

news in brief



Panelists for “Food and Drug Regulation”: (left to right) Amy Kapczynski '03 (moderator), William Schultz, Chief Judge Alex Kozinski, Aaron Kesselheim, and David Vladeck



Robert C. Post '77, Dean and Sol & Lillian Goldman Professor of Law, participated in the panel, “First Amendment Theory.”

Two-Day Event Held on “Public Health in the Shadow of the First Amendment”

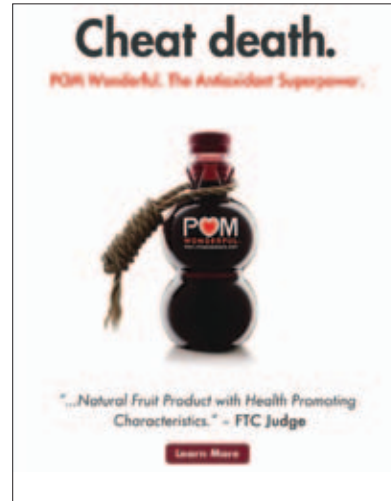
THIS PAST FALL, a conference at Yale Law School investigated a broad range of complex constitutional issues raised at the intersection of medicine, public health, and the First Amendment. The conference, the first of its kind, called “Public Health in the Shadow of the First Amendment,” examined how the regulation of food, medicines, and tobacco relies crucially on the regulation of free speech, through behavioral marketing, disclosures, and restrictions on certain modes of commercial promotion.



Joshua M. Sharfstein, MD, secretary of health & mental hygiene for Maryland



Professor Abbe R. Gluck '00 addresses the members of the panel, "First Amendment Theory."



After the Federal Trade Commission ruled that the marketers of POM Wonderful lacked evidence for the claims in their ads, the company used select phrases from the judge's decision in the subsequent ad campaign.

DEAN AND SOL & LILLIAN GOLDMAN Professor of Law Robert Post gave opening remarks for the conference on October 17. "We have before us a set of problems which are exploding. It's plainly the case that there are metastasizing intersections between the First Amendment on the one hand and medical practice and public health on the other," said Post.

One example of the intersection of speech and regulation cited in the Food and Drug Regulation Panel was the POM Wonderful pomegranate juice ad campaign, whose ads claimed (among other things) that the product would allow you to "Cheat Death."

In 2013 the Federal Trade Commission upheld a decision that the marketers of POM Wonderful did not have adequate support for the claims that the product could treat, prevent, or reduce the risk of disease. "The FTC's mandate is to prohibit to the extent it can false and deceptive advertising in the marketplace," remarked David C.

Vladeck, professor of law at Georgetown University. "Part of the problem with these marketing claims is that the federal government spends a fortune trying to get these claims off the market."

The two-day conference included five panels, "Food and Drug Regulation"; "Health Behaviors: Tobacco, Obesity, and Children"; "First Amendment and Professional Conduct"; "First Amendment Theory"; and "Science and Democracy," as well as keynote addresses by Joshua M. Sharfstein, M.D., the secretary of health and mental hygiene for Maryland, and Peter Galison, the Joseph Pellegrino University Professor and director of the Collection of Historical Scientific Instruments at Harvard University.

Sharfstein's keynote discussed various conditions for people to be healthy from his perspective as a doctor and public health official. "Journalists, public health officials, and their legal colleagues must work to connect court decisions to their human consequences," said Sharfstein. "It should be embarrassing for judges to

ignore the evidence and judgment of professional authorities and write screeds masquerading as scientific reviews. We should be especially critical of evasions and denials that allow the courts to avoid responsibility for their actions." Galison delivered remarks titled, "Democracy Inside Scientific Liberation" in the second keynote of the conference, discussing issues of speech from a number of perspectives in the scientific community.

In recent years, commercial speech doctrine has been used to invalidate FDA restrictions on off-label marketing of drugs, to prevent graphic warnings on cigarette packages, and to challenge calorie disclosures in restaurants. In addition, new and important questions about the limits of a legislature's ability to mandate or forbid certain physician speech are emerging.

Neither courts nor scholars have developed a consistent and coherent approach to evaluating these questions. "First Amendment doctrine has taken turns recently that create serious tensions with many public health strategies," said Amy Kapczynski '03, professor of law at Yale Law School. "Courts today are adjudicating calorie disclosures, graphic warning labels on cigarettes, and the foundation of our drug regulatory system through the lens of free speech law. But the experts in First Amendment law are rarely experts in health, and vice versa. This conference brought luminaries in both fields together, to advance our thinking on these urgently important issues."

"We have before us a set of problems which are exploding. It's plainly the case that there are metastasizing intersections between the First Amendment on the one hand and medical practice and public health on the other."

— Robert Post '77, Dean and Sol & Lillian Goldman Professor of Law

The conference was sponsored by the Information Society Project (ISP), the Yale Global Health Justice Partnership (GHJP), and the Yale Health Law and Policy Society (YHeLPS), with generous support from the Samuel and Liselotte Herman Fund for the Social and Behavioral Sciences at The Yale School of Public Health, and the Oscar M. Ruebhausen Fund at Yale Law School.

FACULTY

Listokin, Priest, Rodríguez Awarded Endowed Professorships

IN OCTOBER, the Yale Corporation voted to approve endowed professorships for three Yale Law School professors. Yair Listokin '05 has been named the inaugural Shibley Family Fund Professor of Law; Claire Priest '01 has been named the Simeon E. Baldwin Professor of Law; and Cristina Rodríguez '00 has been named the Leighton Homer Surbeck Professor of Law.

Yair Listokin's scholarship examines problems in tax law, corporate law, con-

tract law, and bankruptcy law from both empirical and theoretical perspectives. Professor Listokin received his JD from Yale Law School in 2005, his AB (magna cum laude) in economics from Harvard in 1998, and his PhD in economics from Princeton in 2002.

Claire Priest is an expert on the intersection of legal and economic history in the American Colonial and Founding Eras. She received her BA, JD, and PhD (history) degrees from Yale University.

Cristina Rodríguez teaches and writes in the areas of constitutional law and theory, immigration law and policy, and administrative law. She earned her BA and JD degrees from Yale.

APPOINTMENTS

Oona Hathaway Appointed Special Counsel at Department of Defense

PROFESSOR HATHAWAY '97 has been appointed as special counsel to the general counsel for national security law at the Department of Defense (DoD). Hathaway will work for one year in this role during a leave of absence from her teaching post at Yale Law School.

Hathaway is the Gerard C. and Bernice Latrobe Smith Professor of International Law and director of the Center for Global Legal Challenges at Yale Law School.

Professor Hathaway's assignment falls under the Office of the General Counsel at the DoD, which is responsible for providing advice to the secretary and deputy secretary of defense regarding all legal matters, among other duties.

"I am excited to have the opportunity to work with the general counsel and his outstanding staff," said Hathaway. "My first couple of months at the Pentagon have been ones of extraordinary change and turmoil—from the confrontation with ISIL in Syria and Iraq to the Ebola crisis to the changing nature of U.S. engagement in Afghanistan."



Listokin



Priest



Rodríguez



Hathaway



Nicholas Parrillo's Book Receives ABA Award

PROFESSOR NICHOLAS R. PARRILLO '04 has received the Annual Scholarship Award from the ABA Section on Administrative Law for his book *Against the Profit Motive: The Salary Revolution in American Government, 1780–1940* (Yale University Press, 2013). The award was given to the year's best book or article on administrative law.

In *Against the Profit Motive*, Parrillo shows how American law once authorized government officers to make money from their jobs on a profit-seeking basis in a way that would surprise many observers today.

The ABA Section award committee's citation for *Against the Profit Motive* states: "At a time when local, state, and even the federal government are considering whether to privatize public functions, Professor Parrillo's book provides an important cautionary note on the risks associated with embracing the profit motive as an organizing principle in the administrative state."

Against the Profit Motive also received the Hurst Award from the Law and Society Association for the year's best book on socio-legal history.



LAFAYETTE S. FOSTER Professor of Law Kate Stith took students from her seminar, "Cuba, the U.S., and Human Rights," to Cuba for four days in October to meet with the U.S. Consul as well as Cuban historians, economists, "green" farmers, urban planners, and new entrepreneurs.

AWARDS

Guido Calabresi Receives Premio Columbus Award



STERLING PROFESSOR Emeritus of Law Guido Calabresi '58 received the Premio Columbus in October in Italy. The prize is given each year to a person or organization in recognition of achievements in the arts, industry, and sciences. Judge Calabresi received the honor this year in the science category from the

Mayor of Florence.

Previous winners include Nobel Laureates and other distinguished recipients such as Umberto Eco, Norberto Bobbio, Harold Acton, Rita Levi Montalcini, Boris Christoff, Umberto Veronesi, Franco Modigliani, and Zubin Mehta.



HONORS

Judith Resnik Is Phi Beta Kappa Visiting Scholar

THE PHI BETA KAPPA SOCIETY selected Judith Resnik, the Arthur Liman Professor of Law at Yale Law School, as a 2014–2015 Visiting Scholar. Each year the Society selects top scholars in the liberal arts and sciences to travel to universities and colleges where Phi Beta Kappa chapters are located. Visiting Scholars spend two days on each campus meeting informally with undergraduates, participating in classroom lectures and seminars, and giving one major address open to the entire academic community and the general public.



Owen Fiss, Sterling Professor Emeritus of Law, and Daniel Markovits '00, the Guido Calabresi Professor of Law, pose with the SELA delegation from Brazil in front of the Huaca Pucllana ruins in Lima, Peru.

SEMINARS

SELA Celebrates Twentieth Anniversary, Honors Professors Fiss and Burt

LEADING SCHOLARS AND LAWYERS from North and South America celebrated the twentieth anniversary of the meeting of the Seminario en Latinoamérica de Teoría Constitucional y Política—The Seminar in Latin America on Constitutional and Political Theory (SELA)—in Lima, Peru.

This year's seminar featured panels examining the politics of economics, social rights, free speech, and the constitution. Professors Owen Fiss and Robert Burt '64, two of SELA's founders, presented their recent work, with Professor Fiss discussing the modern democratic state and equality and community and Professor Burt discussing the dignity of the individual spirit and the constitution in conflict.

SELA is an annual seminar that brings together scholars from Argentina, Brazil, Chile, Colombia, Mexico, Paraguay, Peru, Puerto Rico, Spain, and the United States to present papers on a specific theme and discuss them in a series of panel discussions.

Inaugurated in August 1995, SELA was created to help deepen the understanding of complex theoretical issues, to model a more discussion-oriented form of intellectual discourse than is the norm in Latin America, and to create a venue for the formation of a professional community.

During a celebratory dinner at this year's event, Professor Fiss remarked about the strong SELA community and its ever-expanding impact.

"SELA is dedicated to the generation and acquisition of knowledge and in the pursuit of knowledge is distinguished by its critical or non-dogmatic perspective on the law, and by its willingness to cross disciplinary boundaries," said Fiss. "As a community, it is distinguished by the transnational character of its members, its intergenerational character, and its never-ending quality... The inter-generational character of SELA's membership endows the community with almost an endless life."

FACULTY

Amy Kapczynski Promoted to Professor of Law

AMY KAPCZYNSKI '03 has been promoted to the title of Professor of Law and granted tenure status. Kapczynski, who is also the director of the Global Health Justice Partnership, joined the Yale Law faculty in

January 2012.

Her areas of research include information policy, intellectual property law, international law, and global health. From



2010 to 2011, she served as a visiting associate professor of law at Yale Law School and Irving S. Ribicoff Fellow in Law. Prior to coming to Yale, she taught at the University of California, Berkeley, School of Law. She served as a law clerk to Justices Sandra Day O'Connor and Stephen G. Breyer at the U.S. Supreme Court, and to Judge Guido Calabresi on the U.S. Court of Appeals for the Second Circuit.



In celebration of Constitution Day, U.S. Supreme Court Justice Stephen Breyer took part in a conversation at Yale Law School with Margaret Marshall '76, senior fellow of the Yale Corporation and retired chief justice of the Supreme Judicial Court of Massachusetts, and Yale President Peter Salovey.



VISITORS

Justice Stephen Breyer on the Constitution

IN SEPTEMBER, in honor of Constitution Day, U.S. Supreme Court Justice Stephen Breyer spoke with Margaret Marshall '76, senior fellow of the Yale Corporation and retired chief justice of the Supreme Judicial Court of Massachusetts, and Yale President

Peter Salovey. Fielding questions from students, Breyer commented on *Bush v. Gore*, James Madison, the Little Rock Nine, and the suggestion of televising Supreme Court decisions.

"Why are we celebrating this today?" Breyer asked the audience, holding up a pocket-sized copy of the Constitution. "What does it basically mean? It means that for 200 years or more, people in the

United States—originally 4 million, today 310 million—have, with all kinds of ups and downs, learned to live together under the rule of law, and come into the courts ... and their basic differences are often—not always—resolved with this document and other statutes, not in the streets with fists, guns, and knives."

He implored students to be involved in political life and their communities because, without that participation, the Constitution fails to work.

"I can't tell you how to lead your lives," Breyer said. "I hope you'll have a profession. I hope you'll find someone to love. I hope you'll participate in your community's life. That could be the library board, if you'd like, or it could be politics, or it could be voting. I can't tell you more than my hopes, but I can tell you one thing: I know something about this document. If you are not going to participate in public life, this document won't work."



(left to right) Margaret Marshall '76 senior fellow of the Yale Corporation, Supreme Court Justice Breyer, President Peter Salovey, Kimberly Goff-Crews '86, secretary and vice president for student life; and Judith Resnik, Arthur Liman Professor of Law



www.law.yale.edu/videos

Global Constitutionalism Seminar 2014: Sources of Law and of Rights

IN SEPTEMBER, Yale Law School hosted the annual Global Constitutionalism Seminar, a signature international program of the Law School that gathers justices sitting on supreme, constitutional, and transnational courts. Part of the Gruber Program for Global Justice and Women's Rights at Yale Law School, the seminar provides a forum in which some of the world's foremost jurists can discuss critical legal issues of the day, among themselves and with Yale Law School faculty members and students. This year's event focused on the sources of law and of rights, with panels and discussions such as "Surveillance and National Security," "Religion as a Source of Law," "Judicial Enforcement of International Human Rights," "Constitutional Constraints on the Power to Punish," and "Equality in Democracy: Legislatures, Courts, and Quotas."



*Elena Kagan, Supreme Court of the United States;
Susanne Baer, Federal Constitutional Court of
Germany; Sian Elias, chief justice of the Supreme
Court of New Zealand*

Students, Faculty, and Staff Act on Issues of Race and Police Legitimacy in Wake of Brown, Garner Grand Jury Decisions

A PEACEFUL COALITION of Yale Law students, faculty, and members of the New Haven community joined together on Friday, December 5, 2014 for a die-in demonstration as a show of solidarity with similar demonstrations around the country focused on race and police legitimacy. The event was followed a week later with a town hall meeting at Yale Law School led by a panel of five faculty members – Professors James Forman '92, Issa Kohler-Hausmann '08, Tracey Meares, Kate Stith, and Tom Tyler.

Both events came in the wake of two separate grand juries in Missouri and New York opting not to file charges against the police officers in the Michael Brown Jr. and Eric Garner cases—decisions that have sparked outcry across the country.

At the die-in, more than 500 people joined hands and stretched four city blocks, lying silently on the streets together for 4.5 minutes — which signified the time in hours that Brown's body was left lying in the street after he was shot and killed by a police officer in Ferguson, Missouri.

Dean Robert C. Post '77 participated in the demonstration along with many other faculty members and administrators from Yale Law School. The group of demonstrators recited the names of several men and women of color who have been killed by police in the past year and called for

reforms to the justice system to prevent these types of tragedies from occurring.

"We must say no more, we demand justice for Michael Brown, Eric Garner, and all those who are killed as a result of police brutality," said Jordan Bryant '16, who spoke before the crowd. "We demand that officers who use excessive force be prosecuted, we demand that federal and state law change to prevent racialized policing."

At the town hall meeting, held December 10, 2014, in the Levinson Auditorium, faculty panelists reflected on the latest events and discussed their prior experiences and current research related to race and police legitimacy. Students, faculty, and other members of the Law School community asked questions about different areas of the law, such as whether the use of police body cameras or independent prosecutors could help change the outcome of future cases involving excessive police force. The constructive conversation ended with the faculty telling the audience to pick an issue they care about and tackle it— noting that it will take "a thousand small steps" to create change.

The Yale Law School chapter of the Black Law Students Association (BLSA) also issued a statement in response to the Missouri grand jury's decision.

The BLSA statement expressed the "sadness, outrage, and indignation at [the] announcement that police officer Darren Wilson will not be indicted in the murder of Michael Brown," and noted that the refusal to indict "was an example of the manner in which the criminal justice system continually refuses to provide relief to Black people in America." The full text of the statement was published on the HuffingtonPost.com.

More than two dozen student organizations and groups at Yale Law School publically expressed support for the BLSA statement and efforts to spotlight reform and call for justice.



(above) More than 500 people joined hands in a peaceful demonstration that stretched four city blocks from Yale Law School, then lay silently on the streets together for 4.5 minutes—which signified the time in hours that Michael Brown's body was left lying in the street after he was shot and killed by a police officer in Ferguson, Missouri; (below) Students, faculty, and other members of the Law School community gathered on December 10 to join in a conversation with faculty panelists who reflected on the latest events and discussed their prior experiences and current research related to race and police legitimacy.





POLICING

Professors Tyler and Meares Enlisted in National Initiative

PROFESSORS Tracey Meares and Tom Tyler were among a consortium of national law enforcement experts enlisted by the Department of Justice for a new initiative tasked with building trust between law enforcement and the communities they serve.

In September, U.S. Attorney General Eric Holder announced the launch of the Justice Department's National Initiative for Building Community Trust and Justice, which will be funded through a \$4.75 million collaborative agreement. Meares and Tyler were joined by partners from the John Jay College of Criminal Justice, the Center for Policing Equity at UCLA, and the Urban Institute.

The National Initiative is a substantial investment by the federal government in training, evidence-based strategies, policy development, and research to build trust between law enforcement and the communities they serve. The launch comes on the heels of protests in Ferguson, Missouri, where an officer-involved shooting brought national attention to the importance of strong police-community relationships. This national conversation was further amplified by the case of Eric Garner, who was killed during a police altercation in Staten Island. The initiative is not simply a response to any particular incident, but rather reflects a long-standing concern about the widespread mutual lack of confidence between the police and the communities they serve.

As part of the Initiative, Yale Law School will launch the Collaborative for Justice Policy Innovation, directed by Meares and co-directed by Tyler. They will work directly with other members of the consortium to

design intervention programs in five pilot communities around the country based on existing research concerning procedural justice, implicit bias, and race and reconciliation. Meares and Tyler will also design metrics to measure and demonstrate the effect of these interventions and compare the results with five untreated comparison communities. They will take leading roles in producing reports and scholarly articles to disseminate the results of these interventions and their effects on building community trust and justice in the five pilot sites. Additionally, the Initiative will establish a clearinghouse where information, research, and technical assistance are readily accessi-

ble for law enforcement, criminal justice practitioners, and community leaders.

Said Tyler, "The goal of this initiative is to design and validate strategies for building trust so that the police and the members of all communities have effective strategies for working collaboratively to resolve problematic incidents; for jointly designing how the police will police communities; for working together to promote social and economic development."

In December, Meares was named to the Presidential Task Force on 21st Century Policing, which aims to strengthen community policing and trust among law enforcement and the communities they serve.

Dean Post '77 and Dean Minow '79 Publish Op-Ed In Response to Ferguson, Staten Island Grand Jury Decisions

YALE LAW SCHOOL Dean Robert C. Post '77 and Harvard Law School Dean Martha Minow '79 published an op-ed in the *Boston Globe* on December 9, 2014 in response to the grand jury decisions in Ferguson and Staten Island.

The piece, titled "Trust in the Legal System Must be Regained," advocates for "real and specific remedies" to ensure a "common and viable rule of law."

"When the law's blows fall persistently on the lives and bodies of identifiable groups, and when the procedures we have designed to create legal accountability are short-circuited or fail, our aspiration for a legitimate social order is put at risk," wrote Post and Minow.

"If African-American communities come to perceive police as alien and violent oppressors, there can be no hope of establishing a common and viable rule of law. Repeated and pervasive patterns of publicly unjustified and lethal violence against unarmed individuals kill that hope and thus victimize us all."

The op-ed proposes several different measures to help build trust and ensure legitimacy, including "mandated responses by police commissioners to recommendations by citizen review boards; establishment of sufficiently resourced state-level agencies empowered to prosecute; and regular and persistent review processes by the Department of Justice for the failure of local and state law enforcement agencies to prevent unjustified, racially based police violence."

Post and Minow also stress the importance of an informed and active citizenry as a key to implementing these reforms in order to make progress.

They conclude, "As deans of law schools devoted to the rule of law, we work continuously to instill a commitment to the legal system. We regard the rule of law as a precious and fragile resource. But the rule of law requires the legal system to respect procedures necessary to expose and correct its own mistakes. A failing legal system puts us all in a chokehold."

"As we mourn the deaths of Eric Garner and Michael Brown, let us remember that the real grand jury is all of us. We must constantly ask how we can narrow the gaping distance between our legal ideals and the practices we countenance. We must struggle as a society to come to grips with the tragedies that have overtaken us."

The full op-ed is posted online at www.bostonglobe.com

CLINIC ROUND UP

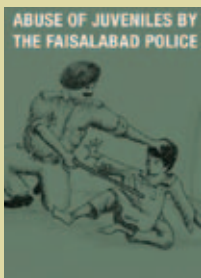
Suit Filed to Support Survivors of Military Sexual Trauma

Working on behalf of the Service Women's Action Network and Vietnam Veterans of America, Yale Law School's Veterans Legal Services Clinic filed suit against the Department of Veterans Affairs (VA) in July seeking to change rules that discriminate against tens of thousands of veterans suffering from post-traumatic stress disorder (PTSD) caused by rape, sexual assault, or harassment during military service. The lawsuit aims to end gender disparities and discriminatory policies at the VA that the organizations argue are a violation of equal protection under the law. Veterans who experience disabilities related to their service are entitled to seek benefits compensation from the VA. Currently the VA refuses to accept the lay testimony of survivors of military sexual trauma (MST) to establish, by itself, eligibility for compensation. As a result, the VA continues to deny MST-related disability compensation claims at a significantly higher rate than other PTSD claims, according to the lawsuit.



Human Rights Clinic Publishes Report on Violence in Pakistan

Working closely with the NGO Justice Project Pakistan, students from The Allard K. Lowenstein International Human Rights Law Clinic at Yale Law School have published a report documenting widespread police abuse of juveniles by the Faisalabad, Pakistan, police force. The report analyzed 1,867 medical records uncovered by Justice Project Pakistan, which document police abuse. Many of the records showed an alarming number of children had suffered from severe physical and psychological abuse. Students from the



Lowenstein Clinic analyzed the data from these medical records and information contained from comprehensive interviews, eventually writing three substantive reports on police brutality and torture in Faisalabad.

(at right) Muneer Ahmad, clinical professor of law, and Asha Rangappa '00, associate dean of admissions. Photo by Gary Lewis



Frank Dineen '61 with former executive director of LAA and former congressman Bruce Morrison '73, who presented Dineen with the Founders Award. Photo by Patricia Kaplan

New Haven Legal Assistance Association Celebrates Fifty Years of Service

On November 15, friends and supporters of New Haven Legal Assistance Association, Inc. (LAA) celebrated the organization's fifty years of securing justice for low-income individuals and honored those who have been instru-

mental to LAA's work. Francis X. Dineen '61, a visiting clinical lecturer in law at Yale Law School, received the Founders Award, and the Jerome Frank Legal Services Organization was honored with a Partner Award. LAA was incorporated in 1964 to "secure justice for and to protect the rights of those residents of New Haven County unable to engage legal counsel." LAA was one of the first legal aid programs in the country and served as a model for similar programs.

MFIA Files Suit to Lift FBI Gag Order on Client

The Media Freedom and Information Access Clinic—a program of Yale Law School's Abrams Institute for Freedom of Expression—has filed a lawsuit on behalf of internet service provider Nicholas Merrill, asking the court to lift a decade-long gag order imposed on him by the Federal Bureau of Investigation. Merrill has been barred from discussing his personal knowledge of FBI surveillance techniques since 2004, when the Bureau served him with a so-called National Security Letter ("NSL") and imposed a gag order forbidding him from speaking about the NSL. More than ten years later, Merrill is still forbidden from discussing the kinds of records the FBI believed it could order him to divulge with the 2004 NSL. Merrill's lawsuit seeks to vindicate his right to inform fellow citizens about the true scope of the surveillance authority the FBI claims under the NSL statute. The FBI has consistently refused to reveal how broadly its NSL authority sweeps when applied to online service providers, and it has gagged thousands of NSL recipients like Merrill from informing the public themselves, according to the clinic.



Worker and Immigrant Rights Advocacy Clinic Receives Award from South Asian Bar Association

The South Asian Bar Association of Connecticut (SABAC) presented its 2014 Community Service Award to the Yale Law School Worker and Immigrant Rights Advocacy Clinic (WIRAC) on October 28 in Hartford.

Liman Report Prompts Senators to Demand Action

U.S. SENATOR Richard Blumenthal '73 (D-Conn.), U.S. Senator Chris Murphy (D-Conn.), and nine additional U.S. senators released a letter in September to the Bureau of Prisons (BOP) calling on the BOP to expedite planned renovations at the Federal Correctional Institution in Danbury following a report by the Liman Program at Yale Law School exposing the consequences of extensive delays. The renovations, which were originally scheduled to take eighteen months, are not yet underway and BOP has indicated they could take thirty months. Meanwhile, women have been transferred to facilities—including jails in Philadelphia and Brooklyn—where they report challenging conditions and a lack of legal resources and rehabilitation programs, including residential drug treatment programs.

Veterans Clinic Wins Victory Over Illegal Discharge

A U.S. ARMY NATIONAL GUARD veteran represented by Yale Law School's Veterans Legal Services Clinic won a major victory in U.S. District

Court in September, when a judge ruled that the Army discharged him based on a medical error and in violation of Army regulations. The decision came nearly a year

after William Cowles, a

Connecticut native, filed a lawsuit challenging the illegal denial of his application for medical retirement and correction to his military records. Cowles is one of numerous veterans with honorable service whose post-traumatic stress disorder was misdiagnosed by the military as adjustment disorder or personality disorder, resulting in subsequent denial of earned retirement and benefits, according to students from the clinic.



Panel Reflects on International Response to Haiti Earthquake

ON NOVEMBER 14, a group of experts discussed lessons learned in the aftermath of the 2010 earthquake in Haiti and how those lessons could be applied to future global crisis situations.

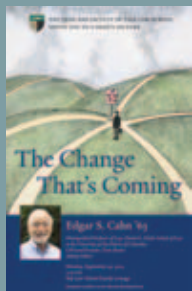
The speakers included Patrick Weil, visiting professor of law and Peter and Patricia Gruber Fellow in Global Justice and founder, Libraries Without Borders; Muneer Ahmad, clinical professor of law at Yale Law School; and Alejandro Pacheco, UN Development Programme (Haiti) and Yale World Fellow. Ali Miller, associate professor (adjunct) of law and co-director of the Yale Global Health Justice Partnership, moderated the discussion.

In addition to the panel discussion, the event featured a display of the Ideas Box, a portable, multimedia toolkit designed for vulnerable populations to discover, learn, connect, and create. Libraries Without Borders, in connection with UNHCR and designer Philippe Starck, created the box to meet the needs beyond food, shelter, and health care that communities in crisis must have to forge social ties and support education.



(from top) Ideas Boxes, designed by Philippe Starck, are multimedia toolkits for vulnerable populations; Members of Libraries Without Borders discussed the uses and deployment of the Ideas Boxes with the YLS community.

Visiting the Law School



Edgar S. Cahn '63, professor of law at the University of the District of Columbia David A. Clarke School of Law, delivered a lecture titled “The Change That’s Coming” on September 29. Cahn is the CEO and founder of TimeBanks USA and an Ashoka Fellow.



Edwin Cameron, a justice of the Constitutional Court of South Africa who was a human rights lawyer during apartheid, gave the Robert P. Anderson Memorial Lecture on October 20. The talk, titled “Appellate Power and Constitutional Transformation,” discussed the role of the South African Constitution in the end of apartheid.



Moshe Halbertal, Gruss Professor of Law at New York University School of Law and professor of Jewish thought and philosophy at Hebrew University of Jerusalem, presented the Robert M. Cover Lecture on October 27. The lecture, “Narrative and the Limits of the Law in Talmudic Tradition,” examined the juxtaposition of narratives and legal material in the Talmud.



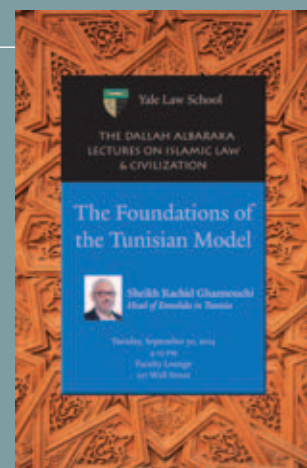
British barrister **Christopher Salton QC** gave a series of seminars on “The Art & Ethics of Advocacy” from September 17 to 24. His talks focused on trial advocacy and comparative ethics and featured a practical exercise based on a fictional trial. The seminars were presented by the Jerome N. Frank Legal Services Organization, Thomas Swan Barristers Union, and Morris Tyler Moot Court of Appeals and were funded by The Oscar M. Ruebhausen Fund.



U.S. Special Envoy for Climate Change **Todd Stern** spoke at Yale Law School on October 14. The event, which occurred a few weeks after the twentieth meeting of the annual UN climate conference in Lima, Peru, was hosted by the Yale School of Forestry & Environmental Studies and YLS.

Sheikh **Rachid al-Ghannouchi**, head of the Ennahda Movement in Tunisia, gave the first in a series of Dallah Albaraka Lectures on Islamic Law & Civilization on September 30. The lecture was titled “The Foundations of the Tunisian Model.”

Malika Zeghal, Prince Alwaleed Bin Talal Professor in Contemporary Islamic Thought and Life at Harvard University, spoke on October 21 on “The Enduring Muslim State in the Modern Middle East.” **Nasser Rabbat Aga Khan**, professor of Islamic architecture at Massachusetts Institute of Technology, spoke on November 11 about “Encounters with Modernity in the Arab World.”



Jane J. Mansbridge delivered the Arthur Allen Leff Fellowship Lecture, titled “Legitimate Coercion: Not Just a Matter of Consent,” on November 17. Mansbridge is the Adams Professor at Harvard University’s Kennedy School of Government. Her work focuses on studies of representation, democratic deliberation, everyday activism, and the public understanding of collective action problems.

Her work focuses on studies of representation, democratic deliberation, everyday activism, and the public understanding of collective action problems.



The Law of Medicare and Medicaid at Fifty

Leading health law experts and policymakers gathered in New Haven on November 6 and 7 for a unique conference reflecting on the fiftieth anniversary of Medicare and Medicaid at Yale Law School.

The Law of Medicare and Medicaid at Fifty examined the intersection of law and politics across the two landmark statutes and how these laws changed the legal frameworks, political dynamics, and governmental structures of health in this country. The keynote address was given by Ezekiel Emanuel, a senior fellow at American Progress and chair of the Department of Medical Ethics and Health Policy at the University of Pennsylvania.

The event was sponsored by the Health Law Program; Yale Health Law and Policy Society; the *Yale Journal of Health Policy, Law, and Ethics*; Health Affairs; and the National Academy of Social Insurance.

Achieving Intellectual Diversity

The Yale Law Federalist Society presented a symposium on November 1, exploring how law schools can promote intellectual diversity and how such diversity can enrich legal scholarship and yield incisive practitioners of law.

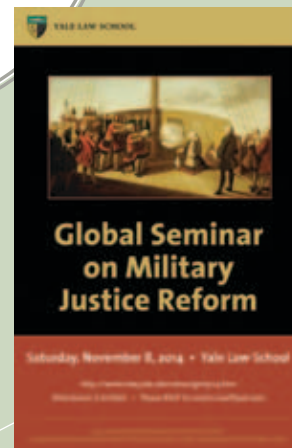
The Agricultural Gag Laws—Your First Amendment Rights, Your Health, Animal Welfare, and Our Environment

The Yale Law School Animal Legal Defense and the Connecticut Bar Association Animal Law Section held a conference on September 27. The event examined the impact of agricultural gag laws on freedom of speech, health, food safety, consumer advocacy, animal welfare, and the environment. The keynote address was delivered by the chief executive officer of the Humane Society of the United States, Wayne Pacelle.

CONFERENCE ROUND UP

Doctoral Scholarship Conference on Law and Responsibility

Yale Law School's fourth Doctoral Scholarship Conference on Law and Responsibility took place on November 14 and 15. The conference brought together a multi-disciplinary group of doctoral students and recent graduates from around the country and the world to discuss their work and exchange ideas—including some of YLS's own doctoral students.



Global Seminar on Military Justice Reform

The Yale Law School, the International Society for Military Law and the Law of War, and the National Institute of Military Justice held a seminar on the dramatic challenges facing military justice on November 7 and 8. The seminar focused on the handling of sexual assault cases and the role of commanders in the administration of military justice. Other topics included pending reform proposals in Congress and national governments around the world, recent court decisions surrounding military justice, and the use of military justice to stifle civilian dissent.