



Nabiha Syed *Round-up*

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Tuesday round-up

Today the Court is scheduled to hear oral argument in two cases, *Kiobel v. Royal Dutch Petroleum* and *Mohamad v. Palestinian Authority*. In *Kiobel*, the Court will consider whether corporations can be held liable under the Alien Tort Statute for human rights violations committed abroad, while in *Mohamad* the issue is whether entities can be held liable under the Torture Victim Protection Act. Lyle previewed the cases for [this blog](#), while Stephen Wermiel of [this blog](#) discusses the legal issues in his column for law students. Other previews of the cases come from Nina Totenberg of [NPR](#) and Jonathan Hafetz for the [ABA Preview](#); Ariane de Vogue of [ABC News](#) and Ed Pilkington of The [Guardian](#) have stories focusing on *Kiobel* only. Some of the pre-argument coverage of the case – including Mike Sacks of the [Huffington Post](#), Marco Simons in a guest editorial at [CNN](#), and Michael Bobelian at [Forbes](#) – discussed *Kiobel* in the context of *Citizens United* and corporate personhood. [Disclosure: Goldstein & Russell, P.C., whose attorneys contribute to this blog, serves as counsel to the petitioners in *Mohamad*, but the author of this post is not involved in the case.]

Court coverage also turned to cases in which the Court denied certiorari yesterday. Lyle Denniston of [this blog](#) reports on the Court's denial in two public employee free-speech cases, *Byrne v. Jackler* and *Bowie v. Maddox*. Also in the news was the Court's denial of certiorari in *Michigan v. U.S. Army Corps of Engineers*, a case in which five states had asked the Court to order the installation of barriers to prevent Asian carp from entering the Great Lakes; Bob Drummond of [Bloomberg](#), Lawrence Hurley of [Greenwire](#), James Vicini of [Reuters](#), AFP (via [Google News](#)), the [Associated Press](#), and Bill Mears of [CNN](#) all have coverage, while Trevor Quirk discusses the threat posed by Asian carp in the [Christian Science Monitor](#).

Coverage of the Court's decision to grant certiorari in *Fisher v. University of Texas at Austin*, in which the Court will consider the constitutionality of the University of Texas's admissions policies, also continues. At the [Huffington Post](#), Ediberto Roman argues that affirmative action must be upheld, while at [Dorf on Law](#) Mike Dorf offers an alternative explanation of why the "critical mass" argument in *Fisher* may be valid. Briefly:

- Lyle Denniston of [this blog](#) previews this week's oral argument in [Armour v. Indianapolis](#), in which the Court will consider the constitutionality of a tax forgiveness program.
- At the [Daily Beast](#), Adam Winkler argues that Republicans should consider as their presidential nominee a "more inspired and game-changing pick": Justice Clarence Thomas.
- Ilya Shapiro dissects *Perry v. Perez* for the [National Law Journal](#), arguing that the Voting Rights Act "has served its purpose but is now outmoded and unworkable."
- In her column for the [Boston Herald](#), Kimberly Atkins explains the importance of the resolution passed by the Massachusetts legislature condemning the Court's decision in [Citizens United](#), while at the same time acknowledging that "the measure itself won't change a thing."