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50 YEARS OF WOMEN AT THE LAW CENTER
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Cover:
Background photo: Ann Schofer, Ruth Paven (L'53), and Mary Ellen Sullivan entering the law school building for morning classes in 1952.
Inset: Members of the graduating class of 2000
PHOTO BY RON CEASAR

At right:
Top: the mother/daughter panel at the Women's Forum
Middle: Alumnae share a moment at the Women's Forum.
Bottom: Members of the graduating class of 2001
PHOTOS BY RON CEASAR
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SPOTLIGHT:

Marna Tucker, L’65
New Faculty Appointments


Dan Tarullo has the advantage of having been President Clinton's top international economic advisor, a perfect position from which to observe and influence a broad array of international policies. He was a key participant in high-profile issues such as trade negotiations and the Asian financial crisis, and coordinated administration policy on a host of less visible subjects. Dan also enjoyed the unique vantage point of being the only U.S. official to accompany the president into the annual private meetings of leaders of the major industrial democracies. Early in his career Dan worked successively at the Justice Department's Antitrust Division and the Commerce Department. As a young law teacher at Harvard, he taught both international economic regulation and a seminar on employee ownership of companies. As an aide to Senator Edward M. Kennedy, he handled both pension and international trade issues. Since returning to academic life two years ago, Dan has been exploring the intersection between national and international legal systems in antitrust, finance, and trade. As one might expect from his background, he tries to bring together economic, legal, and political perspectives in both his teaching and his writing. Though self-consciously interdisciplinary, Dan explains that he is most comfortable grounded in legal analysis, and most comfortable at Georgetown, because of the strongly normative emphasis of the law faculty. Finally, it must be noted that, in addition to the Law Center's more obvious attractions, its proximity to the MCI Center is a big plus for Dan, whose undergraduate dedication to Georgetown basketball remains strong a quarter century after his graduation.

— Barry Carter

Franz Werro
Ph.D. 1986
University of Fribourg, Switzerland
LL.M. 1986
University of California, Berkeley
J.D. 1979
University of Fribourg, Switzerland

EXPERIENCE AND AFFILIATIONS
Professor of Law, University of Fribourg, Switzerland
President of the Federal Commission of Experts for Professional Medical Secrecy
Attorney, Laliver & Budin, Geneva, Switzerland
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Interim Presiding Judge at the Tribunal civil du district de la Sarine
Center for Law and the Public’s Health Receives Three-Year, $630,000 Sloan Grant

What if the unthinkable occurred, and a city in the U.S. became a target for terrorists intent on attacking the population with a deadly disease? "A bioterrorism event in the United States is a distinct possibility and it is essential for the country to be prepared," said Lawrence Gostin, professor of law and director of the Center for Law and the Public’s Health. The Center’s newest project, for which Gostin will be the principal investigator, is to prepare a legal response to the public health emergency posed by a potential bioterrorist attack.

The Alfred P. Sloan Foundation has awarded the Center, a joint Georgetown University Law Center/Johns Hopkins School of Public Health venture, a three-year, $630,000 grant. "Our project is designed to vastly improve the nation’s public health preparedness for such an event," Gostin said. "We will ensure that the laws enabling a rapid and effective response are in place, that there is clarity about which governmental agency – federal state, or local – has primary jurisdiction, and which department – public health, emergency management, or law enforcement – is in charge."

The Center for Law and the Public’s Health is partnering with the U.S. Department of Justice, the Centers for Disease Control and Prevention, governors, and legislators to ensure a coordinated response to bioterrorism. In addition to the full time faculty of the Center, this project will employ a postdoctoral scholar and several student researchers from the Georgetown/Johns Hopkins joint JD/Masters in Public Health program. The project will also develop a Web site on public health law and bioterrorism, and produce a scholarly book on legal responses to bioterrorism and emerging infectious diseases.

Hewlett Foundation Funds Fellowship Program

The Hewlett Foundation has awarded the Law Center a three-year, $300,000 grant to support a fellowship program in conflict resolution and problem solving. The grant, which will begin in 2001, will allow the Law Center to offer several two-year fellowships in the field.

The director of the program is Professor Carrie Menkel-Meadow, one of the founders of conflict resolution in legal education. Menkel-Meadow has committed her career to making "the world a better place through talk and empathy rather than only lawsuits."

Her goals mesh well with those of the Foundation, which seeks to fund projects that promote the well being of mankind. Conflict resolution is one of several areas in which the Hewlett Foundation takes a special interest. Georgetown’s program in the field is one of the top-ranked programs in the nation.

In recent years, interest has grown in conflict resolution, which is increasingly known as appropriate dispute resolution. The field’s definition has expanded to include any form of dispute resolution outside of full adjudication. It includes the effort to create greater participation of all interested parties in the resolution of a dispute and more creative, party-tailored solutions to legal problems. Improving efficiency in processing cases is another aspect of the field. The Law Center offers a wide range of courses that address these issues, including labor arbitration, international negotiations, multi-party negotiation and dispute resolution, and mediation.

In their first year, Hewlett Fellows will assist Law Center faculty in course instruction and, eventually, supervise clinical work in the field. In their second year, Fellows develop and teach courses on their own. Each Fellow is also expected to complete a publishable thesis. "The goal of the program is to enrich scholarship and practice in the field, whether by developing new approaches or testing and evaluating our current ways of resolving disputes and solving legal problems," says Menkel-Meadow.

COURSES
Tort Law, Comparative Law, European Private Law

REPRESENTATIVE PUBLICATIONS
Concubinage, mariage et démarrage, Berne 2000.
Die Sorgfaltspflicht als Haftungsträger, Revue de droit suisse 1997, 343 ff.

Franz Werro, a Swiss scholar who will divide his time between Georgetown and the University of Fribourg, is a true comparativist who has spent his career translating and comparing legal concepts across continents and cultures. He has immersed himself in the private law implications of the historic transition to the European Union, and has spent much of his professional life studying and teaching comparative law in the United States and Europe. Professor Werro is in many respects Switzerland’s Richard Posner. In his early 40s, he is Europe’s leading comparative scholar and has been a judge, a lawyer, and a professor. He has already written three books, and edited or contributed to 17 more. With a colleague, Werro recently completed Switzerland’s leading treatise on tort law, an exhaustive work of over 1500 pages. A highly sought-after expert in major international disputes touching on Swiss law, Werro has been a visiting professor at six law schools in Europe and the United States, including Cornell and Georgetown. He is on ten boards and commissions ranging from the Advisory Board of the European Review of Private Law to Switzerland’s Federal Expert Commission, which reviews matters of medical research. And he is working on a multi-year joint project with leading law scholars throughout Europe, comparing the varying European approaches to common legal problems with a view toward rationalizing the inevitable transition to a more uniform system. Professor Werro’s joint appointment at Georgetown will bring an important European perspective to the law school community.

— David Cole
How Social Democracy Transformed the Twentieth Century

BY MARK TUSHNET

Drawing on his long-established contacts with leaders of Europe's Social Democratic parties and his sociologist's understanding of modern political and social movements, Norman Birnbaum offers a tour of leftist politics in the 20th century. For Birnbaum, leftist politics—socialism in Europe and the social reform movements from progressivism through the New Deal and the civil rights movement in the United States—are "a project that intends the transformation of human society by enlarging the sovereignty of its members, by extending the domain of reason to economic and social processes otherwise thought immutable. Socialism seeks to domesticate the market and terminate unnecessary human inequalities. It attempts to extend primary solidarities, with due attention to scale, to the entire structure of society."

So put, socialism and social reform surely seem attractive. And, indeed, the course of 20th century social policy has been, in large measure, the halting implementation of the socialist project. Questions about social democracy's relevance for the 21st century provide the sub-text of After Progress, and come to the surface in Birnbaum's conclusion.

Birnbaum opens with the observation that "socialism in all its forms was...a religion of redemption." Birnbaum began his scholarly career with studies of religion, and the role of Christian and Jewish social thought—specifically the social teachings of the Catholic Church after Rerum Novarum—in supporting the development of social democratic policies plays an important part in the story Birnbaum tells. For Birnbaum, "The Catholic Church under John Paul II in its attitudes to global poverty...was as outspoken as the Socialist International." Religion in general insists "on the sacredness of community, on the inextricable ties of humans to one another." It thus stands almost by definition in tension with the splintering individuality characteristic of capitalist social relations. Solidarity plays a large role in Birnbaum's analysis. As he sees it, social democratic parties flourished when they were embedded in—and helped create and strengthen—community institutions that reinforced cultures of solidarity, usually among workers.

The bulk of After Progress examines the history of social democracy in the 20th century. Birnbaum begins with the struggle, not always successful, to sustain socialism in the context of the "historical constraints, traditions of belief, and the grinding exigencies of political and social routine" that forced socialists, in principle universalists, to grapple with nationalism. The Russian Revolution plays its part as well, which social democrats came to understand as that of the protagonist in a tragedy, forcing them to confront "the contrast between the authenticity of its revolutionary ends and the dreadful familiarity of the means to which it increasingly recurred." One omission from Birnbaum's otherwise comprehensive survey is the parallel role played by the Chinese Revolution, which had its admirers among leftists in Europe and the United States.

World War II produced solidarities of its own, and in its aftermath "polices of solidarity...were inextricable from economic expansion and continuously increasing consumption in the private sphere." Birnbaum examines the welfare state as it developed in Western Europe and, in a much reduced form, in the United States. He concludes that "the situation was paradoxical," because those who supported "welfarist capitalism" thought that there was little chance of transcending it. Some "struggled to define new issues that would go beyond material redistribution," stressing "the development of citizenship and the unfolding of personality." But integrating these views with the materialist traditions of social democracy, in the absence of a vibrant culture of social democracy, proved nearly impossible.

Socialism persists in the 21st century, though in modified forms, in the so-called Third Way of the European social democratic parties headed by Tony Blair and Gerhard Schroeder. The question for its proponents is whether solidarity remains possible as its cultural supports have eroded. As Birnbaum points out, "socialism pre-supposed the kind of human nature it was intended to make possible." A project that began from a base in primary solidarities and expanded outward might bring into existence the preconditions more broadly required. But, as the 20th century ended, socialists—and many others—lost faith in the power of reason and solidarity to extend their reign.

The result has been the transformation of social democratic politics. Birnbaum notes that the British Labor Party "accepted liberalism's idea of active citizenship and deepened it in notions of economic democracy that pervaded its thought." But, he writes, Tony Blair's "language is different: the issue, and the struggle to resolve it, does not concern him." One of Birnbaum's strengths is his resistance to the idea that social democ-
racy was irrelevant in the United States. The New Deal is, for Birnbaum, the American version of European social democracy. And the transformation of Franklin Roosevelt's Democratic Party into Bill Clinton's attracts more than a few acerbic comments from Birnbaum.

Birnbaum ends by asking whether solidarity remains possible. He notes that the idea of social democracy has not been lost: “Despite relentless effort to persuade it otherwise, the American public remains attached to the major welfare programs, Medicare and Social Security.” But the problem is that the welfare state “most definitely does not extend to a coherent emancipatory project.” Contemporary leftist parties promise, “not a world remade but a world slightly improved,” hardly enough to mobilize the kind of support needed to institutionalize and extend the domain of solidarity, Birnbaum believes that social democrats are experiencing “a crisis of ideas.” They need “entirely new conceptions of career and work,” and, perhaps more important, a new vision of “education for citizenship” in the full sense for which social democrats have historically stood.

He asks, “What metahistorical foundation shall we rely on, now the belief in progress is gone? What ideas of solidarity can now replace the defensively intensified claims of culture, gender, nation, and race?” He offers no answers, of course, but concludes his book with this: “Unless large numbers of citizens in the democracies seek new ideas, new modes of politics, these will not emerge. A passive and resigned citizenry, however, may crack under sudden strains and threats. . . . Not a promised land, but a terrain of dialogue and experiment is what remains to be cultivated to replace the immensely fragile and profoundly spurious order of our societies.”

As this conclusion suggests, Birnbaum remains committed to the essentially religious project that is social democracy. His historical insight and his pungent comments on contemporary politics will enlighten all readers - even those who do not share Birnbaum’s predispositions - who seek to understand why social democracy transformed society in the 20th century.

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**RECONCILING ENVIRONMENT AND TRADE**

Edited by Edith Brown Weiss and John H. Jackson
With the assistance of Nathalie Bernasconi-Osterwalder

820 pages

The most urgent priority in international law today is expressed succinctly in the title of this book. And as this book clearly reveals, the burden of reconciliation has fallen squarely on the shoulders of the Dispute Resolution System of the World Trade Organization.

Much of the research presented and analyzed in Reconciling Environment and Trade is made available here for the first time, and much of it is startling. Many common preconceptions held by both specialists and the public will not survive the uncompromising scrutiny undertaken by these participants in a seminar conducted by the outstanding scholars Edith Brown Weiss (environmental law) and John H. Jackson (trade law) at the Georgetown University Law Center in the fall of 1999. In an introductory chapter, Brown Weiss and Jackson lay out a framework for reconciling disputes involving environment and trade.

The book focuses on five cases, four of them actual GATT/WTO cases, the fifth sure to be a case in the very near future. The subject matter of these cases reflects five basic issues in the clash between trade and the environment: public health, air pollution/ozone depletion, food safety, destruction of endangered species, and biosafety. These five issues surface dramatically in unresolved international disputes over tobacco, reformulated gasoline, beef growth hormones, commercial fishing methods, and genetically modified organisms.

In their penetrating analyses of these cases and their vast implications, the authors take into account the entire disciplines of both trade law and environmental law. They note especially the points of friction between the multilateral instruments in each field and the developing jurisprudence of the WTO Dispute Settlement with regard to the exceptions specified in Article XX of the GATT. The articulated standpoints of all parties on both sides of the controversy are probed for “agendas,” whether stated or unstated.

No one involved in international trade or environmental activism can afford to ignore this vital publication. The information it provides (on WTO jurisprudence, on current and pending environmental initiatives, on the science behind the disputes), no less than the fresh and convincing analysis it holds forth, make it an essential tool for understanding some of the most crucial issues in international law today.

Edith Brown Weiss is the Francis Cabell Brown Professor of International Law at Georgetown University Law Center and the former president of the American Society of International Law. She served as associate general counsel for International Law at the U.S. Environmental Protection Agency from 1990-1992. John H. Jackson is University Professor at Georgetown University Law Center and Hessel E. Yntema Professor of Law Emeritus, University of Michigan School of Law. He served as general counsel, Office of United States Special Trade Representative from 1973-1974.

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Mark Tushnet is the Carmack Waterhouse Professor of Constitutional Law at Georgetown Law Center, and author of Taking the Constitution Away from the Courts.
Public Health Law and the Patient’s Bill of Rights

BY HEIDI LI FELDMAN

There are many ways to carve the law. There is the familiar Langdellian first year curriculum (torts, contracts, civil procedure, and so on). There are contemporary, often business-driven, taxonomies that divide legal areas according to commercial sectors, such as communications law, sports law, and entertainment law. In Public Health Law: Power, Duty, Restraint, Professor Lawrence O. Gostin, consolidates a categorization of law he played a seminal role in creating – as the title tells us, public health law.

Public health law integrates the political, moral, and legal concerns that pertain to the promotion of the overall health of the population. Central to the fields of public health and public health law is a focus on populations as opposed to the more atomistic orientation of traditional medicine and health law, which tends to take the individual patient as the central object of concern.

Professor Gostin comes from a strong civil libertarian background. This makes him acutely aware of the tradeoffs between promoting the overall health of a population and protecting the liberty and autonomy of individual members of that group. While Professor Gostin notes sympathetically the potential synergies between individual health and group health, his book consistently demands that we face up to and deal with those occasions – e.g., mandatory vaccination programs or compulsory screening for sexually transmitted diseases – when the government, federal or state, demands individual cooperation for the sake of promoting the overall good. While for many, even most individuals, such programs provide benefits, on others they impose costs – emotional, physical, or financial, or some combination.

Public Health Law includes a number of terrific case studies, such as “HIV Screening of Pregnant Women and Infants”; “The Tobacco Wars”; and “Tort Litigation to Prevent Firearm Injuries.” To demonstrate the power and reach of Professor Gostin’s conception of and approach to public health law, however, I am going to use the tools Professor Gostin provides to analyze the Patients’ Bill of Rights legislation, passed by the United States Senate on July 2, 2001. This indicates the significance of Professor Gostin’s contribution: His ideas extend beyond the scope of his book, helping us to think about law in ways we might not have otherwise.

On the face of it, legislation titled “Patients’ Bill of Rights” would seem responsive to Professor Gostin’s civil libertarian concerns. And the bill approved by the Senate does guarantee certain individual protections. But a closer look at the nature of the bill and even its specific protections reveal it to be more population based than its title suggests. Moreover, the Senate bill illustrates perfectly Professor Gostin’s point that government promotion of public health can simultaneously contribute to collective welfare and coerce or adversely influence specific individuals.

A quick overview of the Patients’ Bill of Rights: It applies only to individuals participating in managed health care programs, and it regulates those programs in a number of ways. Some key provisions do not involve the civil justice system, others do: Patients may visit emergency departments without prior approval of their provider and still be reimbursed for care; women may directly visit obstetrician-gynecologists; children may have pediatricians as their primary care doctors. The bill creates causes of action against managed care providers for provider decisions that result in death or injury, in essence making it possible for patients to seek tort damages against managed care providers for medical negligence. Before seeking judicial remedy, however, potential plaintiffs must exhaust independent medical review of a provider’s actions.

Because managed care programs collectivize medical treatment, they themselves are population based. In other words, the benefits offered and the pricing of those benefits are based on aggregate measures of health and the costs associated with whatever aggregate ends the plan has. Thus, whenever the government regulates a managed care provider it is dealing with public health. Moreover, each of the provisions I mentioned above can be viewed as a population based measure, even as it creates both an individual right for those who participate in managed care programs and an individual duty for managed care providers.

The guarantee of coverage for emergency care promotes prompt treatment of apparent injury or disease, presumably saving more lives and preventing more disease than delayed treatment does. Giving women direct access to obstetrician-gynecologists and children direct access to pediatricians assumes that these populations – women and children, respectively, will fare better as a group over time if treated by physicians specializing in the relevant sort of care. By allowing patients to sue managed care providers for civil damages, providers have new incentives to create
Extending the Scope of Human Rights
BY JAMES FEINERMAN

Father Robert Drinan has been an effective campaigner throughout his long career for civil liberties domestically and human rights internationally. A former member of the House of Representatives from Massachusetts and former dean of Boston College Law School, Drinan has made human rights a central part of his career and beliefs. Aside from teaching international human rights law at the Law Center, he is the author of books on human rights topics and has served on the boards of many organizations committed to civil rights and international human rights.

Father Drinan’s latest book, The Mobilization of Shame: A World View of Human Rights, illustrates both the depth of his commitment to these issues and his cogent analysis of contemporary developments and dilemmas in extending the reach and scope of such rights. Drinan makes the case for a core of freedoms that all people must be able to enjoy and for increasing social, cultural, and economic rights — in addition to the civil and political rights that were once the sole concern of the human rights movement.

The Mobilization of Shame traces the history of human rights in the 20th century from the establishment of the United Nations and its charter, as a starting point for the international law in this arena. The book then looks at human rights from the perspectives of international organizations, of nation-states, and, perhaps most importantly, of the individuals and groups most directly affected by the human rights revolution of the last half-century. It covers various human rights covenants and other international agreements, civil and political rights, and the integrity and dignity of all individuals exemplified in the prohibition of torture and excessive use of the death penalty. Father Drinan breaks new ground in elevating to the same level of discourse such topics as women’s and children’s rights, the right to food, and aspirations for economic equality. While providing considerable historical background, Father Drinan does not shy away from current events, such as the indictment of former Yugoslav President Milosevic and the ad hoc international tribunals assessing war crimes in the Balkans and Rwanda.

Training his eye on his own country, Father Drinan points out the successes and the failings of the United States in achieving a more just legal order and real equality for all its citizens. He notes, for instance, both U.S. involvement in struggles for greater international human rights and its recent decision to walk away from the newly created International Criminal Court. The book takes a hard look at human rights in the United States with an understanding that we must put our own house in order first.
Drinan also notes that the United States, long accustomed to be the instructor on constitutionalism and civil liberties, might even learn from some foreign experience in human rights. Examples include the regional human rights courts in the Western hemisphere and Europe and the Truth and Reconciliation Commission process in South Africa.

Finally, Father Drinan’s creative use of the somewhat old-fashioned notion of shame as a tool in the human rights struggle is commendable. The prologue to this volume, citing documents from an Amnesty International campaign with regard to Turkey, states:

Governments should understand that the international mobilization of shame is not limited to governments which violate human rights directly, but also extends to those which refuse to take effective action in the IGO [international governmental organization] context.

Father Drinan ably demonstrates, that, when dealing in international human rights, the moral power of shame is great. Particularly when it is mobilized by international coalitions and backed up by the force of public opinion – which upon occasion can rise to the level of global consciousness – shame can accomplish what no other force is able to do.

Conscience and moral outrage are effective motivators for international change. Father Drinan’s book is a compelling call to use all the tools at our disposal to insure the widest future enjoyment of human rights around the world.

Symposium Honors Professor Mark Tushnet’s

Carmack Waterhouse Professor of Constitutional Law Mark Tushnet was honored with a symposium – “Justice, Democracy, and Humanity: A Celebration of the Work of Mark Tushnet” – acknowledging his contribution to the fields of constitutional law, legal history, and critical legal studies on Friday, March 30. Tushnet is widely acknowledged to be one of the leading scholars in these fields in the country and his impact on the legal scholarship of the past quarter century has been felt by academics, judges, and advocates before courts at every level.

Tushnet’s role in legal scholarship can be measured by assessing the patterns in its various fields over the past 30 years. When he graduated from Yale Law School in 1971, critical approaches to legal history and constitutional law were dominated by a rigidly Marxist understanding of the development of nations, laws, and legal institutions – an understanding that he rejected as overly deterministic. To counter this Marxist trend in legal history, Tushnet became a founding member of the critical legal studies movement in the late 1970s. The movement defended the autonomy of law from Marxism’s deterministic perspective and challenged the major 20th century attempt to counter capitalism’s tendency to permeate all human relations – small “L” liberalism, the belief that a powerful secular government, limited by an independent judicial branch, can protect individual freedom and civil liberties from the demands of capitalism. Tushnet’s critique of small “L” liberalism is embodied in his recent book Taking the Constitution Away from the Courts, which argues that the Supreme Court’s power of judicial review is not necessary for the maintenance of American democracy. Tushnet suggests that the people and the legislature are more fit than the Court to implement what he calls the “thin Constitution” – a view of the Constitution as an evolving rather than strictly-interpreted document.

Professor Jack Balkin of Yale opened the first panel by discussing the interdisciplinary and theoretical nature of

James Feinerman is James M. Morita Professor of Asian Studies at the Law Center. He currently serves as the Law Center’s associate dean for international programs and director of the Asian Law and Policy Studies program.
Legal Scholarship

Tushnet’s research in legal history in a paper entitled “Legal Historicism and Legal Academics: the Roles of Law Professors in the Wake of Bush v. Gore,” co-authored with Sandy Levinson of the University of Texas. “If Mark had never written a word about constitutional law, he would still be remembered for his remaining contributions to legal history, first as a historian of slavery, and then as a historian of the civil rights movement,” Balkin said.

Two Harvard Law School professors then debated Tushnet’s stance on small “L” liberalism as it is discussed in two of his books, Taking the Constitution Away from the Courts and Red, White, and Blue: A Critical Analysis of Constitutional Law.

“Liberalism has become for Mark a certain body of substantive principles of constraint of the power of the government – what he calls the ‘thin Constitution,’” said Frank Michelman. “So Mark’s project has not been necessarily to attack the liberal ideal, but rather to take the constitution away from the courts.” Duncan Kennedy disputed Michaelman’s assertion that Tushnet supports small “L” liberalism. “Mark’s theories have always had an underlying openness to getting rid of the fetishes of small “L” liberalism,” Kennedy said.

Georgetown’s Robin West placed these reflections on liberalism and judicial review in context by discussing the Supreme Court’s Bush v. Gore decision during the 2000 presidential election. She suggested that her own work on the moral responsibility of the law and Tushnet’s concept of the “thin constitution” help to provide lawyers who are dis-appointed with the manner in which the decision was made with an intellectual option – one that does not necessarily commit them to deterministic views of legal outcomes.

“The lawyer committed to the rule of law as I have described it, or to the ‘thin constitution’ as Mark describes it, might indeed feel betrayed because of the court’s decision, but it need not follow that he is thereby committed to a false idol of legal determinacy or to a ‘thick constitution’ imposed upon us by this or any other court,” she said. “It might be instead that such a lawyer holds a professional lawyerly commitment to the humanitarian goodness potentially at the heart of the rule of law, or to a democratic ideal that informs the ‘thin constitution’.

The second panel featured two papers on legal history, one by Douglas Ambrose of Hamilton College, who discussed Tushnet’s early work on the law of slavery, and another by Morton Horwitz of Harvard Law School, who presented “Mark Tushnet, Legal Historian,” a discussion of Tushnet’s critique of Marxist historicism. “Mark’s early writing was above all an effort to criticize the rigid determinism of orthodox Marxism that explained that law was merely a reflection of a more fundamental capitalist base,” Horwitz said, “Much of this early work emphasizes indeterminacy.” The aim of this work was to establish what Tushnet called the “relative autonomy of law” as a discipline, profession, and social institution.

The panels were followed by a roundtable, moderated by Law Center Professor Mike Seidman, that featured a wide-ranging discussion of the Supreme Court, contemporary constitutional law, and the relation of both to liberalism.
Faculty Abroad: Richard Lazarus in Iran

BY RICHARD LAZARUS

Tehran may seem like an unlikely destination for an intensive course on environmental law, but that is where two colleagues and I traveled this past May to meet with Iranian environmentalists, academics, and government officials. We were there to discuss the challenges of making, implementing, and enforcing environmental law. The visit was the fourth in a series of nongovernmental exchanges between the U.S. and Iran sponsored by Search for Common Ground, a nonprofit organization that seeks to build informal bridges between the U.S. and Iran.

I spent most of the two weeks in Tehran, teaching environmental law at the University of Tehran to a mixture of graduate students, university faculty from the schools of law and environment, environmental activists, and government officials. Somewhat surprisingly, given my own prior misconceptions, women were active participants and well represented in all of these capacities, including among the academic faculty. The Iranian Minister of the Environment, who also serves as vice president, is a woman, as are over 50 percent of the students at the Tehran University, the nation's most prestigious and exclusive academic institution. As required by Iranian law, the women wore clothing fully covering their bodies and heads – but not their faces – at all times, even while skillfully spiking volleyballs in public parks.

My colleagues Robert Percival, of the University of Maryland School of Law and Bern Johnson, president of E-Law, and I taught workshops at the University that consisted of morning lectures on general aspects of environmental law, followed by question-and-answer sessions, and interactive role-playing exercises in the late afternoon. For those final sessions, we chose pressing environmental controversies in Iran, including motor vehicle pollution, highway construction, and waste disposal in the Caspian Sea. We also met with faculty members from the University to discuss the development of an environmental law program at their law school.

The comments made by the Iranian participants were routinely highly intelligent, thoughtful, passionate, and sophisticated. Our overall impression was that Iran...
is a nation with a highly educated and cultured people, an extraordinarily rich history, and an exceedingly complicated and somewhat confounding governmental system. It is a country that plainly faces considerable challenges in its future, especially as it comes to grips with the implications of a post-Revolution baby boom, including a population in which more than 60 percent of the people are under 25 and the minimum voting age is 15. Our students seemed somewhat confused by our country’s recent presidential election, however, and I was frequently questioned in informed detail about the Florida vote count last November.

I was free to travel as I wished in Tehran and my colleagues and I took many walks and taxi rides visiting parts of the city and going to restaurants. We took care, however, never to take pictures of any of the government buildings, military installations, or Revolutionary Guard that we encountered. I had some wonderful dinners at private homes and visits to the former U.S. Embassy and Shah’s Palace. We also traveled to the ancient capital of Persia, Isfahen, where we visited a national park, historic bazaars, and mosques. Everywhere I went, the people on the street were curious as to my nationality, and amazed and delighted to learn that I was from the U.S. When they learned I was from the U.S, I would invariably be asked with great enthusiasm: “What state?”

We also were surprised by our ready access in Iran to the Internet in Internet cafes in both cities we visited in Iran. One of my colleagues kept close tabs on the latest Yankee games and maintained his trading in rotisserie baseball. The rest of us kept track of the latest departures from “Survivor II,” sent daily e-mails home, and read the New York Times online, which made us wonder about the effectiveness of Iranian efforts to close newspapers.

It was a fascinating trip and may portend the beginning of a broader and positive exchange on environmental issues between the U.S. and Iran. This fall, a group of Iranian environmentalists and academics will be traveling to Washington, D.C. and visiting the Law Center.

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Colloquium on Intellectual Property and Technology Law

In the upcoming academic year, the Law Center will offer for the first time a Colloquium on Intellectual Property and Technology Law. The talks explore a range of topics in the field.

With one exception, the series takes place on Thursdays at 3:30 p.m. in the faculty lounge on the fifth floor of Bernard Patrick McDonough Hall. The February 15 talk by Professor Yochai Benkler will be on a Friday at noon. The talks are open to faculty, students, staff, and alumni.

- **September 20**
  - A. Michael Froomkin
  - University of Miami
  - Habermas@discourse.net: Towards a Critical Theory of Cyberspace

- **October 25**
  - Ruth Gana Okediji
  - University of Oklahoma
  - Intellectual Property Harmonization and the WTO Dispute Settlement Understanding

- **November 29**
  - Jane Ginsburg
  - Columbia University
  - Copyright and Control over New Technologies of Dissemination

- **February 15**
  - Yochai Benkler
  - New York University
  - Property, Commons, and the First Amendment

- **March 21**
  - Margaret Jane Radin
  - Stanford University
  - Contract Today and Tomorrow: Binding Commitment in the Networked World

- **April 25**
  - Mark A. Lemley
  - Boalt Hall – University of California at Berkeley
  - Antitrust, Intellectual Property, and Standard-Setting Organizations
A New Theory of Constitutional Law

BY LOUIS M. SEIDMAN

(This article is adapted from Our Unsettled Constitution: A New Defense of Constitutionalism and Judicial Review by Louis Michael Seidman. © 2002 Yale University Press, New Haven, Connecticut. Printed by permission.)

Is it conceivable that there is something both new and sensible to say about constitutional theory? People have been writing about this subject for several millennia. Surely we are at the point where anything one might say that is original is bound to be silly and anything that is not silly is bound to be unoriginal.

We live in an age of growing doubt as to the utility of any normative theory of constitutional law, much less a new one. Thinkers spanning a political spectrum anchored by Richard Posner on the right and Richard Rorty on the left agree that constitutional theory leads to a dead end. Rebecca L. Brown began a 1998 article by asking her readers to "honk if you are tired of constitutional theory." If the resulting sound was less than deafening, that was only because many legal academics were so tired of constitutional theory they didn't bother to read her fine article.

As inhospitable as the intellectual terrain is to constitutional theory in general, it is even more hostile to any theory that defends judicial review. There have been doubts about the legitimacy of judicial review from the beginning — doubts that Alexander Bickel crystallized more than 40 years ago when he tackled the "countermajoritarian difficulty." Around the same time that Bickel wrote his famous book on this subject, Judge Learned Hand proposed a kind of mutual disarmament treaty.

Chastened by the still recent struggle over the constitutional validity of the New Deal, he suggested that liberals and conservatives should agree to forego judicial power and fight out their differences in the political sphere.

Today, more than 30 years removed from the retirement of Chief Justice Earl Warren and the activist court that flew in the face of Hand's contemporary suggestion, the nostalagic hope that constitutional law might be harnessed as an effective engine for social reform seems remarkably naive. Contemporary constitutional scholarship is dominated by articles and books arguing that judges are ill equipped to solve the social problems that trouble us, that their past efforts to do so have been inept, ineffectual, or worse, and that when their decisions do not merely reinforce current majority sentiment, they unjustifiably impose the views of a cultural and economic elite on the rest of us. The Supreme Court's decision in Bush v. Gore has added fuel to the fire. For many Americans, the decision demonstrated that the Court cannot be trusted to render impartial justice when important political issues are at stake.

In short, this hardly seems like the moment to propose a new, comprehensive constitutional theory that defends an expansive version of judicial review. Yet paradoxically, the current pessimism about constitutional theory in general and the hostility to judicial review in particular can also be seen as laying the necessary foundations for a new approach. Three interrelated points provide the reasons why a new theory may be useful after all.

First, whatever the doubts of the critics, the fact remains that the Supreme Court continues to begin a new term on the first Monday of every October. Not only has the Court stubbornly refused to go out of business; it is more activist than ever. "Conservative" and "liberal" justices alike regularly vote to invalidate laws on a wide range of subjects. Although politicians occasionally grumble about judges who "make" rather than "enforce" the law, the country is far from being in open revolt against this practice. Judges and lawyers frequently accuse constitutional theorists of being out of touch with the "real world." This charge may be aimed at the wrong target. It is the anti-theorists who seem to hold themselves arrogantly aloof from a practice that people in the real world take for granted.

Perhaps judicial review is simply illegitimate. Yet it is a striking fact that even after Bush v. Gore, many Americans who thought that the decision was politically biased and wrong nonetheless continued to support the Court as an institution. Isn't it at least worth asking whether there is some intellectually respectable way to justify a practice that is so widely accepted? In the spirit that Robert Nozick gracefully expressed in his book Philosophical Explanations, we might ask how
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beliefs in the practice is possible even as we avoid the temptation to try "to get someone to believe something whether he wants to believe it or not." I think that there is a coherent explanation for judicial review, an explanation that the anti-theorists should engage with, even if they are not ultimately persuaded by it.

The second point is that however unfashionable, constitutional theory is in some sense inevitable. After all, judicial restraint is itself a theory of constitutional law, and a controversial one at that. Why should elected officials, who may be short-sighted, poorly informed, or venal, have the final say on constitutional disputes? There may be good reasons for judicial restraint, but they should be put on the table just like the justifications for any other constitutional theory.

Thirdly, although I cannot demonstrate that it is true, my guess is that the real target of the anti-theorists is not constitutional theory per se but rather a particular kind of tendentious and unconvincing constitutional theory. The sort of theory that rubs skeptics the wrong way is one that dresses up controversial policy prescriptions in the garb of timeless and acontextual principle—a theory that tries to "command agreement," in Posner's words. Posner and his fellow critics are right to object to this sort of theory, and there is plenty of it around to object to. Consider, for example, John Rawls's notorious assertion that "any comprehensive doctrine that leads to a balance of political values excluding [a] duly qualified right [to an abortion] in the first trimester is to that extent unreasonable." To his great credit, Rawls himself later retracted this assertion.

Are we really to expect that abortion opponents will give up on their deepest moral and political commitments because of this claim? And Rawls is hardly alone. Constitutional theories offered by scholars as diverse and talented as Frank Michelman, Ronald Dworkin, Michael Perry, John Hart Ely, Michael Sandel, and Richard Epstein all claim that the theoretical enterprise can resolve some of our deepest political and moral disagreements.

There is a sense in which these efforts are quite noble. They reflect a faith in the power of reason and persuasion that is admirable. At their best, theorists can help us to understand positions we might otherwise reject out of hand and build empathetic and intellectual bridges to political opponents. Unfortunately, though, constitutional theorists, like the rest of us, are not always at their best. Sometimes theorists claim that their work shows not just that their views are possible or plausible but that opposing views are irrational or illegitimate. When theorists try to command agreement rather than begin discussions, they are bound to be unsuccessful—and to enlarge rather than shrink the political and moral gulf that separates us.

Through a kind of guilt by association, the failures of these theories have brought into question not only the theoretical enterprise more generally but also the practice of judicial review. Instead of legitimating exercises of judicial power, tendentious theories have tended to discredit them. Anti-theorists argue that if judicial decisions on controversial subjects like abortion, religion, gender, or sex really rest on the weak normative foundations supplied by academic theorists, then there is no good reason why these decisions should be entitled to our respect or obedience. Because these theories cannot justify command dissenters to give up their positions on these topics, decisions based on the theories amount to no more than an exercise of raw power masquerading as disinterested reason. Modern skepticism about theory and modern hostility to judicial review are therefore linked by a common worry about elitism and authoritarianism in constitutional analysis.

These concerns are legitimate and healthy. There is, indeed, a problem with most theories of constitutional law. It does not follow, however, that there is a problem with constitutional theory. The criticisms of the anti-theorists should provide a goal to do better, not an excuse for giving up. The challenge for a modern theorist is to formulate a general approach to constitutional law that takes into account the intractable nature of our political disagreements instead of attempting to suppress them. Our efforts should be directed toward building a new theory of constitutional law that starts by

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acknowledging the weakness that has so often bedeviled the theoretical enterprise.

The thesis of this book is that we can accomplish this task by reversing the two central assumptions upon which most prior theory has been based: that principles of constitutional law should be independent of our political commitments and that the role of constitutional law is to settle political disagreement. It is just these assumptions that have discredited so much prior theory. To

Ginsburg, a liberal Democrat, regularly discovers liberal principles lurking in the same document.

Does this obvious fact discredit constitutional law? Viewed from one perspective, perhaps it does. It means that opinions about the content of constitutional law cannot be separated from political opinions. People will therefore favor or oppose particular interpretations of constitutional law based upon their political positions.

Suppose, though, that we try to view constitutional law from the outside. Instead of thinking of ourselves as participants in political disputes, we could imagine that we are anthropologists investigating the function served by a particular practice in an alien culture. Viewed from this perspective, the political contestability of Supreme Court decisions is hardly fatal. To be sure, it would be if one thought that the function of constitutional law was to settle ordinary political disagreements, for we can hardly expect constitutional law to resolve these disagreements if it simply reflects them. But it is precisely because most judges and constitutional theorists are committed to a settlement theory that they insist on an Alice-in-Wonderland world where judicial interpretation of the Constitution is uninfluenced by politics.

On the other hand, if we relax the second assumption — if we assume that the function of constitutional law is not to settle disputes but to unsettle any resolution reached by the political branches — then the political contestability of constitutional doctrine is much less troubling. To see why this is so, we need to consider what we should expect from constitutional law in the first place.

Like its rivals, unsettlement theory begins with the premise that in a free and diverse society, there is bound to be political conflict. Like its rivals, unsettlement theory takes the purpose of constitutional law to be the maintenance of a just community in the face of this conflict. Our ultimate objective should be to provide a just reason why individuals who lose political battles should nonetheless maintain their allegiance to the community. Unsettlement theory differs from its rivals by making the paradoxical claim that constitutional law can help build such a community by creating, rather than settling, political conflict.

Any constitutional settlement is bound to produce losers who will continue to nurse deep-seated grievances, and we would be hard put to offer reasons, convincing within their own normative frameworks, why these losers should abide by settlements they deeply oppose. But a constitution that unsettles creates no permanent losers. By destabilizing whatever outcomes are produced by the political process, it provides citizens with a forum and a vocabulary that they can use to continue the argument.

Even when they suffer serious losses in the political sphere, citizens will have reason to maintain their allegiance to the community — not because constitutional law settles disputes but because it provides arguments, grounded in society’s foundational commitments, for why the political settlement they oppose is unjust. In short, an unsettled constitution helps build a community founded on consent by enticing losers into a continuing conversation.

It is important to understand that unsettlement theory does not preordain any particular outcome to this conversation. In particular, it provides no guarantee that the conversation will result in the reversal of the initial decision. A preordained outcome entails a settlement; it is the very indeterminacy of the outcome that makes the constitution unsettled. Thus an unsettled constitution is different from a system with a settled mechanism for power sharing.

Unsettlement does not promise losers that they will eventually get their way. It promises them only that they will have a continued opportunity to engage their opponents in a good-faith, open-ended discussion about what is to be done.

Sometimes critics argue that judges are not accountable to the people. These critics start with the assumption that our disputes should be settled by democratic means. On other occasions, however, critics complain about the “myth” of judicial independence, pointing out that judges do not effectively protect individual rights because they have neither the inclination nor the ability to depart much from the contemporary popu-
lar consensus. At first it would seem that these criticisms cannot both be right. Oddly, though, it is the very fact that both are that provides the justification for judicial power. Precisely because judges are both public and private, both independent and accountable, they are able to police a boundary that is never fixed.

The point missed by the critics is that both a democratic, collective mechanism for resolving our disputes and a private, individualist mechanism are contestable settlements. Losers have no more obligation to accept these outcomes than they have an obligation to accept any other settlement. A large part of what divides us is precisely the question of whether particular issues should be resolved publicly and democratically or privately and individually. There is no reason to expect this argument to be settled to everyone’s satisfaction by assuming the priority of one resolution or the other. Because judges straddle the public-private line – because they are both independent from the political branches and in some sense accountable to them – they are well suited to the job of keeping the division between public and private permanently unsettled.

It may indeed be foolish to suppose that there is something both new and sensible to say about constitutional theory or, more to the point, that I am the one to say it. Nonetheless, I take some solace from the modesty of my normative goals. Although I like to think that my formulation of it is new, there is a sense in which this theory of constitutional law is actually no more than a description of what we have been doing all along. In the end, I do not want to insist that what we have been doing is just. Ultimate judgments on that question may well turn on the very political disagreements that drive the theory in the first place. Instead, my claim is that this characterization of constitutionalism shows the practice in its best, most defensible light. If my argument is successful, then readers who want to believe in constitutionalism will find a set of reasons that support their desire. Of course, there will also be readers who follow everything I say but nonetheless reject the practice. My hope is that these readers can take satisfaction from the knowledge that they have rejected it in its strongest form. For it is only this sort of strong rejection that provides the solid base upon which something truly new can be erected.

Louis Michael Seidman

Mike Seidman has spent the last quarter century teaching and writing about constitutional law. He has produced several books and articles in the field, but Our Unsettled Constitution: A New Defense of Constitutionalism and Judicial Review, from which the foregoing essay is extracted, is his first effort to articulate a book-length theory of constitutional law.

"In some of my previous work, I’ve noted the tendency of participants in constitutional argument to see constitutional law as a political tool that can be used to demean or marginalize political opponents,” Seidman says, "The irony is that while most theories of constitutional law present the Constitution as a way to bring us together, constitutional argument over issues like abortion, affirmative action, or indeed presidential elections too often drives us apart." The new book argues that constitutional law can retain its community building objectives. It suggests that constitutional law has the potential to disrupt the outcomes of political and legislative disputes, giving losers in those disputes an incentive to remain attached to the political community.

Seidman relies on “unsettlement theory” to make this argument, a concept that grows out of work done a generation ago by the scholars affiliated with the critical legal studies movement. These scholars claimed that many legal arguments lead to indeterminate outcomes – an observation that, they thought, tended to undermine the legitimacy of constitutional law. "But the supposed vice of indeterminacy is in fact a virtue," says Seidman, "Precisely because constitutional rhetoric is at once indeterminate and uniquely powerful within our culture, it allows everyone to claim that their arguments are rooted in our foundational commitments. Properly understood, the indeterminacy critique also should suggest to each of us that our own views are contingent and uncertain, which might make us more tolerant of the views of others."

As his book is being published in October 2001, Seidman is working on an article examining Bush v. Gore, the 2000 Presidential election case decided by the Supreme Court. Over the longer term, Seidman is writing a book about the equal protection clause and plans to tackle a large project involving confession and self-incrimination.
Law as Culture

BY NAOMI MEZEY

The following excerpt is reprinted by permission of The Yale Journal of Law & the Humanities, Vol. 13, pp. 35-67.

The notion of culture is everywhere invoked and virtually nowhere explained. Culture can mean so many things: collective identity, nation, race, corporate policy, civilization, arts and letters, lifestyle, mass-produced popular artifacts, ritual. Law, at first glance, appears easier to grasp if considered in opposition to culture - as the articulated rules and rights set forth in constitutions, statutes, judicial opinions, the formality of dispute resolution, and the foundation of social order. In most conceptions of culture, law is occasionally a component, but it is most often peripheral or irrelevant. Most visions of law include culture, if they include it at all, as the unavoidable social context of an otherwise legal question - the element of irrationality or the basis of policy conflicts. When law and culture are thought of together, they are conceptualized as distinct realms of action and only marginally related to one another. For example, we tend to think of playing baseball or going to a baseball game as cultural acts with no significant legal implications. We also assume that a lawsuit challenging baseball's exemption from antitrust laws is a legal act with few cultural implications. I think both of these assumptions are profoundly wrong, and that our understandings of the game and the lawsuit are impoverished when we fail to account for the ways in which the game is a product of law and the lawsuit a product of culture - how the meaning of each is bound up in the other, and in the complex entanglement of law and culture.

If we are to make headway in understanding legal studies as cultural studies and legal practice as cultural practice, then a contingent clarification of the vague concept of culture is an important threshold question. The goal of this interdisciplinary project is to understand law not in relationship to culture, as if they were two discrete realms of action and discourse, but to make sense of law as culture and culture as law, and to begin to think about how to talk about and interpret law in cultural terms...

I. WHAT WE TALK ABOUT WHEN WE TALK ABOUT CULTURE

Culture is a deeply compromised idea I cannot yet do without.

-James Clifford

There are many ways to talk about culture and many ways to put it to work. The contemporary work that culture is asked to do is most often explanatory; it is the product of a transformation in the concept of culture from "something to be described, interpreted, even perhaps explained...[to] a source of explanation in itself." Adam Gopnik, an insightful culture critic for The New Yorker, made this point by reflecting on the pervasive use of the word "culture" in all the attempt ed explanations of the shootings at Columbine High School, and the ultimate misuse and even meaninglessness of the term in its constant invocations:

But most often by "culture" we pop sociologists don't even mean violence in movies and TV and video games. We just mean - well, nothing, really. It's just décor. The only difference between saying that America is a violent country and saying that it has a "culture of violence" is that the second has a comforting, classy tone, and gives the illusion of depth. By appending the word "culture" to an observation, you somehow promote it from a description to an explanation...Every age has a term to explain things that resist explanation. The Elizabethans had Fate; the Victorians had History; we have Culture.

Of course, he is right, and he is not right. Gopnik is right in the sense that the word has become a kind of political expedient which we use to mean many different things and sometimes to mean nothing at all, and that this practice tends to erode the usefulness of the word. However, this problem may have as much to do with our "culture of confusion" as it does with our ubiquitous use of the word itself. Gopnik is wrong in the sense that the way he thinks we use culture is not the only way we might use it. As Gopnik suggests, when culture is deployed as a political device, it is effective precisely because it has no analytical content, and it is popular because it sounds like it does. But it only sounds like it has analytic bite because the concept of culture belongs to a rich and contested intellectual history in which it has functioned frequently and effectively as an analytical device. It is in this sense that I use the word. Culture as analytical device has not been drained of all interpretive and explanatory power simply because as a concept it resists
Law participates in the production of meanings within the shared semiotic system of a culture, but it is also a product of that culture and the practices that reproduce it. A constitutive theory of law rejects law’s claim to autonomy and its tendency toward self-referentiality.

II. LAW AS CULTURE

[1,] Law, rather than a mere technical add-on to a morally (or immorally) finished society, is, along course with a whole range of other cultural realities from the symbols of faith to the means of production, an active part of it.

—Clifford Geertz

The view of culture sketched in Part I necessarily implicates law because law is one of the most potent signifying practices. As Paul Kahn puts it, the “rule of law is a social practice; it is a way of being in the world.” Law can be seen as one (albeit very powerful) institutional cultural actor whose diverse agents (legislators, judges, civil servants, citizens) order and reorder meanings. For example... the trend toward statutory regulation of dress in schools has altered the meaning of the symbols at issue and the corresponding cultural practice.

As Geertz has said, law is one way in which we make sense of the world, one way of organizing meaning, one “distinctive manner of imagining the real.” Law is simply one of the signifying practices that constitute culture and, despite its best efforts, it cannot be divorced from culture. Nor, for that matter, can culture be divorced from law. “To recognize that law has meaning-making power, then, is to see that social practices are not logically separable from the laws that shape them and that social practices are unintelligible apart from the legal norms that give rise to them.” Therefore, if one were to talk about the relationship

I will provisionally call culture any set of shared, signifying practices — practices by which meaning is produced, performed, contested, or transformed. As the sociologist William Sewell has put it, culture is both a semiotic system with its own logic and coherence and the practices that reproduce and contest that system — practices which are contradictory and always in flux.

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between culture and law, it would certainly be right to say that it is always dynamic, interactive, and dialectical – law is both a producer of culture and an object of culture. Put generally, law shapes individual and group identity, social practices as well as the meaning of cultural symbols, but all of these things (culture in its myriad manifestations) also shape law by changing what is socially desirable, politically feasible, legally legitimate. As Pierre Bourdieu puts it, “law is the quintessential form of ‘active’ discourse, able by its own operation to produce effects. It would not be excessive to say that it creates the social world, but only if we remember that it is this world which first creates the law.”

But perhaps we should not speak of the “relationship” between law and culture at all, as this tends to reinforce the distinction between the concepts that my description here seeks to deny. What I am after is not to make sense of law and culture, but law as culture. This dynamic understanding of law as culture is influenced directly by Patricia Ewick and Susan Silbey’s important book The Common Place of Law, in which they “conceiv[e] of law not so much operating to shape social action but as social action.” This conceptualization is related more generally to what many in sociological studies call a constitutive theory of law, in which law is recognized as both constituting and being constituted by social relations and cultural practices. In other words, law’s power is discursive and productive as well as coercive. Law participates in the production of meanings within the shared semiotic system of a culture, but it is also a product of that culture and the practices that reproduce it. A constitutive theory of law rejects law’s claim to autonomy and its tendency toward self-referentiality. As Alan Hunt explains, “It serves to focus

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Naomi Mezey

Naomi Mezey has focused her scholarship on the relationship between law and culture, using cultural theory to understand how legal rules may change when placed in the context of the way people live and how they understand themselves. The article excerpted here is part of her passion for thinking through the ways in which law is intertwined with the social and cultural worlds that give rise to it. “It is an obsession that has its roots in the graduate work I did in American Studies, work which focused on cultural studies, but which really took form during law school when I was trying to make sense of what I saw as a dogged insularity in much legal thinking,” she says.

A number of different intellectual trends have influenced the way Mezey thinks about the relationship between how people envision their cultural identities and the role of law in that process. “Michel Foucault’s theories of human subjectivity, and the subsequent work about how legal subjects are constructed, have been formative for me,” she says. “But critical legal studies, critical race theory, and, more particularly, the work of scholars like Janet Halley and Austin Sarat have been especially inspirational and important.”

Mezey has built upon her observations from “Law as Culture” in a new project about the U.S. census and racial identity. “This project is about how legal, governmental classification systems have contributed to the discourse of identity in our country and to the social imagination of the nation,” she says. Mezey argues that the categories used on census forms have, in fact, played a role not only in recognizing certain communities of identity but also in defining them in the first place; in doing so it has influenced the way we think about race.
If law is culture, then all interpretations of law are cultural interpretations. While this is widely accepted in theory, it is rarely admitted in practice.

The main task of this essay is not to inaugurate a novel methodology, but to elaborate theoretically on the uneasy entanglement of law and culture. Even the best work being done in this area has not adequately conceptualized and detailed the possible ways of thinking about law as culture and culture as law within a constitutive perspective. There is value in this theoretical endeavor, quite apart from its practical applications and normative implications. But it is also worth thinking about what this theorizing might mean for legal and sociological scholars and what cultural studies might do for legal studies. To that end, I want to sketch briefly one possible way of thinking about a cultural interpretation of law. There is work being done in a number of different fields — in sociology, anthropology, literature, history, and economics, to name only a few — which could be called varieties of a cultural studies of law. In this part, I borrow from semiotic and ethnographic approaches in order to approximate one methodology — that of cultural studies — that might be fruitfully applied to law.

If law is culture, then all interpretations of law are cultural interpretations. While this is widely accepted in theory, it is rarely admitted in practice; given the insularity of much legal analysis, it is therefore useful to make a cultural interpretation of law more explicit. I suggest a cultural interpretation of law that incorporates the third, synthetic view of law as culture elaborated above, and that is sympathetic to semiotic and ethnographic approaches. This interpretation employs “thick description” to give a complex account of the slippage between the production and the reception of law and legal meanings, of the ways in which specific cultural practices or identities coincide or collide with specific legal rules or conventions, thereby altering the meanings of both. In the slippage between a law’s aims and effects, you often see this collision of cultural and legal meanings.

To understand law as culture synthetically and dynamically — to acknowledge that institutionally legal actors participate in creating culturally specific meanings and that legal symbols embedded in culture feed back into law — does not tell you anything substantive about how cultural meaning and practice change in response to, say, a legal rule. Slippage is the term I give to the inconsistencies between the production of legal meaning and its cultural reception. A legal prohibition might effectively eliminate a social practice. Or, more likely, it will alter the meaning of the practice, hence changing the purposes and effects of the practice in a way not entirely contemplated by — and in some cases directly contrary to — the aims of the legal rule...

Congress has been an especially potent producer of meaning in the recent debates over gun control and youth violence. Legislators have seemed to assume a direct causal link both between culture and youth

III. NOTES TOWARD A CULTURAL INTERPRETATION OF LAW

Cultural analysis is intrinsically incomplete. And, worse than that, the more deeply it goes the less complete it is.
—Clifford Geertz
violence and between legislative proposals and social behavior. The link between culture and the shootings at Columbine was repeatedly expressed in congressional debates over possible legislative responses. The link between legislative regulation and behavior was assumed in the mammoth juvenile justice bill that grew out of the Columbine shootings. That bill, still unpassed, is heavy on cultural initiatives. It proposes redefining juvenile gangs; directs the National Institutes of Health to study “the effects of violent video games and music on child development and youth violence;” establishes parenting training programs; allows for antitrust exemptions to entertainment-industry agreements aimed at alleviating the impact of violent and sexual subject matter in the media; and seeks to prevent juvenile delinquency through character education. The congressional responses to Columbine, none of which has yet become law, attempt to change youth culture without acknowledging the participation of the law in the production of that culture. As a result, legislative proposals are less effective to the extent that they miss the salience of cultural practices that might contradict statutory goals and misjudge the ways in which statutes influence social life. For example, gun control advocates often overlook one cultural consequence and unintended effect of their proposals — namely the likely increase in the symbolic power of guns...

Another way to think about the interaction of legal and cultural meaning in the context of youth violence is to consider the ways in which the cultural power of gun ownership is invested with constitutional authority, and hence constitutional meaning...The gun owner becomes an ideal, and an ideal which is constitutional. Her defiance defines us. Even if their legal claim ultimately fails, in other words, the NRA’s depiction of our nature, and of what it means to be an American, remains, with respect to guns and gun ownership, the only constitutional story being told.

One implication of this argument is that the greatest obstacle to gun control legislation may not be politics or the Constitution, but the cultural power of guns.

From this perspective, there will be double-slippage between law and culture: first, between the aims of the current legislative initiatives directed at popular culture, and their significance among consumers of movies and video games; second, between virtually any form of gun control that might pass Congress, and the cultural saliency of guns and gun ownership. The inevitability of slippage is not a politically inspiring story, but it is truer to the webs of signification that bind law and culture.

If rage expressed through gun violence is part of culture (road rage, school rage, ethnic rage), then we need to make sense of how and why this is so, beyond the platitudes and easy indictments of popular culture. If law is culture, then the reception of legal meaning in social practices and the equation of guns with personal freedom and self-realization do not begin in either law or culture, but rather tend to make clear that they are part of the same economy of signification. To dismiss and distance such rage as a product of a “culture of violence” misses the opportunity to make sense of it as a deeper part of our culture and a product of our laws. In this case, the interpretation is “thick” to the extent that it can explain how legal violence is constructed and understood in both legal and cultural practices, and how those specific practices help constitute each other.

CONCLUSION

...Outlining the task of a cultural interpretation of law this broadly has the advantage of leaving room for variations on the theme, improvisations of approach, and engagement with the tools of other disciplines. Whereas a positivist scholar of law and culture might consider theoretical variety to be a vice, I consider it a virtue. To my mind, one of the gifts of cultural studies is the hybrid vigor of theoretical mixing. I agree with Geertz that the object of analysis should determine the theory and not the other way around; to script a theoretical method tightly would risk “locking cultural analysis away from its proper object, the informal logic of actual life.”

This raises the problem of formulating abstract theories at all, such as the one in this essay. I have provided a provisional framework for a cultural interpretation of law that I realize will (or will not) be persuasive only in the context of specific applications. While I cannot dispute that theoretical formulations “stated independently of their applications... seem either commonplace or vacant,” I think that such a sketch, as well as the formulations of law as culture that animate it, is valuable to the extent it enables scholars of law and culture to work toward some sort of agreement, however tentative, about what it is that we are doing. As scholars in a field that is still forming, more theoretical guidance, with plenty of room for dissent, would, I think, be helpful. A more coherent framework and a more consistent vocabulary would encourage this sort of work — work which at its best invites attention to issues of justice, power, recognition, and self-definition. To focus on culture is to locate the ways in which law influences who we are and who we aspire to be, and moves us beyond the standard critique of what the law is and what we want it to be. Kahn is right to insist that the crucial “issue is not whether law makes us better off, but rather what it is that the law makes us.” As Sarat and Kearns so eloquently note, “we come, in uncertain and contingent ways, to see ourselves as the law sees us; we participate in the construction of law’s ‘meanings’ and its representations of us even as we internalize them, so much so that our own purposes and understandings can no longer be extricated from those meanings.” Thus we all, in the most intimate sense, stand to gain from understanding law as culture.
For nearly a decade the Law Center has celebrated the leadership and diversity of its alumnae with an annual Women's Forum. The event features special awards, networking opportunities, and panel discussions about topics of interest to women in the law.

This year's event was a very special one, as Georgetown marked the 50th anniversary of women in the law school. It was the summer of 1951, when Patricia Anna Collier made history as the first woman to enroll, followed by seven others that fall and spring. To celebrate that first class of women, and all the subsequent classes, more than 600 alumnae from across the nation attended this year's gala occasion held on April 20 and 21.

The forum opened with good food and talk: an elegant dinner served in the Law Center atrium during which alumnae spoke about their experiences at Georgetown and as lawyers today. Representatives from each decade reminisced about the periods in which they were at Georgetown, first at 506 E Street and later at 600 New Jersey Avenue. A panel of mothers and daughters spoke about mentoring, mother-daughter relations, and changes in the legal field over the years. The next day, women gathered to discuss issues affecting the law. On the following pages, we print excerpts from their discussions and photographs from the 2001 Women's Forum.

In a special section that follows are profiles of eleven alumnae leaders. Six were honored with alumnae awards this year: Lois Frankel (L '73), Mazie Hirono (L '78), Laura Rothstein (L '74), Dolores Silva Smith (L '75), Donna Wilson (L '81), and Marcia Wiss (F '69, L '72). Five others have distinguished themselves by service to the profession and to Georgetown. The Law Center is proud to number these women among its alumnae but no more proud than it is of every woman who has passed through its doors since the summer of 1951. We salute you.
When we remember the women of Georgetown University Law Center, we are remembering something about the development of this Law Center, something about the cultural history of our profession, and something, importantly, about ourselves as legal professionals. Women have come as students to the Georgetown University Law Center since 1951, a time when married women were just starting to enter the work force in greater numbers.

Between 1951 and 1963, their labor force participation steadily increased from 30.3 percent to 41.5 percent, mostly in women's jobs—clerk, secretary, teacher. A tiny but increasing number of them, however, were ready to cross the great divide into a man's world. The legal profession in 1950 consisted of roughly 200,000 men—and about 5000 women. That is, men were 97 percent of the lawyers in the United States. Five—not five percent—but five women were tenured or tenure-track professors of law. As we shall see, this was about to change, and the story at Georgetown was repeated, with variations, at law schools all across the country.
The way things were
What was the Georgetown law school like at mid-century? By 1950, 80 entering classes had marched through the doors of the law school, more than half of them at 506 E Street, the school's home for the previous 59 years. Every member of those 80 classes was male. The bulletin for 1950 lists 28 professors, all male, some significant but unspecified number of them part-time.
In 1951, the first women arrived.
Father Francis Edmund Lucey had just completed his 20th year as regent of Georgetown Law School. Hugh Fegan was in his seventh year as dean of the faculty. *Res Ipsa Loquitur*, a publication for students and alumni, had just been revived after a nine-year hiatus. And it is a good thing, too, because its pages provide an important window on the law school. In the first issue that we have, dated May 1951, *Res Ipsa* reports that the Student Bar Association has just been established. Law school tuition that year? Four hundred and twenty dollars or $15 per credit hour.
Unlike the admission of women to Harvard Law School the year before, the welcome was quiet and, at least publicly, free of controversy. Behind the scenes, though, Dean Hugh Fegan was not pleased. Professor Joe Gaghan, asked years later about the admission of women to the law school, replied: "I remember when the question came up, Dean Fegan and I rode a white charger up and down the corridors demanding that we retain the school as the last stronghold of masculinity ... I must say that I have been very, very pleasantly surprised ... We have had some terrific girl students here ... and I’m the first to admit that I was just about as wrong as anyone could be wrong."
The first woman to enroll was Patricia Anna Collier, in the summer. Seven more enrolled in the fall and spring. These intrepid women, Collier, Renee Baum, Helen Marie Chambers, Mary Gertrude Henseler, Katherine Rutherford, Agnes Neill, Helen Steinbinder, and Mary Ellen Dowling Sullivan, constituted a whopping one percent of the J.D. (back then LL.B) student body.

The cream of the crop
Let’s take a closer look at the first three academic years of women at the law school: September 1951 to June 1954. During these years, Dwight Eisenhower moved into the White House, Earl Warren became Chief Justice of the United States Supreme Court, and the U.S. Supreme Court declared racial segregation in public schools unconstitutional in *Brown v. Board of Education*. Kinsey published *Sexual Behavior in the Human Female*. Norman Vincent Peale’s *Power of Positive Thinking* became a best seller.
At Georgetown, a faculty lounge was built and the student lounge renovated.
1957

Helen E. Steinbinder (above) becomes the first woman on the full-time faculty. Steinbinder earned her JD from Georgetown in February 1955 and her LLM the following year.

1962

Norma Holloway Johnson is the first African-American woman to receive a JD from Georgetown.

1969

Women are admitted for the first time to Georgetown College.

1970

Sylvia Bacon (L'59) and Norma Holloway Johnson (L'62) are the first women Law Center graduates to be appointed judges on the D.C. Superior Court.

Dormitories opened in the fall of 1952, with rent ranging from $27.50 to $40.00 per month. The Barristers' Ball was established and was the big social event of the year. Mary Ellen Sullivan was, predictably, one of the planners. In the spring of 1953, Richard Allen Gordon, Ken Pye, John D. Spellman, and Carl HAll returned victorious, from the third annual National Moot Court competition in New York. This was Georgetown's second win in the three years of the competition.

Five women from the original group came back for their second year, and two women transferred in. Thirteen new first-year women brought the number to 20. In 1953-54, only five of the new 13 stayed around for a second year. Ten new first-year women were admitted; two women transferred into the second-year class. The total number of women in 1953-54 was 21. Just one more than the year before.

All of the women who came the first year were white women, but in the second year women were admitted to Georgetown Law School, two African-American women—cousins—enrolled. Hortense Ernestine Spinner and her cousin Florinell Maurise Washington attended briefly, but both left when a family tragedy claimed the life of Spinner's brother. Hortense Spinner Gordon went on to become the first African American to teach in the Southampton, New York, public schools. In 1991, she retired after 25 years. In recognition of her achievements as a school teacher, she received an honorary degree from Long Island University in 1992.

In the 1952-53 academic year the Georgetown women rose to the top like cream in the milk bottles still delivered to doorsteps in the 1950s. Ann Schafer won a prize for the top grades in the first-year morning class; Helen Steinbinder was the first in the afternoon class. Ann Schafer was also runner up for the Beaudry Cup, for outstanding oral advocacy—Res Ipsa reports that the judges "singled [her] out for special praise." In June 1953, Ruth Paven, a transfer student from Harvard, became the first woman to graduate from Georgetown Law School. She was followed by Renee Baum in October. Agnes Neill and Mary Ellen Sullivan graduated in June 1954.

Rumblings of change

In the mid- and late-1950s, the national landscape began to shift. The Cold War settled in earnestly. In 1955, Rosa Parks refused to move to the back of the bus, triggering the Montgomery bus boycott. In 1957, President Eisenhower sent federal troops into Little Rock, Arkansas, to enforce the federal courts' school desegregation order. The Supreme Court declared Jim Crow segregation on municipal busses and streetcars unconstitutional.

At Georgetown, the Law School became the Law Center, and Paul Dean became dean. The Law Center got its first chaplain and, finally, air conditioning! In the spring of 1957, Georgetown won the national Moot Court Competition for the third time in six years. The following year the
1971

The Women’s Rights Collective is established to raise the profile of women students and faculty at the Law Center, as well as women lawyers in society and the government.

1972

The Law Center adds three more women to its full-time faculty: Judith Areen, Monica Gallagher, and Anita Martin.

1973

At the urging of Judith Areen, the Law Center establishes the Juvenile Justice Clinic, to focus on the legal needs of abused, neglected, or underprivileged children.

1976

Julianna Zekan (L77) is elected the first woman president of the Student Bar Association.

1978

Professor Patricia King becomes the first African-American woman professor awarded tenure at the Law Center.

The new Student Lounge at Fifth and E Streets, 1959

team included its first woman, Yvonne Cravens.

Meanwhile, a small (still under three percent of the student body) but persistent sisterhood was making its presence felt at Georgetown. The beginning of this period marked the fourth first-year class containing women. In 1957, Helen Steinbinder joined the full-time faculty. But the event failed to make a dent in the basic concept of who was properly a member of the law faculty. Res Ipsa opined that larger faculty salaries were in order, explaining that the matter was of “utmost importance ... not only for existing faculty members but also to attract outstanding men to our faculty.”

The earliest women graduates of the Law Center included not only a law professor but also an associate librarian at the U.S. Supreme Court, Helen Lally, who retired in 1967; the first woman in the attorney general’s honors program, Marbeth Miller; and a law clerk to federal Judge Charles E. Wyzanski of the District of Massachusetts, Ann Schafer Dodge. In a world where the first lesson for girls was that they should not compete with men, this tiny group produced at least six students at or near the very top of the class; a Law Journal editor in chief, associate editor, and book review editor; and 16 Journal staff members. There were also a Beaudry cup winner, Agnes Neill, a Beaudry runner-up, a member of the Moot Court team, and one woman who followed up her LL.B with a master’s in law.

In November 1960, voters elected John F. Kennedy the first Catholic president of the United States. By the time that year’s entering class, the class of 1964, graduated, Kennedy would be dead from an assassin’s bullet, and Lyndon Johnson, his vice president, would assume the presidency. As the civil rights movement gained momentum in the early 1960s, President Kennedy appointed a Commission on the Status of Women. Its report, American Women, released on October 11, 1963, was cautious in its recommendations. Nonetheless it detailed for the American people discrimination against women in political life, education, and employment. That year also saw the passage of the federal Equal Pay Act and the publication of Betty Friedan’s book, The Feminine Mystique, describing “the problem that has no name,” the malaise of white, middle-class housewives. In July 1964, Congress passed the 1964 Civil Rights Act. Title VII of the Act, which outlawed discrimination in employment on the basis of race, religion, and national origin, had...
1980

Norma Holloway Johnson is appointed judge on the U.S. District Court for the District of Columbia, the first African-American woman appointed to this bench.

Women now make up 36% of the student body.

1981

A seminar on Women’s Legal History is offered for the first time.

The Sex Discrimination Clinic is founded to focus on women’s issues.

1984

Marna S. Tucker (L’65) is the first woman to be elected president of the D.C. Bar.

1988

Helen E. Steinbinder retires, becoming the first female professor emeritus.

1989

Judith Areen becomes the first woman dean of the Law Center.

Women begin to organize

Kappa Beta Pi, the law sorority, thrived during this era, providing intellectual support and professional networking for female students and lawyers in Washington. In October 1960, for example, the Georgetown and George Washington chapters co-hosted a program on criminal practice. Sylvia Bacon (LLM’59), an assistant U.S. attorney, and Jean Dwyer, an attorney in private practice, presented prosecution and defense perspectives. In 1961, the sorority hosted a talk by Mrs. Anna Nacrelli, “who aids her husband in conducting Nacrelli’s Bar Review School” on “various aspects and practical considerations of bar examinations.” A description of the sorority’s “newest and most challenging project” suggested the tension women experienced in their roles as law students. The sorority, the article noted, “is endeavoring to compile a modest pamphlet on the do’s and don’ts for women lawyers. [We] will for the first time in a brief and modest form try to answer the question: How can a woman be a lawyer and still be a woman?”

In the fall of 1960, another group of women associated with Georgetown Law Center organized. The group was variously known as the Law Students’ Wives Society, the Student Wives’ Club, and Law Wives. The group held teas and bake sales. Early
1992

The Law Center holds its first Women's Forum, bringing together graduates, current students, and law faculty to discuss issues of interest to women in the legal profession.

Professor Emma Coleman Jordan is the first Law Center professor and the first African American to be elected president of the American Association of Law Schools.

Ilana Rovner (L'64) is appointed to the U.S. Court of Appeals for the Seventh Circuit.

1997

For the first time, the entering class for the JD program has more women than men (51% female).

1998

The Georgetown Journal of Gender and the Law is founded.

2001

Jane Golden Belford (L'78) becomes the first woman chancellor of the Archdiocese of Washington, D.C.

The defense and prosecution of a criminal case, 1960, with Jean Dwyer, Clarice Felder and Sylvia Bacon

on, a cocktail party sponsored by the Law Wives was held in the Student Lounge. The club was addressed by an economist from the Gas Company, who spoke on the “subtleties of preparing quick and appetizing meals for the late afternoon student’s supper,” and by Richard Gordon, assistant dean, who welcomed the women and lectured them on what to expect as wives of future lawyers and how to support their husbands as they struggled through law school. In the 1961-62 academic year the club had 100 members.

Finally, in the spring of 1964, there appeared in Res Ipsa a lengthy article on women lawyers, by Danna Crowley (L'66). This piece, which mentioned the President's Commission on the status of women and gave statistics on women in government employment, was the first article to address, in a serious way, the situation of women in the legal profession.

The late 1960s were a time of national turmoil. The Watts Riots, the Vietnam War, and the assassinations of Robert F. Kennedy and Martin Luther King left indelible marks on the United States. Out of the chaos and contention, a national women's movement came into being for the first time since the 1920s. Feminine Mystique author Betty Friedan and others called the first convention of the National Organization of Women in the fall of 1965, unleashing a popular movement that has not yet fully played itself out.

A law school in the nation's capitol could hardly be unaffected by the events of the late 1960s and the student movements that they generated. The themes of civil rights, and, increasingly, protests against the Vietnam war, emerge in student publications such as Res Ipsa and the newly created Georgetown Law Weekly, as well as in student activities during this period. Jeffrey Joseph, in an article in Res Ipsa, entitled "Rumblings from Below," describes new student activism, "Students are becoming less hesitant about vocalizing their real and imagined grievances. Students – rightly or wrongly – have taken to evaluating their teachers and courses." The Georgetown Law Students Civil Rights Council worked on civil rights issues, and provided law students as legal observers at the Washington, D.C., demonstrations. When riots erupted in Washington following the April 4, 1968, assassination of Martin Luther King, the law school community quickly organized to help the justice system cope with the hundreds of arrests that followed.

After 13 years as Dean, Paul Dean stepped down in 1969 and Adrian Fisher became dean. Thanks in part to a federal grant, the Law Center moved forward with plans for a new building, breaking ground in spring 1968.
A 1966 *Res Ipsa* article entitled "The Feminine Mystery" predicted the increasing numbers of women law students. The article noted, "A new dimension has been added to the student body at the Law Center. A casual observer strolling through the halls cannot help but notice the scent of fresh perfume and the sight of a well-shaped calf. The co-ed law student is here to stay, and in fact is multiplying in number at an alarming rate."

The number and percentage of women at Georgetown grew slowly but steadily throughout the 1960s, edging above 10 percent only in the last year of the decade. In the fall of 1968, *Georgetown Law Weekly* published comparative statistics on the entering class by sex, confirming suspicions based on women's academic performance at the Law Center. Female law students had higher undergraduate grades and more undergraduate academic honors than the men. A 1966 article in *Res Ipsa* provided insight into this disparity, reporting that, "A reliable source within the administration has candidly admitted that
The First Women: How They Fared

Renee Grosshandler Baum

finished her coursework early and graduated in October 1953, the first of the original group of women to graduate. She and her husband promptly left Washington for California, where she took the bar. She has practiced law for almost half a century, the last 20 or so with her son Ted, in what is now known as Silicon Valley.

Helen Marie Chambers had a full-time job at the CIA. She was engaged and when her fiancé, who was a Marine, was assigned to Camp Lejuene, North Carolina, she knew she couldn't come back to law school the second year. That one year of law school came handy nonetheless. She and her husband (who earned a law degree at Catholic University) have spent many years together in the real estate business. Chambers became something of an expert on tax law. Both of her children are lawyers, and her daughter to this day tells people that her mother was one of the first women to enter classes at Georgetown.

a young lady's credentials must be superior to the average college male before she will qualify for admission.”

Individual women students who made their mark in this era included Jeanne Thorough, an evening division student, who in spring 1965 became the second woman to win the Beaudry Cup, for outstanding oral advocacy, and Rosemary Meyer, who took the cup in spring 1969. Thirteen women served on the Georgetown Law Journal between fall 1964 and spring 1969, but only Barbara Underwood Cohen, a transfer student, won a place on its executive board. She later became a tenured member of the Yale law faculty, then gave that up for a more active professional life as an assistant district attorney and then assistant U.S. attorney in New York. In 2001, she became the first woman to serve as acting solicitor general of the United States. Helen Steinbinder was still the only woman on the full-time faculty. Sylvia Bacon had returned as a lecturer. Anna Tucci became the first woman to head the placement office.

The Georgetown chapter of Kappa Beta Pi resurfaced after several quiescent years. One of its projects was a “career information exchange” through which the sorority tried to help women find jobs and “help any women who might want to change jobs or find part-time work while they raise their families.” In the mid-1960s, the Law Wives, too, were still active.

The lawyer should be an ethical man

Res Ipsa's editorial writers still wrote as though women were invisible in the legal profession and the student body, however. In 1964, the editors asked “What is a lawyer?” and answered: “The Lawyer should be an ethical man.” The next year: “Man, basically, is a pugnacious creature...Were it not for a little invention called government, we would all probably be like cavenemen, pulling women around by their permanent hair-dos and wielding guns, knives, and James Bond-like weapons like wooden clubs.”

Still, a new consciousness was beginning to pervade civilized discourse in the country. In the fall of 1967, it penetrated to Res Ipsa, which finally described law students not as Georgetown men but as “young men and women.” Students held a spoof night in March 1969; Georgetown Law Weekly reported that “Six third-year students of the gentler sex sang a song lamenting the position of women in a ‘man’s profession.’” This spoof was a harbinger of things to come.

The early 1970s marked a sea of change in attitudes and public ideologies about women, in public and work life, in the legal profession, and in the law school. From Neil Armstrong's first step on the moon's surface to the killing of four students at Kent State University to the Watergate scandal, the nation had much to ponder. Georgetown law students returning to school in fall 1973 were greeted by Sam Dash, Georgetown professor and counsel to the Senate Watergate Committee; Archibald Cox (H'88), the Watergate special prosecutor; and Judge John Sirica (L'26); Watergate trial judge, who presented lectures on the debacle. Georgetown Law Weekly explored the Watergate-Georgetown connections: In addition to Professor Dash and Judge Sirica, Professor Sherm Cohn assisted the Senate Select Committee with litigation; Professor Charles Ruff worked with the special prosecutor. Five students, Robert McNamara, Mark Biros, Gail Waller, Mike Frisch, and Patrick O'Leary, all worked for the Senate Watergate Committee. Gail Waller told the Law Weekly that she believed she was the only woman on the committee staff.

By the early 1970s, women's rights were on the national agenda, supported by a national women's movement. The Supreme Court decided its first three sex discrimination cases in favor of women's equality. The National Women's Political Caucus was
Patricia Anna Collier came to the law school in the summer of 1951 and became, officially, the first woman law student at Georgetown. She married fellow student Richard H. Frank, (L'55), and left law school. Keeping her job at the Justice Department, she went on to be come a law maker—first a Florida state senator and currently a Commissioner at Large of Hillsborough County, Florida. When the Law Center celebrated 40 years of women at Georgetown, Attorney General Janet Reno, also from Florida, paid special tribute to Pat Collier Frank.

Mary Gertrude Henseler was among the the first eight women. At 40, she was the oldest member of the group. She did not graduate and later worked as an accountant and controller. She died in 1981.

Agnes Neill won the first Beaudry Cup for excellence in oral advocacy. In her second year, she joined the Georgetown Law Journal. During law school she took a course with a popular young trial lawyer and part-time professor, Edward Bennett Williams. She graduated in 1954 and went to work with Williams at an infant firm, which is now founded; Ms. magazine was launched. Many of these landmarks were the subject of commentary in Law Weekly. In 1971-72, the masthead sported a new position, women’s editor, filled by Lois Frankel (L'73). Frankel wrote articles about Title VII, the historic sex discrimination cases, and about women and the legal profession. Sue Steward, book review editor, enthusiastically reviewed the new Ms. magazine, describing it as “readable and informative...also human and humorous.” Ann Poundstone, news and features editor, also wrote on women’s issues. In fall 1971, she reported on the passage of the Equal Rights Amendment by the House of Representatives and its probable passage by the Senate. Another piece bearing her byline is a lengthy article on Alice Paul, head of the National Women’s Party, the main advocate of an ERA since the 1920s. On March 22, 1971, the Equal Rights Amendment passed both houses of Congress and was sent to the states for ratification. Georgetown women and men later marched with ERA supporters from universities around the country.

Nationally, women’s firsts were exploding: the first woman rabbi, the first woman head of the Democratic National Committee, the first women FBI agents, the first women ordained as Episcopal priests, Little League Baseball opened to girls. The Law Center, similarly, burst with firsts; Patricia Roberts Harris was the first woman on the board of directors of the University and chair of the Law Center Affairs Committee. Other firsts include: Jo Gramling-Lopez (L'72), first female editor-in-chief of Law Weekly; Barbara Underwood (L'69), first Georgetown woman to clerk for the Supreme Court; Nora Lauerman (L’73), first female editor in chief of the American Criminal Law Review. Norma Holloway Johnson (L'62) was the first African-American woman to graduate from the Law Center. She and Sylvia Bacon (LLM'59) were the first women Law Center graduates appointed to the District of Columbia Superior Court. In 1980, Judge Johnson was elevated to the United States District Court.

In 1971, the Law Center moved into the new building at 600 New Jersey Avenue. In the spirit of 1970s activism, the event
the prestigious Williams & Connolly. When Edward Bennett Williams and Agnes Neill married some years later, Agnes Neill Williams gave up the practice of law and devoted herself to raising their seven children.

Katherine Rutherford Keener was a member of what was then called the late afternoon class and now is the evening school. After graduating in February 1955, she worked for several months for the Senate Antitrust Committee. She married law school classmate John Yatsko (L'55); together they had six children. In 1983, 23 years after graduating from law school, she took the Pennsylvania bar and, for many years, was in active practice fighting for the educational rights of disabled children.

was marked with both a dedication – at which Chief Justice Warren Burger spoke – and a counter-dedication – protesting Burger’s presence. In spite of the controversy, students, faculty, and administration were pleased to move into the new building.

Quickly the new space filled to capacity and beyond. The grading system changed from numbers to descriptive terms and finally to letter grades. Students were now included on what used to be exclusively faculty committees. New clinics were established: the Institute for Public Interest Representation, Street Law, and the Juvenile Justice Clinic. The Tax Lawyer and American Criminal Law Journal were started. Two important new student organizations expressed the activism of the Law Center’s increasingly diverse student population. In the fall of 1969, the Georgetown chapter of the national Black American Law Students Association – BALSA – gained official recognition. A year later, a Law Center chapter of La Raza National Law Students Association was established. BALSA in particular became an active, vocal participant in Law Center life, articulating the needs of its constituents on many fronts.

**Firmer voices**

Things were changing for women, as well. After 16 years, Helen Steinbinder was no longer the only female full-time faculty member. Three women joined the group in the 1972-73 academic year. Two, Anita Martin and Monica Gallagher, left within the next two years, but the third, Judith Areen, stayed the course. In 1975, Patricia King, became a permanent member of the faculty, the first African-American woman to do so. The female contingent on the adjunct faculty expanded as well.

As women grew in numbers, they also became more outspoken as a group. It began with a notice in the March 18, 1970, Law Weekly: “Women Law Students' Committee
Helen Steinbinder worked days as a librarian at the Library of Congress. She was an academic whiz; in her second and third years she won prize money for the highest grades in her evening division class. Like Agnes Neill, she joined the Georgetown Law Journal. In her third year, Steinbinder was a founding member and the first dean of the Georgetown chapter of Kappa Beta Pi, the International Legal Sorority. In February 1955, she received her LL.B. Upon graduation, Steinbinder became a research librarian in the law school library. At the same time, she studied for her LL.M., which she was awarded in June 1956. She and Mabel Dole Haden, an African-American graduate of Howard Law School, were the first women to receive their Master of Laws degrees from Georgetown. At age 34, she joined the Georgetown faculty, beginning her teaching career on February 1, 1957. The appointment of the first woman to the Georgetown Law faculty was reported in the Washington Post.

Mary Ellen Sullivan was appointed delegate at large to the Student Bar Association in 1953, and then elected governor at large. After she graduated in June 1954, she became the first woman from the Law School to study law at the University of Frankfurt Law School on a Schulte Zur Hausen Fellowship. When she returned, she worked in the Georgetown Law Library as an assistant librarian for several years. She died in the early 1960s.

(WLSC) will hold its weekly meeting on Wednesday at 12:30 in Seminar A. All interested persons, men included, are cordially invited to attend.” Next year, the group renamed itself: the Women’s Rights Collective. The organization promised to target recruiting more women students and female faculty, as well as establishing day care at the Law Center. It welcomed all members of the community—not just students, but faculty, administration, alumni, employees, and “other respective spouses.”

Lois Frankel covered the first meeting of the semester for Law Weekly. “The voices were much firmer than last year,” she reported. Discussion centered on “the manner in which women have been treated in the classrooms” and “resentment at sexist jokes and comments of our gentlemen professors.” “Many of the women,” Frankel observed, “also expressed displeasure at being referred to as ‘girls,’ ‘ladies,’ or ‘young ladies,’ instead of as ‘women.’”

While the birth of the WRC, with its commitment to a democratic structure and to inclusiveness, and its explicitly feminist purposes, was an important manifestation of changing times, it is also clear that the more traditional women’s legal group, Kappa Beta Pi sorority, was taken with the new feminist spirit as well. Earlier, it had quietly confined itself to promoting the interests of its members by providing a supportive refuge. Now the sorority sent representatives to a women’s law conference in New York. It joined the WRC in sending a telegram to President Nixon urging him to fill a Supreme Court vacancy with a woman. And Kappa women lobbied for the Equal Rights Amendment on Capitol Hill. Moreover, Kappa was apparently more successful than the WRC in attracting women of all races. From its earliest days, black as well as white women had joined, derived professional nourishment from, and served as officers of the chapter. Cheryl Ann Calloway (L’73), an African American, became dean of the chapter in 1972.

Gone were the days when the male viewpoint could prevail without comment. In September 1970, Sally Trued wrote to the Law Weekly suggesting that the recently published “Law Students’ Guide to Washington,” with its references to conversing with “totally mindless secretaries” and picking up “beautiful girls,” in bars was really “A Male Law Students’ Guide to Washington” and should be labeled as such. Following the article, there was notice of a meeting to discuss means by which women law students could implement programs designed to put male supremacist law students, faculty members, and administrators “up against the wall.” An editorial in the same issue, noting the announcement, warned, “It looks like hard times ahead for the Georgetown Law Center male.”

That same year Lois Frankel wrote a memorable column entitled, “Don’t Call Me Miss, Mr.,” and gave her reasons in detail. Her piece begins, “Recently at a party thrown by Mr. Associate Dean, I announced to three of my professors that I didn’t wish to be addressed as ‘Miss Frankel.’ Mr. Procedure said that he wouldn’t know what to call me so I said that I would most willingly respond to Lois, or Lois Jane, or Lois Jane Frankel, or Hey you. But I absolutely didn’t want to be called ‘Miss.’ After this brief announcement, Mr. Property threw his eyes into the air and obviously said to himself, ‘where did Tom Fisher, [the admissions director] get this weird broad?’ Mr. Torts sincerely gagged, and my fellow classmates spit out their punch.” Frankel then produced a trenchant analysis of the social and sexist baggage implicit in forms of address, which categorize women by their marital status.

In 1969, when this period began, 10.9 percent of Georgetown’s law students were women. By the time the class of 1974 graduated, the percentage had doubled; by 1979 it would nearly triple. After a quarter century, women had achieved a presence, a voice, and a secure if not always perfectly comfortable place at Georgetown.
A Woman on the Court

Since 1979, much has happened at the Law Center and in the larger world as well. Five U.S. presidents have served since then – Jimmy Carter, Ronald Reagan, George H. Bush, Bill Clinton, and George W. Bush. The time period includes the fall of the Soviet Union and the Berlin Wall, the world-wide scourge of HIV-AIDS, the astounding technological revolution that has launched us all into cyberspace, the impeachment (but not conviction) of Bill Clinton, and just a few months ago the most unsettlingly inconclusive election in U.S. history. All the while, women have continued chalking up firsts.

In 1981, Sandra Day O’Connor took her seat on the United States Supreme Court as the first woman justice, joined 12 years later by Ruth Bader Ginsburg. The current president of the United States, George W. Bush, and the previous one, Bill Clinton, have included a number of women in their administration at high levels. Most notable perhaps are Clinton’s appointment of Madeline Albright as the first woman secretary of state and Condoleezza Rice as the second President Bush’s national security advisor.

Ruth Bader Ginsburg struck the note that captures this period for women at Georgetown. When she was nominated, she celebrated those who were not “first” but “second” women, saying, “The announcement the president just made is significant, I believe, because it contributes to the end of the days when women, at least half the talent pool in our society, appear in high places only as one at a time performers... When President Carter took office in 1977, no woman had ever served on the Supreme Court, and only one woman – Shirley Hufstedler of California – then served [on] ... a United States Court of Appeals. Today, Justice Sandra Day O’Connor graces the Supreme Court bench, and 23 women serve at the federal court of appeals level, two as chief judges. I am confident many more will soon join them.”

In this same period, the Law Center has grown and prospered. Its hallmarks have become academic excellence, a strong and diverse community, and a commitment to public service. In the 1990s, the Office of Public Interest and Community Service (OPICS) opened, located just inside the front entrance to the law center, a symbol of Georgetown’s commitment to service.

The campus has grown in size tripling from the first building at 600 New Jersey Avenue. In January 1989, the Edward Bennett Williams Law Library opened, named for a Law Center alumnus, law professor, and distinguished Washington lawyer. On the side of the building facing Massachusetts Avenue, etched in stone is Georgetown’s credo: Law is but the means, justice is the end. Then, in the fall of 1993, the Bernard S. and M. Gewirz Student Center opened, providing housing for first-year students, a child care center, and athletic facility.

In March 1999, the Law Center acquired the parking lot next to the Gewirz Center. It will not be a parking lot for long. In September 2000, former President Clinton visited the Law Center to celebrate the planned Eric Hotung International Law Center building, which will house the international law library collection, seminar rooms, space for faculty; and offices for academic and research programs. Adjoining the Hotung International Law Center will be the Scott K. Ginsburg Sport and Fitness Center, featuring an expanded athletic center and a swimming pool.

Among women students the firsts have continued to accrue, with women earning honors and serving as leaders in the community. Women have won moot court contests, headed the school’s proliferating law journals, and been officers in the Student Bar Association. Juliana Zekan (L’77) was elected Student Bar Association president in 1976, the first woman to hold the post. That same year, Justine Lisser headed Law Weekly, and Pam Calloway was elected National Chair of BALSA. In May 1988, Munira Mwalimu became the first woman to graduate from Georgetown with an SJD. But by the late 1980s nobody was really counting anymore.
The Women’s Rights Collective remained active for some time. After 1974, however, Kappa Beta Pi disappeared from the list of student organizations. The times, it appears, had passed it by. In 1983, the Women’s Rights Collective traded its 1960s name for “Women’s Legal Alliance,” undoubtedly reflecting the changing ideologies of gender among soon-to-be professional women. A new organization, Women in Law as a Second Career, formed in 1984 to meet the needs of older women coming to law school for a career change. Women’s issues of this era become broader ones of gender equity. The Law Center’s newest law journal merits special mention here: In 1999, the faculty approved the *Georgetown Journal of Gender and the Law*, which published its first issue in 2000. Its first editor in chief was Kimberlee Ward (L’00). The *Journal* devotes one of its annual issues to a symposium on gender and sexuality. It also produces a special issue on legal developments in the field of gender and law, as well as publishing a third issue devoted to more general articles and student notes.

The Law Center curriculum has grown as well to include issues related to gender. Since 1977, a course, variously labeled Sex Discrimination and Law, Women and Law, and Gender and Law has been a standard offering. Since 1981, a seminar on Women’s Legal History has been offered. Recently, Professor Richard Chused created a Web site on the scholarship produced by students in the seminar. (See box on page 36 for Law Center sites related to gender issues). In 1991, Feminist Legal Theory was added to the list of courses offered regularly, often taught by Professor Robin West, one of the foremost feminist theorists in this country. Since that same year a course on International and Comparative Law on the Rights of Women, created by Professor Susan Deller Ross and Ann Goldstein, has also been offered to our students.

The Georgetown Sex Discrimination Clinic was founded in 1980 and over the years, evolved into two clinics. The Domestic Violence Clinic, headed by Professor Deborah Epstein, provides representation to poor people who are victims of family violence. The
International Women’s Human Rights clinic, founded by Professor Ross, opened in the spring of 1999 and handles projects on behalf of women around the world. The Women’s Law and Public Policy Fellowship, a post-graduate fellowship in women’s issues, brought its first group of “fellows” to the Law Center in the fall of 1983. Since then, more than 125 American lawyers have completed the fellowship, and almost all have gone on to work on gender issues throughout the United States and beyond. The fellowship expanded in 1993 to include lawyers from Africa committed to working on women’s human rights and equality. Through this program, almost 30 African women lawyers (and one judge) have earned LL.M degrees at Georgetown and returned home to Tanzania, Uganda, and Ghana to improve the status of women there. This fall, lawyers from South Africa and Sierra Leone join the program as well.

Women now make up over half the student body and about one-third of the full-time faculty. It is fitting that as the Law Center celebrates the 50th anniversary of women students, it is also proud to have a woman dean. Judith Areen, a member of the law faculty since 1972, has served as its leader since 1989, and women fill other key posts as well. Wendy Collins Perdue is associate dean of the J.D. Program. Vicki Jackson serves as associate dean for research.

“In the 50 years since women first crossed the threshold of 506 E. Street as law students, society and the legal profession have undergone a remarkable transformation,” Judith Areen notes. “Women, who once made up only a tiny fraction of law students, now make up half of our entering classes. I am proud that the Law Center has not only supported but played a major role in opening the doors of the profession.”

Websites on Georgetown Law Web pertaining to women

The International Women’s Human Rights Clinic (IWHRC)
http://www.law.georgetown.edu/clinics/iwhrc/

2001 Women’s Forum
http://www.law.georgetown.edu/alumni/wf01/

Contemporary Women’s Issues: Journals and Newsletters Listed Alphabetically
http://www.ll.georgetown.edu/os/journals/cwilist.html

Gender and Legal History in America Papers: Summaries
http://data.law.georgetown.edu/glh/

Women’s Law and Public Policy Fellowship Program
http://www.law.georgetown.edu/wlppfp/

Our Program (Domestic Violence Clinic)
http://www.law.georgetown.edu/clinics/sdc/dvfellow.html
Women graduates remember

At the opening dinner for the Women’s Forum, representatives of each of the five decades in which women have attended law school at Georgetown shared their experiences. Their reminiscences follow.

Marbeth Miller Spreyer, L’56
ATTORNEY, BEAN, KINNEY; ARLINGTON, VIRGINIA

A young woman who was my roommate second year was asked by one of her classmates, male of course, what she was doing here. She said, “same thing you are.”
He said, “No, I’m not looking for a husband.”
He flunked out first semester.

When I was asked to speak about what it was like in the 1950s, I asked some of my friends what it was like for them, because I went into the Justice Department under the attorney’s general program, and there was really no bias, or at least I didn’t think there was, shown me, and I was paid the same salary the men were.

I have a friend Nancy, who was married; she worked, and then she married, and kept on working. Her mother told her lady friends that Nancy was doing volunteer work. Nancy’s mother was embarrassed because she thought her friends would think Nancy’s husband couldn’t support her.

My friend, Mimi, went to Tulane Law School, and graduated third in her class. She was hired by a firm in New Orleans, as was a young man who was in the lower 50 percent. But, he was paid 20 percent more, the reason being he was married. And, you know, of course it was asked if she was going to get married, because, they always asked that.

I went to law school, of course, in the old building, the old brick building. We had a ladies room, in the basement, behind the chapel. It was a misnomer; it actually was the janitor’s closet. We had brooms, mops, and a low-watt light bulb.

I was treated very well by the professors and my classmates. A young woman who was my roommate second year was asked by one of her classmates, male of course, what she was doing here. She said, “same thing you are.” He said, “No, I’m not looking for a husband.” He flunked out first semester. This is a true story.

We had some wonderful professors, Doc Jaeger; I don’t know how many of you here had him, an absolutely fabulous, contract professor. He taught his course differently than most. Principles of contract law were taught by little ditties, little stories,
Recollections
OF FIRST WOMEN STUDENTS

It was the summer of 1951 when I decided to apply to Georgetown. I didn’t know if women were accepted, but I did know that Georgetown had an excellent reputation. I was working full time as an economist at the Justice Department and Georgetown’s night school appealed to me. Father Lucey was present when I filled out the application. Shortly after that, I was told that I would be the first woman admitted to Georgetown Law School.

-Patricia Anna Collier Frank

I walked into that first class, and it was an amphitheater. It was full, and I don’t mean with college boys. These were veterans and men, and there were a thousand of them, it looked to me, and there was not another woman to be seen.

-Helen Marie Chambers Toomey

No, I didn’t feel uneasy or discriminated against in any way and no kind of harassment of any kind. It was a really educational atmosphere, and that was what I entered into and was all I took away with me – it was a wonderful experience...People cooperated fully, I mean they were always willing to share information. I was always able to, if I needed help, to ask a professor or a student and it was readily given.

-Katherine Rutherford Keener Yatsko, L’55

Sometimes off color, but they were never offensive. And he told about an impresario in town named Jimmy Lake, who offered a man called Jimmy the human fly a sum of money if Jimmy the human fly would climb to the top of the Washington Monument, and scale it. So Jimmy started up, and he got almost to the top, when the promoter yelled, “I revoke.” Dr. [Heinrich] Kronstein was another wonderful professor. He had a delightful German accent, and he taught us all about piercing the corporate whale.

There are two others I’d like to mention briefly. Mr. Heward, who was the adviser to the law journal, asked me what I was going to do when I graduated, and I said, “I don’t have the foggiest.” You just don’t walk into a firm like you can now. And he was the one who recommended that I go over and see Bill Rogers, who was assistant or associate attorney general, and he hired me for the attorney general’s program. And Paul Dean I want to thank, because after my husband died, I hadn’t worked for 15 years, and I was kind of lost, and I thought “well, I’ve got this law degree,” and I called him up. Paul Dean was really very helpful, and helped me decide what I would do for the rest of my life, which would be working with the firm I’m at, Bean, Kinney & Korman, for the last 23 years.

And finally, just one more thing. When I graduated, there were about six or eight of us from George Washington and Georgetown who went in under the attorney general’s program. There was an article in the Washington Post, which gave a little squib about each one of us, and it said I was the only girl. And I wonder now, if they would write about this, if they would say 50 years of “girls” at Georgetown.

Sue S. Stewart, L’67

MANAGING PARTNER, NIXON, HARGRAVE, DEVANS & DOYLE; ROCHESTER, NEW YORK (RETIRED)

Ah, the 1960s.

The Vietnam War, the civil rights movement, Kennedy, the counterculture, feminism. It was a heady time.

Remember the women in law school in the 1960s had been raised in the 1950s, in the era of “Father Knows Best” and good girls get married and have children and sup-
I think that the most significant thing that I appreciated in Georgetown Law School training is that it was a Jesuit school, and they insisted we learn to stand up and speak on our feet. I do appreciate it, as hard as it was at first to stand up in the classroom of all men, it stood me in very good stead, and they insisted upon Moot Court which I also think was just wonderful. It helped me a lot in life. I was able to make a speech on a moment's notice and to talk in court. It was very valuable...[The thing I would like to tell women students today is] just go forward and do your own thing and be empowered and remember there is room at the top always.

-Ann Schafer Dodge, L'55

I finished law school at Howard. I had already passed the bar, I came to Georgetown for the LL.M. I was teaching all day in public school, and then going to school at night. I did the same thing at Howard. And it didn't take any toll on me negatively at all. Nothing to it but to do it. I have been saying that for years.

-Mabel Dole Haden, L'56

port their husbands' careers and society's traditions. But these were the women who started breaking all the rules. Women who changed the role of women in our society permanently, many using law as a vehicle for that change.

In the summer of 1964, I had just graduated from college, Wellesley, because women were not admitted to any of the Ivy League colleges. I had studied ancient history and was on an archeological dig with the University of Chicago on the Sea of Galilee in Israel. I had an epiphany. How could I devote my life to studying the cultures of past civilizations when so much was wrong in my own society?

I decided to come back and participate with a goal of nothing else than helping to change the world. How could I do that as a woman? I needed a pedigree that would give me credibility in a male society that diminished the opinions and efforts of women; so, I decided to go to law school. Using the law, changing the law, having the credibility of being a lawyer, was my plan. I did not know any lawyers, let alone women lawyers.

Law school was scary – very competitive and very masculine. There were few women. I started at Harvard and was told with the other first-year women by the dean, the eminent Erwin Griswold, that we women were at Harvard Law School over his dead body. There was a 5 percent admission quota. No more than 5 percent of the class could be women, and “we were all taking the place of men who would run society, and legal education was wasted on women.” I felt like I was in a fish bowl most of the time. Women were harassed – either not asked questions in class or singled out unmercifully. The women's bathrooms were miles away.

That summer – 1965 – I married and my husband took a job at the Justice Department and I transferred to Georgetown where I did my second and third year. Georgetown had even fewer women. Although no one told me at Georgetown that there was a quota, the numbers speak for themselves. Nine women in my class of 291 or 3 percent. Seven women eventually graduated or 2.4 percent. Same atmosphere. The male students were, by and large, fine, but the faculty was not generally supportive.

But, the times in D.C. were heady and idealistic. I marched and protested. I heard Martin Luther King’s “I have a dream” speech. I spent every spare minute in the Juvenile Court where I eventually became the law clerk to the three judges and worked to bring lawyers and legal rights into the juvenile justice system. During the riots in D.C. that followed Dr. King’s assassination, I went through barriers and worked around the clock helping the court deal with hundreds of arrested juveniles.

Many of us believed. We believed in the power of law to bring about social change and justice. We believed in ourselves and in our personal responsibility to make the world better.

As women we were a generation of pioneers and of activists. We saw no reason why women could not do everything men did and we set out to show the world that we could.

When I moved to Rochester I was at first told by the law firm I eventually joined, “the firm does not hire women...with your record we would have hired you if only you had been a man!” Times were changing. They changed their minds and I worked hard to prove myself.

So, here is to my sisters of the 1960s. You broke all the rules and you did help pave the way for change – in society and in the role of women.
Law has been a major part of my life, along with my marriage and my son and his family. My husband died nine years ago, but I find fulfillment and purpose in nurturing the love of my family and friends, and continuing to service my clients although I work less hours than I used to and am more selective in the cases I take. Law seems to be a profession that acclimates itself to age...the older and more experienced you are the more value you command!

-Renee G. Baum, L'53

Not many women attended when I did, but gender played no role. The same rules applied for women and men. No other African-American women attended evening school at the time that I attended law school. It was neither advantageous nor disadvantageous. The only uneasiness I felt was the size of the law books and the difficulty carrying them.

-Norma Holloway Johnson, L'62

I do not remember thinking about being the first. I was thinking that I wanted to get my teeth into something that I really liked...It didn't take me very many weeks of law school to realize that I had found the right something. I found that it is intellectually so congenial...I think traditionally we hear the role of liberal arts extolled as being so important in influencing your

**Linda Morgan, L'76**

**CHAIRMAN, SURFACE TRANSPORTATION BOARD; WASHINGTON, D.C.**

I am honored to represent the 1970s — halfway to the 50th anniversary of women at the Law Center. I have many positive memories of students, faculty, administrators — and of the classes that pushed me to think in a different way, and the efforts to improve the school.

The Law Center was very much in transition at that time. It was a school working to become an institution that reflected the issues facing society and that prepared students for the world they would be entering. During my time here, many strides were made. First, when I arrived, in the early 1970s, women were a clear minority of students and of the faculty and administration. By the time I graduated, in 1976, there were many efforts to reach women students through courses and activities, as well as efforts to retain women professors. Several are still here at the Law Center.

**Today, when I come back to the Law Center, I am reminded of how far it has come — of how much of what was hoped for when I was a student has come to pass.**

Second, the atmosphere at the Law Center was quite sterile and impersonal when I arrived. It felt like a bus terminal, with people just passing through. But there were efforts to make it more of a community while I was here. Student involvement was expanded in such areas as faculty tenure and recruitment, pastoral counselors were brought in (how could we forget Sister Mary Himens and Father Jim Malley), and furniture was added around the building so that people would be enticed to stay and socialize.

Thirdly, curriculum broadened to include clinics on current issues (environment, legislation, women's issues) and courses that focused on more issues such as ethics.

I was personally involved in many of these initiatives, and as a result developed lasting relationships with faculty members and administrators, as well as students.

Today, when I come back to the Law Center, I am reminded of how far it has come — of how much of what was hoped for when I was a student has come to pass. In this regard, the current Dean, Judy Areen, has had a great deal to do with the positive intellectual and community atmosphere that exists at the Law Center today. I am pleased to say that I was one of her first students — in her property class, her family law class, and her Juvenile Justice Clinic. She was one of the first female professors, and she was well aware, I know, that male students and faculty members did not fully embrace her at first. Fortunately she persevered, and we are all fortunate and most grateful. I am proud that she came from my day.
life's journey, and how you get to where you are going. But I think that a legal education has a similarly enriching effect on that journey, and that's why I think, whether you are practicing law or not, those three years can never be a wasted experience.

-Agnes Neill Williams, L'54

There were women in the law school, but not in the third year, and the men liked it that way. I was a novelty in that third-year class. I was an object of curiosity. It was kind of fun. It was really a great adventure... Georgetown couldn't have been nicer to me. The people were always hospitable; it was a very welcoming place.

-Ruth Marshall Paven, L'53

As I look back on my experience, I am grateful for the challenges that we faced in making the school more human, more relevant, and more reflective of the world as it was evolving. I am grateful for the relationships that I developed in meeting those challenges. And I am so pleased and proud that the Law Center today reflects the hopes that we had then.

Cynthia Reaves, L'88

SHAREHOLDER IN EPSTEIN, BECKER & GREEN; WASHINGTON, D.C.

I think that this is the best time to be a woman lawyer. We are hitting our stride. We're moving into echelons of corporate practice and in our private practices that our predecessors had only imagined.

Greetings from the classes of the 1980s – the 'Me, Me, Me' generation.

When I was thinking about what I could say to you today, I always think in terms of threes, and we were asked to talk about our reminiscences of the building. The first word that comes to my mind when I think about the '80s is "transition" for the Law Center. It also meant transition for the delivery of laws and finally transition for women in the law to a degree. This place was a home for me and this was the building that we stayed in. It was almost a virtual one-schoolhouse law school – one building. Now we have a campus of buildings, which is a great thing. But we didn't have that when we started the '80s, and by the time we ended, we transitioned into a full-fledged campus, which is continuing to expand. I wanted to take people on a virtual tour of the Law Center because this was the focus for us in '88 – of where we spent our lives. And if I can make a joke at the expense of our younger colleagues, we won't be doing that in cyberspace – we're going to do the virtual tour in our minds. I think the first thing that comes to my mind is preparing for school – computers and laptops. In 1988, we got three computers in the Law Center library, and that was a big thing for us. There was a line and a waitlist to get on it, and now students have computers all the time.

What else about the 1980s? The 'Me, Me, Me' generation. The movies of the time: Wall Street, Greed is Good. Trump: The Art of the Deal was a big book. Iacocca: My Autobiography. Are we getting a
theme here? It was all about business and commerce and finance and that was what the '80s represented until we got to the '87 stock crash.

What things were going on that reflected our lives in terms of news and careers? The Exxon Valdez incident happened and it drove some people towards environmental law. There was a woman by the name of Sandra Day O'Connor who was appointed to the Supreme Court in the 1980s, and that affected the direction a lot of people took for their careers. One of the things that affected my life was that in 1988 there was initial funding for an ambitious project at the time to map the human genome, and that led to healthcare and a lot of people who had an interest in healthcare.

Taking that virtual tour downstairs. Remember the lounge in the lobby. There was a silent part and then there was the part where the TV set was. And everybody gathered around the TV set. I remember being in the television lounge as I watched the take-off of the Challenger shuttle. For 74 seconds with a hundred other students in the lobby, shoulder-to-shoulder, watching it climb only to explode in a ball of fire, reminding us of how fragile human life is, a sobering perspective on what this journey is all about. [I remember] how many people made calls to their families back then. I know I did. I called my mom. It jolted me back into what this is about and what our journey is about. I also remember that the fragility of the human spirit was tempered a short time later in 1989 when I imagine these very same students were able to watch the human spirit soar by looking at what was happening with the fall of the Berlin Wall and a single student addressing a tank in Tiananmen Square.

What do I have to say now as an '80s graduate? Well, having lived through all of that, I think that this is the best time to be a woman lawyer. We are hitting our stride. We're moving into echelons of corporate practice and in our private practices that our predecessors had only imagined. And we will push that burden a little further for the next women who are coming behind us. I'm very excited to be a part of that tradition and it's a legacy I leave to the people who are coming after me. So that's the '80s.

Nancy Chung, L'95

ATTORNEY, AKIN GUMP; NEW YORK, NEW YORK

I had a pretty specific feminist agenda when deciding which law school to attend, and the fact that I chose Georgetown really is a testament to how things had changed and how far this law school had come by 1992. I actually selected Georgetown from among a dozen or so schools while I was living in Korea without stepping foot on campus.

But it turned out to be an easy decision given what Georgetown had to offer about women and the law. I knew that Professors Robin West, Wendy Williams, and Mari Matsuda were on the faculty, and so there was a lot of exciting feminist legal scholarship in the works. The other immeasurably great selling point about Georgetown was its being in the center of politics in Washington. If you wanted to be active about women's legal issues, Georgetown was the school and D.C. was the town to be in.
I quickly settled in and developed a working relationship with Robin West, as an eager 1L, that lasted through graduation. Little did Robin know at the time that I would become her research assistant, for free.

I recall torturing Wendy Williams with an independent study comparing the impact of divorce laws on women in the U.S. and Korea – which was largely based on the field research I had done before coming to Georgetown. As a side note, it’s interesting how the women’s movement in Korea was almost exactly 20 years behind the U.S. on a lot of political, social, and economic issues.

As for living in Washington, D.C. – what could have been better for a young law student interested in women’s issues than an internship at the National Women’s Law Center and working at the Justice Department under the first female attorney general?

I want to conclude by sharing with you one of the emotionally-mixed moments I had recently of feeling how far we have come as women in this profession and how far we have yet to go. About two weeks ago I attended a dinner held by the Woodrow Wilson School of Public Policy honoring the former finance minister of South Korea for steering that country through its recent rocky period of economic reforms.

And at that dinner, I was seated at a table of lawyers from the largest law firm in Korea, a firm of 200 lawyers. They were all currently on sabbatical from their law firms and living in New York or Boston getting LL.M or Ph.D degrees in law. Across from me at the opposite side of the table was a female associate from the firm. So I thought to myself, “Wow, this is really great, a female lawyer in a private law firm in Korea, haven’t we come a long way?”

Then I turned to one of her colleagues seated directly next to me and asked, “How many women lawyers do you have at your firm?” He paused and said, “I was dreading that question. I am embarrassed to say we have one and you’re looking at her.” That was my “we still have a long way to go” moment.

I share that story with you only to show how these moments, which come in many forms, put [things] in perspective, especially for those of us who are growing up at a time when women are passing the 50 percent mark in law school population around the country. While, jarring, it’s important to be reminded how progress is really in the process of being made and how all of our experiences as women law students and lawyers are contributing to it.
Women's Forum

Mother/Daughter Panel

The Law Center is fortunate to have had several daughters of its alumnae from the past half-century follow in their mothers' footsteps by pursuing the study of law at Georgetown. To commemorate these multi-generational family contributions, the Law Center organized a Mother/Daughter panel at the Women's Forum weekend.

Moderated by Associate Professor Naomi Mezey, the panel explored how mothers who have grown to prominence in law over the course of their careers have influenced their daughters' career choices.

The following questions and answers, asked of and answered by the mothers and daughters on the panel, reveal how the study and practice of law has changed both at Georgetown and in the broader legal profession. They ask why daughters chose to attend their mothers' alma mater, and why they pursued an education and profession that had proven difficult and challenging for the women of their mothers' generation. Finally, they pursue the issue of mentors, and ask how women, and mothers in particular, have helped young women lawyers with their careers.
QUESTION: [to daughters] What was the role that your mothers played in helping you decide not only whether you wanted to go to law school, but why you wanted to come to Georgetown? Was your decision to go to law school influenced at all by the fact that your mother was a lawyer?

Megan Rupp, L’97 My decision was very much influenced by the fact that mother was a lawyer...I think because my mother was a lawyer I was a little bit ambivalent about whether I wanted to be a lawyer or whether this was a path I was choosing for my own reasons or not. So I went to law school for a year and actually left for two years and taught high school, which was a fabulous experience and I thought 'being a lawyer has got to be easier than this.'

Irene Ricci, L’99 The only sense where my mom influenced my decision to come to law school, is that I had already been familiar with the school because both of my parents actually graduated from the Law Center and they were very involved as alumni. They would always bring me along, when I was at Georgetown undergrad, to different functions and so I was fairly familiar with the school before I decided even to go to law school or applied. It was my top choice.

Mimi Vogel, L’01 I chose Georgetown for very different reasons than my mom did. I loved what the school was offering by the time I was looking at law schools, which was 100% different than what it was offering from my perspective when she was in school. I was most interested in the way they take advantage of the community here. I had worked in D.C. for a few years before law school and I wanted to go to a law school that knew how to take advantage of that.

QUESTION: [to mothers] How did the mothers feel—watching their children do the thing that they had done before them—and doing it in the same place. Were you surprised that your daughter went to law school? Were you worried that she was going to law school? Were you glad?

Maureen O’Bryon, L’75 I was surprised that my daughter went to law school because I think she had observed that I worked very hard and she wasn’t so sure that she wanted that path for herself, but I was not surprised because she was born to be a lawyer. I was certainly ambivalent because I think the challenge that many of us face is how to make our lives work: to have that balance between pursuing a career and at the same time have this balanced life that we all crave.

Judith Barnett, L’85 I think going to law school is the greatest thing a woman can do in life. Whatever she does before, whatever she does after, to me that’s the road map. The reason I wasn’t too surprised was that Mimi started law school at seven with me. Mimi came with me at night. I couldn’t afford babysitters and so she understood night by night what it was like to be a lawyer. Of course at the end she turned to me and said ‘Great news, I’m going to be a radiologist,’ but eventually she saw the Holy Grail...In so many ways it’s the most versatile calling and in some ways there’s no greater calling.

QUESTION: [to daughters] I want to ask the daughters who have been out of law school practicing, how your mothers have influenced your professional choices, either as a way of inspiration or as a correction of mistakes you’ve seen made?

Caroline Costle, L’94 I come from a family of lawyers: Father, grandfather, mother, uncle, husband. Of all my relatives who do law, I am the only one who actually practices law. Everyone else did some sort of public policy type of thing. When I came to law school I thought I was going to do what everybody else had done...My mother has always encouraged me to be very inde-
pendent, to not do necessarily what other people have done and to set my own goals and expectations. She's done that not only by saying that my entire life but also by doing that herself and serving as a role model. The fact that I truly broke with the family trend to do something very different than what I expected but also something I find fulfilling is due in large part to the confidence that I had in my own independence and judgment.

**QUESTION:** [to mothers] Mothers, can you think of ways in which your daughters have either influenced your professional choice or even a particular decision you've made in your practice or way of organizing your professional life?

**Judith Barnett** I think that our daughters have been a great source of wisdom—even when they were small. When my daughter was small, because of the circumstance, I was a single mom for many years, I was trying to influence her indirectly to be a lawyer and I was telling her great things and showing her pictures. One day she looked at me and she said, 'You want a lawyer in this family, go to law school,' and that's a true story and that's exactly what I did.

**Joan Domike, L'70** I went to law school while my children were in high school. One of the pleasant memories I have of my three children is that they had the dinner on the table for me every night when I came home from law school.

**Mary Lupo, L'74** Irene was born during my second year here at the law school. She has been an extremely inspiring person. I considered resigning to spend time with my children because I had not been able to due to career obligations. I discussed it with the children and neither of them wanted me home! I owe a great deal of my continuation of my judicial career to Irene.

**QUESTION:** [to mothers] Are daughters, and other young women, dealing with the same issues the mothers dealt with going through law school? Are these universal issues or are they generational; or to what extent are they both?

**Laura Rothstein, L'74** I do think the struggles are the same and similar, and it makes a very big difference if you're at a law school that has female presence on the faculty and in key professional positions and I feel really lucky for my daughter that she is at a law school where that experience is there.

**Mary Lupo** It's shocking to me that people are still asking women who apply for legal jobs the same question. They're still asking 'what are you going to do with your children?' I was horrified that it's 2001 and birth control, children, how you're caring for your children, are you having any more children, are still issues that are either subtly or not so subtly discussed.

**Elizabeth Costle, L'80** I feel that my daughter grew up absolutely believing she could be president of the United States if that's what she wanted to be, and those of us raised predominantly in the '50s didn't really think that. So there's a real generational change in that sense.
QUESTION: [to daughters] In what ways do the daughters feel like the issues that you deal with now are the same ones your mothers did, and to what extent do you take things for granted?

Mimi Vogel My law school experience could not have been a more different experience than my mom had because I got to study law full time, mostly because I didn’t have a child but also because there are so many more accommodations for women now.

QUESTION: [to all] What do you think young women who are entering the profession should know? What expectations do they have that are wrong? What advice would you give them?

Elizabeth Costle Women should actively seek mentors and should initiate the mentoring process. Law in many ways can be quite isolating both intellectually and personally unless you reach out to people who are more senior and can mentor you. Many people, if you really make an effort, will participate.

Irene Ricci My advice would be to take golf lessons because a lot of deals, from what I hear, are done outside of the office. And if you don’t know how to play golf and all of the young male associates do, you are going to miss out on a lot of opportunities.

Julie Domike, L’86 You should continue to push for change in private practice in particular. Things have changed in private practice, if only slightly, in large part because you increasingly find women in hiring positions. We have to recognize that and capitalize on it. I think that women, more than men, are going to be the ones to make changes happen in a law firm.

Judith Barnett Nothing is as rigid in law as it was 40 years ago. Take advantage of public service and non-profits. One doesn’t need to be buried under the floorboards of a law firm. I feel that firms have become more flexible. You don’t have to be a litigator for the rest of your life. Be creative about your own law experience.

QUESTION: [to daughters] Daughters, what do you hope to find in mentors and do you care if they are women?

Julia Rothstein, 2L It’s most important to me that they have done something that they really believed in even if it wasn’t necessarily the most popular thing to do. I’m very proud that my mother has stood by her commitment to diversity in education, which is something she believes very strongly in and wasn’t always the most popular opinion to have. I’m very glad that I have her as a role model because I am very proud of her for being a good role model and a good friend to me.

Megan Rupp Seek out mentors who love what they do and who want to share that love. My mother has been a great mentor to me because she’s been challenged and excited by her practice her whole life and it made me excited about law.
What Women Think
A Discussion of Topics in the Field of Law

Alumnae listen as Margaret McKeown, a judge on the U.S. Court of Appeals for the Ninth Circuit, delivers the keynote address on Saturday morning. McKeown noted that the first class of women were welcomed, while later classes encountered resistance to the notion of women law students.

Linda Mangel (L '88), center, offers a perspective on community service during a panel discussion on the topic. Mangel is a civil rights attorney with the Department of Education. At left is Lois Frankel (L '73), a Florida State Representative. Jeanette Ruiz (L '86) of the Harlem Downing-West Side Center for Children and Family Services is at right.

Nancy Jacklin (F '69, L '73) speaks on women in global finance. Jacklin, a partner with Clifford Chance, Rogers & Wells, moderated the panel discussion.
Left: Law Professor Patricia King, right, expresses an opinion about women on corporate boards during a panel discussion on the topic. King, who is Carmack Waterhouse Professor of Law, Medicine, Ethics, and Public Policy, joined the faculty in the mid-1970s. To her right is Marianne Keler (F '76, L '80), General Counsel and Senior Vice President of Sallie Mae.

Below: Savery Gradoville (L '71), right, a partner with Steptoe & Johnson, addresses a point during the panel discussion of technology and new client issues. Virginia Espinel (F '89, L '92) of Covington & Burling, listens.
“I am very competitive.

I love taking on the
big boys. I love trying
to save lives.”

Joan Claybrook, L’73

Joan Claybrook, president of the Washington-based advocacy group Public Citizen, had been immersed in politics and government for about a decade when she enrolled as a night student at the Georgetown University Law Center. "I was 32," she remembers. "I had already set my sights on working in the public interest world."

Her goal while in law school was to learn as much basic law as she could, so she delved into what she calls the "nitty-gritty courses," including contracts, which she found "a tremendous eye-opener." Claybrook — who had held jobs both on the Hill and in the executive branch — knew she wanted to be a lobbyist and advocate rather than a litigator, and during her law school years she also was working by day, first at the Department of Transportation and then for consumer advocate Ralph Nader. "It was really tough," Claybrook says of her schedule, which included classes five days a week from 6 to 8 p.m. "You had to be incredibly well-organized."

Since 1982, Claybrook has headed the Nader-founded Public Citizen, where she built a reputation as a tough crusader for consumer safety. "I am very competitive," she says. "I love taking on the big boys. I love trying to save lives." She counts the fight to get airbags in cars as among her biggest career successes. Among her other battles: the push to enact campaign finance reform. "I think we have a pretty good chance of getting it passed," she predicted of campaign finance reform legislation pending in Congress.

Claybrook was one of only about 15 women in her class at the night school. She remembered that the old E Street building had only one ladies’ room, located in the basement. But things have altered for women lawyers — in large part because of their numbers. "It’s been a dramatic change," she says, noting, though, that difficulties remain. While women are seen as "highly prized assets" in law firms today, they also face challenges in trying to balance work and family. "The law is still quite unforgiving."

Claybrook looks back fondly on her years at Georgetown. "I loved the night school," she says. She remembered taking courses from a wide variety of professors, many of them adjuncts teaching their favorite subject. The students were older and more serious. "I liked that a lot." She credits Dean Judith Areen with encouraging her and other graduates to reconnect with the school and one another, and discuss issues of common concern. "If I weren’t a lawyer, I couldn’t do the work I do today. I got incredibly good basic training."
Lois Frankel, L’73

“When Florida hit the headlines in the 2000 presidential election dispute, Lois Frankel, the first woman to serve as Democratic House Leader in the Florida Legislature, stepped into the spotlight as one of the state’s top Democrats. “The nation, and really the world, had their eyes focused on Florida,” she says. “I thought the [GOP-controlled] state legislature was acting unreasonably and irrationally.” Frankel is from Palm Beach County, one of the hotbeds of controversy during the contested election. Today, the veteran politician, first elected to the legislature in 1986, has opened an election committee to challenge Republican Governor Jeb Bush next year.

Frankel, a 2001 Alumnae Awards Recipient, credits Georgetown, especially her experiences in its criminal justice clinic, with giving her law career a boost. “Georgetown played a huge role in my being able to get off to a jump start as a lawyer. One door leads to another.”

Frankel was the first student from the clinic to have a jury trial — and she got her client acquitted. She also went through many non-jury trials. “You hear about how you don’t really know what it’s like to be a lawyer” until you actually practice law, she says. Her experiences arguing for her clients “gave me a big advantage.”

During her student years, Frankel was active in creating the first women’s caucus for law students. The group sought to boost the number of women faculty members and to start a sex discrimination course at the school. She also served as an editor of the American Criminal Law Journal.

When she graduated from the Law Center, “women were still a rare breed” in the law. She became a trial lawyer in West Palm Beach — one of only a few women to do so. “We could meet in a closet, really.” And she feels the challenges for women have not changed all that much over the years despite the increasing numbers. “I still think there’s a glass ceiling,” she says. “It still takes time to catch up.”

Frankel, in her seventh legislative term, counts her work on behalf of children as among the most memorable aspects of her legislative career. She is known for her strong opposition to the tobacco industry’s targeting of children and for her efforts to reduce domestic violence and raise child care standards.
Over the years, Gillis has seen the working world change for women lawyers. "The biggest difference is the numbers."

Theresa "Terri" Gillis, a partner at Jones Day in New York, has devoted her career to intellectual property law, a subject she first delved into after her second year at the Georgetown University Law Center, when she spent the summer working at a patent boutique in New York. A chemistry major at Emmanuel College in Boston, Gillis saw intellectual property as "a good combination of my undergraduate technical degree and the law."

Gillis, who was on the Georgetown Law Review, says she "didn't really specialize" in intellectual property while at the Law Center. Still, she did take some courses in that field, and her professional life has "been a fairly straight line," progressing through various facets of her specialization. In addition, she found a mentor in another Georgetown Law graduate, Tom Heyman (L'62), an intellectual property lawyer with whom she worked. The two had an "initial respect" for each other's backgrounds, she recalls.

A key turning point for Gillis came when Heyman took her and a group of other lawyers to Dewey Ballantine in 1981. It was the first time a general practice firm in New York had tried to establish an intellectual property practice, she notes. Before that, she had been at a firm focusing more narrowly on intellectual property. The move to Dewey allowed her to work in more diverse areas. She moved to Jones Day, with its significant intellectual property practice, in 1990, and enjoys the "full wealth of talent" she has to draw upon at the firm.

Over the years, Gillis has seen the working world change for women lawyers. "The biggest difference is the numbers." In addition, she has watched the rules and regulations shift. For example, when she graduated, there were no laws protecting maternity leave: "Everything was done ad-hoc." Through the 1980s, women demanded changes. But the 1990s saw some reversals, as the economy caused firms to put a greater premium on hours, making it difficult to balance work and family.

Gillis, the mother of two, was able to create a balance — in part because she worked for a general practice firm and could switch areas depending on her needs. When her children were young, she focused on counseling and transactional work where she was "much more able to control the demands." Now, she mostly does litigation, with its less flexible schedule.

Overall, her Georgetown experience helped Gillis once she plunged into the world of full-time employment after graduation. "I got a solid foundation," she remembers. "It gave me a little bit of a leg up."
Mazie K. Hirono, L’78

Mazie Keiko Hirono, lieutenant governor of Hawaii, knew from an early age that she wanted to use her talents to help people. At the University of Hawaii, where she earned her undergraduate degree, she majored in psychology, anticipating a career in social service. But fate intervened. After graduation, she chaired a friend’s campaign for political office, and this experience redirected her energy toward politics.

Believing that law school would provide important credentials and that Washington is the best place to study government up close, Hirono enrolled in the Law Center. During her law school years, she focused on public interest law and worked in the Institute for Public Representation, which provides legal assistance to under-represented groups. “My law degree was a major factor in preparing me for public office,” Hirono says.

Hirono’s experiences in childhood shaped her career. She was born in a small village in Japan, where the opportunities, especially for girls, were limited. Her mother, whom Hirono frequently mentions as an inspiration, quietly made plans to start a new life, escaping an abusive marriage. When Hirono was eight, her mother immigrated to Hawaii with her and an older son. Her younger son and parents followed two years later. Once in Hawaii, Hirono’s mother worked two jobs to keep the family afloat. They moved often, but education was always a priority. “My mother was a person of tremendous courage,” Hirono says. Her mother’s ability to take enormous risk has influenced Hirono greatly. “If you see risk-taking in your own family, you know you can take risks and not die.”

After law school, Hirono worked for a time in the antitrust division of Hawaii’s attorney general’s office and practiced law. She ran for the State House of Representatives in 1980, was elected, and served seven terms, ending her service there in 1994, when she was elected lieutenant governor. Having served her state in that capacity for seven years, she is running for the 2001 Democratic primary for the governor’s seat.

The political issues that concern Hirono are wide-ranging. Education is always a priority because it is the best way to empower people, something which is very important to Hirono. She has also put her considerable energy into workers’ compensation, aviation, economic development, and regulatory reform. She believes in collaborative leadership — a strength for women, she notes — and looks for ways to bring together people from many different sectors of society. “I see politics as a way to make positive social changes.”

Although women have made progress in the halls of political power, Hirono notes that there are still only a few female governors. A law degree can help. “A law degree gives women the credentials and tools to go out and get things done,” she says. “I am committed to making a positive difference in my community, and I hope women graduates today believe likewise.”
She learned then that in an era when women were breaking ground in the profession, it was good to keep her wits and sense of humor about her.

Margaret McKeown, L’75

The Honorable Margaret McKeown, judge on the Circuit Court of Appeals for the Ninth Circuit since 1998, first became interested in law in high school when she visited Cliff Hansen, her Wyoming senator; in Washington, D.C. — a senator for whom she eventually worked during college. “He was a role model and mentor for me,” McKeown says. When she enrolled at the Law Center in the fall of 1972, she was interested in government and international law, but at the time there were few women lawyers to provide the kind of mentoring she was looking for: “I had no clue about what kind of lawyer I wanted to be — there were no lawyers among my family or acquaintances,” she says.

With seminars in civil procedure, criminal law, evidence, and antitrust law with professors Gallagher, Dash, Greenhalgh, and Flegal, McKeown pointed herself on the road to becoming a trial lawyer. Greenhalgh’s Criminal Justice Clinic, where she tried four jury trials, gave her practical litigation experience. In addition, she clerked one summer for Judge David Norman of D.C. Superior Court, was an editor at Law and Policy in International Business, volunteered at neighborhood legal services for Spanish-speaking clients, and held a variety of research assistantships and other jobs at the Law Center to finance law school.

When McKeown began her first job as an associate at Perkins Coie in Seattle, where she focused on complex litigation, intellectual property, antitrust, and trade regulation, she was one of the first women lawyers hired by the firm — a fact which led to a case of mistaken identity. “The first day I showed up at work they asked if I were the new Xerox operator, so I’m not sure I got off to the most auspicious start,” she says. “I said to them, ‘no, but I’d be happy to copy that for you.’” She learned then that in an era when women were breaking ground in the profession, it was good to keep her wits and sense of humor about her. For mutual support, she helped found the state-wide Washington Women Lawyers and served as its co-president.

McKeown, who became the first woman partner at Perkins Coie, has made her mark in the legal profession by bringing together antitrust law and intellectual property law. She has been honored as a White House Fellow, a Japan Society Leadership Fellow and by the National Law Journal as one of the 50 most influential women lawyers in the country.

McKeown, who was recognized in 2000 with an Alumnae Award, notes that much has changed in the past 25 years for women in the law and in women’s legal education, especially at Georgetown. “I was very young, in my early twenties, when I was at the Law Center; I did not have a very knowledgeable or sophisticated view of what the practice would be,” she says. “I am very impressed with how the Law Center has prepared the young women I see graduating today, and I am proud to have Georgetown graduates among my clerks.”
When Pisa joined Goodwin Procter in 1982, there were only two senior women in the corporate department at the firm and no women partners— but much has changed.

Regina Pisa, L’82

Regina Pisa, chairman and managing partner of the Boston law firm of Goodwin Procter & Hoar, enrolled at the Law Center after earning degrees at Harvard and Oxford in order to take advantage of Georgetown’s strong corporate, securities, and tax law programs. While she also read for courses in “pure law” — theoretical legal studies — this work in corporate and securities law prepared her to become chairman of Goodwin Procter’s Banking Group, where she specializes in merger and acquisition transactions of banks and other financial institutions.

Pisa, a 2000 Alumnae Award recipient, says that her two most memorable courses at the Law Center were Professor Robert Haft’s course on corporations and Professor Roy Schotland’s course on administrative law. “Haft’s energetic teaching style, infused with his experiences from the practice of law, gave all of us a very real sense of what being a practicing corporate lawyer would be like,” she says. “And with Schotland — how could you not enjoy the intellectual volley that he engaged us in every class or the high-pitched voice that shot questions in your direction at lightning speed.” Pisa also was editor-in-chief of the Georgetown journal The Tax Lawyer, which not only helped her develop expertise in her field, but also prepared her for her later leadership roles. “Working on that journal was one of the best experiences that I had at the Law Center,” she says, “It challenged me intellectually and it forced me to develop an entirely different set of skills — leadership skills.”

When Pisa joined Goodwin Procter in 1982, there were only two senior women in the corporate department at the firm and no women partners— but much has changed. There are over 60 women in the corporate department and the most recent co-chair was a woman. Firm-wide, over 45 percent of the attorneys hired over the past four years have been women. 28 women partners are in the firm, and Pisa herself is the first woman chairman and managing partner. “Finally, the chairman and managing partner is a woman — I would say a lot has changed!” she says.

Pisa most recently managed a $2 billion acquisition by Citizens Financial Group of Rhode Island of the retail banking franchise of Mellon Financial Corp. in Pennsylvania, New Jersey, and Delaware. The deal was unusually complex. “Negotiating this transaction was like playing multi-dimensional chess,” she says.

Pisa is engaged in a number of voluntary activities in support of women, serving on the board of trustees of Simmons College, the board of trustees of the Women’s Educational Industrial Union, and the board of directors of Franciscan Children’s Hospital.
Laura Rothstein, L’74

Laura Rothstein, dean of the University of Louisville's Brandeis School of Law, entered the Georgetown University Law Center planning to focus on civil rights — and for many years now she has been a pioneer in the field of disability law. But her focus during her law school days turned out to be something very different. "Believe it or not, antitrust," Rothstein recalls.

She worked at Arent Fox Kintner Plotkin & Kahn in Washington as a clerk during the summer after her first year in law school, which led to a job at the Justice Department. The department was plunging into the AT&T case, and Rothstein got involved. But "I never felt that it was my calling," she says. "Antitrust was interesting, but it wasn't people law."

So she was thrilled when, several years later, while teaching at the University of Pittsburgh, she was asked to participate in a legal aid clinic that represented people with disabilities. "I really loved it," Rothstein says. "I had come full circle." Disability law was a new field, which afforded Rothstein exciting opportunities. She since has published several works on the subject.

Rothstein sees this focus as among her most memorable career experiences. Another top moment for her was her effort while teaching at the University of Houston to maintain diversity in the wake of the 1996 Hopwood decision on affirmative action. Rothstein was concerned the decision would result in less diversity at her school, and worked to change admissions standards to focus less on LSATs and more on the candidate as a person. "Without taking race into account, we maintained diversity," she says.

Rothstein, a 2001 Alumnae Awards Recipient, recalls her years at Georgetown as good ones, and notes that the Brandeis School shares the Law Center tradition of focusing on public policy, public service, and interdisciplinary issues. She says that although women represented only about 16 percent of the students in her class, she never felt uncomfortable. "I never felt like women were marginalized." But women still have a way to go. "I see steady progress, but it’s not as fast as I would have expected or predicted," she says.

For Rothstein, the "best thing" that came out of her Georgetown experience was meeting her husband, Mark Rothstein, who graduated from the Law Center a year before she did. "We've taught as a couple at five different law schools together. And we're still married." Carrying on the family tradition, one of their daughters, Julia, is now a student at the Law Center.
Ilana Rovner, L’64

“Ilana Rovner, the first woman judge on the U.S. Court of Appeals for the Seventh Circuit, knew she wanted to be a lawyer from the age of seven. Born in Riga, Latvia, the infant Ilana, and her mother, fled in 1939, as World War II was starting, to join her father in the United States. “I was never read stories like Red Riding Hood or the Three Bears,” Rovner remembers. “I was told how if the laws had been followed, the horrendous things that happened to our family and millions of other innocent people would never have happened.”

Rovner arrived at the Georgetown University Law Center interested in studying international law. But she wound up following a more varied curriculum. “Law school is so general,” says Rovner, who had studied law at the University of London before coming to Georgetown. “There was no particular focus.”

At Georgetown, her most memorable course was contracts, taught by Professor Walter Jaeger. Rovner recalls that Jaeger was especially kind to the women students, in part because his own sister had graduated from law school, could not get a job, and was working as a nurse. But not all the professors were so welcoming to women. “I remember the dichotomy of the people who were extremely kind, and the people who showed in many ways that they didn’t really want us,” Rovner says.

As a student, Rovner participated in the Legal Aid Society, talking to clients and counseling them. The society was a magnet for women students, Rovner notes, adding that men were less interested in pro bono activities during those years.

Rovner says she’s seen incredible changes for women lawyers over the years, as their numbers increased. “It’s like going through a revolution in your own lifetime.” In her day, many women graduates had a difficult time getting work. “The law firms didn’t want us.” And, back when she was in law school, there had been only two women federal judges in the history of the country. “I wasn’t foolish enough to even dream about such possibilities,” she remembers. “Those two women seemed to me to be just miracles.” She adds, “If someone told me I’d be the first woman on the U.S. Court of Appeals for the Seventh Circuit, I would have said, ‘I think you should be committed.’” She was named to a district court judgeship in 1984, and advanced to the appeals court in 1992.

Rovner finished her third year of law school at the Illinois Institute of Technology, after getting married and moving to Chicago. But her years at Georgetown helped her career, she says, as she “networked” with her classmates. “I met people who I never would have met, particularly my husband. It added a whole new dimension to my life. I have alot of affection for the law school.”
Dolores Silva Smith, L’75

When Dolores Smith, now director of the Federal Reserve Board’s Division of Consumer and Community Affairs, was graduating from the Georgetown University Law Center in 1975, she learned about the Fed from the Law Center’s placement office, applied, was quickly hired, and has been there ever since. “In short, I got the job, I liked it, I stayed,” Smith says.

Smith was older than the typical Georgetown law student, having taken time to be a mother and stepmother, and started law school the same year her daughter started kindergarten. “My interest while in law school was to obtain the kind of legal background that folks would expect a lawyer to have,” she says. While she did not specialize, several of her courses – including property, commercial law, and consumers’ rights – were especially helpful when she started at the Fed.

Smith’s first assignment at the Fed involved working on its new credit discrimination regulations, adopted to implement the Equal Credit Opportunity Act. She found it exciting to be at the forefront of interpreting new federal rules on credit discrimination. “It usually surprises people to learn that the central bank of the United States issues regulations to protect consumers in their financial dealings,” Smith says. But that is the area she oversees. “I find it rewarding, because these laws create the framework for just about any financial dealings we, as consumers, have with financial institutions of all types.” Among the other statutes she deals with: the Truth in Lending Act, the Consumer Leasing Act, the Electronic Fund Transfer Act, the Community Reinvestment Act, and the Home Mortgage Disclosure Act.

“When I first entered the legal profession, women lawyers were still only a small part of the market,” remembers Smith, who received a 2001 Alumnae Achievement Award from the Law Center. “But I found from the start that specialized expertise was a pathway to professional respect and status. And for me, public service has brought its own special rewards.”

Smith became division director in 1998. Besides rulewriting, she oversees the Federal Reserve’s examination of state member banks for compliance with consumer laws and community reinvestment, an extensive consumer education program, and a national community affairs program that promotes partnerships in community development among banks, government agencies, community groups, and others. Her staff also has a role in the Board’s consideration of bank holding company applications for mergers and acquisitions.
Donna M. P. Wilson, L’81

When Donna Wilson graduated from the Georgetown University Law Center 20 years ago, she did not know her legal focus would be labor and employment issues.

But today Wilson serves as general counsel to Goodwill Industries International, Inc., and as a member of the faculty of Georgetown’s Employment Law and Litigation Update and its Corporate Counsel Institute. Her experiences as a student at Georgetown “gave me the confidence I could do it,” she says. “Georgetown, just by its reputation, has opened many doors for me.”

As a student, Wilson recalls, she had no role models to follow, and enrolled in whatever courses intrigued her: “a hodgepodge of interesting subject matters.” Among her favorites were criminal law, family law, and contracts. She also took a street law clinic, which provided a “real-life outlet” for her studies, and did a summer internship at the Federal Trade Commission, where she worked on “whatever the attorneys didn’t feel like doing.”

When it came time to graduate, she “ended up saying, ‘What now?’” That question took her to a variety of legal positions, including past service as vice president and general counsel of United Healthcare System and The Children’s Hospital of New Jersey, in Newark, and as general counsel for DC General Hospital. Now, as general counsel for Goodwill, Wilson’s duties include representing the organization’s North American and international members.

Over the years, Wilson has seen major changes for women in the law, finding far more acceptance for women lawyers now than in her law school days. “We were more of an afterthought than an equal,” she says, recalling that women law students often were seen as husband-hunters or as taking up a seat a man should have had. As a recent graduate, she would attend meetings only to find the attention focused on male colleagues, who were perceived as the real experts.

In addition, as a minority student at the Law Center, Wilson faced what she called a “rocky road.” She remembers professors making derogatory comments in class toward African-American or Hispanic students. “It wasn’t as inviting for minority students” as it is today, Wilson says. Those attitudes fostered closer ties among the school’s minority students. “All of that goes into making you a stronger person.” But Wilson, who was honored at the Law Center in April as a 2001 Alumnae Awards Recipient, says the atmosphere has improved. And she counts her continued affiliation with the school as one of the highlights of her career. “Being asked to come back to Georgetown and give back was a high point. It validates you.”
Marcia Wiss, F’69, L’72

International issues have been important to Marcia Wiss since childhood. Wiss, now a partner at Hogan & Hartson specializing in international financial and transactional law, grew up in an Army family. At age 6, she lived in Japan; as a teenager, she spent four years in wall-divided Berlin. When it came time for college, she enrolled in Georgetown’s Foreign Service School.

After considering the foreign service as a career, Wiss entered the Law Center. “I definitely focused on international law, but because at the J.D. level you don’t really focus on anything but the general principles of U.S. law, my goal was to be the best lawyer possible,” Wiss says. Her first-year classes stand out most in her mind. “The most memorable courses for any law student are the first-year courses, where they wring out your mushy brain and turn it into a lawyer’s brain.”

She spent the summer of 1971 working on Capitol Hill for Representative Martha Griffiths, a Michigan Democrat active in pushing for the Equal Rights Amendment. Wiss did her part by conducting research on the issue of why the 14th amendment was not sufficient to insure women’s rights and the ERA was needed.

A Georgetown connection helped her land a job at the Overseas Private Investment Corporation. Wiss spent the next five years working on international project financing that brought U.S. investment into developing countries. She is a proponent of development, modernization, and globalization, despite the protests of some in Seattle and Genoa.

Wiss, who teaches a course on international project finance and investment at the Law Center, was a 2001 Alumnae Awards Recipient at the Law Center and the Charles Fahy Distinguished Adjunct Professor for 2000-2001 in the Graduate Program.

When she graduated, she recalls, her class included about 6 percent women. “So we were stood out.” Now, with women accounting for about half of law school graduating classes, women are “no longer oddities.” When she accepted the Alumnae Award she noted, “The ABA’s book Fair Measure shows why it is important for the business of law firms to have a structure and atmosphere conducive to women lawyer’s lifetime careers.” But she sadly reflects on the length of the road ahead when reading a recent issue of Business Week listing not a single woman among the country’s top 50 C.E.O.’s.

The legal field has changed for both men and women in the 29 years Wiss has practiced, moving from the image of “the gray-flannel-suited lawyer behind a mahogany desk” to a more casual and diverse ambience. “I think it’s important for women to both be the best lawyers we can be, but also not to give up on the things that make us unique individuals.”
S P R I N G M E D L E Y

Variety was the hallmark of the past season of events at the Law Center. Highlights included visits from Chinese educators, a stimulating lecture on the role of shaming in punishment, and four new-book parties. The Law Center also celebrated the library’s acquisition of its one-millionth volume, a milestone that places the Edward Bennett Williams Law Library among the top five law libraries in the country. For all these events, students, faculty, alumni, and guests gathered at different locations on the Law Center’s campus.

Georgetown’s China connection strengthened as Chinese law professors interested in clinical education visited with Professor Wally Mlyniec, dean of clinical programs, and spent a week learning about Georgetown’s legal clinics, which are considered the best in the nation. The Chinese ambassador to the U.S., Yang Jiechi, also visited the Law Center, speaking to the Law Center’s Corporate Counsel Institute.

The Ryan Lecture, delivered by Professor Martha Craven Nussbaum of the University of Chicago, explored the psychological aspects of shaming as a legal punishment. Nussbaum suggested that these penalties, which have been legislated for some crimes, are premised on faulty psychology.

Four of the books by members of the faculty, among the many published this year, were celebrated at Spring receptions. “Nothing is a more festive occasion for an academic institution than a book party,” noted Dean Judy Areen. Bibliophiles also had cause for rejoicing when the library cataloged its one-millionth volume. Guests at the celebration of this milestone were treated to a glimpse of the book, a bulky, leather-bound manuscript from the 18th century.

This year also marks the 50th anniversary of women law students at Georgetown. The Law Center marked the occasion in April with several days of special discussions and presentations at the Women’s Forum. Coverage of the Forum begins on page 44.

Commencement capped the semester. The Law Center was pleased to have an alumnus, Tad Foote (L’66), the outgoing president of the University of Miami, address the graduating class. Among those who proudly moved their tassels to the left was Walter Pincus, an editor at the Washington Post and, at 68, the Law Center’s oldest graduate. His thoughts on his experience appear on page 74.
Law Library Celebrates its One Millionth Volume

"We here at Georgetown now have one of the five largest academic law library collections in the nation,"
said Dean Judith Areen in opening the celebration of the Edward Bennett Williams Law Library's acquisition of its millionth volume. The May 22 event marked the Law Center's procurement of a collection of the books and papers of Lord Eldon, Lord Chancellor of England in the early 19th century. The millionth volume, a bound manuscript of commentaries on the law by 17th-century English lawyer Henry Spellman, is from that collection.

Eric Foner, DeWitt Clinton Professor of History at Columbia University, delivered a lecture for the occasion entitled "From Civil War to Civil Rights." Foner spoke about the two periods of reconstruction that have had a significant impact on this nation's racial history — one after the American Civil War and one during the civil rights movement of the 1950s and 1960s.

Both reconstruction periods gained a measure of rights for blacks but failed to secure economic parity. "Even though the second reconstruction achieved a much more permanent guarantee of the basic political and civil rights of African Americans, it, like the first, failed to confront effectively the economic plight of many African Americans," he said. The difference between the first and second reconstructions, however, has been a rise in the social mobility of blacks in the 20th century. "In the 19th century the black community was largely homogenous - there was a very small middle-class but the vast majority were ordinary former slaves and very poor," he said, "There was far less class differentiation within the black community than exists today."

St. Thomas More Professor of Law and Legal History James Oldham of Georgetown followed Foner's talk with an explication of the importance of the Eldon collection, which he had researched in England last year. Oldham is one of the foremost experts on Lord Mansfield, chief justice of the King's Bench of Great Britain from 1756 to 1788, who is considered to be the founder of modern international commercial law. During his research on the Eldon manuscripts, Oldham found a previously undocumented 1775 Mansfield ruling affecting the legal doctrine of "consideration," an aspect of 18th century law that indicated that a promise could not be considered broken unless payment for the promised services was tendered or a condition of the promise.
Georgetown University President John J. “Jack” DeGioia reflected on the significance of the acquisition of the Eldon collection as a milestone for the Law Center and University. “I think this millionth volume represents the value, significance, and importance of a sustained commitment to excellence,” he said, “University libraries are not built overnight – this library took over 100 years to build – and it probably took us more than a million decisions, hundreds of faculty committee meetings, and budget decisions to do it. But we take time out on a very busy day to celebrate with one of America’s most eminent historians whose intellectual project and scholarly life is testimony to a commitment to sustained excellence.”

This, books can do – nor this alone: they give
New views to life, and teach us how to live;
They soothe the grieved, the stubborn they chastise;
Fools they admonish, and confirm the wise.
Their aid they yield to all: they never shun
Unlike the hard, the selfish, and the proud,
They fly not sullen from the suppliant crowd;
Nor tell to various people various things,
But show to subjects, what they show to kings.
— George Crabbe (1754-1832), “The Library”
Spring Book Events Celebrate Law Center Scholarship

The Law Center celebrated four of the new works of faculty scholarship this past semester, hosting book receptions for professors who specialize in public health, international law, sociology, civil rights and human rights. While the fields are diverse, the books have a common purpose: each looks at an aspect of the human condition and explores how it might be improved.

"Nothing is a more festive occasion for an academic institution than a book party," said Law Center Dean Judith Areen in welcoming guests to Professor Larry Gostin's book signing in March. "Particularly when it is a book that we are all excited about and know is going to make a real difference - not just an academic difference, but a difference far beyond the walls of the ivory tower." The book, Public Health Law: Power, Duty, Restraint, weighs the government's responsibility to regulate the population's health against the private rights and economic interests of individuals and businesses.

Gostin, in describing his reasons for writing the book, said he was trying to recapture a tradition in the United States, a time when public health loomed large. "In the late 20th century we lost that tradition," he suggested, "Public health is about having the conditions that we all take for granted that are so important to the health of ourselves, our families, and our children of the next generation. That is what this book is dedicated to - the idea that we need to recapture the tradition of community solidarity and, above all, health for the population."

Another reception was held on April 17 in honor of the publication of Reconciling Environment and Trade, edited by University Professor John Jackson and Francis Cabell Brown Professor of International Law Edith Brown Weiss, experts in international law, international trade law, and environmental law. This collection of essays, written by 20 J.D. and LL.M. students from eight different nations in a Law Center seminar taught by the editors, probes issues in international environmental regulation that intersect - and sometimes conflict - with problems in the maintenance of the international trade regime.

"What struck me about this book is that it is the product of a seminar Jackson and Weiss taught together at the Law Center - they conceived and designed a seminar that produced a book," said Richard Lazarus, a professor of environmental law and the director of the Law Center's Supreme Court Institute. "I think this book is a wonderful statement about the authors themselves, and about the state of legal education at Georgetown."

University Professor Norman Birnbaum's After Progress: American Social Reform and European Socialism in the Twentieth Century, a book that traces the intellectual and political history of social reform movements in democratic societies, was celebrated on April 24. Suggesting that democratic institutions are in crisis because of the hegemony of global capitalism, this work challenges the reader to imagine what has been gained by a century of socialism as it has been institutionalized in programs
such as Medicare and Social Security.

Birnbaum, a sociologist by training, came to the Law Center in 1979 at the request of then-President Timothy Healy, who hoped he could "humanize the teaching of law" by giving J.D. students a broader historical and philosophical perspective.

The season of book celebrations closed with an event honoring *The Mobilization of Shame: A World View of Human Rights* by Professor Robert Drinan, S.J. (L'49, LLM'51, H'91), on May 3 – the same day that the United States failed to keep its seat on the United Nations Commission on Human Rights. “Drinan’s book dwells first on human rights in the United States,” said Professor James Feinerman, associate dean for international and graduate programs. “He says that we have to put our own house in order before we can go and preach to the rest of the world.”

Drinan, former U.S. Congressman from Massachusetts and former dean of Boston College Law School, has made human rights law a central focus of his career and life. He teaches international human rights at the Law Center, and is also the author of *Cry of the Oppressed: The History and Hope of the Human Rights Revolution*. He serves on the board of directors of the International League for Human Rights, the Lawyer’s Committee for International Human Rights, and the NAACP Legal Defense and Education Fund, and holds 21 honorary degrees.

Drinan thanked Dean Arcen, the faculty, the staff, the library, his secretary, and the 1,600 students he has taught over the past years for helping him with the book. He noted that only the United States and Somalia have not ratified the United Nations Covenant on the Rights of the Child and pointed to the European Court of Human Rights as a model for an international law of human rights to which the world can look for future jurisprudence in this field.
Twenty-First Annual Ryan Lecture

"Shame is a mistaken psychological deterrent to crime," said Martha Craven Nussbaum, speaking at the 21st annual Thomas F. Ryan Lecture on April 5, in the Gewirz Student Center. The lecture series was established by Hugh Grant (L'73), in honor of Thomas F. Ryan (L'76). Nussbaum is Ernst Freund Distinguished Service Professor of Law and Ethics at the University of Chicago Law School.

Her lecture, entitled "Shame, Aggression, and Punishment," focused on the psychology of shaming and its use as a means of punishing criminals.

Nussbaum suggested that shame is first created in the human personality when an infant becomes aware of the tension between its dependence on its caretakers and the feelings of omnipotence that it had in the womb. Shame therefore is linked to a narcissistic desire to be free of the "world of objects," such as the infant's caretakers or parents. Guilt, on the other hand, Nussbaum argued, is a much more productive and creative psychological force, because it is connected to the moral demands of others - caretakers and parents.

Shaming penalties for crimes, according to Nussbaum, overlook the value of guilt in favor of a misguided focus on humiliation. "According to the arguments in favor of shaming, humiliating someone in public makes a statement - that shaming has powerful expressive and deterrent effects," she said. But shaming penalties may backfire, pushing a criminal to compensate for his humiliation with aggression. "There is a constant tendency to revert to aggression when weakness is felt," said Nussbaum.

She closed the lecture by noting that we must be careful about shaming criminals, because we tend to shame many members of our society for a variety of stigmas - including disabilities. The consequent infantilization of the shamed and stigmatized is incompatible with a social contract that holds that citizens are free and equal participants in a democracy, governed by common consent.
Chinese Ambassador to the United States Yang Jiechi addresses Georgetown University Law Center's Corporate Counsel Institute on March 16. He said that China is creating the conditions and infrastructure for international corporate investment and development, but that the Chinese government will continue to regard Taiwan as a "renegade province" upon which communist China has a territorial claim.

Chinese visitors to clinics

Chinese educators visited Georgetown University Law Center for a week in March to learn more about the Law Center’s renowned clinical legal education program. The visitors are (front row, left to right): Wang Limin, vice dean of East-China Institution of Political Science and Law; Liao Peijuan, professor of law at Fudan Law School; and Xinxin Yang, a consultant for the Ford Foundation. Translators are at rear; Law Center professor David Koplow is at far right. The trip was part of a project sponsored by the Ford Foundation designed to spur the growth of clinical legal education in China.
Law Professors Impeach Congressmen on Court of Last Resort 67-54: Annual Charity Basketball Game Raises $158,500 for Homeless Clinic

Georgetown University Law Center’s faculty arraigned members of Congress before the court of McDonough Gymnasium in the 14th annual HomeCourt charity basketball game on April 4, raising a record $158,500 for the Washington Legal Clinic for the Homeless, a nonprofit organization that provides free legal services to homeless individuals and families in Washington, D.C. Georgetown’s Hoya Lawyas triumphed over the Hill’s Angels, the Congressional team, setting a scoring record (67-54) for the annual game, which has been held since 1988.

The event opened with comments by Patricia Mullaly Fugere, executive director of Washington Legal Clinic for the Homeless, who asked for a moment of silence for the seven people who died homeless on the streets this winter. “HomeCourt has been the most significant fundraiser for the clinic over the years, and our advocacy on behalf of the homeless would not be possible without it,” she said, thanking HomeCourt’s participants, organizers, and audience.

After a ceremonial introduction marked by the appearance of the Hoya’s Mascot, the game commenced, with the Hill’s Angels scoring on the first possession with a three-point shot by Congressman Kenny Hulshof (R-MO). The Congressmen legislated the
outcome of the first half, with scandalous scoring by Hulshof, by the son of Congresswoman Stephanie Tubbs-Jones (D-OH), by Congressman Jeff Flake (R-AZ), and by Congressman Bart Stupak (D-MI). The Hoya Lawyas closed the gap, however, with baskets by students Tim Slavin, Eddie Joyce, and Jake Halperin, and by Rabbi Mark Robbins and Adjunct Professor Kenneth Anderson. The Lawyas also exploited technicalities with key foul shots by Joyce, Slavin, and Anderson. Assistant Dean Everett Bellamy, Associate Dean Wally Mlyniec, Director of Public Safety Ray Smith, and Continuing Legal Education Assistant T.J. Doyle kept the Congressional lead down with excellent pro bono defense work under the boards, including several rebounds and steals to their credit.

Georgetown took control in the second half, surging with baskets by Slavin, Joyce, Tom Karr, and Anderson that left the Congressmen in a 20-8 deficit in the first eight minutes. With a lead in the game secured, the Hoya Lawyas marched to a highly ethical 67-54 victory, committing no shooting fouls in the second half compared to the Hill's Angels' 12.

The Congressmen still lead the 13-game series 8-6, but the Hoya Lawyas are closing the gap. As a tribute to the game's good-will, players, organizers, and audience met afterward to toast the success of the fundraiser at Third Edition, the popular Georgetown nightspot.

ONLINE ENTERTAINMENT SYMPOSIUM

Visiting Professor John Podesta, former chief of staff in the Clinton White House, participating in "Online Entertainment: Intellectual Property or Piracy," a March 20 debate held in the McDonough Moot Courtroom. The event, organized by Law Center students, was arranged to explore a 9th Circuit decision, dealing Napster — the Internet music distributor — a blow in its battle with the Recording Industry Association of America. Panelists discussed whether downloading songs from Napster violated "fair use" of the artists' and recording companies' copyrights, and the implications of the 9th Circuit decision for freedom of speech on the Internet.

Law students watch panelists debate the intellectual property problems Napster poses.

Enzo Cardi, president of the board of directors of "Ente Poste Italiane" — the Italian Post Office — lectures at Gewirz Student Center on April 30. The talk, entitled "Cyberspace Between Private and Public Regulation — Which Model for Public Utilities: the European Perspective," explored how regulation of both regular mail and cyberspace is affected by the European Union's decision to value social cohesion over private rights of corporations.
A temporarily calm sky, the law graduates of the class of 2001 gathered on May 27 on Healy Lawn to hear Edward "Tad" Foote (L'66) speak of his own experiences at the Law Center three decades ago and of the significance of the law in today's society. Foote, the outgoing president of the University of Miami, told the graduates, "The world needs good laws and wise counselors more than ever." Both he and Patricia Mullaly Fugere (C'81, L'84), executive director of the Washington Legal Clinic for the Homeless, received honorary degrees.

Nearly half of the 627 students who received their J.D. degrees were women, a fitting tribute to the year that marks the 50th anniversary of women law students at Georgetown. Among the J.D. graduates, one student, Michael F. Williams, graduated summa cum laude; 65 earned their degrees magna cum laude; and 135 graduated cum laude. About one-third of the 106 LL.M. graduates earned distinction. One person, Chios Clinton Carmody, was awarded a doctorate in juridical science. The blue sky lasted just long enough for the ceremony, which made it all the more appreciated.

Each of the students arrayed in folding chairs on Healy Lawn sat thinking his or her own thoughts about what the day meant. For most, the ceremony was a rite of passage into the true work of adulthood. Several of these stories are printed here. For students such as Walter Pincus, who at 68 is the oldest person ever to earn a law degree from Georgetown, the day had a more multi-faceted meaning. His story, too, appears on these pages.
Right: Graduates of the law class of 2001 applaud Edward "Tad" Foote's (L'66) commencement speech.

Rabbi Mark Robbins, left, Jewish chaplain at the Law Center, and Imam Yahya Hendi, Muslim chaplain of the University, read the invocation before the commencement exercises.

Below: Edward Joyce (L'01), who addressed the J.D. class of 2001's Section I during the Diploma Distribution Ceremony, holds his hard-earned diploma.

Outgoing Georgetown University President Leo O'Donovan, S.J. presents Patricia Mullahy Fugere (CB, L'84), founder and director of the Washington Legal Clinic for the Homeless, with an honorary doctor of laws degree.

Edward "Tad" Foote (L'66), outgoing president of the University of Miami at Coral Gables, delivers the commencement address after receiving an honorary doctor of laws degree. Foote told graduates that he began his career during the civil rights movement, which he called "our nation's modern chapter of its quest for human equality, the slow and steady realization of true equality as originally promised but so grievously withheld."
Steve Maggi, JD

**My strongest memory:**
"Graduation. I lost my mom in January, who supported me throughout my law school experience and it was sad for me that she wasn't there."

**What's next:**
Currently working for Morgan, Lewis & Bockius in their Miami office, practicing in business, finance, and corporate law.

**Long-term plans:**
"I'm not sure. I would like to concentrate on international law. I chose Miami because I would like to focus on Latin American companies. I have also considered diplomacy; perhaps immigration and human rights. I definitely want to do something international."

Timothy Slavin, JD

**My strongest memory:**
"Definitely my first year torts class with Professor [Heidi] Feldman. She had more energy than any two people put together. She had a policy that students should stand while they spoke, and she never let anyone sit down until she was satisfied."

**What commencement meant to me:**
"The ceremony was a great opportunity to gather a group of people together whom I really wanted to thank profusely for helping me get to where I was. It was a relief, and to have done well here was a tremendous accomplishment for me."

**What's next:**
Joining Jones, Day, Reavis & Pogue in Manhattan, as an associate. [Before I leave for Manhattan] I hope to go to Africa and try to hike Mt. Kilimanjaro.

**Long-term plans:**
Slavin plans to practice international trade law. "I'm interested in corporate work with international components - mergers and acquisitions, international trade, finance; maybe secure and cross-border transactions."

GiGi Visscher, LLM

**My strongest memory:**
"Meeting some really great people from foreign countries and giving my remarks to fellow students at commencement."

**What commencement meant to me:**
"An opportunity to pay tribute to my fellow students and give parents and family a flavor for all the struggles that we've been through."

**What's next:**
Returning to Australia where she will work for Freehill, Hollingdale & Page in Perth Western, Australia.

Stuart Ruddy, JD

**My strongest memory:**
"I don't really have one memory that encapsulates everything. A million things come to mind. Mostly I remember all of the people who went out of their way to be nice to me."

**What commencement meant to me:**
"I was able to see friends as we accomplished our goals together. It was also kind of sad because you reflect on how intense your friendships were for three years; then you'll probably never see each other again."

**What's next:**
Moving to Milwaukee where he will join the law firm of Godfrey & Kahn in the real estate practice group.

**Long-term plans:**
"I never plan for long-term. I live to enjoy today. I've always had a passion for serving people and have strongly considered running for political office. I just plan to continue to be myself and accept people as they are."
LONG-TERM PLANS:
“...”

Emil R. Infante, LLM

MY STRONGEST MEMORY:
Giving the student remarks at the LLM graduation and working on the research paper. I would also like to thank [adjunct] Professor Rich Whiting and Ellen Farwell of Career Services for all of their help.

WHAT COMMENCEMENT MEANT TO ME:
“The fulfillment of years of hard work and a culmination of a tough year – emotionally and physically. Giving my parents and my wife the honor of seeing me accomplish my goals. I was happy that I was able to express my feelings to those who helped me in front of hundreds of people.”

WHAT’S NEXT:
Will join the Miami office of Raymond James Financial as an investment advisor. “I knew when I applied to Georgetown that I didn’t want to use a law degree in a traditional sense. I want to help people preserve their wealth and enjoy the fruits of their labor.”

LONG-TERM PLANS:
“To create and manage a private fund for my clients. I would also like to run for public office in Florida.”

Siobhan C. Murphy, JD

MY STRONGEST MEMORY:
“When I look back at the Law Center, I think what I’ll remember most about it are the people here.

I had a lot of professors who I was very impressed by and who had a very big impact on my development as a student and as a future lawyer. There were also a lot of people in the school administration who gave me support and made my time here much more enjoyable. I made some of my best friends here. Georgetown was by far the best three years of my life so far. It was a very positive experience for me and I hope to be an active alum[na].”

WHAT COMMENCEMENT MEANT TO ME:
“Commencement was a total blur. It was filled with friends and family from out of town and saying goodbye to friends who are going off to distant places. I’m currently in the midst of studying for the bar, so it doesn’t seem like it’s completely over yet.”

WHAT’S NEXT:
Working at Goodwin Procter in Boston, in their corporate and real estate departments. “I’m studying for the bar for the next couple of months. Then I hope to take a vacation to Ireland for about a month to visit family, travel, and relax.”

LONG-TERM PLANS:
“I see myself staying at Goodwin for a while practicing as a corporate and/or real estate attorney; at least for the next several years. I hope to get involved in local and state politics in Massachusetts and get married and have a family eventually. I just want to be a good lawyer, get involved in my community; a good daughter, friend. Just to be a good person all around.”

Kurt Eberle, JD

MY STRONGEST MEMORY:
“I guess it would be the first year. Meeting everyone for the first time and experiencing law school, professors, and the subject matter. It was a big change from anything I’d been used to before.”

WHAT COMMENCEMENT MEANT TO ME:
Closure. “I liked that we got back together in our sections, so it was like the first year again. I got to see friends and professors from the beginning. It was like we started together and ended together.”

WHAT’S NEXT:
Working in the capital markets department of Cadwalader, Wickersham & Taft in New York.

LONG-TERM PLANS:
“I want to be known as an authority in my field [corporate law and securities]."
At My Age, a Certain Degree of Effort

BY WALTER PINCUS

When my father was younger than I am today, he retired from running the company that was the central occupation of his adult life. I think it was a decision he came to regret. He never seemed completely happy after he quit working, and he (and my mother) lived to age 95. Seven years ago, at the age of 61, faced with the likelihood that I had a long and healthy life still ahead, I took a hard look over the retirement horizon and concluded that I needed a new challenge and, probably, some new skills.

So I went to law school. This afternoon, my back-to-the-books adventure comes to an end when I line up with 589 fellow law school grads and receive my J.D. from Georgetown University. At 68, I will be the oldest law degree recipient to walk across the stage and apparently the oldest in the law school’s history. I can’t quite believe it’s over. But based on what I’ve learned, if I ever go off and actually practice law, I don’t think I will have any trouble staying busy or keeping my batteries charged.

I won’t pretend that I loved every minute of law school – not everything improves with age, and that certainly goes for my ability to concentrate once the sun goes down – but I enjoyed myself enough to open my eyes to new possibilities. I see clearly now what I only dimly realized when I began: This isn’t a break from my past. There is a good deal of commonality between journalism and lawyering –
both involve asking questions, finding things out, putting facts together, writing reports, arguing. And most of all, both at heart are concerned with matters of government. Law school has been an extension of the path I've been traveling since my first college diploma more than 45 years ago.

It's been an unforgettable experience. And I'd recommend it to anyone - anyone, that is, with time, patience, and a willingness to accept the twin challenges of utter humiliation and possible failure.

It's been an unforgettable experience. And I'd recommend it to anyone – anyone, that is, with time, patience, and a willingness to accept the twin challenges of utter humiliation and possible failure.

You think I'm exaggerating? I wish.

When I signed up for the LSAT, the law scholastic achievement test that Georgetown University Law Center requires from all applicants, I was nervous but not unduly worried. As a reporter covering some of the most visible stories of my generation – Watergate, Iran-contra, the spy cases against Aldrich Ames, Wen Ho Lee, and Robert Hanssen – I had been writing about legal matters, under pressure, for most of my career. I had done fine on tests as a student and my oldest son had received a high score on the LSAT without the benefit of a prep course. Like son, like father, right?

Wrong. I did miserably. Midway through three hours of hastily reading and re-reading complicated questions that left me mystified, I realized that I was sweating profusely. My mind wandered, and I began looking for a way to escape from the room without anyone seeing me. At that moment I was ready to forget the whole project.

It was too late, however. I had already awed my family and friends by talking about the undertaking, and I didn't want to appear to be backing down. In fact, by telling everyone I was going to enter law school (and in subsequent years, that I was in school), I purposely made quitting almost impossible. To lock myself into going ahead

under any circumstances, I started going out of my way to let colleagues, casual acquaintances, even strangers at cocktail parties know that I was studying to be a lawyer. Most of them seemed impressed.

After my LSAT debacle, however, it took some negotiations to get the people at Georgetown to take me seriously. For the first semester, in the fall of 1995, the registrar's office broke rules and let me take only one course, Constitutional Law, taught by one of their best professors, David Cole. "Con law," I was told, was close to my reporting experience. Frankly, I think more than a few in that office – as well as some colleagues at The Post – did not expect me to get much beyond that first course.

Instead, I challenged and inspired me. Sitting quietly at the back of the room (I took my son's advice, never at first volunteering to speak, and rarely later), I listened to Cole's perceptive lectures, and heard 25-year-olds give facile answers to questions I would have flubbed. And I realized almost from Day One that I was into something far more complex and serious than covering a congressional hearing or writing a news story on Iranian arms shipments.

"What happened?" – which is the journalist's first question – becomes less important than "Why did it happen?" What were the arguments for and against a premise, and how were they met? What issues were left out? Early on, I had been told by Lloyd Cutler, a lawyer friend, that I would have to learn "to think like a lawyer" rather than a reporter. This has indeed been true.

But the comparison is not entirely to the lawyer's advantage. I've found that facts, the sacrosanct foundation for good journalism, often get distorted or even dropped in the legal world. This is understandable when it comes to motions for clients – after all, it is the advocate's job to emphasize those facts that advance his or her case, and steer away from those that don't. Similar distortions are wrong, though, when they occur in judicial opinions. Most of the seven papers I wrote at law school dealt with opinions that contained some misrepresentations of factual issues; writing them, I think, reflected my years of journalistic experience.

Class preparation normally meant reading at least 60 pages for each course – something that it quickly became clear I could only do early in the morning. After a full day of work, I couldn't concentrate enough to catch the nuances of the legal arguments. In my second and third years, when I took two or three classes a semester, every morning that I didn't have a class became a two-hour sunrise study hall.
This was especially true during the approach to the all-important final exams, when a whole semester's grade—pass or fail—could depend on a single three-hour, closed-book test. My routine was very different from those of my much younger classmates: I studied at home, alone, by dawn's early light, while they mostly worked together in afternoon and evening study groups, sharing notes and reviewing prior tests. Until they actually saw me taking my first test, I learned later, most of my fellow students had thought I was some visiting professor, silently auditing the class.

Another difference between us emerged at the end of that first con law final. My satisfaction at completing the test turned to concern when I handed in my two blue books and noticed that almost everyone else had filled up four. Had I failed? No. I was told later by a law professor friend that "short and focused answers are better than what normal students do, pouring out everything they can think of." Remember, he added, somebody has to grade those exams, and "it's the most boring part of teaching." Apparently 40 years of trying to "write tight" to fit the newspaper's allotted space was at last coming in handy.

The most difficult exam was one I took in Con Law II the afternoon of the death of my good friend Meg Greenfield, the former editorial page editor of The Post. She took great pleasure in my law school adventures, having taken Latin late in life. At her home that morning, my wife and I and another good friend of Meg's decided she would have liked the idea I went on to take the test. I did okay, passed, but occasionally drifted off from the subject.

Getting to know fellow students was difficult. In my second year I took the first-year course called Legal Research and Writing. In the spring semester we had to do a moot court with a partner. Mine was a very smart Midwesterner, Mike Pitts, who took pity on me because his wife worked at the CIA, an agency I cover for The Post. Our presentation, which took place one spring evening in a courtroom in the federal E. Barrett Prettyman Courthouse, went well while Mike was speaking but less well when I took over. The third-year law student acting as an appeals court judge said during the post-argument critique that I was too focused on factual details and not dramatic enough in presenting my legal conclusions. His message was that courtroom arguments would not be my forte, something with which I agree.

One thing I regret is my inability to participate in clinics, multi-hour courses, where students have a chance to gain practical experience in court, making motions and arguments in real cases under guidance of a professor or working as an attorney in helping the poor with legal problems or aiding interest groups in promoting legislation.

There were many courses that provided challenges to my traditional thinking. Judge Laurence Silberman of the U.S. Court of Appeals for the District of Columbia lectured on administrative law, a fascinating parade of federal government issues, and personalities. Paul Clement, at the time staff director of John Ashcroft's Constitution subcommittee of the Senate Judiciary Committee, explained separation of powers in thought-provoking terms, as only a former clerk for Justice Antonin Scalia could.

The perfect ending to the whole enterprise was my last course—a weekly Saturday morning seminar on the Supreme Court at which Jake Stein, one of Washington's preeminent criminal lawyers, joined professor Paul Rothstein to lead a discussion that included the philosophy and morality of the law. For that class, I wrote a paper on a case the court ruled on just last week, saying that journalists have the right to report information even if the information was illegally obtained by someone else. At the heart of the case was an intercepted cell phone call, and I was bothered about the law underlying cell phone privacy. Stein encouraged me to "just write about why you think Congress should not have passed it, and then get to the legal issues." That's the kind of creative critical thinking about the law I've enjoyed studying and plan to enjoy in the future.

If I retire from journalism, it won't be the first time I'll have left the field. I twice took sabbaticals in the 1960s, to run investigations for the Senate Foreign Relations Committee when its chairman was J.W. Fulbright (D-Ark). Based on the committee's findings, I helped write legislation: the first time revising the foreign lobbying act; the second, drafting the initial amendments that limited U.S. military spending on the Vietnam War and paved the way to withdrawal. Armed with my new degree, I now have wider options. But whether it will take me away for good from reporting, which I love, remains to be seen.

My father, who had spent his childhood in an orphanage and never graduated high school, always wanted me to run his company, a major New York wholesaler of electric wire, cable, and wiring devices. He wasn't particularly impressed with the career I chose. I can still hear him saying, "Journalism won't get you anywhere" when I was discharged from the Army in 1957. "At least go to law school," he once said.

Well, Dad, I did.

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1948

Illinois College recently awarded Anthony Scariano the Alumni Distinguished Service Award. Illinois College is located in Jacksonville, Ill.

1951

Clinton Bamberger was recently presented with the Law Center’s Robert F. Drinan Alumni Public Service award for outstanding public service. The award was presented at the annual “Celebrate the Spirit of Service” awards reception in April. The award honors Law Center graduates who have used their legal careers to advance the public interest.

1958

Francis J. Pascetti is currently chairman of a Uniform Law Commissions drafting committee appointed to revise the Uniform Arbitration Act. This is the first revision of American arbitration law in 75 years.

1961

The 2001 graduating class of the University of Georgia School of Law presented Ronald L. Carlson (LLM) with the Student Bar Association Faculty Book award for Excellence in Teaching. Carlson, who is currently the Fuller E. Callaway Professor at the University, has written 13 books on trial techniques and teaches evidence, trial practice, and criminal procedure.

1963

Kevin Mahoney (LLM) has joined the New York office of Howe & Russell. Mahoney will advise clients in the areas of estate planning and retirement benefits. He retired last year as partner of Harris Beach, but continues his practice with that firm also.

Austin M. O’Toole announced his retirement as senior vice president, secretary, and counsel of CoStar Corp. in January. O’Toole currently has a private consulting and mediation practice in Galveston, Texas.

1965

Joseph P. Flynn has been appointed to the Connecticut Appellate Court by Governor John Rowland. Flynn was sworn in on February 7, 2000, by Judge Francis McDonald, former chief justice.

1966

Former DEA Administrator Robert C. Bonner has been nominated by President Bush as commissioner of the U.S. Customs Service. Bonner, who headed the DEA for three years, is a former federal judge, U.S. attorney, and prosecutor. He is currently in private law practice in Los Angeles. He will succeed former Commissioner Raymond W. Kelly.

Peter S. Ring has been awarded a Fulbright Fellowship to spend six months at the Nanyang University School of Business in Singapore, starting in January 2002.

Richard J. Snyder (LLM), partner with Schnader Harrison Goldstein & Manello, has been elected to the board of directors of Save the Harbor Save the Bay, a community organization headquartered in Boston.

1969

Joseph A. Gerber was recently awarded the 2001 Whelan Excellence in Education Award at the 100th anniversary awards banquet of the Insurance Society of Philadelphia in June. The award recognizes Whelan’s contributions to professional education and training for the insurance, legal and risk management professions. Gerber is currently an attorney and member of the Philadelphia law firm of Cozen and O’Conner.

David J. Taylor has joined the law firm of Tighe Patton Armstrong Teasdale as partner. He specializes in complex commercial litigation and government contracts. Taylor is also general counsel to the HubZone Contractors’ National Council.

1971

James B. Outman has retired as director of international business development and technology licensing from the chemical division of Georgia-Pacific Corporation after 21 years to return to private practice. He has joined with Ruth Claiborne and Lori Surmay to form the firm of Claiborne, Outman & Surmay in Atlanta, Ga. The firm specializes in adoption and reproductive technology law.

Duane Morris is proud to announce that John T. Schriver has joined the firm in their Chicago office as a partner. He will continue to practice commercial litigation. A frequent lecturer in civil litigation, Schriver has significant experience in chancery court matters and has successfully argued cases involving breach of contract, estoppel, and consumer fraud.

1972

Law Business Research recently named Howard Bergtraum as one of 112 lawyers worldwide in An International Who’s Who of Private Fund Lawyers. Bergtraum has been a partner at O’Sullivan LLP since 1975 and resides in Old Westbury, N.Y.

Marcia A. Wiss was recently awarded the Law Center’s 2000-2001 Charles Fahy Distinguished Adjunct Professor Award and an annual Alumni Achievement Award. She is a partner in the Washington, D.C., office of Hogan & Hartson.

1973

A. Joseph Alarid is currently senior judge of the New Mexico Court of Appeals, where he has served since 1984. Alarid now holds the highest seat among Supreme Court and Court of Appeals judges in New Mexico.
Joseph L. Fink, professor of pharmacy and health administration and a professor in the Martin School of Public Policy, was named one of six 2001 Great Teachers by the University of Kentucky Alumni Association. He is one of just nine professors in the 40-year history who have received the award twice.

American Business Financial Services (ABFI) has announced that Stephen M. Giroux has been promoted to senior vice president and general counsel. Giroux joined ABFI in Sept 1999 as deputy general counsel. He is responsible for supervising and managing the legal department staff and providing advice on a wide range of legal, business, and strategic planning issues. Giroux lives in Bala Cynwyd, Penn.

The Palm Beach County Legal Aid Society recently awarded Louis Silber the 2001 Pro Bono Civil Litigation Award. Silber currently serves as chairperson of the Judicial Nominating Commission for Palm Beach County, Fla., and is a partner in the firm of Silber & Valente where he specializes in insurance, consumer, personal injury, and commercial litigation.

1974
Emmet L. Cosgrove has been nominated by Governor John G. Rowland to serve as a judge on the Superior Court for the State of Connecticut. The nomination was confirmed by the legislature on April 11, 2001. The Superior Court is a trial court of general jurisdiction for the state.

The Hon. Marilyn Milian recently became the first Hispanic judge ever to preside over The People's Court. Milian took over the 20-year-old TV court show in March. Prior to joining the televised courtroom drama, she served as judge in the Miami Circuit Court's criminal division where she was appointed a judge at the age of 32.

Rhea Schwartz has been named by International Figure Skating Magazine as one of the 25 most influential people in figure skating. Schwartz was recognized for having created the Adult Figure Skating Program for the United States Figure Skating Association and for expanding the program internationally. Under her leadership there have been six U.S. adult national figure skating championships and three international championships. The selections were announced at a reception at the World Figure Skating Championships held in Vancouver, B.C., in March.

1976
Michael A. McEnroe was recently board certified in civil appellate law by the Texas Board of Legal Specialization. McEnroe lives in Houston.

Joseph D. Eppeheimer, mayor of Reading, Penn., recognized Caleb Nichols (LLM) for his leadership in organizing Operation Crush Crime, a grassroots, anti-crime initiative started in 2000 for the purpose of mobilizing citizens to deter crime and promote community awareness.

1977
The board of trustees of Camden Regional Legal Services (CRLS) is proud to announce that Gary W. Boguski has been elected to serve as president for the year 2001. CRLS is a private, nonprofit law firm located in Camden, N.J.

Edward J. Gill, Jr. (LLM) recently joined Thompson Coburn's Washington, D.C., office as partner.

1978
Roderick Morgan, a partner with the Indianapolis-based law firm of Bose McKinney & Evans, has been selected to serve as a member of the board of directors for the Indy Jazz Fest. Attendance for the jazz fest in 2001 was 75,400.

1979
Patricia Barron was appointed associate magistrate court judge for Athens-Clarke County in

Public Citizen Honors Ed Ricci
Edward M. Ricci (L73) was recently honored by Public Citizen for his many years of service in consumer advocacy. Ricci was honored at a program held in Montreal, Canada, marking Public Citizen's 30th anniversary. He has represented consumers in groundbreaking cases for more than 28 years and concentrates his practice on insurance bad faith claims, automotive products liability, and highway defect litigation. Ricci has also been actively involved with Georgetown organizations for many years. He has served as chair of the Law Annual Fund, on the Law Center's Major Gifts Committee in the Third Century Campaign, as well as on the Law Center's National Law Alumni Board, and the university's Board of Governors.

Literary Alum
Tim Junkin (L77) recently released his second novel, Good Counsel, this spring. Good Counsel follows the release of his first novel, The Waterman (Alongquin Books, 1999), which won praise from the Baltimore Sun, Washingtonian magazine, and Publisher's Weekly. It also earned Junkin the Maryland State Arts Council's Individual Artist Award in Fiction prize for the year 2000. Good Counsel is set in the Chesapeake Bay area and chronicles the events in the life of an attorney who knowingly coaches his clients to present false testimony. Junkin is a trial lawyer and founding partner of the Washington, D.C., firm of Asbill, Junkin, Moffitt & Boss.
February 2001. Upon graduation from the Law Center, Barron spent 20 years with Georgia Legal Services and two years on the clinical faculty at University of Georgia Law School.

1980

Gateway has named M. Javade Chaudhari senior vice president and general counsel. In this post, Chaudhari assumes responsibility for managing the legal affairs for Gateway. Chaudhari has served as the company’s vice president, law, and deputy general counsel since joining the company in 1999.

Kramer Levin Naftalis & Frankel recently announced that Marshall H. Fishman has joined the firm as a partner in the litigation department in New York.

Catherine Sullivan and husband, Henry Stevenson, recently welcomed daughter, Juliet Ellinwood, to the world on January 22. Sullivan lives in Lexington, Mass., and works in the criminal appellate division of the attorney general’s office in Boston.

1981

The law firm of Baker, Donelson, Bearman & Caldwell is pleased to announce the addition of Cyrus L. Booker as a shareholder in the Nashville office. Booker concentrates his practice in tort and commercial litigation. Prior to joining the firm, he served as Barrister in the Harry Phillips American Inn of Court for three years.

Maureen George (Lindsey) recently passed the Kansas Bar and joined the law firm of Husch & Eppenberger as of counsel, in Wichita, Kan.

The law firm of Heller Ehrman White & McAuliffe has announced the addition of Warren Rheame as lateral shareholder in the Seattle office. Rheame’s practice focuses on commercial litigation emphasizing trademark, copyright, and trade secret issues.

1982

The Tennessee firm of Bass, Berry & Sims recently named Wally Dietz practice head of their litigation division. Dietz resides in Nashville.

The New York offices of Cadwalader, Wickersham & Taft has announced the addition of Kenneth A. Freeling, a litigator concentrating in intellectual property, to the firm’s partnership. Prior to joining Cadwalader, Freeling founded and served as CEO of Cicero Communications, a developer of Web-based technologies for medical research and development companies. He practices patent infringement and licensing litigation.

Liebert Cassidy Whitmore, a California public sector employment law firm, announces the addition of Emi R. Uyehara. She will specialize in representing education clients. Prior to joining Liebert Cassidy Whitmore, Uyehara was a partner with Miller Brown & Dannis in San Francisco.

1983

The law firm of Hughes & Luce is pleased to announce that Kim J. Askew, a litigation partner and member of the firm’s management committee, is now leading the litigation section of the State Bar of Texas as its chair. Askew is the first African-American lawyer to chair the State Bar’s largest section, with over 8,100 members. She is also a newly elected member of the State Bar’s Board of Directors.

William Y. Kim recently joined Pillsbury Winthrop as a partner in their New York office. Kim will continue to represent clients in cross-border transactions and finance related matters, with a principal focus on Asia-related transactions.

The Rockville, Md.-based law firm of Shulman, Rogers, Gandal, Pordy & Ecker is pleased to announce the promotion of Jeffrey W. Rubin (LLM) to shareholder. Rubin's
practice focuses on business and commercial transactions, corporate law, bankruptcy law, and estate planning and administration.

Gail Cleary is presently with the corporate technology licensing department of Clifford Chance Rogers & Wells in New York. Cleary was formerly a member of the trial team representing 19 states and the Department of Justice in the consolidated antitrust action against Microsoft Corporation.

Jessica Landman has been named a 2001 Pew Marine Conservation Fellow. The Pew Fellows Program in Marine Conservation awards $150,000 to ten individuals chosen globally each year. The awards support projects that tackle urgent conservation challenges in sustainability of marine ecosystems, fisheries management, marine contamination, and coastal conservation.

The Georgia Institute of Technology has named Professor William J. Long chair of the Sam Nunn School of International Affairs in Ivan Allen College, the liberal arts college of Georgia Tech. Long has been a professor in the Sam Nunn School since 1991 and has authored three books. His research focuses on international relations theory, international trade, and technology transfer.

Serena M. Williams is currently an associate professor of law at the University of Louisville School of Law. Williams teaches property, environmental law. In May 2000, she was a visiting lecturer at the University of Natal in South Africa.

The Harry S. Truman Foundation recently presented Kevin Higgins with the Stevens Award for outstanding public service in the field of law. Higgins received the honor from Justice Clarence Thomas at the United States Supreme Court on June 5, 2001. Higgins currently serves as Nevada chief deputy attorney general. He and his wife, Tammy, have three children.

The Weyerhaeuser Company of Tacoma, Wash., has named Sara Schreiner-Kendall vice president in charge of environment, health, and safety. Kendall joined Weyerhaeuser more than 20 years ago as a forester. She most recently served as director of regulatory and public policy in the environment, health, and safety division of the company.

Vaughn Taus and his wife, Sasha, recently opened a wine shop specializing in local wines. Taus practices law full-time, and lives in San Luis Obispo, Calif., with his family.

Margaret Best Burlingame has returned to the Indianapolis law firm of Barnes & Thornburg, after serving as chief of staff to Governor Frank O’Bannon. Burlingame is the first woman to serve as a chief of staff to an Indiana governor.

Mary DeLano and three other attorneys recently launched an educational consulting group in Portland, Maine. Advanced Educational Solutions (AES) advises colleges, universities, and public and private schools in New England and throughout the U.S. on liability issues and reviewing and developing legally sound policies. DeLano has a background in tenure and employment issues, and specializes in construction law. AES is a division of the law firm of Bernstein, Shur, Sawyer & Nelson.

Daniel W. Luther has been named general counsel for the Indianapolis Colts. Luther, a partner in the Chicago law firm of Mayer, Brown & Platt, has worked with the Colts since 1996. He will work from offices in Indianapolis and Chicago and will remain a partner with the firm. Luther and his wife, Cathy, have two children and reside in Oak Park, Ill.

Maureen (Austin) Pacheco and her husband, Oscar, celebrated the birth of their third child, Samuel Armando on April 4, 2001. Pacheco has been a public defender in Los Angeles since 1987.

Edward S. White assumed duties as legal advisor to the Commander, Submarine Force, U.S. Atlantic Fleet in Norfolk, Va. In this new capacity, White will provide advice on issues ranging from military justice to fiscal law, government ethics, and international law.
1987

Ariel Cudkowicz was recently elected partner at the Boston office of Seyfarth Shaw. Cudkowicz’s expertise includes defending clients on matters involving sexual harassment, age, race, disability, sex, sexual orientation, and pregnancy discrimination. He has lectured on a variety of employment law topics for human resource specialists.

Oliver M. Johnson II will lead the newly established Merck Privacy Office as chief privacy officer for Merck’s worldwide pharmaceutical business. Johnson will also be a member of Merck’s Information Management Review Board.

1988

Seyfarth Shaw recently announced that Lynn Kappelman, of the firm’s labor and employment practice in Boston, has been elected partner. Kappelman counsels companies on various employment issues and has also lectured and conducted seminars on a variety of employment law topics.

The Honorable Jennifer M. Long currently serves as administrative law judge on the District of Columbia Rental Housing Commission. Long was first appointed to the Commission in July 1997, and was appointed to a successive term in March 2001. Prior to her tenure as an administrative law judge, she served as a public defender in Philadelphia, Pa., and an arbitrator for the Pennsylvania Court of Common Pleas.

The international law firm of Milbank, Tweed, Hadley & McCloy has expanded its litigation department and intellectual property practice group with the appointment of Michael M. Murray as partner in the firm’s New York office.

The law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo announces that Michael H. Pryor has been promoted to member of the firm in the communications section in the Washington, D.C., office. Previously of counsel, Pryor focuses on communications law, policy, regulation, and transactions.

1989

The law firm of Luce, Forward, Hamilton & Scripps is proud to announce the election of William T. Earley to their executive committee. Earley has been with the San Diego-based law firm for over 11 years and is a member of the labor and employment law practice group.

Michael J. Gartland and his wife, Katherine, announce the birth of their son Cameron Joseph Gartland, on April 2, 2001.

The Environmental Protection Agency has named Arthur Haubenstock this year’s recipient of the Legal Enforcer of the Year award for negotiating the largest redevelopment of a Superfund site in EPA history. Haubenstock is currently the assistant regional counsel in the EPA’s San Francisco office, which is responsible for California, Arizona, Nevada, Hawaii, and the U.S. protectorates in the Pacific.

Kiran Heer (LLM) joined the Office of the Attorney General of the State of New York, where she is assigned to the Medicaid Fraud Control Unit.

Elizabeth M. Knoblock (L79, LLM’89) recently joined the Washington, D.C., office of Dechert Price & Rhoads as counsel in the government department and member of the financial services practice group. Knoblock focuses her practice on the federal, state, and international laws governing the investment of management of mutual funds and separate accounts.

Fostering a Tradition of Public Service

As the National Chair of the Law Annual Fund, I am particularly encouraged by the continued commitment that our students and alumni have to public interest. The gift of time through pro bono work and community involvement affirms the values we learned at the Law Center. Financial support of Law Center outreach programs reflects the ongoing tradition of helping others that is evident in clinical programs and student organizations.

It goes without saying that a complete legal education requires that students have the opportunity to put legal theory into practice. Contributions from alumni and friends to the Equal Justice Summer Fellowship Program have provided funding for a record 71 summer public interest projects in 2001. As a result, Georgetown law students worked this past summer for a wide variety of public interest organizations and government agencies such as Neighborhood Legal Services, United Nations High Commissioner for Refugees, and Anchorage Environmental Section of Alaska Attorney General’s Office. Without such assistance, our law students would not be compensated for their work. Including the proceeds of the annual Fall Public Interest Auction and an annual contribution from the Law Center, this dedicated student group raised over $213,000 for fellowships.

You may also be interested to learn that recently, Georgetown’s Loan Assistance Repayment Program (LRAP) received high marks in a report from the National Association of Public Interest Law (NAPIL). The NAPIL report found that Georgetown’s program had grown significantly in the past five years to become one of the most generous in the country, ranking in the top six. This continued growth is the result of the generosity of alumni like recent graduate Kevin Ryan (L’92), a past beneficiary of LRAP himself. Ryan gives back tirelessly in his position at Covenant House’s Youth Advocacy Center in New Jersey and has recently made a generous multi-year pledge.

I am also proud to mention that Patricia Mullahy Fugere (C’81, L’84) received an honorary degree at the Law Center’s 2001 Commencement ceremony. She is one of the founders and currently the executive director of the Washington Legal Clinic for the Homeless, which serves the Washington, D.C., community. Both Ryan and Fugere demonstrate a passionate commitment to public interest and exemplify the Jesuit tradition of service that I admire so much. It is particularly heartening to see that in addition to the many causes Georgetown law graduates like Ryan and Fugere support, each year they make the Law Annual Fund a priority in their charitable giving, too.

We can all take pride in the accomplishments of fellow graduates, in both the public and private sectors, who make a profound difference in their communities and indeed around the world. I hope you will join me in recognizing our Law Center community’s commitment to service with a gift to the Law Annual Fund in the new fiscal year.

Edmund W. Burke
C70, L73
National Chair, Law Annual Fund

FY2001 Law Firm Challenge Results

More than 25 enthusiastic Firm Agents representing 15 participating Washington, D.C., firms in the Law Firm Challenge helped increase support by Georgetown law alumni in the Law Annual Fund. Additionally, the program achieved a new record this year with 56 percent participation, up from 50 percent last year. Two firms reached or surpassed 90 percent participation: Williams & Connolly with 92 percent and Howrey, Simon, Arnold & White with 90 percent.

The following firms are recognized for their outstanding efforts to surpass 50 percent participation and gratefully acknowledged for their leadership in the Law Firm Challenge:

Dickstein, Shapiro, Morin & Oshinsky
Hogan & Hartson
Holland & Knight
Howrey, Simon, Arnold & White
Jones, Day, Reavis & Pogue
McDermott, Will & Emery
Morgan, Lewis & Bockius
Steptoe & Johnson
Williams & Connolly

“With financial gain comes responsibility and so [my wife] Clare and I wish to give back to the program that has so generously supported us. In doing so, we hope to nurture other young public interest lawyers graduating from the Law Center.”

— Kevin Ryan, L’92
Past LRAP participant
Law Annual Fund
Making a Difference

Thanks to the support of generous alumni and friends, the Law Annual Fund raised an impressive $2,308,015 in fiscal year 2001. Now in her third term, Dean Areen is dedicated to the first-rate legal education offered at Georgetown University Law Center. In her efforts to advance the Law Center, Dean Areen continues to enhance the current student and law alumni experiences. A record number of donors in fiscal year 2001 enabled Dean Areen to focus on promoting academic excellence, an inclusive and diverse community, and service to others.

1990

Allen Matkins Leck Gamble & Mallory has announced the election of Drew Emmel to partner in their Orange County, Calif., office. Emmel is active in all aspects of real estate and focuses on the development and leasing of industrial, retail and office projects.

The Rockville, Md., law firm of Shulman, Rogers, Gandal, Pordy & Ecker is pleased to announce the promotion of Gregory D. Grant to shareholder. Grant is part of the firm's employment and litigation practice groups.

The law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo announces that James M. McKnight has been promoted to member of the firm in the business and finance section in their New York City office. McKnight has experience with private equity investments, mergers and acquisitions, joint ventures, secured credit, and securities offerings.

Drinker Biddle & Reath is pleased to announce the recent appointment of John R. Przybyszyn to counsel in the firm. Przybyszyn joined Drinker in 1997 and is a member of the education law group in the business and finance department of the firm's Washington, D.C., office.

The law firm of Squire, Sanders & Dempsey announces that James B. Rosenthal has become associated with the firm's Cleveland litigation practice. Rosenthal focuses his practice on trial and appellate advocacy in complex cases.

Szold & Brandwen is pleased to announce that Michael Adrian Valentine has joined their New York City office as an associate in the commercial litigation and cooperatives practices.

1991

In January 2001, Alexander Fernández was named deputy associate solicitor for civil rights at the United States Department of Labor.

Cedestra L. Jordan, general manager of safety and environmental control for Amtrak's Northeast corridor, has been honored by the American Women's Heritage Society as a "Mover and Shaker" in Philadelphia. The award praises Philadelphia businesswomen and their influences on the Philadelphia metropolitan area.

Craig D. Mills, a partner at Montgomery, McCracken, Walker & Rhoads, recently won an important ruling from an international arbitration panel for a Canadian enterprise. The ruling marked the first time the North American Free Trade Agreement has been extended to protect a private foreign investor from nationalistic bias.

Martin Waters was ranked eighth in the IPO Journal's "Top 100 Lawyer's Acting as IPO Issuer's Counsel" for 2000. Waters joined the Palo Alto, Calif., office of Wilson Sonsini Goodrich & Roberts in April 1999.

1992

W. Kenneth Ferree was recently appointed chief of the Cable Services Bureau. The announcement was made by FCC Chairman Michael Powell. Ferree is currently a partner in the Washington, D.C., law firm of Goldberg, Godles, Wiener & Wright and has had extensive experience in deal-
ATTENTION LAW ALUMNI!

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ing with telecommunications and information technology issues. For the past seven years, he has been an adjunct professor of law at the Law Center in the areas of telecommunications law and regulation and professional responsibility.

Sevyarh Shaw announced that Karla Grossenbacher of the labor and employment practice has been elected to partner. Grossenbacher provides counseling and advice to employers on a variety of employment and personnel matters, such as discipline and discharge, restrictive covenants, and reductions in force.

Christine K. Jacobson has joined the Indianapolis law firm of Wooden & McLaughlin as an associate. Jacobson is a member of the Indianapolis and Indiana State Bar associations.

Margaret Lawton is currently a visiting assistant professor of law at Appalachian School of Law in Grundy, Va. Lawton coaches the law school's ATLA trial teams, as an officer of the Buchanan County Humane Society and is a member of the Buchanan County Arts Council. Lawton teaches the Academic Success Program and the Trial Advocacy Practicum.

Holland & Knight is pleased to announce that Adam L. Smith has been named partner of the firm. Smith resides in Atlanta, Ga., and will continue his practice in the areas of business law and corporate mergers and acquisitions.

1993

The law firm of Fowler Rodriguez is pleased to announce that Gary Davidson has joined their Miami office as a partner. Davidson will continue to practice in the areas of maritime, international, and commercial litigation. He also serves on the law faculty at Nova Southeastern, where he teaches courses in travel law and international litigation as an adjunct professor. His authored articles on various legal aspects of the travel industry have appeared both in the U.S. and in Europe and he has been a frequent speaker before industry trade groups.

Michael R. Freed became a member of Smith Hulse & Busey in Jacksonville, Fla. Freed specializes in commercial litigation. He and his wife, Sherri, have two sons and have been married for 11 years.

The Morristown, N.J., law firm of Porzio, Bromberg & Newman is pleased to announce that Linda Pissott Reig has been named counsel to the firm. Reig concentrates her practice in litigation, business counseling, products liability, and pharmaceutical and medical device law and has been with the firm since 1997.

1994

Ira Blumenthal is currently a senior partner of Blumenthal, Richter, & Somet. He is the first Law Center alumnus to establish a law practice in Thailand.

David J. Goren has been elected a principal of Fish & Richardson, in the firm's Silicon Valley office. Goren is a member of the firm's patent and electrical groups. He counsels clients in intellectual property strategy and planning, and patent prosecution.

The law firm of Schnader Harrison Segal & Lewis is pleased to announce that Matthew F. Miller has joined the firm's San Francisco office. Miller is an associate with the litigation services department.

King & Spalding announced that Jeffrey S. Spigel has been elected to partner in their Washington, D.C., office effective January 1, 2002. Spigel practices in the antitrust practice group.

1995

The Bush Administration has appointed Jeff Clark a deputy assistant attorney general for the Environment and Natural Resources. Clark will leave private practice to take this position.

Jonathan Gold is currently vice president and general counsel of the Softmart, a leading provider of information technology products and services to businesses, organizations, and government agencies nationwide. Gold and his wife, Allison Goodman Gold (L95), also celebrated their son Noah's second birthday in May. They currently reside in West Chester, Penn., and would enjoy hearing from Georgetown friends and fellow alumni in the area.

DoubleClick Inc. recently announced that Nuala O'Connor has been named vice president of data protection and chief privacy officer for e-mail and emerging technologies. In this role, O'Connor will focus on developing consumer information policies and enhancing internal privacy policies.

Christine Patterson Renny and husband, John, are happy to announce the birth of their daughter, Cecilia Grace, on August 14, 2000, in Washington, D.C.

Vani Singhal has been appointed chair of the ABA tort and insurance practice section's Medicine & Law Center for the 2001-2002 bar year.

Alumnus is Named Anastasia Riverkeeper

Damon Whithead (L95) was named to the newly created post of Anastasia Riverkeeper in April 2000. As the riverkeeper, Whithead advocates for the protection and stewardship of Washington, D.C.'s Anastasia River, its tributaries, and watershed. He also ensures compliance with environmental laws and regulations and files lawsuits, if necessary, against violators — whether they are District or federal agencies, or individual residents. Whithead's environmental interest began at the Law Center where he was greatly influenced by Professor Hope Babcock. This is his third public service job since his graduation from law school. He also works with students in the University of Maryland environmental law clinic and is actively involved in Mayor Anthony Williams' Anastasia Waterfront Development Initiative. According to the Water Keeper Alliance, there are only 63 riverkeepers in the world. All but six work on waterways in the United States.
Yolanda Young is the author of both an upcoming memoir, *On Our Way to Beautiful*, due out this year, and a weekly column syndicated to some 200 newspapers. *On Our Way to Beautiful* has been sold to Villard Books, an imprint of Random House. In the meantime, Young is at work on her second effort, a fiction novel set in a law school.

1996

Mila Becker and husband, Scott, joyfully announce the birth of their daughter, Sophia Faith, April 18, 2001, in Washington, D.C. Becker is a senior legislative representative at American Association for Retired People.

Stacey L. Goldberg recently joined Credit Suisse First Boston, where she serves as vice president of their international trust division of private client services (focused on Latin American market).

Donna Henry Wright is currently serving as director of program development for the Association of Community Cancer Centers. She is responsible for board and committee restructuring, developing meeting topics, and creating new products, membership benefits, and revenue generating projects.

1997

The law firm of of Hobbs, Straus, Dean & Walker, is pleased to announce that Staci Coleman recently joined their Oklahoma City office.

Joseph Mrazek is currently an assistant city attorney in Madison, Wisc. He prosecutes ordinance violations and helps counsel city government on legal matters.

Julia A. Novina has been an associate at the Washington, D.C. office of Lovells since June 2000. She practices in the areas of consumer financial services, privacy, and international data protection and has spoken in London and the U.S. on these issues. In July 2001, an article she wrote on U.S. and European data protection was published in BNA's Banking Report.

1998

Mike Deshields has been selected as deputy assistant inspector general for investigations at the U.S. Department of Education.

Augusto Lima (LLM, FLAG) had his Law Center graduate thesis on stare decisis published as a book. The work has also been translated into Portuguese.

Joel C. Mandelman was recently elected vice president and general counsel of Nutech O2 Inc. Mandelman lives in Arlington, Va.

Sarah Minifie is pleased to announce that she has recently joined Jane Sender Legal Search in Boston, Mass. Prior to joining Jane Sender, Minifie was practicing law at Goodwin Proctor in Boston.

Karen Jo Pope-Onwulwe recently graduated from the Maryland State Bar Association Leadership Academy. She also serves on the

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**THE THIRD CENTURY CAMPAIGN**

**A Time of Progress**

The progress of the Third Century Campaign over the past six years has been nothing short of extraordinary. Launched in the mid-1990s, this fund raising effort followed closely two other major Law Center efforts, and the Law Center initially set a modest goal of $24 million. As the months passed, it became clear that our alumni were capable of giving — and wanted to give — much more. Our current goal for the campaign is $85 million. Two years from the close of the campaign, that goal is in sight. The charts to the right summarize the progress of the Third Century Campaign at the Law Center and show how the funds will be allocated.

We anticipate that the next two years will be exciting ones for the Law Center and for the campaign. Our academic program, already among the finest in the nation, continues to grow. Thanks in part to alumni gifts, we recently added several new faculty members, whose expertise in fields such as comparative and international law keep the Law Center at the forefront of legal scholarship. Donations for scholarships, such as the Louis B. Fine Fund (see box on this page) permit the Law Center to assist gifted students who cannot manage tuition — which exceeds $25,000 a year — on their own. Still other donations enhance our long tradition of public service.

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**Louis B. Fine Endowed Scholarship Fund Established**

Louis B. Fine (LL75), writing in 1966 of his experiences as a Georgetown law student in the 1920s, said, “Georgetown, more than any other institution, made me understand my duty to my God, my country, my family, and my fellow citizen. The rationale of that institution made me understand what it was to come in contact with good people, good books, good talk, good thinking, and good friends.”

Fine, who was a Virginia Beach attorney and Georgetown Alumni Association President during his lifetime, has left a legacy to Georgetown. Through the Fine Family Fund, a donor-advised fund of The Virginia Beach Foundation, his estate has established the Louis B. Fine Endowed Scholarship Fund, which will assist a Georgetown law student who demonstrates “tenacity, aggressiveness, and dedication to the law.”

The $900,000 gift to establish the scholarship fund has been added to a $100,000 gift from Fine made during his lifetime, and will be used for tuition assistance in the form of financial aid. As Fine wrote in his 1966 memoir, this gift helps achieve what his professors taught him, “that we must apply the forces that generate a living law.”

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**PROGRESS OF THE THIRD CENTURY CAMPAIGN AT THE LAW CENTER**

Since 1999, contributions to the Third Century Campaign have more than doubled.

**HOW THIRD CENTURY FUNDS ARE USED AT THE LAW CENTER**

- Facilities and Equipment 23%
- Current Use 39%
- Endowment 38%

Funds designated for endowment and current use support financial aid, chairs and professorships, and academic and student programs.
board of directors for the ProBono Resource Center of Maryland.


Seth Row and Marti Long (L'99) were married on January 19, 2001, in a beach ceremony, in the U.S. Virgin Islands. The couple met while attending the Law Center. Row is clerking for Judge Fred Van Sickle, chief judge of the Federal District Court for the eastern district of Washington state.

1999

The Miami office of Akerman, Senterfitt & Eidson is pleased to announce that M. Adriana Koeck De Schmidt has joined the firm as of counsel.

The San Francisco office of Bracewell & Patterson has announced that Gregg R. Kosterlitzky (LLM) has joined the firm as an associate in the real estate, energy, and finance group. Kosterlitzky was formerly a tax associate with Fulbright & Jaworski.

Marti Long and Seth Row (L'98) were married on January 19, 2001, in a beach ceremony in the U.S. Virgin Islands. The couple met while attending the Law Center. Long is currently an assistant prosecutor in the Spokane City Prosecutor's Office in Washington.

Laska Nygaard is currently an associate with Baker & McKenzie's Hong Kong office. Nygaard practices in the China practice group and recently wed Brent Tap.

J.C. Scott was recently promoted to legislative director in the offices of Rep. Deborah Pryce (R-Ohio). Now in his second year with the Congresswoman, Scott was hired as a legislative assistant and counsel in 1999. Before joining Pryce he worked on energy regulatory litigation at the D.C. law firm Travis & Gooch.

2000

Audrey Benison is pleased to announce her engagement to Paul Hemesath. They will be married in San Francisco in February 2002. Benison is currently a law clerk to Judge Emilio Garza of the Fifth Circuit (Texas). Benison and Garza will reside in Washington, D.C.

2001

Steven H. Blum (LLM), an attorney for WorldCom, Inc. in Washington, D.C., is pleased to announce his marriage to Robyn M. Perlin. The couple lives in Pikesville, Md.

Michael O'Neil recently founded and became chief executive of Get Well Networks. GWN is a Washington, D.C., company that provides pay-per-view movies and Internet access to hospital patients. O'Neil conceived the idea for GWN when he was receiving treatment for non-Hodgkin's lymphoma in 1999.

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**FCC Chair Presents Keynote at Fifth Annual Corporate Counsel Institute**

The Law Center held its fifth annual “Corporate Counsel Institute” March 15-16 for high-level policymakers and lead attorneys of major corporations. The program, chaired by Patrick J. Head (C'S4, L'S6, L'S7), was presented in cooperation with the American Corporate Counsel Association and the American Society of Corporate Secretaries. Fast gaining a reputation as the best conference of its kind on the east coast, the fifth annual Institute had a record 212 attendees. Michael Powell (L'93), chairman of the Federal Communications Commission, presented the opening keynote address. Also featured were representatives of the Federal Trade Commission, the Securities and Exchange Commission, AOL Time Warner, and CBS. Special features included a luncheon address by the Ambassador to the United States from the People's Republic of China, Yang Jiechi, a roundtable discussion by former assistant attorney generals for the Antitrust Division of the Department of Justice, and a General Counsel Roundtable addressing critical issues for small and large companies.

The sixth annual “Corporate Counsel Institute” is scheduled for March 14-15, 2002. For more information, call (202) 662-9890, e-mail cle@law.georgetown.edu, or visit www.law.georgetown.edu/cle.
Srebrenica Genocide Trial

Mark Vlasic (L’00) is currently working at the United Nations War Crimes Tribunal in The Hague. Having recently finished his work on the prosecutor’s genocide case against General Radislav Krstic, he is currently “second chair” on the case against Dragan Obrenovic. Obrenovic, a Bosnian Serb, was a commander of the Zvornik Brigade in Bosnia’s Serb republic and is believed to be one of the commanders responsible for the mass executions of an estimated 8,000 Muslim men and boys in the eastern Bosnian town of Srebrenica in 1995. Vlasic drafted and edited portions of Obrenovic’s indictment and drafted the warrant-related documents necessary for his arrest. Obrenovic was captured by a NATO-led SFOR unit in April 2001. He faces five counts of complicity in genocide, crimes against humanity and violations of the laws or customs of war. The massacre of which he is accused is regarded as the worst atrocity in Europe since the end of World War II.

Last year, Vlasic received a Netherland-America Foundation Grant through the U.S. Fulbright Scholar program.

GULC Tops NAPIL Fellowships List with Five Awardees and Ranks Among Top Six Law Schools for Loan Forgiveness

The National Association of Public Interest Law (NAPIL), which has ranked the Law Center’s Loan Repayment Assistance Program (LRAP) among the six most generous in the country, recently released the names of the first group of fellows for the Class of 2001. Among them are five recent Law Center graduates, giving Georgetown more awardees than any other law school. Law Center NAPIL fellows for the coming year are:

Karen Cunningham (L’01) Lisa Mottet (L’01)
Shawn Highland (L’01) Sarah Lichtman Spector (L’01)
Joy Moses (L’01) Tamar Todd (L’01)

The Law Center has a strong record of NAPIL fellowships, with three NAPIL fellowships last year, as well: Megan Blamble (L’00), Kate Greenwood (L’99) and Lisa Lunsford (L’99) as members of its 2000-01 fellowship program. NAPIL is the nation’s largest public interest legal fellowship program to place new attorneys in legal positions at community-based, not-for-profit organizations. Fellows receive a salary, as well as loan repayment assistance for two years.

Law Center alumni gather before the U.S. Supreme Court after being sworn in as members of the Supreme Court Bar.

Supreme Court Swearing-in Ceremony

The following alumni were sworn in to the Supreme Court Bar on Monday, June 18, 2001:

Paul David Blaz Borja (L’91) Fredrick W. London (L’76)
Suzan Frances Charlton (L’91) Colin A. Meertins (L’91)
Charles S. DeAngelo (L’81) Linda Joan Morgan (L’76)
Clydene Jones Edmonds (L’81) Ellen Mary O’Toole (L’91)
Robert Emanuel David (L’81) Jawwaad Abdur Rasheed (L’81)
Brenda Jane Frank (L’76) Leonard S. Roth* (L’76)
Charles Erik Gustafson (L’91) Michael Dennis Ryback* (L’76)
Blaney Harper (L’91) Gary J. Silversmith* (L’81, LLM’84)
Richard A. Hudson (L’76) Conrad John Smucker (L’91)
Amy Margarette Jones-Baskaran (L’86) Clifford Calvin Stoddard, Jr. (L’96)
Michael Emile Karam (L’76) Jaime Taronji, Jr. (L’76)
Stanley L. Lane (L’81) Michael S. Warach (L’81)
Angel Fermin Leal, Jr. (L’91) George Benedict Wilkinson (L’81)

*Admitted to the Supreme Court Bar but not present at ceremony
Bringing Alumni and Students Together

I am pleased to report that the National Law Alumni Board (NLAB) is fulfilling its pledge of increasing the Board’s participation in activities that help bring students and alumni together and also enhance the Law Center. We are working toward our goal in several ways. First, an initiative formerly known as the Hoya to Lawya program—a mentoring program originating with the NLAB to provide assistance to first-year students—was the subject of review during the past fall and spring. Board members are currently designing a program that will be administered initially by the Office of Alumni Affairs. The Office of Career Services will act as an advisor to the program.

We are also looking at the ways we bring alumni and prospective students together. The process of becoming interested in a law career and in Georgetown often begins with personal contact with a Georgetown Law Center graduate. NLAB members are working with the Admissions Office to reconfigure the Alumni Admissions Program to provide assistance to prospective students who want to contact alumni around the country. Alumni will also again participate in this fall’s World of Choices program in which first-year law students learn about the various opportunities that are available to those with law degrees. Co-sponsored by the NLAB and the Office of Career Services, this fall’s session will mark the 14th anniversary of the day-long event, featuring panel discussions and opportunities for students and alumni to meet on a one-to-one basis.

Early Interview (EIW) week is yet another way that alumni interact with students. During last fall’s EIW, more than 225 alumni interviewed currently enrolled students. This August will be the second time that interviewing will take place the week before school starts. Many alumni have indicated that they will return to interview students. Members of the NLAB are among those alumni returning to interview and hire Georgetown students. The Law Center is grateful for the interest expressed by its graduates in encouraging their law firms to hire Georgetown students.

There are a number of events coming up of interest to alumni. Law class reunions will take place on the weekend of October 19-21, 2001, celebrating especially graduates of classes ending in 1 and 6. This year also marks the 40th anniversary of the Pretryman Fellowship program. Pretryman Fellows spend two years at the Law Center working within the Criminal Justice Clinic. Looking forward to next spring, for the first time Georgetown will host a reunion in Paris, France, for all Georgetown law alumni. The date of the reunion is April 25-28, 2002, and will coincide with the annual John Carroll and Patrick Healy Awards dinner, when several alumni will be honored for their contributions to the university and to the community. On the home front, plans are underway to begin the process of building the two new buildings for the Campus Completion Project. The Law Center plans to break ground next summer to build the Scott K. Ginsburg Sport and Fitness Center, and the Eric Hotung International Law Center Building, which will contain an Alumni Welcoming Center.

I hope that you will return to the Law Center soon, and attend one of the many events that mark an active Law Center community. To learn more about upcoming alumni events, please go to the law.georgetown.edu/alumni Web page. If you have any ideas that you would like to share, please feel free to contact me directly at 202-414-6101 or send me an E-mail message at sj@sfalaw.com. You may also reach me through the alumni office. I look forward to seeing many of you at the various events outlined in this letter.

Sidney J. Silver, L’62
Chair, National Law Alumni Board

Alumni Awards and Appointments

Clinton Bamberger, L’51
Awarded the Robert F. Drinan Alumni Public Service award for outstanding service, presented at the annual OPICS “Celebrate the Spirit of Service” awards reception in April. The award honors Law Center graduates who have used their legal careers to advance the public interest. Bamberger is currently an advisor to the Open Society Institute on issues of access to justice. He has been a visiting fellow at the Netherlands Institute for Advanced Studies in Humanities and Social Sciences and has helped develop courses in clinical instruction in countries including South Africa, Nepal, the Czech Republic, and Slovakia.

Robert C. Bonner, L’66
Nominated by President Bush to head the U.S. Customs Service. Bonner served as head of the U.S. Drug Enforcement Administration and is a former U.S. attorney for the Central District of California. Bonner has been a high-profile defense lawyer since leaving public service in 1993.

Erik P. Christian, L’86 and Lynn C. Leibovitz, L’85
Erik P. Christian was recently approved for a D.C. Superior Court judgeship to which he was nominated by President Bush. Prior to this post, Christian served as legal counsel to Mayor Anthony A. Williams. Also nominated for a Superior Court judgeship was Lynn C. Leibovitz. Her appointment is pending confirmation. Leibovitz was the Bush administration’s first nominee for a position on the District’s city court. She is currently deputy chief of the homicide division in the U.S. Attorney’s Office and teaches trial practice at the Law Center.

Thomas F. Hogan, L’66
Appointed chief judge of the U.S. District Court for the District. His placement follows the retirement of
Chief Judge Norma Holloway Johnson (L’62), who remains on the bench as a senior judge. Hogan was appointed to the federal bench in 1982 by President Ronald Reagan.

Jack Lew, L’83
To executive director of the transition team for New York University’s incoming president, John Sexton. Lew will become NYU’s executive vice president for operations. He has been a visiting research professor at the Georgetown University Public Policy Institute and was director of the federal office of management and budget in the Clinton administration prior to taking this position.

Marc H. Morial, L’83
Elected president of the U.S. Conference of Mayors for the 2001-2002 term. Morial has served as mayor of New Orleans since he was first elected in 1994. His father, the late Dutch Morial, was the first African-American mayor of New Orleans and also served as a president of the U.S. Conference of Mayors.

John Nolan, L’55
Honored by the Legal Aid Society of the District of Columbia with its annual “Servant of Justice Award,” recognizing “extraordinary contributions to justice” on behalf of District residents. Among his many other pro bono activities, Nolan, a partner with Steptoe & Johnson, founded the Washington Lawyers Committee for Civil Rights. Chuck Ruff, a former Law Center professor and Washington public interest lawyer who passed away last year, was honored posthumously with the same award.

Dennis Shedd, L’80
Nominated by President Bush to the U.S. Court of Appeals for the 4th Circuit. Shedd is currently a district judge in South Carolina and a former aide to Strom Thurmond.

Steps to Sound Estate Planning

A sound estate plan is important to you, your clients, and their loved ones. There is no better time than right now for them to start planning or to update their plan. Steps to a sound plan may include:

- Decisions regarding distribution of their assets—to whom and in what amounts
- Current, valid will
- Periodic review of their will
- Tax-minimizing techniques

The Office of Planned Giving at Georgetown offers a complimentary series of booklets on wills and estate planning, written in layman’s language, that may be of interest to your clients.

[Checkboxes and form fields]

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Please call the Office of Planned Giving at (800) 347-8067 or (202) 687-3697, or return the coupon below. You incur no obligation by inquiring, and all inquiries are handled in confidence.

jeffrey.w.comfort@gunet.georgetown.edu
Alumni Events from Paris to Atlantic City

This year, Law Center alumni gathered across the nation and overseas for various receptions in their honor. The Law Center kicked off the flurry of alumni gatherings with a program honoring Daniel M. Waldman (L'71) at The Sheraton in Atlantic City, N.J. Waldman was sworn in as president of the New Jersey Bar Association at the reception.

London alumni followed with a gathering at Wychwood House, the residence of Glyn (F'79) and Jacqueline Davies (C'79, L'89). Glyn Davies currently serves as the interim ambassador for the U.S. Embassy in England. Professor John Jackson served as the guest speaker. Later in the month, Parisian alumni met at the Palais du Luxembourg, the administrative headquarters for the French Senate in Paris. French Senator André Maman hosted the event and Assistant Dean Vicki Jackson served as the guest speaker.

June, July and August saw the receptions of Atlanta and Chicago alumni, as well as Foreign Lawyers at Georgetown (FLAG). The law firm of Alston & Bird hosted the June 20th Georgia Law Alumni Reception at their offices in Atlanta. Dean Areen gave the address. In July, FLAG alums living in the Washington, D.C., area returned to McDonough Hall for their reception, hosted by the Law Center's office of International Graduate Programs. Professor James Feinerman, director of Asian Law & Policy Studies, and Patricia Roth, Law Alumni Affairs director, gave remarks.

The American Bar Association wrapped up the string of events with their annual meeting in August. Chicago-area alumni attended the meeting. Professor T. Alexander Aleinikoff served as the special guest at the event, which was held at the Hyatt Regency Hotel in Chicago.

NEW JERSEY EVENT

Right: Bob Steinbaum (L'76), of the New Jersey Law Journal, shares a moment with Mary Jean Gallagher (L'63) at the New Jersey Alumni Reception.

Below: Daniel Waldman (L'71), far left, poses with his wife and members of the New Jersey State Bar Association's board of trustees. Waldman was sworn in as president of the Bar at the Atlantic City reception.
Left: FLAG alums enjoy refreshments and chat at the FLAG reception, which was held in July at the Law Center’s McDonough Hall.

Below Left to Right: Marianna Montiel (L’98), Vanda Bernardes (L’98), and Martim Machado (L’98) catch up on old times at the FLAG reception.

Above: Professor Vicki Jackson, left, chats with Arnaud Granger (LLM ‘97) (far right) and another Parisian alumnus at the Salon Napoléon. Jackson served as the guest speaker.

Right: Parisian alumni mingle at the Salon Napoléon in Paris.
Habitat for Humanity

Law alumni wielded hammers and saws this July as they pitched in on a Habitat for Humanity project. The Law Alumni Association, in cooperation with the Law Center’s Office of Public Interest and Community Service (OPICS) and the Montgomery County Bar Association (MCBA), sponsored the build in Rockville, Maryland, on July 14th. Project Leaders Michael T. “Tad” Nalls (C’71, L’74) and Joe Fitzpatrick of the MCBA led 10 alumni, two students, five staff, and eight spouses and guests in constructing a house for a couple in need of a home for their five children.

Alumni and students also volunteered with Habitat internationally last summer, working with Jimmy and Rosalynn Carter in August in Asan, South Korea. Dee Mukerjee (L’87) joined seven graduates of the class of 2001 and three current students for two weeks of building housing for several Korean families.

Habitat builds are one expression of Georgetown’s mission of service to others – a mission that its alumni carry on long after they leave the Law Center. Through programs like LRAP – the Loan Repayment Assistance Program – alumni who pursue public interest law careers are helped with monthly student loan payments. Generous gifts by alumni to programs like LRAP, the Public Interest Law Scholars (PILS) program, and OPICS, together with the gifts of time in voluntary activities on behalf of the disadvantaged and the public at large, help to keep the spirit of law in the public interest thriving at the Law Center.

Michael T. "Tad" Nalls (C’71, L’74) at work at a July 14 Habitat for Humanity build in Rockville, Maryland.

Jessica Landman (L’84) takes the measure of a board at the Rockville building site.
Marna Tucker is a leading family law practitioner in Washington, D.C.; a nationwide expert in the problems of complex divorce, custody; and prenuptial matters; and a senior partner at Feldesman Tucker, Leifer, Fidell & Bank LLP. Tucker's contribution to family law over the past 30 years, as a 1993 Washington Post Magazine profile notes, has been historic. She entered the profession at a time "when three revolutions were just about to converge: feminism, the opening of the profession to women, and the liberalization of America's divorce laws...[Marna] would help shape and be shaped by all three transformations."

Tucker enrolled at the Law Center in 1962 after graduating from the University of Texas, where she had developed an interest in civil rights law. "Being from Texas, where most of the schools I went to were segregated, I was intrigued by civil rights," she says. At Georgetown, Tucker took Professor Berl Bernhard's course on the civil rights movement. She recalls Professor [later Dean] David McCarthy's seminar on the Bail Reform Act as inspiring and Associate Dean Kenneth Pye's criminal procedure course as challenging. To this day, she finds Professor Richard Gordon's contracts course useful. In the historic summer of 1964, she worked as a law clerk at the Civil Rights Division of the U.S. Department of Justice.

At the Justice Department, Tucker encountered a roadblock that altered the course of her career. Although women made up a small portion of the legal profession in the 1960s, Tucker, who graduated with honors near the top of her class, expected job offers in her field of choice. She wanted to try cases. But the Justice Department informed Tucker that it could not hire a woman to work as a civil rights trial attorney because it would be "unsafe" for her to try cases in the South. Tucker turned to Kenneth Pye for advice, and he suggested she seek work as a trial lawyer with the fledgling Neighborhood Legal Services, whose board he chaired. "He was responsible for the beginning of my career," she says.

In the early 1970s, Tucker entered private practice. She soon saw that the new no-fault divorce laws could be "a linchpin in the fight for women's rights." She made the field her own, specializing in ensuring that women receive an equitable distribution of assets after divorce. She rapidly earned a national reputation in family law and litigation.

Tucker also began to accumulate a series of "firsts." She was the first woman in the District of Columbia named a fellow of the prestigious American College of Trial Lawyers and the first woman president of the D.C. Bar. With a colleague, she founded and chaired the American Bar Association's (ABA) Women's Caucus, which created the Commission on Women in the Profession. In 1991, Tucker was elected president of the National Council of Bar Presidents, the first woman to hold this post. She chaired the Fellows of the American Bar Foundation and is also a fellow of the American Academy of Matrimonial Lawyers.

Tucker has received many honors for service to women and the legal profession, culminating in 2001, with the ABA's Margaret Brent Award, named for the first woman lawyer in America. The award recognizes outstanding women in the legal profession. Past recipients include Supreme Court Justices Ruth Bader Ginsberg and Sandra Day O'Connor; and former Attorney General Janet Reno. "I felt very proud that I was one of the women selected for this honor," Tucker says.

Throughout her career, Tucker has maintained a close relationship with Georgetown. In the early 1970s, she returned to the Law Center to teach a class on women and the law, one of the first of its kind in the nation. She has served both on the Law Center's Board of Visitors and the University's Board of Regents. In 1998, the Law Center recognized Tucker's many contributions to Georgetown with one of its first Alumnae Achievement Awards.

Even with numerous professional and community service activities, Tucker remains committed to family life, a value that is reinforced for her in her daily professional life. She firmly believes that the legal profession must help both men and women in this area. Tucker is concerned by studies that show that women are sacrificing marriage and families to advance in the legal profession. She says, "That is too dear a price to pay for equality. We must humanize our profession. We can change the way we practice law to make it family friendly and still meet the demands of our clients. That will be the challenge to this generation of lawyers."