserve Chairman Alan Greenspan called "the type of wrenching financial crisis that comes along only once in a century," a group of judges, lawyers, corporate leaders and journalists gathered at Georgetown Law on October 2 to talk business. Yet their discussions focused not on stock market losses and congressional bailout plans but the link between corporations and the third branch of government — the judiciary.

Greenspan, former Supreme Court Justice Sandra Day O'Connor and Justice Stephen Breyer were among the speakers at "Our Courts and Corporate Citizenship," the third annual conference of the Sandra Day O'Connor Project on the State of the Judiciary. The project was established in 2006 to address issues that threaten our nation's tradition of a fair and impartial judiciary — million-dollar judicial election races, negative campaign advertising, low judicial salaries and more.

This year's conference, which was also attended by Justice David Souter, focused on the role that corporations play in the court system — both as litigants and as citizens having a stake in an effective and independent judicial process.

"Corporations stand to lose large amounts if judicial independence wavers," O'Connor said. Runaway juries, unpredictable outcomes, litigation delay and high expenses have caused corpora-

tions to look for other ways to settle their disputes, she noted — "and there's not total satisfaction with alternative dispute resolution either."

Keynote speaker Greenspan credited the Constitution with providing the type of long-term economic prosperity that has given Americans the highest standard of living in the world over the last century.

"Trust will eventually re-emerge as investors dip hesitantly back into the marketplace [and] from that point, history tells us, financial and economic revival sets in," he said. "It always has, in this society governed by that remarkable document we call the Constitution of the United States."

Justice Stephen Breyer spoke of the importance of public confidence in the court system — and his recent efforts to explain the concept of judicial independence to six judges from Ghana. "It doesn't mean looking at a decision with a blank mind," he said. "Being independent means you are approaching it with a mind open to persuasion."

Other speakers included Justice Randy Holland of the Delaware Supreme Court; Judge D. Brock Hornby of the U.S. District Court for the District of Maine; Bradford Smith, general counsel for Microsoft; Theodore Olson of Gibson Dunn & Crutcher; Adam Liptak and Linda Greenhouse of the *New York Times*; Fox News correspondent Catherine Herridge; and Meryl J. Chertoff, director of the O'Connor Project.

Lights, Camera ...

On Point @ Georgetown Law

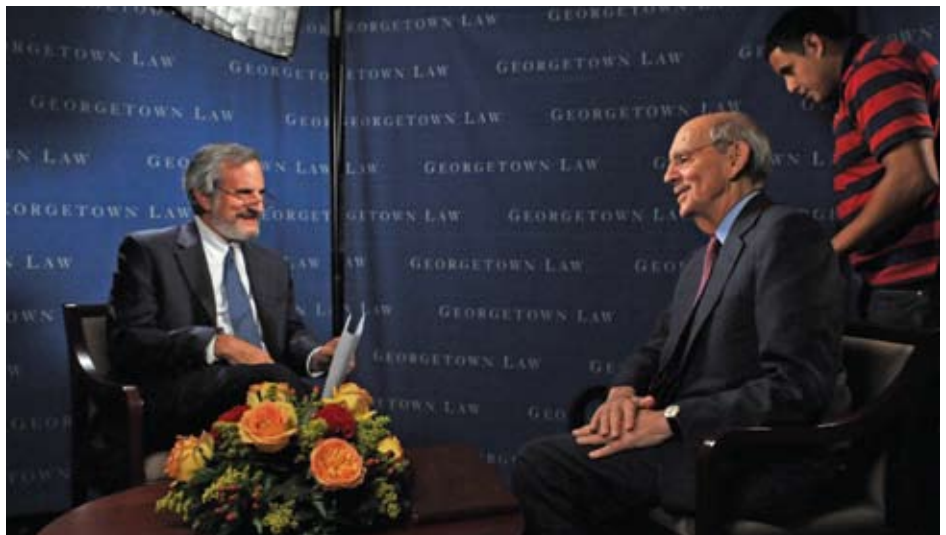
CNN has “The Situation Room,” C-SPAN has “Washington Journal” — and now, the Law Center has “On Point @ Georgetown Law,” a series of Web-based interviews with some of the most prominent personalities of our time. While they’re not live, the interviews provide a thoughtful and engaging look at issues being explored at the Law Center and around the world.

In October, Dean Alex Aleinikoff sat down with retired Supreme Court Justice Sandra Day O’Connor and Justice Stephen Breyer to glean their thoughts on judicial independence. A day earlier, Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health, spoke with Professor Larry Gostin about global and national health issues.

On November 11, less than a week after the 2008 presidential election, former Senate majority leader George Mitchell (L’61) came back to his alma mater to discuss the new presidential administration, the use of performance enhancing substances in sports, peace in the Middle East and more. It was a timely and prophetic conversation, as Mitchell would be named special envoy to the region by President Obama less than three months later. (See story page 64.)

“This is bigger than when I used to do the ‘Today Show,’” Mitchell remarked, as he walked into the official “On Point” studios in the Law Center’s Hotung Building — which serves as a conference room for most of the academic year.

Actually, filming the “On Point” interviews is no small affair. There are three television cameras run by a professional crew, plenty of extra lighting, miles of cable on the floor, and even stage makeup should the occasion require. Two students, Malcolm Wilkerson (L’10) and Mark Aziz (L’09), assist the dean with research on the relevant



Dean Alex Aleinikoff with (top) former Senate Majority Leader George Mitchell (L’61) and (bottom) Supreme Court Justice Stephen Breyer on the set of the Law Center’s new interview series, On Point @ Georgetown Law.

BILL PETROS

topics, coming up with questions appropriate to the interviewee.

“Obviously, it’s still growing and developing, but [we saw it as an opportunity] to ask very interesting people interesting questions,” says Aziz, who, within 24 hours, met Fauci, O’Connor and Breyer. Besides assisting with the administrative aspects of the project, Aziz also helps to determine who else might be invited to participate in an “On Point @ Georgetown Law” interview.

“In an ideal world, Obama,” Aziz said, adding that the general counsel of MTV

might be good, too. One name he didn’t mention was John Grisham, but that writer of legal thrillers stopped by the studio on his way to a talk at the Law Center last winter as part of Criminal Justice Reform Month. (For more on Grisham’s visit, see page 17.)

To watch the interviews go to www.law.georgetown.edu/onpoint/.

Criminal Justice Reform Month

Author John Grisham on *The Innocent Man*

Legal bard John Grisham appeared at the Law Center on February 23 as a guest of Georgetown Law's Innocence Project to discuss his first nonfiction book, *The Innocent Man*. Grisham, who writes a book a year and has produced 21 novels (all of them bestsellers) since his first, *A Time to Kill*, was published in 1988, told students how he was inspired to write the book in 2004 after reading an obituary in the *New York Times* about a man freed from death row five years earlier.



John Grisham

"There was a picture of a man my age, standing in a courtroom in a small town in Oklahoma, and the headline read, 'Ron Williamson, freed from death row, dies at 51,'" he said, explaining that Williamson, a former small-town baseball star who dreamed of playing in the major leagues, came within five days of being executed for a crime he didn't commit. "I said, this is a story, this is my next book."

And it was. *The Innocent Man* tells the true story of Williamson's conviction and

sentence for the 1982 rape and murder of a young woman in Oklahoma, his life on death row and his eventual exoneration. Williamson was aided by the Innocence Project, a national litigation and public policy organization dedicated to exonerating wrongfully convicted people. Grisham is a member of the organization's board of directors.

There are currently 235 million Grisham books in print, and they have been translated into 29 languages. Nine of his books have been turned into films, including *The Pelican Brief*, portions of which were shot in the Georgetown Law Library in 1993.

Grisham, who once dreamed of being a pro athlete himself, clearly enjoyed fielding questions from Georgetown Law students — on everything from the reaction to *The Innocent Man* to his initial plan to study tax law to the day he sat down with a legal pad to write a book about a rape trial he had seen. The book would eventually become *A Time to Kill*.

Regarding his fiction, Grisham said he likes to take an issue such as homelessness or the death penalty and "weave a novel around it" — because he is, after all, a lawyer as well as a writer. "[To] craft that book in such a way that it's still entertaining and people stay up all night to read it, and the pages turn," he said. "And in doing so, get people to think about an issue — wrongful convictions or judicial elections — for the first time, maybe."

The Grisham event, sponsored by Goodwin Procter, was part of Criminal Justice Reform Month, a series of programs aimed at educating students about criminal justice issues and addressing challenges in the criminal justice system.

To read a Web story about Grisham's visit, go to www.law.georgetown.edu/news/webstory/.



Kenneth Starr

Starr Receives Federalist Award

On February 5, Kenneth Starr — a former federal judge, the current dean of the Pepperdine University School of Law and the man who served as independent counsel in the Whitewater and Lewinsky matters — received the Georgetown Federalist Society's sixth annual award for lifetime service. Dean Alex Aleinikoff called the former solicitor general an extraordinary Supreme Court advocate. "His service has not been without controversy, but my guess is that [he] would think that a life without controversy is a life of complacency," the dean said.

Starr's brief remarks focused on the Supreme Court of former Chief Justice Earl Warren, which, in the 1961 case of *Mapp v. Ohio*, extended the Fourth Amendment exclusionary rule to the states. The rule, which holds that evidence obtained in violation of the Fourth Amendment is inadmissible in a criminal trial, was actually used as a tool to help clean up police departments in the country, Starr noted. And this power of the Court to effect progress has remained an issue ever since. "My point ... is a neutral observation that we are continuing to meditate almost daily in the law on the work of the Warren Court, sometimes without realizing it," Starr said.

29th Annual Ryan Lecture

David Wilkins on the Attorney-Client Relationship

NOTEWORTHY

ACQUIRED

In memory of its late director, Professor Robert Oakley, the Georgetown Law Library has acquired the *The Newe Greate Abredgement* (1551) by the famous lawyer and legal printer William Rastell (1508-1565). Only a few law libraries have this edition, which is considered one of the best starting points for legal research in the Tudor period. “*The Newe Greate Abredgement* is one of the first publications that organized statutes by subject matter, allowing students and attorneys to learn what legislation was in force at the time,” says Laura Bédard, special collections librarian. “This innovation in legal publishing illustrates how legal publishers and the law libraries that collect their books work to make the law accessible to lawyers and citizens.”



By late September — when Bank of America sought to buy Merrill Lynch, Lehman Brothers filed for bankruptcy and record stock market plunges were becoming daily realities — no one needed an expert to know that the relationship between law firms and their corporate clients was going to change too. Still, the nature of this new relationship, then as now, is not so predictable. If large firms work for a few existing corporate clients instead of courting new ones, how does that affect things like attorney hiring, training, turnover and ethics? And if corporate clients in turn are reducing the number of law firms they work with, what are these companies demanding from their chosen few?

David B. Wilkins, Harvard Law School’s Kirkland and Ellis Professor of Law and director of two programs on the legal profession, was on hand September 24 to discuss issues like these in the 29th annual Thomas F. Ryan Lecture at Georgetown Law. In his speech, “From Agents to Partners: Toward a New Model of the Corporate Attorney-Client Relationship,” Wilkins explored how corporations and the law firms they employ have moved from a principal/agent relationship to a model that more closely resembles a joint venture or partnership. And these relationships, he said, are becoming increasingly more important in today’s world.

“Corporations are consuming more and more of the total amount of legal services being provided,” he said, noting that this amount has increased by almost 50 percent since 1975. And as corporate clients become more sophisticated, they are also investing a significant amount of their resources in-house — resulting in the fastest growing sector of the legal profession. Even where outside counsel is retained, those lawyers may still spend large amounts of time in the office of the general counsel of the client corporation, Wilkins said.



David B. Wilkins

“The bottom line is this: relationships are getting deeper, and the clients are looking for different things from the law firms than they had traditionally looked for,” Wilkins said. “They’re not just looking for legal expertise. They’re looking for knowledge of their business.” And as business partners, corporations also want law firms to share the risks as well as the benefits. “It’s not a marriage,” Wilkins said, noting that the parties, in some sense, act as competitors, with each threatening to take its business elsewhere if things don’t go well.

Still, breakups are rare. Corporate clients may still fire their lawyers, but since the parties have so much invested in each other, Wilkins said, they’re not likely to throw in the towel. “Clients fire law firms much less frequently than people think,” he said. “As one general counsel said, it’s a little like turning the Titanic.”

Justice in Pakistan

A Standing Ovation for Judicial Independence



Iftikhar Mohammed Chaudhry

When Iftikhar Mohammed Chaudhry became the 20th chief justice of Pakistan's Supreme Court in 2005, he found a government that failed to live up to its constitution. So, among other things, Chaudhry reversed a privatization deal that had been approved by President Pervez Musharraf and forced the country's intelligence agencies to acknowledge that it had held dozens of citizens in secret custody. For his actions, Chaudhry was suspended by his country's president on March 9, 2007, and accused of misconduct. The Pakistani Supreme Court responded by reinstating him the following July. In November 2007, Musharraf declared martial law in Pakistan and placed Chaudhry and 60 other judges under house arrest. Chaudhry was confined for five months, during which time Musharraf replaced him with another chief justice.

Lawyers in Pakistan and around the world have supported Chaudhry in his quest to be reinstated. [And on March 16, 2009, following widespread protests, the Pakistani government announced it would restore the former chief justice.] "His actions sparked a movement in Pakistan by lawyers — lawyers that many of us saw risking their lives," said Law Center Dean Alex Aleinikoff on November 24, as he introduced Chaudhry and Athar Minallah, a Pakistani lawyer supporting Chaudhry and other ousted judges. "It's something that American lawyers and American law students have a hard time understanding."

Greeted with a standing ovation by a packed house in one of the Law Center's largest classrooms, Chaudhry said that while people are always interested in hearing his story, it should not detract from the real issues — upholding fundamental rights through public interest litigation and preserving judicial independence in the face of an overbearing executive. Believing that his country's courts should be used to further the social and political progress of its citizens — and not simply to address private wrongs — Chaudhry and his court took on public interest cases that would be unimaginable in the West: one challenged the custom of *swara*, where young girls are given as compensation to a murder victim's family; another involved employees who accepted exorbitant loans from their employers, consigning themselves to perpetual slavery.

"Is it fair that the government be allowed to flaunt the law with impunity merely because the victims are too poor, are too weak, are too unaware of their rights?" he said. "Public interest litigation has its greatest hope in developing countries, where large sections of the population are unable to approach the courts."

The event was sponsored by the Georgetown Law Office of Transnational Programs, Office of the Dean of Students, Foreign Lawyers at Georgetown (FLAG), the Supreme Court Institute, the Sandra Day O'Connor Project on the State of the Judiciary and Crowell & Moring.

NOTEWORTHY

A NEW LL.M.

The Law Center recently entered into a partnership with the Graduate Institute for International and Development Studies (IHEID) in Geneva, Switzerland, offering an LL.M. in global health law and international institutions. Beginning in 2009-2010, five to 10 U.S. and foreign-trained lawyers will begin the program at Georgetown Law on a full or part-time basis, then fly to Geneva for winter internships with organizations such as the World Health Organization and the World Trade Organization. They will then complete another semester at the Graduate Institute.

"The partnership between Georgetown Law and the Graduate Institute is groundbreaking," said Professor Lawrence Gostin, faculty director of the O'Neill Institute for National and Global Health Law, announcing the partnership. "Students will have the unique opportunity to study under the best and brightest faculty in the world at the intersection of global health, international law and development."



Professor Rosa Brooks with George Soros

SOROS SPEAKS

On January 12, financier and philanthropist George Soros spoke at the Law Center about the impact of the financial crisis on emerging powers such as Russia and China, and the role human rights issues should play in U.S. foreign policy. His talk was part of a round-table discussion with the Howard Gilman Foundation's White Oak Foreign Policy Leaders Project and was co-sponsored by Georgetown Law's Human Rights Institute.

Law Forum

A Last Look at the Election

No one knew the outcome of the 2008 presidential election when a distinguished group of journalists joined CNN anchor Wolf Blitzer at Georgetown Law on October 22, 13 days before “E-Day.” Still, those daring to make an outright prediction at the start of the evening were fairly certain that Barack Obama would be living in the White House come January. “The mathematics of this look as if it’s almost impossible for this race to go the other way, in the absence of an act of God,” columnist and Pulitzer Prize winner Charles Krauthammer said. “It looks as if, at least this year, God is a Democrat.”

Sharing the stage with Blitzer and Krauthammer were *Washington Post* columnist and Georgetown University Professor E.J. Dionne Jr., pollster and political strategist Celinda Lake, Clarence Page of the *Chicago Tribune*, and Byron York of the *National Review*.

Dionne, who teaches at Georgetown University’s Public Policy Institute, boiled the race down to simply “Bush, McCain, Palin, Black September and Obama,” noting that Obama’s ability to adopt a crisp economic message helped him when the financial crisis hit. It was a political landscape that no one could have predicted



Wolf Blitzer (right) talks politics with (left to right) Byron York of the *National Review*; syndicated columnist Charles Krauthammer; *Washington Post* columnist and Georgetown Public Policy Institute Professor E.J. Dionne Jr. and pollster and political strategist Celinda Lake.

The forum, “Decision ’08: November 4 and Beyond,” was sponsored by the Law Center and Georgetown’s Public Policy Institute. It was, as Dean of Admissions Andy Cornblatt noted, the eighth time that Blitzer had moderated a Law Center event.

“Every time we ask Wolf, he always says yes,” said Cornblatt — recalling his joke at a previous symposium that Blitzer would be given a law degree if he moderated any more events at Georgetown Law. “One more time, he will be on our faculty; two more, perhaps the dean of the law school.”

in February 2008, when Krauthammer and Dionne joined Blitzer for an earlier Law Forum in Hart Auditorium — and words like “bailout” and “meltdown” were not yet on anyone’s lips.

“Now, all we can think about is this economic meltdown; a few months ago, all we could think about was the price of gas,” York said at the end of the event, noting that no one knows just what great test a president might be called upon to face. “In the 2000 election, the burning question was what were we going to do with our fantastic surplus. ... You don’t know what you are electing this person for.”



LESLIE E. KOSOFF

William Kovacic

FTC Chairman Kovacic on Global Competition Policy

FTC Chairman William Kovacic delivered a keynote address on the future development of global competition policy at Georgetown Law’s sixth annual Global Antitrust Enforcement Symposium last September. Likening competition policy to the operating system of a computer, Kovacic noted that many of the world’s jurisdictions are now writing “applications” for the system, some of which are every bit as good as the concepts developed in the United States.

“There are good ideas elsewhere, and those ideas will become key ingredients in the way in which competition policy is done,” Kovacic said, adding that this is a healthy thing. “Going loud and telling someone I’m better doesn’t necessarily act as a persuasive tool; it’s coming up with the better idea, showing that it works.”

The event was sponsored by the Law Center’s Continuing Legal Education Program and Howrey.

First Wednesdays

Experts Tackle Torture, Gun Rights and More

It isn't often that a Pulitzer-prize nominated journalist from *The New Yorker* appears on the same discussion panel as a University College of London international law professor. But at Georgetown Law's "First Wednesday" luncheon on September 10, reporter/writer Jane Mayer and Professor Philippe Sands had much to say about the U.S. military's coercive interrogation policies and presidential power in the war on terror.

Mayer is the author of *The Dark Side: The Inside Story of How the War on Terror Turned Into a War on American Ideals* (Doubleday), and Sands wrote *Torture Team: Rumsfeld's Memo and the Betrayal of American Values* (Palgrave MacMillan). These books "tell stories most Americans think would be fiction," commented Dean Alex Aleinikoff, who moderated the discussion.

The speaker series, usually held on the first Wednesday of every month, serves as an informal way to enlighten students, faculty and alumni on timely legal and political issues. The topic on the menu for October was the Second Amendment, as Alan Gura (L'95) and O'Melveny & Myers' Matthew Shors shared their thoughts on *District of Columbia v. Heller*. Gura was the winning lawyer in the case, in which the Court concluded that the District of Columbia's gun ban was unconstitutional.

"We felt that the harm was doing nothing," said Gura, who filed the case on behalf of, among others, a D.C. policeman who sought to keep a handgun at home. Since the Supreme Court jurisprudence on the Second Amendment was virtually nonexistent, Gura said, he and his clients thought it was time for the Court to consider the issue in a responsible civil case. "We went ahead with the case, and you guys know the outcome."

In November — less than one week after the presidential election — former Senate majority leader George Mitchell was on hand to answer questions ranging from



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(Top) Journalist Jane Mayer and University College of London Professor Philippe Sands discuss their recent books on the U.S. military's interrogation policies. (Bottom) Alan Gura (L'95) talks about his winning Supreme Court Second Amendment case, *District of Columbia v. Heller*.

the economic challenges facing the new administration to performance-enhancing substances in sports, nuclear nonproliferation and climate change. Though Mitchell could not have known at that time that he would be asked by President Obama less than three months later to serve as a special envoy to the Middle East [see related story p. 64] he did note that many around the world are yearning for good U.S. leadership — like that which existed after World War II when the United States took the lead in helping to establish organizations such as the United Nations and NATO.

"Our power is the greatest it's ever been; our standing is the lowest it's ever been," Mitchell said on November 11. The country has lost its standing as a moral leader, he noted, because people perceive a gap between our ideals and our actions. Now, "the U.S. relies more on power than ideals," he said.