

Alumni Weekend photographs by William K. Sacco, Yale University Media Services
 President Clinton photographs by Robert A. Lisak

Alumni Weekend 2008

IMAGINING THE FUTURE

Challenges and Opportunities
for the Three Branches of Government



Hot-button issues of national security, health care, the economy, immigration, and the environment were the subjects of discussion when more than one thousand graduates and their guests gathered at the Law School for Alumni Weekend this past October. Former classmates became reacquainted and new friendships were formed as alumni gathered for panels, meals formal and informal, receptions, tours of the Law School, and a special breakfast with students. Panels focused on the challenges and opportunities for the next administration. President Bill Clinton '73 introduced the subject of global challenges to the weekend's discourse as he spoke to an audience of YLS graduates, faculty, staff, students, and others in the University community.

website  Videos of panels and galleries of photos from Alumni Weekend 2008 are available at www.law.yale.edu/alumniweekend

David D. Cole '84
Professor of Law, Georgetown University Law Center
 "I think the regular courts have an obligation to check abuse when they see it, and I think actually one of the nice surprises of the post-9/11 era is that the courts have been more willing to do so than in any prior period in American history. And it's not just the U.S. courts. If you look around the world, the courts of last resort in the U.K., in Germany, in Israel, in Canada, have stood up for human rights and the rule of law in the face of claims of national security and the need to fight terrorism."
from Liberty and Security in the Next Administration: War, Rights & Antiterrorism panel



Charles Reich '52 and John Simon '53



Bruce Morrison '73
Chairman, Morrison Public Affairs Group
 "The good thing about immigration and the United States is that we believe in immigration. All over the world, people have migrated...but you will search long and hard to find societies in which they actually believe in immigration, as opposed to guest workers or some other form of temporary tenure... That has not been the building block of American immigration. Our basic idea of immigration... has been that you come to become an American. And I think that's a very powerful and important idea. It's given us great strengths that we should defend and build upon."
from Immigration Policy in the 21st Century panel



Charles Reich '52 and John Simon '53 received the Award of Merit during this year's Alumni Weekend. Michael A. Varet '65 presented the Award to Reich, who served as a professor at YLS from 1960-74, and as a visiting professor at the Law School in both the mid 1970s and early 1990s.

Ernest Rubenstein '53 presented the Award to Simon, who is now Professor Emeritus of Law, having served as Professor from 1962-2003.

Reich and Simon were also celebrated during a panel titled, "In the Groves of Academe and Beyond: The Lifetime Labors of Charles Reich '52 and John Simon '53."

Honored posthumously during Alumni Weekend 2008 were John T. Baker, the first African-American professor on the YLS faculty, and Catherine Roraback '48, a pioneering civil liberties lawyer.



Toward the Next Generation of Environmental Policy

Both brass tacks talk of “greening the grid” and more philosophical discussion of the ethical and spiritual aspects of sustainability were part of an Alumni Weekend panel on the future of environmental policy. Daniel C. Esty '86, Hillhouse Professor of Environmental Law and Policy, served as the panel's moderator. Panelists included Liz Barratt-Brown '91, Senior Attorney, International Program, Natural Resources Defense Council; Douglas Kysar, Professor of Law, Yale Law School; J. Gustave Speth '69, Dean, School of Forestry and Environmental Studies, Yale University; and Robert M. Sussman '73, Senior Fellow, Center for American Progress.

Barratt-Brown began the discussion with an overview of what the next administration can do to improve environmental policy. “We need to put science back into our decision making,” she said, while also stressing the need to reduce oil use and to move transportation to a grid and then “green” that grid. “We are at an incredible crossroads right now on global climate and energy,” she said. (See page 45.)

Sussman spoke about the Supreme Court's decision in *Massachusetts v. EPA* and the Bush administration's reaction to that ruling. In Sussman's view, the Bush administration has stonewalled the Supreme Court—a tactic that he believes will not hold for the next administration. “The Supreme Court was very clear,” he explained, “and an administration which is legally honest will have no choice but to move forward.” (See page 46.)

Kysar took up what he called “an unfashionable argument”—that environmental law's future lies in its past. “Before we write the next chapter, let's try to enforce the environmental laws we already have,” he argued. (See page 39.)

Speth took a slightly different tack, arguing that nothing short of transformative change and transformative thinking, more government regulation, and a strong grassroots movement will save the planet.

“I have a simple message,” he said, “that despite historic efforts by the environmentalists—of which I am one—we are, in fact, steadily losing the battle to save the planet and have been for some decades. I think that it follows that doing more of the same, perhaps even a lot more of the same, is not going to work in the end.” (See page 43.)



J. Gustave Speth '69



Brent L. Henry '73
Vice President and General Counsel,
Partners HealthCare System

“The reality is a lot of people have signed up in Massachusetts. And so right now, the percentage in Massachusetts of uninsured has really declined significantly. It's now the lowest state in the nation with respect to uninsured...And so when people look at Massachusetts, the view is, it was a win-win for everybody. The downside is that it has cost more...and the waiting time to see physicians has skyrocketed. As a result, there's a lot of pressure to increase the number of primary care physicians in Massachusetts. The other thing is that there is a tremendous pressure now on cost in Massachusetts...people see that if this is going to be effective nationwide, there have got to be other alternate focuses on how we control costs.”

from Health Care Reform in the Next Administration: Promises and Perils? panel

Robert C. Pozen '72, '73 JSD
Chairman, MFS Investment Management

“In my view, the first thing the Fed needs to do is to guarantee loans between banks. It is unbelievable that banks like Citigroup are unwilling to lend to Bank of America. Now that we've seen what's happened to banks like Wachovia, people are just afraid to do it. Well, if we can't get these banks lending to each other, we will never get liquidity in the system. If we start to have guaranteed loans between banks, then you will see money market funds being willing to buy commercial paper—and commercial paper is essentially the lifeline of the economy. Commercial paper is short-term debt which finances inventories—for people in business, it finances their cash flow. If we don't revive this commercial paper market, we are going to have a level of liquidity crisis that's very, very serious.”

from Is This Just a Normal Downturn — or Is Something Badly Broken? panel

