

By Professor Arthur D. Wolf, Director

INSTITUTE FOR LEGISLATIVE AND GOVERNMENTAL AFFAIRS

SUMMARY OF EVENTS FOR FALL 2013



Photo above: Senate Chair Gale Candaras '82 (far left) and House Chair Joe Wagner of Chicopee (third from left) presided over the Joint Committee on Economic Development and Emerging Technologies, one of the public hearings of the Massachusetts Legislature hosted by the School of Law. Photo Right: Professor Jennifer Levi speaks at Constitution Day.



Each year the Institute has the privilege of hosting public hearings of committees of the Massachusetts Legislature. These hearings make it possible for residents of western Massachusetts to voice their opinions to legislators without having to travel to Boston. The hearings also give our students the opportunity to observe and participate in the legislative process. On September 10, 2013, we were honored to host the Joint Committee on Economic Development and Emerging Technologies. Senate Chair Gale Candaras '82 and House Chair Joe Wagner of Chicopee presided over the hearings, which focused on bills relating to transportation, infrastructure, job creation, and regional economic development generally.

- On September 16, we held our annual Constitution Day and Citizenship Day. Congress has designated September 17 as Constitution Day and Citizenship Day to honor the Framers, who in 1787, completed their work on the United States Constitution. This year Professor Jennifer Levi addressed "Citizenship, Constitutionalism, and Pvt. Chelsea Manning's Quest for Health Care."

Last fall, Private Chelsea Manning, United States Army, spoke publicly about her need to obtain hormone therapy to transition from being a man to living as a woman, which received a huge amount of public attention. Her statements became a Rorschach test for society's views about the military, health care access, and conditions of confinement. A related case, brought by convicted murderer, Michele Kosilek, in which a Federal District Court Judge ordered the Massa-

chusetts Department of Corrections to provide her with gender reassignment surgery, similarly became the focus of great public interest.

At the heart of the views expressed in reaction to these cases are questions about the meaning of citizenship and the role of our Constitution as a means of preserving values of humanity and dignity. Professor Levi's address focused on themes of citizenship and constitutionalism as viewed through the lens of public reactions to these highly visible cases.

- On October 4, the Institute presented its 18th Annual Supreme Court Review Conference, which discussed the major decisions of the Court during its October 2012 term. The key cases included marriage equality, voting rights, voter registration, affirmative action, international human rights, privacy, patents, and employment discrimination. The presentations featured Professor Emeritus Leora Harpaz, and Professors Bridgette Baldwin, Bruce Miller, Giovanna Shay, and Art Wolf.

Professor Harpaz focused on the affirmative action case at the University of Texas, providing the audience with a historical backdrop to affirmative action preceding her analysis of the decision. Professor Baldwin surveyed key criminal decisions involving a variety of constitutional provisions, "Dogs, DNA and Detainees: The Shifting Politics of Privacy under Today's Supreme Court." Professor Shay discussed two of the most prominent decisions of the past term: the Court's declaring the Federal Defense of Marriage Act unconstitutional, and the California Proposition 8 case in which the Court pretermitted a decision on the merits of California's ban on same gender marriage. Professors Miller and Wolf conducted a dialogue on voting rights, with attention on the Court's decision invalidating key parts of the Voting Rights Act of 1965. ♦