



## GEORGETOWN LAW

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On the cover: Retired Justice Sandra Day O'Connor  
and Justice Stephen Breyer (center), co-chairs of the  
"Fair and Independent Courts" Conference, pose  
on the Georgetown Law campus with Dean T.  
Alexander Aleinikoff (second row, right) and student  
ambassadors. Cover photo by A. Paul Herrera.



## Letter from the Dean

The idea of the rule of law means more than complying with the rules of law. It is an aspirational notion, one that evokes images of a just system of laws administered justly. Courts play an indispensable role in supporting the rule of law in mature democracies.

As a vital part of the American system of government, courts enforce constitutional limits on the political branches and protect minorities against the excesses of majority rule. Constitutional scholar Charles Black noted a generation ago that judicial review of the conduct of the political branches

provides legitimacy to the system as a whole — by both invalidating actions that violate constitutional limits and by upholding actions within those limits.

None of this is to say that courts are immune from error, prejudice and sometimes even corruption. Neither can they be immune from criticism. But as was explored at the "Fair and Independent Courts" Conference held at the Law Center in September, recent attacks on the judiciary threaten the independence of judges and thereby threaten our constitutional system of checks and balances.

The Conference was co-chaired by former Justice Sandra Day O'Connor and Justice Stephen Breyer and co-sponsored by the American Law Institute. Six sitting members of the Supreme Court attended the Conference, as did the Attorney General and Solicitor General of the United States, state and federal judges, former members of Congress, business leaders, members of the media and academics.

We describe the conference in detail in the lead story of this issue. And we affirm the idea of the rule of law in other contributions: in the establishment of the Human Rights Institute, in our students' important work ensuring that U.S. refugee law complies with international standards and in recognizing Professor Neal Katyal's crucial role in the landmark *Hamdan v. Rumsfeld* case (in which the Supreme Court invalidated military commissions established by the president to try detainees at Guantánamo Bay, Cuba).

The Law Center is proud to be front and center on these issues.

Sincerely,

T. Alexander Aleinikoff  
Dean of the Law Center  
Executive Vice President, Law Center Affairs