OUT WITH A BANG! “You’ve shown that you know you can use law to make a difference—a positive and an enduring difference in people’s lives, and that you want to take the opportunities offered to do so. ... I count on you to go out and do great deeds in other communities across this nation and around this world.” — Dean Elena Kagan ’86, June 5 commencement remarks. ➤ GRADUATION COVERAGE ON PAGE 8.

Palfrey and Zittrain accept tenured appointments

Six others also join the faculty

John Palfrey ’01, a director of the Berkman Center for Internet & Society, and Jonathan Zittrain ’95, one of the world’s leading experts on the legal policy issues surrounding the Internet, have accepted offers to join the tenured faculty at HLS.

Both will serve as faculty co-directors of the Berkman Center, and Palfrey will serve as vice dean of library and information resources.

Their appointments follow on the heels of three other tenure hires earlier this year: Cass Sunstein ’78, Michael Klarman and Anne Alstott.

In addition to the new tenured professors, six other scholars will join the full time faculty: Professor of Practice Ashish Nanda; Assistant Professors of Law I. Glenn Cohen ’03, Benjamin Roin ’05 and Benjamin Sachs; and Clinical Professors Wendy Jacobs ’81 and Phillip Malone. ➤4

New training for future professors

HLS adds resources for aspiring academics

THE GOAL is to make sure anyone who wants to consider this as a job opportunity can have it as an option.”

Akiba Covitz

in the number of law professors it has produced. But the goal, says Professor Daryl Levinson, who is heading the effort, is to make sure there’s more structure in place to help those who want to follow in their footsteps.

Levinson and Covitz have held information sessions for students and alumni—and even created a video (“So You Want to Be a Law Professor”) available online that serves

Yes, that was Antonin Scalia strolling through the Harvard Law School campus on an April Saturday, along with veteran CBS News reporter Lesley Stahl (left). The justice, a 1960 graduate of the school, came to campus to film a profile for the program “60 Minutes.” He was accompanied by his wife, Maureen (right), whom he met when he was a law student and she was a Radcliffe undergrad.

Stahl and her crew filmed the interview with the Scalas as they ambled in front of Austin Hall, and also in the offices of the Harvard Law Review on the third floor of Gannett House. As he contemplated the narrow staircase, Scalia, who was on the law review 48 years ago, said: “Still no elevator.”
HLS student veterans share their Iraq experiences

A standing-room-only event in Austin Hall this spring, five Harvard Law School students who served or are currently serving in the U.S. armed forces spoke about their experiences in Iraq. Panelists Robert Merrill ’08, Geoff Orazem ’09, Hagan Scotten ’10, Erik Swabb ’09 and Kurt White ’10 drew upon their varied military posts to explain what it is like to serve as junior officers in Iraq.

In a panel discussion moderated by Professor Noah Feldman, the students spoke about working with the Iraqi people to secure towns; offering help to those whose homes were destroyed in the war; maintaining relationships with local clerics and political leaders; and taking captured prisoners to Abu Ghraib. In all of these tasks, the veterans agreed, their greatest challenge was trying to have positive interactions with the Iraqi populace while protecting themselves and their fellow soldiers.

“It was hard to teach soldiers who are always trained to fight to leave base with the expectation that you’re going to be shot at ... but to also interact with the populace in a way that brings about trust,” said White, who served as a staff officer and platoon leader in the cavalry. “I’m not sure I ever convinced my soldiers ... that this was philosophically correct, but I think it became pretty obvious that if people were not treated well, then they would go get a gun and they would come back and shoot us at next time.”

Scotten, who served in the Special Forces, was assigned to train over 400 new recruits for the Iraqi army. Not only was language a barrier, he said, but convincing recruits to accept the “rules of the game” was a big challenge. He recalled attempting to explain why executing anyone—civilian or otherwise—who seems to pose a threat is a violation of human rights.

Scotten explained that the average Iraqi who is just trying to survive is more concerned with his or her immediate safety, not lofty ideals like democracy or human rights.

“We used to say there are only two groups of true believers in Iraq: the Americans and Al Qaeda,” said Scotten.

New academicians of the arts and sciences

HLS Professors William J. Stuntz and Elizabeth Warren were elected to the American Academy of Arts & Sciences, one of the nation’s oldest and most prestigious scholarly societies. Stuntz, who writes about criminal justice issues, is currently working on “Fighting Crime,” a book about crime, punishment and policing trends in the U.S. and Iraq. Warren, author of “The Two-Income Trap: Why Middle-Class Mothers and Fathers Are Going Broke,” is working on an empirical study of families in economic distress, along with a proposal for Congress to institute safety standards for consumer credit products. The HLS professors, along with Stanford Law Vice Dean Mark Kelman ’76 and NYU Law Professor Rick Pildes ’83, will be inducted into the academy in October.

Robert Zoellick receives HLSA Award

President of the World Bank Group Robert Zoellick ’81 was presented with the Harvard Law School Association Award at a ceremony at HLS in April. More than 100 students packed into a room in Pound Hall to hear Zoellick field questions on subjects ranging from international efforts to combat climate change to the World Trade Organization’s 2001 agreements at Doha, Qatar. Zoellick was named the 11th president of the World Bank Group in 2007.

William Coleman at HLS

William T. Coleman Jr. ’43, co-author of the Brown v. Board of Education appellants’ brief and former secretary of Transportation, was the guest speaker on April 11 for a lecture series sponsored by the Charles Hamilton Houston Institute for Race and Justice. Coleman joined Professor Charles Ogletree ’78 for a conversation on race, his life and career, and Houston’s legacy. Coleman also spoke April 12 at the Harvard Law Review’s annual banquet. He was the third African-American, after Houston ’22 and William Hastie ’30 S.J.D. ’33, to serve on the Review.

Chapter of the Year

Harvard’s Black Law Students Association was recently named Chapter of the Year by the National Black Law Students Association. Judged most dedicated to its members’ academic, professional and political development, the HLS association has sponsored more than 150 programs this year, including an Africa summit trip to Tanzania. With nearly 150 members, Harvard’s BLSA is the largest black law student chapter in the nation.
Daryl Levinson, the Fessenden Professor of Law, joined the Harvard Law School faculty in 2005. He teaches and writes primarily about constitutional law and theory. He has been tasked by Dean Elena Kagan ’86 with helping students and alumni who want to become law professors.

Is it ever too late to consider switching to legal academia?

No, never too late; though it may get harder the longer you wait. Most people who become law professors aren’t sure they want to be academics until after they get their law degrees, and many come to academia after some years—sometimes many years—in practice. There are advantages and disadvantages to waiting. On the one hand, law schools value the experience and expertise of high-level practitioners. On the other hand, people who have been out of law school for a number of years are going to face some challenges in making the transition. Maintaining connections to faculty recommenders is crucial, but more difficult as the years go by. Practicing lawyers tend not to have lots of spare time to keep up with scholarship or work on their own articles. And as much as practical experience can be enriching to legal scholarship and teaching, thinking like a practitioner can sometimes become a barrier to thinking like a scholar.

I think these challenges explain why very few people hired as law professors have been out of law school more than 10 or 15 years, but HLS is trying to think creatively about helping experienced practitioners overcome them. For instance, we’ve created a new visiting assistant professor position, aimed at people with substantial legal experience (at least three years beyond clerking) who want to give academia a try.

How long are the odds for alumni becoming law professors?

At first glance, the numbers look daunting. There might be as many as 1,000 applicants for entry-level teaching jobs each year, and maybe 150 of those will get jobs. But for Harvard graduates, the odds are a lot better. HLS places more of its graduates in teaching than any other school—yes, including Yale—and in recent years, Harvard J.D.s have accounted for 15 to 20 percent of all hires. I think that any HLS grad who is serious about an academic career and has done the basic things necessary to prepare for the teaching market—securing one or two faculty recommenders, writing at least one scholarly paper, and developing some familiarity with the scholarly literature in the field she wants to teach and write in—can expect to land a good teaching job.

How important is scholarship relative to teaching experience?

Well, most people who get jobs as professors don’t have any law school teaching experience. Interviews and the job talk presentation, where a candidate presents a scholarly work in progress to the faculty and then takes questions, are used to assess whether candidates will be successful in the classroom. Even someone who looks like she’ll be a wonderful teacher will not get a tenure-track job if she demonstrates no promise as a scholar, however. Teaching is important, but scholarship is the sine qua non of academic hiring.

Have the qualifications changed?

Yes, a lot, over the past 25 years or so. It used to be that people were hired to teach primarily based on how successful they were as law students, based on grades, law review membership, clerkships with prestigious judges and the like. Those kinds of credentials still matter, but they’re much less important than they used to be. As law schools have become more focused on scholarship, and particularly on interdisciplinary forms of scholarship, they have figured out that the traditional indicia of law school success aren’t very good predictors of scholarly ability (or teaching ability, for that matter). Better proxies for scholarly talent—most important, the quality and promise of the scholarship that candidates have already written—have become more important.

Levinson wins Sacks-Freund Award

The Class of 2008 selected Professor Daryl Levinson as the recipient of the prestigious Sacks-Freund Teaching Award for his excellence in teaching and contributions to student life at HLS.

“Winning this award means more to me than anything that has happened ... in my professional life,” said Levinson. Instead of giving the graduating class advice, which he said he is completely unqualified to give since he is merely a “humble teacher,” he offered a humorous outline of “10 ideas that explain virtually all of law.”

For a webcast of the speech, go to www.law.harvard.edu/news/levinson.php.
New hires bridge academia and practice

Jacobs, Nanda, Malone join full-time faculty

THREE OF Harvard Law School’s newest faculty appointments will bring additional strength to the school’s clinical offerings and also to its expertise on management in the legal profession.

ASHISH NANDA
PROFESSOR OF PRACTICE

Nanda, newly appointed as HLS’s first-ever professor of practice, has been an adjunct professor at the school, research director of the Program on the Legal Profession, and faculty chair of the HLS Executive Education Program. He was a Harvard Business School professor for 13 years, receiving the Henry B. Arthur and Center in Ethics and the Professions fellowships. With HBS Professor Tom DeLong, he co-wrote “Professional Services: Text & Cases,” the first casebook on professional service firm management. Nanda has advised law and professional service firms on a variety of management issues and was an executive with India’s Tata Group before coming to Harvard. He holds an A.M. in economics from Harvard and a Ph.D. in business economics from Harvard Business School.

PHILLIP MALONE
CLINICAL PROFESSOR OF LAW

A co-director of Harvard’s Berkman Center for Internet & Society’s Cyberlaw Clinic since 2004, Malone came to the law school in 2001 as a Victor H. Kramer Fellow. His research then focused on encouraging and preserving innovation in the technology industry and on evolving competition policy in the computer industry. Previously, he spent more than 20 years as a federal prosecutor and attorney with the antitrust division of the U.S. Department of Justice, where he was the lead counsel against Microsoft. He holds a J.D. from the University of Arizona College of Law and an A.B. from Harvard College.

WENDY JACOBS ’81
CLINICAL PROFESSOR OF LAW

After serving as a partner at Foley Hoag in Boston for 17 years, Jacobs came to HLS in 2007 as director of the Environmental Law and Policy Clinic. At Foley Hoag, she worked almost exclusively on environmental matters, covering a variety of issues, and she led the firm’s pro bono program, which was ranked first in the Boston area and 16th in the nation during her tenure. Earlier, she worked as an appellate lawyer and special litigator in the environmental division of the U.S. Department of Justice.

In addition to her J.D., she holds a B.A. from the University of Massachusetts, Amherst.

Palfrey, Zittrain continued from page 1

Zittrain is currently the professor of Internet governance and regulation at Oxford University. A pioneer in the field of cyberlaw, he co-founded the Berkman Center in 1998 and will now serve as one of its faculty codirectors.

The author of the new book “The Future of the Internet—And How to Stop It,” Zittrain connects theory to experimentation and building tools for and on the Internet. He is also a co-author, with Palfrey, of “Access Denied: The Practice and Policy of Global Internet Filtering,” which documents censorship around the world. He pioneered the first large-scale tests of Internet filtering in China and Saudi Arabia, as part of what would become the OpenNet Initiative.

In addition to his J.D., Zittrain holds an M.P.A. from the Harvard Kennedy School and a B.S. from Yale in cognitive science and artificial intelligence.

Executive director of the Berkman Center, and formerly a clinical professor of law, Palfrey is charged with expanding the HLS library’s reach and services through digital innovation. He will work to expand online access to the resources of the library—the most comprehensive collection of university-maintained legal resource materials in the world.

Palfrey will remain a faculty co-director of the Berkman Center. He is co-author of the forthcoming “Born Digital: Understanding the First Generation of Digital Natives.” He is a co-principal investigator on the OpenNet Initiative and was recently a visiting professor at the University of St. Gallen, Switzerland.

In addition to his J.D., Palfrey holds an A.B. from Harvard and an M.Phil. from the University of Cambridge.

Palfrey, Zittrain focus on different digital “crossroads”

“WE ARE AT A CROSSROADS. There are two possible paths before us—one in which we destroy what is great about the Internet and about how young people use it, and one in which we make smart choices and head toward a bright future in a digital age. The stakes of our actions today are very high. The choices that we are making now will govern how our children and grandchildren live their lives in many important ways: how they shape their identities, protect their privacy, and keep themselves safe; how they create, understand, and shape the information that underlies the decision-making of their generation; and how they learn, innovate. And take responsibility as citizens. On one of these paths, we seek to constrain their creativity, self-expression, and innovation in public and private spheres; on the other, we embrace these things while minimizing the dangers that come with the new era.”


“IN THE ARC from the Apple II to the iPhone, we learn something important about where the Internet has been, and something more important about where it is going. The PC revolution was launched with PCs that invited innovation by others. So too with the Internet. Both were generative: they were designed to accept any contribution that followed a basic set of rules. Both overwhelmed their respective proprietary, non-generative competitors, such as the makers of stand-alone word processors and proprietary online services like CompuServe and AOL. But the future unfolding right now is very different from this past. The future is not one of generative PCs attached to a generative network. It is instead one of sterile appliances tethered to a network of control. These appliances take the innovations already created by Internet users and package them neatly and compellingly, which is good—but only if the Internet and PC can remain sufficiently central in the digital ecosystem to compete with locked-down appliances and facilitate the next round of innovations.”

—Jonathan Zittrain, “The Future of the Internet—And How To Stop It” (Yale University Press, 2008)
Alumni representing five HLS classes gathered on the law school campus at a reunion weekend in May. Panel discussions and lectures by distinguished alums marked the occasion. Here are some highlights:

**Gergen views ’08 candidates through generational filter**

This year’s presidential contest is “the most fascinating race here in this country in a half century,” keynote speaker David Gergen ’67 told a reunion audience.

“Whoever gets elected, there is an appreciation now that we are breaking down the barriers to race and ethnicity and gender in terms of who can succeed,” said Gergen, who served as an adviser to four U.S. presidents (Nixon, Ford, Reagan and Clinton) and is now a senior political analyst for CNN and professor of public service at the Harvard Kennedy School.

The leaders who ran the country from 1960 to 1992 were young men during World War II and part of a generation whose political differences were transcended by a sense of common sacrifice, Gergen said. Recent leaders like Bill Clinton, Al Gore, Dick Cheney and George Bush, he added, are part of a generation that came of age during a time of rebellion in the ’60s and ’70s, which brought about tremendous change, but which also fractured that generation, particularly around the issue of war service.

“The generation that has come since then doesn’t have all those old scars,” Gergen said. “I think a lot of the divisions we had during the ’60s and ’70s, we brought to Washington, and that has deepened the polarization—greatly. I think one of the things Barack [Obama ’91] represents is he is post that generation. He doesn’t have any of those hang-ups of that generation. And, strikingly, John McCain is prior to that generation.”

**Brown urges others to support national service programs**

In another reunion event, Michael Brown ’88 said his and Alan Khazei’s (’87) time at HLS inspired them to found City Year, a successful national service program that led to the formation of AmeriCorps.

“It was really during our time here … that we committed to the concept of doing everything to bring about the day when the most commonly asked question of an 18-year-old would be, ‘Where will you do your service year?’” said Brown.

After earning his law degree, Brown turned down a clerkship with then U.S. Circuit Judge Stephen Breyer ’64 to start City Year with Khazei. The program took off when Bill Clinton, who was still governor of Arkansas and a presidential candidate, visited the organization’s Boston location. That visit inspired Clinton to form AmeriCorps during his first year as president, as a way to fund City Year and other national service programs.

Calling for a “G.I. Bill for the 21st century,” Brown said he wants national service to stand alongside military service, and he urged the audience to push for national and international service programs, saying service has the power to unite the country and provide opportunities for the U.S. to repair international relationships.

**Teaching Teachers**

*continued from page 1*

as an orientation for those mulling that direction.

“The goal is to make sure anyone who wants to consider this as a job opportunity can have it as an option,” Covitz said.

Much of their counseling is individualized. Since taking up his new role in January, Covitz has counseled everyone from current students to alumni who graduated years ago and may now be in the Foreign Service or on the cusp of partnership at law firms.

Carrie Griffin Basas ’02 turned to Covitz for advice this year as she prepared to enter the legal academic job market for the first time. He offered suggestions about how to handle interviews and offers. She got a job at the University of Tulsa College of Law.

Brett Dakin ’03, an associate at Cleary Gottlieb Steen & Hamilton, is on a similar path. He recently accepted an offer to begin a research fellowship at Columbia in September.

Foohey says Covitz helped her plot a road map for after she graduates and begins a clerkship with the Delaware Bankruptcy Court. She hopes to become a law professor with a focus on the interaction of bankruptcy and family law.

Covitz helps prospective law professors understand the process and think about which Harvard Law faculty members might serve as references. He emphasizes that producing scholarship has become the key to getting hired.

“The key driver in getting academic jobs is your writing,” said Covitz. He said candidates are expected to have “a really good article in significant draft” and a “tight research agenda” that lays out their future scholarly plans.

That’s why HLS has developed a series of new research fellowships aimed at giving alumni the time and tools they need to produce legal scholarship.

The fellowships give 30 recent alumni who are starting clerkships or legal practice access to the library and online databases.

“It’s a great way to go out into the working world without having to worry about access to the tools you need to continue research you started in law school,” said Foohey.

Harvard is also offering an ever-growing variety of residential fellowships. The Cimneko Fellowships, for example, enable recipients to teach first-year law students and also focus on research and writing.

Residential fellowships have become an increasingly important springboard into legal teaching, says Levinson, who noted that half of the people hired at HLS have gone through a fellowship program. “It’s almost mandatory, especially if you do not have a Ph.D.,” Levinson said.

The school is also offering new visiting assistant professorships for candidates with significant practice experience who haven’t had the opportunity to research and write scholarly articles.

**Law teaching**

Several fellowships for aspiring law professors are available at Harvard Law School. For a list and more information, go to www.law.harvard.edu/academics/fellowships. For more information about teaching opportunities, go to http://internal.law.harvard.edu/bcs/Teaching/index.htm.
Exit interview

They took different paths to get here and are headed in different directions as they leave. Here, a look at six:

**ROBERT MERRILL**
JUDGE ADVOCATE
CAPTAIN, UNITED STATES MARINE CORPS
TwenTyNine Palms – California

In November 2004, Robert Merrill was on the front lines of the biggest, bloodiest battle of the Iraq War. Part of the first wave of Marines to invade Fallujah, he was second in command of a company of 160 Marines and more than 200 Iraqi soldiers in an intense house-to-house fight to clear the city of insurgents. (He later took full command when his company commander was wounded.) The first two weeks were dirty, exhausting, chaotic and stressful—eight hours of peace would alternate with four hours of mass chaos. The third week brought some stability and news of his acceptance to Harvard Law School. He remembers joking, “This means I’m going to die.” By the time he left Iraq in February 2005, 50 men in his unit had been killed and many more were left wounded. Merrill, who joined the Marines in June 2001, when he graduated from the University of Chicago, came to HLS with the goal of becoming a military criminal defense lawyer. His criminal law classes, and his legal internships on a North Carolina military base and as a special assistant to the counsel to the commandant of the Marine Corps, prepared him well to be a judge advocate, he says. He especially enjoyed the practical experience his criminal law clinical afforded, acting as lead defense counsel in criminal cases in Dorchester and Roxbury district courts. He hopes to return to HLS for an LL.M. degree.

In his role as lead defense counsel, Merrill says he felt his classmates often didn’t know how to react to his Iraq service. “They’ll either start asking questions or they’ll be awkwardly silent,” he says. For his part, he knows his Fallujah experience has changed him. “It changes everyone—for better or for worse,” he says. “I would like to think it’s changed me for the better. It’s much easier to keep perspective on things. I don’t get stressed out really by much of anything.”

**JEAN MARGARET FLANNERY**
ASSOCIATE
SKADDEN ARPS LONDON

Analyzing a prospective borrower’s securities filings convinced Jean Flannery she wanted to be a corporate lawyer. “I loved it,” says Flannery of the due diligence work she did during her 1L summer. “It was taking this very complex document—like gibberish—and breaking it down and understanding what was beneath it.” By the time she took Corporations in her 2L year, she knew she had found her calling. It was a shift from the academic path she thought she was on when she graduated from Harvard College in 2004 and enrolled in the London School of Economics. She wrote her dissertation there on “The Role of Philia in the Life of Aristotle’s Excellent Man.” But Flannery, whose father is a political theory professor, came to realize that an academic career at that juncture wouldn’t satisfy her, and she decided to pursue law—her mother’s profession. She spent her 2L summer at Skadden Arps in London and says the firm’s global perspective—with global deals, questions of international law and collaboration with European colleagues—perfectly aligned with what she hopes to do. She expected law school to be competitive but found it to be collegial. She says the socialization process was rigorous (“learn how to walk the walk, talk the talk”), and she worries whether she’ll still be able to connect with people from her background. But, she says, it’s also “an amazing opportunity to serve as a go-between, between worlds that almost never intersect in a positive way.” Classes at HLS that addressed race and class resonated deeply with her. In a Poverty Law class, she facilitated a discussion between low-income students and others who were initially uncomfortable talking about their privilege. She believes the exchange opened up relationships: “There are always unconscious biases. There are always unchecked assumptions. Putting those things on the table can really transform the lawyer and transform the client.” After clerking for Judge George Daniels, she will clerk for U.S. District Judge Joseph Greenaway ’81 in New Jersey. While her long-range plans are not settled, she hopes to stay involved in the low-income community in volunteer grassroots community legal education and counseling.

**NEFERTITI JOHNSON**
CLERK
U.S. DISTRICT JUDGE GEORGE B. DANIELS
SOUTHERN DISTRICT OF NEW YORK

Nefertiti Johnson grew up in Jamaica, Queens, N.Y., the fifth of six children, in a neighborhood she says is known as “Pov City.” Her family instilled the importance of learning, but it was through dance that she discovered the path to higher education. From the age of 10, Johnson danced with the Marie Brooks Pan Caribbean Dance Company in New York, performing liturgical, African and Caribbean dance—in a trajectory that took her to Grenada, Martinique and Ghana, West Africa. In 1996 she performed at the Olympic Games. She was awarded a dance scholarship to New York University and, after graduating in 2004, decided to pursue law. She doubted she could get into Harvard, and when she did, she was apprehensive about being able to fit in. She says the socialization process was rigorous (“learn how to walk the walk, talk the talk”), and she worries whether she’ll still be able to connect with people from her background. But, she says, it’s also “an amazing opportunity to serve as a go-between, between worlds that almost never intersect in a positive way.” Classes at HLS that addressed race and class resonated deeply with her. In a Poverty Law class, she facilitated a discussion between low-income students and others who were initially uncomfortable talking about their privilege. She believes the exchange opened up relationships: “There are always unconscious biases. There are always unchecked assumptions. Putting those things on the table can really transform the lawyer and transform the client.” After clerking for Judge George Daniels, she will clerk for U.S. District Judge Joseph Greenaway ’81 in New Jersey. While her long-range plans are not settled, she hopes to stay involved in the low-income community in volunteer grassroots community legal education and counseling.

**BRANDON WEISS**
SKADDEN FELLOW
PUBLIC COUNSEL
LOS ANGELES

Ever since elementary school, when he first helped organize lunches for the hungry in Los Angeles, Brandon Weiss has been drawn to the plight of the homeless. At Stanford, he joined a night outreach program that brought food and supplies to that population in San Francisco, and he edited Street Forum, a newspaper on homelessness and poverty. “I believe we’re all responsible for the conditions of our neighbors,” he says. He chose HLS hoping to become an advocate for the homeless and soon broadened his focus to affordable housing policy. “I realized there’s a much larger constituency teetering on the
dge of homelessness,” he says. He enrolled in a joint-degree program at the Kennedy School—where he has taken classes from experts at the top levels at the Federal Housing Administration and the U.S. Department of Housing and Urban Development. HLS’s public interest program and the resources it dedicates to public service work, he says, far exceeded his expectations. He was a fellow at Greater Boston Legal Services, an advocate on a tenant advocacy project, an intern at the National Law Center on Homelessness & Poverty and a summer associate in a firm’s affordable housing and real estate practice groups. For the next two years, he will be working with a community development group helping tenants and owners preserve affordable housing in Los Angeles, where a number of properties are being converted to market-rate units as federal funding contracts supplementing rents for low-income tenants expire. After his fellowship, he hopes to continue to work with nonprofits or for the government on issues related to community development, to help bring resources to areas that haven’t traditionally had them.
Students participate in historic apartheid litigation

In May, the U.S. Supreme Court ruled in a case which nearly 20 Harvard Law School Human Rights Program clinical students have worked on over the last three years. The students assisted with the case—American Isuzu Motors v. Ntsebeza—on behalf of a group of South African apartheid victims, who brought claims against more than 50 top multinational corporations for doing business with the apartheid regime.

The ruling was surprising: Four justices recused themselves, so the Court lacked a quorum to hear the appeal brought by the companies. As a result, the Court issued a summary order affirming the lower court ruling, which allowed the survivors of apartheid to bring suits against the corporations.

The lower court ruling from October 2007 held that survivors of apartheid could bring claims against dozens of multinational corporations on an aiding and abetting theory. The suits allege that the companies involved—including IBM, Citigroup, Credit Suisse, Hewlett-Packard, Bank of America, General Motors and DaimlerChrysler—knowingly aided the apartheid regime in its commission of human rights violations, by providing financing, material and training to the government. The cases seek $400 billion in damages.

The plaintiffs include family members of those who were killed by the South African apartheid regime. The case was brought under the Alien Tort Statute, a 1789 law that allows non-U.S. citizens to bring civil cases in U.S. courts for the violation of universal human rights norms.

Human Rights Program Clinical Director Tyler Giannini and Clinical Litigation Fellow Nathan Ela ’07 supervised the students’ work on the case. HLS students involved were: Jillian Ashley ’07, Matthew Bugher ’09, Cori Crider ’06, Alexia De Vincentis ’09, Katherine Glenn ’09, Johnathan Jenkins ’08, José Klein ’08, Sarah Knuckey LL.M. ’06, Andrew McIntyre LL.M. ’08, Meghan Morris ’08, Yvonne Osirim ’07, Amanda Perwin ’07, Sarah Rice ’07, Kelsey Shannon ’07, Wei Li Shaw ’09, and David Zionts ’08.

Taking their acts on the road

Three HLS professors delivered commencement addresses at other institutions this spring. Professor Laurence Tribe ’66 spoke to New York University graduates at Yankee Stadium, and Professor Alan Dershowitz was the keynote speaker for CUNY’s Baruch College graduates at Madison Square Garden. Professor Charles Ogletree ’78 delivered the commencement address at Lincoln University in Chester County, Pa.

“Human University’s legacy is a clear lesson of struggle and progress, and let the nation count on you to move us forward.” CHARLES OGLETREE speaking to graduates about the importance of recognizing the historic legacy of famous Lincoln graduates such as U.S. Supreme Court Justice Thurgood Marshall and poet Langston Hughes.

“Among my favorite sayings is one as true as it is trite. The only things you can take with you are the things you have given away.” LAURENCE TRIBE encouraging NYU graduates to embrace community service.

“Keep your pride, but without prejudice. Ethnicity without superiority. Heritage without hegemony. I believe it’s possible to keep and use pride positively without undercutting the pride of others.” ALAN DERSHOWITZ addressing CUNY graduates in May.
“Dare every day to manifest your authenticity,” said Cory Booker, the 36th mayor of Newark, N.J., in an address to the graduating class on June 4. “Our highest calling is not to emulate, but to look for truth inside ourselves and let it emanate,” said Booker, who has worked to transform his city by reducing crime and increasing economic opportunity.

Class Marshal Pascale Thomas ’08 introduced the mayor as someone who “represents a new generation of political activists and leaders.” She described how Booker lived in a public housing project and organized tenants to fight for improved conditions. In his address, Booker spoke of ancestors—enslaved people and sweatshop laborers—who did not yield as they chased after a vision. He asked, “Will we now stand in the gap between where America is as a nation and where we must go in the future if we are ever able to fulfill the largest visions for ourselves?”