

Faculty Activities



left to right

Bruce Ackerman

Ian Ayres

Jack M. Balkin

Robert A. Burt

Bruce Ackerman

Awards and Recognition

Henry Phillips Prize in Jurisprudence (for lifetime achievement), American Philosophical Society; Fellow, Collegium Budapest, Fall 2002; Fellow, Center for Advanced Study in the Behavioral Sciences, Spring 2002.

Lectures and Addresses

Jorde Lecture, University of California, Berkeley, "Voting with Dollars"; Symposium, All Souls College, Oxford, "States of Emergency."

Publications

VOTING WITH DOLLARS (with Ian Ayres, 2002); BUSH V. GORE: THE QUESTION OF LEGITIMACY (ed., 2002); *Off-Balance*, in BUSH V. GORE: THE QUESTION OF LEGITIMACY (Bruce Ackerman ed., 2002); *Deliberation Day*, 10 J. POL. PHIL. 129 (2002) (with James Fishkin); *Bush Must Avoid Shortcuts on Road to War*, L.A. TIMES, May 31, 2002, at 15; *Campaign Reform's Worst Enemy*, N.Y. TIMES, July 6, 2002, at 13 (with Ian Ayres); *But What's the Legal Case for Preemption?*, WASH. POST, August 18, 2002, at B2; *Legality of Using Force*, N.Y. TIMES, September 21, 2002, at 15.

Ian Ayres

Appointments

Commentator, Marketplace Radio.

Awards and Recognition

1st Place, Law and Society Fun Run.

Lectures and Addresses

Washington & Lee Law School, "Shooting Down the 'More Guns, Less Crime' Hypothesis"; Virginia Law School, Comment on Cooter and Porat; Law and Society

Meetings, "Author Meets Critics: 'Pervasive Prejudice'"; 7th Circuit Bar Association, "The Economics of ADR"; The Union Society, "Voting With Dollars."

Publications

Why Not?: Opt-Out Advertising, FORBES, June 20, 2002 at 164 (with Barry Nalebuff); *Why Not?: Price-Protect Your Home*, FORBES, Sept. 16, 2002, at 101 (with Barry Nalebuff); *An Alternative to Expensing Stock Options*, Radio Commentary, "Marketplace," July 24, 2002 (with Barry Nalebuff); *'Disclosing' hidden fees to consumers*, Radio Commentary, "Marketplace," Aug. 28, 2002 (with Barry Nalebuff); *Virtual Strikes*, Radio Commentary, "Marketplace," Oct. 4, 2002 (with Barry Nalebuff); *Campaign Reform's Worst Enemy*, N.Y. TIMES, July 6, 2002, at 13 (with Bruce Ackerman); *A Viable Alternative to Breaking up Microsoft: Compulsory Licensing That Would Make Microsoft Compete With Its Past Self*, WRIT FINDLAW'S LEGAL COMMENTARY, April 10, 2002 (with Aaron Edlin).

Jack M. Balkin

Appointments

Member, Century Foundation Working Group on the Public's Need to Know in a Post-9/11 Era; Board of Advisors, Consumer Webwatch.

Lectures and Addresses

Conference on the Future of Internet Regulation: Open Access, Private Rights, and Public Values, Princeton University, "Filtering and Freedom of Speech"; Law and Society Association Annual Meeting, Vancouver, "Ayelet Shachar's Theory of Multicultural Jurisdictions"; AALS

Conference on Constitutional Law, Washington, D.C., "American Constitutional Theory"; American Risk and Insurance Association, John D. Long Seminar on Ethics, "Risk in a Postmodern Society"; Phelps Lecture, Tulane Law School, New Orleans, Louisiana, "Free Speech and Democratic Culture"; Faculty Colloquium, Tulane Law School, "Theories of Constitutional Change."

Publications

The Most Dangerous Person on Earth, HARTFORD COURANT, September 22, 2002; *In Giving Up Our Rights, We'd Lose the War*, NEW ORLEANS TIMES-PIRAYUNE, September 11, 2002; *Who's Next?*, HARTFORD COURANT, June 20, 2002; *Diversity Offers Everyone a Stake*, L.A. TIMES, Friday, May 17, 2002; *History Lesson*, LEGAL AFFAIRS, July/August 2002; *Would African Americans Have Been Better Off Without Brown v. Board of Education?*, 35 THE JOURNAL OF BLACKS IN HIGHER EDUCATION 102 (Spring 2002); *Legitimacy and the 2000 Election*, in BUSH V. GORE: THE QUESTION OF LEGITIMACY 210 (Bruce Ackerman ed., 2002).

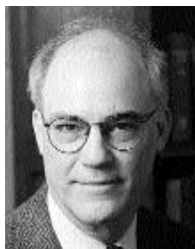
Robert A. Burt

Lectures and Addresses

Program in Medicine and Ethics, Harvard Medical School, Cambridge, "The Pitfalls of Physician-Assisted Suicide"; Yale University Program in Bioethics, New Haven, "Constitutional Constraints on the Regulation of Cloning."

Publications

The Medical Futility Debate: Patient Choice, Physician Obligation, and End-of-Life Care, 5 J. PALLIATIVE MED. 249 (2002).



left to right
Guido Calabresi
Amy L. Chua
Dennis E. Curtis
Drew S. Days, III
Robert C. Ellickson
Daniel C. Esty

Guido Calabresi

Awards and Recognition

First Annual Lifetime Achievement Award, Scribes (American Society for Writers on Legal Subjects).

Lectures and Addresses

Scribes luncheon address, ABA Meeting, Washington, D.C.; College of Law Convocation for the First Law School Year, University of Oklahoma Law Center, Norman, Oklahoma; Roundtable Dinner, University of Oklahoma Law Center; The Red Mass of the Archdiocese of Portland, Maine, speech marking the official opening of the judicial year; Fall 2002 James Madison Lecture, NYU School of Law, “The Federal Courts in a Federal System: Reestablishing a Madisonian Balance.”

Amy L. Chua

Publications

Markets, Democracy and Ethnicity, in *EAST ASIAN LAW—UNIVERSAL NORMS AND LOCAL CULTURES* 33 (Arthur Rosett et al. eds., 2002); *Free Market Democracy and Ethnic Conflict*, in *DEVELOPMENT AND DEMOCRACY: NEW PERSPECTIVES ON AN OLD DEBATE* (Sunder Ramaswamy & Jeff Cason eds., 2002); *A World on the Edge*, *THE WILSON QUARTERLY* (Autumn 2002) (cover story).

Dennis E. Curtis

Awards and Recognition

American Bar Association’s E. Smythe Gambrell Award given to the Lawyering Ethics Clinic (cotaught with Deborah Cantrell).

Lectures and Addresses

Eighth Circuit Judicial Conference, Duluth, Minnesota, “Art and Architecture of Court-houses” (with Judith Resnik).

Publications

Grieving Criminal Defense Lawyers, 70 *FORDHAM L. REV.* 1615 (2002) (with Judith Resnik); *Teaching Billing: Metrics of Value in Law Schools and Law Firms*, 54 *STAN. L. REV.* 1409 (2002) (with Judith Resnik).

Drew S. Days, III

Lectures and Addresses

The Rex E. Lee Conference on the Office of the Solicitor General of the United States, Brigham Young University, Provo, Utah, presenter; Conference on Yale, New Haven, and American Slavery, Yale University, presenter; Making Change—Working for Social Justice Conference, Hamilton College, Clinton, New York, moderator.

Robert C. Ellickson

Awards and Recognition

2002 National Scrabble Championship, San Diego, California: 25th place out of 700 contestants/prize for highest finishing senior (age 60+).

Lectures and Addresses

Annual Meeting, American Law and Economics Association, Harvard Law School, The Law and Economics of the Household, panel chair, “Social Norms/Behavioral Law and Economics.”

Daniel C. Esty

Awards and Recognition

2002 American Bar Association Award for Distinguished Achievement in Environmental Law and Policy.

Lectures and Addresses

World Trade Organization, Geneva, “Trade and Environment After Doha”; Yale in Mexico Program, Mexico City, “Environment and Globalization”; Harvard-Inter-

American Development Bank Conference on the Free Trade Area of the Americas and Beyond, Cambridge, “Trade and the Environment in the Americas”; Australian Davis Connection, Sydney, Australia, “Strategic Environmental Management,” and Melbourne, “Data-Driven Environmentalism”; Asia Society, Hong Kong, “Environmental Performance Measurement: The Environmental Sustainability Index”; World Summit on Sustainable Development, Johannesburg, “Global Environmental Governance”; Gordon Institute of Business Science, University of Pretoria, South Africa, “Why Measurement Matters: The Environmental Sustainability Index.”

Publications

GLOBAL ENVIRONMENTAL GOVERNANCE: OPTIONS AND OPPORTUNITIES (with Maria Ivanova eds., 2002); *GREENING THE AMERICAS: NAFTA’S LESSONS FOR HEMISPHERIC TRADE* (with Carolyn Deere eds., 2002); *Environmental Governance at the WTO: Outreach to Civil Society*, in *TRADE, ENVIRONMENT, AND THE MILLENNIUM*, (Gary P. Sampson and W. Bradnee Chambers eds., 2nd ed. 2002); *Thickening the International Environmental Regime*, Robert Schuman Centre Policy Paper Series, European University Institute (June 2002).

Owen M. Fiss

Lectures and Addresses

SELA Conference on Democracy and Distributive Justice, Punta del Este, Uruguay, “Law as Object and Instrument of Transformation”; American Political Science Association, Boston, “Spatial Justice and the City,” panel presentation.

**left to right**

Owen M. Fiss
 Robert W. Gordon
 Henry B. Hansmann
 Robert D. Harrison
 Oona Hathaway

Publications

The Fallibility of Reason, in BUSH V. GORE: THE QUESTION OF LEGITIMACY 84 (Bruce Ackerman ed., 2002); *The Idea of Political Freedom*, in LOOKING BACK AT LAW'S CENTURY 35 (Austin Sarat et al. eds., 2002); *La Justicia no puede actuar como sirviente del Mercado*, Clarín, Argentina, June 16, 2002 (interview in Spanish); *UNA COMUNIDAD DE IGUALES: LA PROTECCIÓN CONSTITUCIONAL DE LOS NUEVOS CUIDADANOS*, Miño y Dávila, Colección Nuevo Foro Democrático (2002).

Robert W. Gordon**Appointments**

Task Force on Funding of Legal Services, Connecticut Bar Foundation.

Lectures and Addresses

SELA Conference on Democracy and Distributive Justice, Punta del Este, Uruguay, "Modes of Legal Education and the Social Conditions that Sustain Them"; University of British Columbia Workshop on Legal History, Vancouver, "Law and Moral Order"; Annual Meeting, Law & Society Association, Vancouver, "American Law Practice as an Export Commodity"; Symposium on Kent Newmyer's JOHN MARSHALL, University of Connecticut School of Law, "John Marshall and the Conception of the Ideal Judge."

Publications

The Legal Profession, in LOOKING BACK AT LAW'S CENTURY 287 (Austin Sarat et al. eds., 2002); *Morton Horwitz and his Critics: A Conflict of Narratives*, 37 TULSA L. REV. 915 (2002).

Henry B. Hansmann**Appointments**

Consulting Editor, European Corporate Governance Institute (ECGI) Legal Institutes Research Paper Series (Guido Ferrarini ed.); Adviser, American Law Institute project on Principles of the Law of Non-profit Organizations; Inaugural Fellow, European Corporate Governance Institute.

Elections

Secretary-Treasurer, American Law and Economics Association.

Lectures and Addresses

Center for the Study of Corporate Law Roundtable, Yale Law School, presented paper entitled "Legal Entities, Asset Partitioning, and the Evolution of Organizations" (co-authored by Reinier Kraakman and Richard Squire); American Law and Economics Association annual meeting, Cambridge, Mass., presented paper on "The Structure of Property Rights" (co-authored with Reinier Kraakman); Conference on The Company as Property, Queen Mary College, University of London, presented paper entitled "Legal Entities, Asset Partitioning, and the Evolution of Organizations" (co-authored by Reinier Kraakman and Richard Squire); Conference on Understanding Financial Architecture: Financial Structure and Bankruptcy, Said Business School, University of Oxford, presented paper entitled "Legal Entities, Asset Partitioning, and the Evolution of Organizations" (co-authored by Reinier Kraakman and Richard Squire); Executive Committee meeting, Yale Law School Alumni Association, "What Can the Law Do About Corporate Governance?"

Robert D. Harrison**Appointments**

Re-appointed to National Legal Research and Writing Advisory Board, LexisNexis.

Lectures and Addresses

Law PReview, day-long lectures in several cities on legal research and writing.

Legal Consultation or Testimony

Legal writing workshops and individualized writing critiques for associates at Skadden, Arps, Slate, Meagher & Flom; Hale and Dorr; Clifford Chance Rogers & Wells; Morgan Lewis; Curtis, Mallet-Prevost, Colt & Mosle; and Wiggin & Dana.

Publications

Sources of the Law; Statute Finding; Case Finding; and Administrative Law, in LESSONS IN LEGAL RESEARCH: A MANUAL FOR INSTRUCTORS (2002).

Oona Hathaway**Appointments**

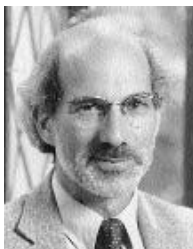
Associate Professor of Law, Yale Law School.

Lectures and Addresses

Society for Evolutionary Analysis in Law, Florida State University, Tallahassee, "Path Dependence in the Law"; International Law Colloquium, University of Virginia, "Do Human Rights Treaties Make a Difference?"

Publications

Do Human Rights Treaties Make a Difference? 111 YALE L.J. 1935 (2002).



left to right
Paul W. Kahn
Harold Hongju Koh
Anthony T. Kronman

Paul W. Kahn

Lectures and Addresses

Carr Center, Kennedy School, Harvard University, "American Exceptionalism, Popular Sovereignty and the Rule of Law"; ABA Law Day Program, "Representing the American Lawyer as Judge"; Conference on Antiterrorism, Princeton University, "Lessons for International Law from the War on Terrorism."

Publications

The Paradox of Riskless Warfare, 22 PHIL. & PUB. POL'Y Q. 2 (Summer 2002).

Harold Hongju Koh

Appointments

Honorary Fellow, Magdalen College, Oxford University.

Awards and Recognition

Wolfgang Friedmann Award, given by *Columbia Journal of Transnational Law*, to an individual who has made outstanding contributions to the field of international law.

Lectures and Addresses

Graduation Ceremony, Skidmore College, remarks; Receipt of Amistad/America John Quincy Adams Award, remarks; Receipt of Connecticut Bar Association Public Service Award, remarks; Oxford University Refugee Studies Center, "A World Made New After September 11"; American Association of Law Schools Federal Courts Workshop, "The Challenges to the Federal Canon from Globalization"; International Criminal Tribunal for the Former Yugoslavia and Rwanda, The Hague, Netherlands, "The Role of International Criminal Adjudication in the Evolution of International Human Rights Law"; Duke Law School Conference in Geneva, "International Law and the

Death Penalty"; Plenary Lectures, 2002 Oxford University Human Rights Programme, "How is International Human Rights Law Enforced?" and "The Future of U.S. Human Rights Policy"; Connecticut Judges Institute, "Protecting Civil Liberties after 9/11"; 2002 New Haven Festival of Arts and Ideas, "How The World Sees the United States"; Eleanor Roosevelt Lecture, Vassar College & Eleanor Roosevelt Center at Val-Kill, "Civil and Political Rights After September 11"; Yale Law School, "September 11 One Year Later," panelist; U.S. District of Connecticut Judicial Conference, Portland, Conn., "Terrorism and Civil Liberties After September 11"; Global Constitutionalism Seminar, Yale Law School, "The Spirit of the Laws"; Yale World Fellows Program, "Democracy and Human Rights"; Yale Law School Career Development Office, "How Should I Live My Life as a Lawyer?"; Stanley S. Herr Memorial Conference on Disability Rights and Social Justice, University of Maryland Law School, "International Human Rights of Persons with Mental Disabilities"; NYU Law School Conference in honor of Thomas Franck's Contributions to International Law, "Thomas the Frank."

Legal Consultation or Testimony

Testimony in support of U.S. ratification of the Convention for the Elimination of Discrimination Against Women, Senate Foreign Relations Committee; Brennan Center, NYU Law School, consultant on leadership review; filed affidavit as international law expert in *Commonwealth v. Huertas* (Court of v. Common Pleas of Pennsylvania) (in support of motion to preclude death sentence against a juvenile offender) and *John Doe I v. Exxon Mobil Corp.* (D.C.D.C.) (in support of opposition to motion to dismiss in

response to State Department Inquiry); referee on international law, 2002 Stanford-Yale Junior Faculty Forum.

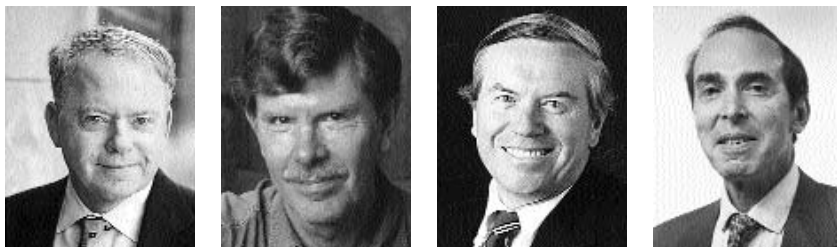
Publications

DIFFERENT BUT EQUAL: THE RIGHTS OF PERSONS WITH INTELLECTUAL DISABILITIES, (with Stanley Herr and Lawrence Gostin eds., 2002); *Paying "Decent Respect" to the World Opinion on the Death Penalty*, 35 U.C. DAVIS L. REV. 1085 (2002); *Paying Decent Respect to International Tribunal Rulings*, 2002 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW; *Why the United States Should Ratify the Convention for the Elimination of Discrimination Against Women (CEDAW)*, CASE W. RES. L. REV. (2002); *Against Military Tribunals*, DISSENT MAGAZINE 58 (Fall 2002); *One Year Later, America Deserves Mixed Reviews*, YALE DAILY NEWS, September 13, 2002.

Anthony T. Kronman

Lectures and Addresses

Receptions for Washington State alumni and Yale Law Day in the Bay Area, remarks; Yale Law School in L.A., "A Profession of Trustees"; Stanford/Yale Junior Faculty Forum, Yale Law School, remarks; New Haven International Festival of Arts and Ideas, "Making Peace Possible," panel moderator; Yale Law School Association of Washington, D.C., annual alumni dinner, remarks; Yale World Fellows program, seminar instructor; Global Constitutionalism Seminar, Yale Law School, host.

**left to right***John H. Langbein**Jerry L. Mashaw**George L. Priest**W. Michael Reisman***John H. Langbein****Awards and Recognition**

Treat Award for Excellence, National College of Probate Judges, Key West, Florida.

Lectures and Addresses

Mortimer H. Hess Memorial Lecture, Association of the Bar of the City of New York, "The Scope of Mandatory Rules in the Law of Trusts"; National College of Probate Judges, Key West, Florida, "Curing Execution Errors and Reforming Mistaken Terms under the New Restatements of Trust and Wills"; International Academy of Estate and Trust Law, Rome, "The Overlap of Trust, Contract, and Corporation"; University of Tokyo, "Codification of the Law of Trusts in the United States: The Uniform Trust Code."

Public Service

Member, National Conference of Commissioners on Uniform State Laws, Joint Editorial Board for the Uniform Trusts and Estates Acts, Drafting Committee to revise the Uniform Management of Institutional Funds Act; American Law Institute, Associate Reporter, Restatement of Property: Wills and Other Donative Transfers, attended drafting meeting with ALI advisers, Philadelphia.

Publications

PENSION AND EMPLOYEE BENEFIT LAW: 2002 SUPPLEMENT (2002); UNIFORM STATUTES ON TRUSTS AND ESTATES: 2002-03 EDITION (with Lawrence Waggoner) (2002).

Jerry L. Mashaw**Appointments**

Visiting Fellow, Social Science and Political Theory Program, Australian National University, Spring 2003.

Elections

President-Elect, National Academy of Social Insurance, Washington, D.C.

Lectures and Addresses

Law-Science Symposium, Duke University Law School, "Law and Engineering: In Search of the Law Science Problem."

Publications

Small Things Like Reasons Are Put in a Jar: Reason and Legitimacy in the Administrative State, 70 *FORDHAM L. REV.* 17 (2001); *Deconstructing Debate, Reconstructing Law*, 87 *CORNELL L. REV.* 682 (2001).

George L. Priest**Lectures and Addresses**

Senate Congressional Staff, Washington, D.C., "Modern Problems with Class Action Litigation"; Law and Economics Workshop, Stanford University, Palo Alto, "Reanalyzing the New Deal"; Georgetown University Law Center, Washington, D.C., "The Government as the Insurer of Last Resort for Harms Caused by Terrorism"; Hoover Institution Spring Retreat, Palo Alto, "The Role of the Government as an Insurer: Rethinking the Structure of Social Insurance"; Twelfth Annual Meeting of the American Law and Economics Association, Harvard Law School, Cambridge; SELA Conference on Democracy and Distributive Justice, Punta del Este, Uruguay, "Law as Object and Instrument of Transformation"; Manhattan Institute Conference on the Economic Impact of Class Actions in a Federal System, New York, "Class Actions/Aggregations in Magnet Courts: The Empirical Evidence"; American Enterprise Institute World Forum, Beaver Creek, Colorado, "Modern Tort Law and its Problems," "European Commission and American Competi-

tion Policy Compared," and "Rethinking the Role of the World Bank"; Federal Judges' Seminar, Foundation for Research on Economics and the Environment, Gallatin Gateway, Montana, "Understanding the Ecology, Economics, and Ethics of Climate Change"; Twenty-Sixth Annual Lecture of the Geneva Association, Geneva, Switzerland, "Government Insurance versus Market Insurance"; Institute for Appellate Federal Judges, George Mason University, "Modern Products Liability: An Economic Analysis" and "Litigation Theory"; AEI-Brookings Joint Center, Washington, D.C., "The Clinton Administration Antitrust Jurisprudence."

W. Michael Reisman**Appointments**

Member, panel of overseas referees of *Singapore Academy of Law Journal*; member, Advisory Board, *Journal of International Criminal Justice*.

Lectures and Addresses

International Law and World Peace Section, Connecticut Bar Association, "Reflections on September 11."

Publications

Judge Shigeru Oda: Reflections on the Formation of a Judge, in *LIBER AMICORUM JUDGE SHIGERU ODA* 57 (N. Ando et al. eds., 2002); *Unratified Treaties and Other Unperfected Acts in International Law: Constitutional Functions*, 35 *VAND. J. TRANSNAT'L L.* 729 (2002).

► Faculty Activities



left to right
Judith Resnik
Roberta Romano
Carol M. Rose

Judith Resnik

Appointments

Board of Managerial Trustees, International Association of Women Judges.

Elections

Member, American Philosophical Association.

Lectures and Addresses

Bernstein Symposium, Fundamentalism and Modernity, New Haven, "Feminist Spaces in Islam: Fundamentalist Modernities and Secular Islam," panel moderator; Annual Spring Dinner, Bryn Mawr Club of New Haven, speaker; Workshop on Federal Courts, American Association of Law Schools, Washington, D.C., Plenary Panel: The Federal Courts Canon in the Future, "Revisiting and Revising the Canon"; Sixth Bi-Annual Conference, International Association of Women Judges, Dublin, Ireland, speaker and conference rapporteur; Stanford/Yale Junior Faculty Forum, New Haven, Law and Humanities segment, commentator; Eighth Circuit Judicial Conference, Duluth, Minnesota, "Art and Architecture of Courthouses" (with Dennis E. Curtis); American Bar Association Annual meeting program of National Conference of Federal Trial Judges and ABA Center for Professional Responsibility and American Judicature Society, Washington, D.C., "What Role Should Ideology Play in Selecting Federal Judges?," panelist; ABA Administrative Law and Regulatory Practice, Section on Administrative and Regulatory Law, ABA Annual Meeting, Washington, D.C., "Sovereign Immunity and Administrative Law" and "When Worlds Collide: State Sovereign Immunity Meets Administrative Law"; 20th Anniversary Conference of the Court of Federal Claims, Washington, D.C.,

"What Should be the Role of the Court of Federal Claims?"

Publications

"Uncle Sam Modernizes His Justice": Inventing the Federal District Courts of the Twentieth Century for the District of Columbia and the Nation, 90 *GEORGETOWN L. J.* 607 (2002); *Remarks, Bicentennial Celebration for the Courts of the District of Columbia Circuit*, 204 *FEDERAL RULES DECISION* 499 (2002); *The Senate's Role in the Nomination and Confirmation Process: Whose Burden?*, Hearing before the Senate Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, 107th Cong. (2001) (statement of Judith Resnik, Professor of Law, Yale Law School); also published in 50 *DRAKE L. REV.* 539 (2001-02); *Mediating Preferences: Litigant Preferences for Process and Judicial Preferences for Settlement*, 2002 *J. DISP. RES.* 155 (2002); *Teaching Billing*, 54 *STANFORD L. REV.* 1409 (2002) (with Dennis E. Curtis); *Grieving Criminal Defense Lawyers*, 70 *FORDHAM L. REV.* 1615 (2002) (with Dennis E. Curtis).

Roberta Romano

Appointments

Inaugural Fellow, European Corporate Governance Institute.

Lectures and Addresses

National Bureau of Economic Research Corporate Finance Program Spring Meeting, "Firms' Decisions Where to Incorporate," commentator; Federation of European Securities Exchanges Convention 2002 "European Union Legislation for a European Capital Market," Session on Regulatory Structures for Capital Markets, speaker; Kellogg Graduate School of Man-

agement, Northwestern University Conference on Credible Financial Disclosure, "The Role of Accounting and Auditing Standards in Producing Credible Disclosures," panelist; German American Lawyers Association, Hamburg, Germany, "The Need for Competition in Securities Regulation"; Hamburg University Graduiertenkolleg Recht und Ökonomik program (Lectures on "Corporate Finance"); NBER Summer Institute 2002 Law and Economics Workshop, "Does Confidential Proxy Voting Matter?"; University of Michigan Law School Law and Economics Workshop, "Does Confidential Proxy Voting Matter?"; Yale Law School Center for the Study of Corporate Law Occasional Breakfast, "Corporate Governance and Listing Standards," panelist; Columbia University School of Law and New York University School of Law Joint Law and Economics Workshop, "Does Confidential Proxy Voting Matter?"

Publications

Event Studies and the Law: Part II: Empirical Studies of Corporate Law, 4 *AM. L. & ECON. REV.* 380 (2002) (with Sanjai Bhagat).

Carol M. Rose

Appointments

Board of Editors, Foundation Press.

Lectures and Addresses

Seminar on Globalization and its Discontents, New York University Law School, "Globalization and Local Government," commentator; NYU Law School Faculty Workshop, "Traditions of Public Property in the Information Age"; Graduate Student Orientation, Yale Law School, "Law and Economics from A to Z (well, maybe A to B)"; Conference on Customary Law and Sustainability, University of Tromsø, Tromsø,

**left to right**

Susan Rose-Ackerman

Jed Rubenfeld

Barbara J. Safriet

Peter H. Schuck

Vicki Schultz

Norway, "Can Property Solutions Emerge from Informal Practice?"

Susan Rose-Ackerman**Appointments**

Fellow Collegium Budapest and co-organizer, project on Honesty and Trust: Theory and Experience in the Light of the Post-Socialist Experience, Budapest, Hungary, Fall 2002; member, Board of Advisors, Club of Madrid.

Lectures and Addresses

University of Pécs, Pécs, Hungary, and Chr. Miclelson Institute, Bergen, Norway, "Corruption and Government"; American Political Science Association, Boston, "Trust, Honesty and Corruption: Reflections on the State-Building Process"; University of Oslo and University of Bergen, "Electoral Rules as Constraints on Corruption."

Publications

"Grand" Corruption and the Ethics of Global Business, 26 J. BANKING & FIN. 1889 (2002); *Corrupt Exchanges: Empirical Themes in the Politics and Political Economy of Corruption*, Nomos (with Donatella della Porta eds., 2002); *Corruption and the Criminal Law*, 4 Forum on Crime and Society 1 (2002).

Jed Rubenfeld**Appointments**

U.S. representative, Council of Europe, Commission on Democracy through Law.

Lectures and Addresses

International Conference on Terrorism and Human Rights, University of Oslo, Norway, lecturer; Stanford Law School debate with Richard Posner on *The First Amendment's Purpose*; National Convention of the American Society of International Law, "U.S. Unilateralism."

Legal Consultation or Testimony

Represented Alice Randall, author of *The Wind Done Gone*, in connection with a lawsuit alleging that her book violated the copyright of *Gone with the Wind*.

Publications

Not as Bad as Plessy. Worse., in BUSH v. GORE: THE QUESTION OF LEGITIMACY 20 (Bruce Ackerman ed., 2002); *The Anti-Discrimination Agenda*, 111 YALE L.J. 1141 (2002); *A Reply to Posner*, 54 STAN. L. REV. 753 (2002).

Barbara J. Safriet**Appointments**

Committee member, Yale University Fund for Lesbian and Gay Studies/Larry Kramer Initiative; public member (reappointed), Federation of State Board of Physical Therapy.

Lectures and Addresses

Johns Hopkins Institute of Nursing, Baltimore, Scholar in Residence and Named Lecturer; Conference on Law Related Education, Taipei, Taiwan, lecturer and panelist.

Legal Consultation or Testimony

Taiwan Law Related Education and Rule of Law Project, Taipei, Taiwan, consultant.

Publications

Closing the Gap Between Can and May in Health-Care Providers' Scopes of Practice: A Primer for Policymakers 19 YALE J. ON REG. 301 (2002).

Peter H. Schuck**Lectures and Addresses**

Humanity in Action, New York City, "Post-9/11 Developments"; Yale Law School MSL/J 25th Reunion, New Haven, "Post 9/11 Developments"; International Institute on Sociology of Law, Onati, Spain, "Comparative

Federalism"; Bar Association of the City of New York, "Asbestos Litigation"; Shelby Cullom Davis Center, Princeton University, "Citizenship and Nationality Policy"; Yale, New Haven, and Slavery Conference, "Reparations"; NYU Conference on Labor, New York City, "Profiling."

Legal Consultation or Testimony

Asbestos Study Group, consultation.

Publications

Tort Liability, in THE TOOLS OF GOVERNMENT: A GUIDE TO THE NEW GOVERNANCE, chap. 15 (L. Salamon ed., 2002); *The Pledge on the Edge*, AM. LAW., September 2002, at 65; *Liberal Citizenship*, in HANDBOOK OF CITIZENSHIP STUDIES 131 (E. Isin & B. Turner eds., 2002); *Judging Remedies: Judicial Approaches to Housing Segregation*, 37 HARV. C.R.-C.L. L. REV. 289 (2002); *Diversity Dodge*, AM. LAW., July 2002, at 75; *Reform That Leads to Chaos*, N.Y. TIMES, May 23, 2002, at A31; *Bringing Diversity to the Suburbs*, N.Y. TIMES, August 8, 2002, at A25.

Vicki Schultz**Appointments**

Ford Foundation Professor of Law and the Social Sciences, Yale Law School, October 2002.

Elections

President-Elect, Labor & Employment Law Section, Association of American Law Schools.

Lectures and Addresses

Annual Meeting of the Law and Society Association, Vancouver, Canada, panel on Work/Family Conflict, "Working/Womanhood."

Publications

Labor's Subjects, in LIVES IN THE LAW 132 (Austin Sarat et al. eds., 2002).



left to right
 John G. Simon
 Henry E. Smith
 Robert A. Solomon
 Carroll D. Stevens
 Kate Stith
 Ruth Wedgwood

John G. Simon

Lectures and Addresses

International Conference on New Forms of Welfare, Centro Nazionale di Prevenzione e Difesa Sociale, Stresa, Italy, "Foundations and Welfare."

Henry E. Smith

Lectures and Addresses

Faculty Workshop, Ohio State University College of Law; Law and Economics Workshop, University of Pennsylvania Law School; Law and Economics Workshop, University of Toronto, "The Language of Property: Form, Context, and Audience."

Publications

What Happened to Property in Law and Economics?, 111 YALE L.J. 357 (2001) (with Thomas W. Merrill).

Robert A. Solomon

Appointments

Director, Jerome N. Frank Legal Services Organization, Yale Law School; commissioner, Housing Authority of the City of New Haven.

Carroll D. Stevens

Appointments

Chair, Connecticut Association for Performing Arts; President-elect, Amistad Academy; Board of Directors, Junta Para Accion Progressiva.

Lectures and Addresses

Oxford University Centre for Christianity and Culture, "Religion, Individualism and the American Compact"; Amistad Academy, New Haven, Dedicatory Remarks for Charles E. Terrell Gymnasium; Lillian Goldman Memorial Service, Eulogist.

Kate Stith

Appointments

Founding Member, Board of Advisers, *Ohio State Journal of Criminal Law*; Board of Directors, The Montgomery Fellowship at Dartmouth College; Connecticut Bar Association Committee on Professional Ethics, preparation of advisory opinions on selected ethical issues and development of proposed changes in the Rules of Professional Ethics; Advisory Committee, CONNECTICUT LAWYER; *Continuing Positions*: Board of Directors, Federal Bar Foundation; Board of Directors, *Legal Affairs*; Advisory Board, *The Green Bag*; Executive Committee, Connecticut Bar Foundation; Faculty Sponsor, Women's Campaign School at Yale.

Lectures and Addresses

Horace Mann School, Riverdale, New York, "The Jury in Terrorism Prosecutions"; Women's Campaign School at Yale, "Why Women Should Run for Office."

Ruth Wedgwood

Appointments

Academic Historical Review Commission, Director of Central Intelligence; Defense Policy Board, U.S. Department of Defense; ABA Standing Committee on Law and National Security.

Elections

United Nations Human Rights Committee (monitoring compliance with the International Covenant on Civil and Political Rights) for four-year term.

Lectures and Addresses

Yale University Panel on Events of September 11; lectures on terrorism and international criminal law at Georgetown University Law School, Princeton University, Woodrow Wilson School, Kent School, Berkeley Fellows, International Association of Law Libraries, Editors of Ivy Alumni Magazines, New York State Bar Association, and Connecticut Bar Association; Transatlantic Center, Johns Hopkins University, "Enforcing International Norms"; Science Alliance, International Criminal Law Network, and Nieuwe Literaire Societet de Witte, The Hague, "The Position of the United States in International Criminal Law"; Simon Bond Foundation, Berlin, Germany, "The Holocaust as Precedent for International Redress"; International Criminal Tribunal for the former Yugoslavia, "Some Problems of International Adjudication"; United States Pacific Command Conference of Judge Advocates General, Bangkok, Thailand, "Problems in the Law of Armed Conflict"; National Security Agency, Washington, D.C., "Legal Regimes and Terrorism"; Women in International Security, Washington Legal Foundation, American Bar Association annual meeting, and ABA Section on International Law, talks on international criminal law and terrorism; ABA Standing Committee on Law and National Security, Washington, D.C., "The Constitution and Military Commissions" (also broadcast on C-Span). Interviews on PBS "News Hour with Jim Lehrer"; "To the Point," National Public Radio (Los Angeles); "All Things Considered," National Public Radio; BBC News Hour, London and Berlin; CNN, CNN-Spanish, CNBC, Australian Radio, and South African Radio. Interviews



left to right
Stanton Wheeler
James Q. Whitman
Stephen Wizner

with *Baltimore Sun*, *Chicago Tribune*, *Congressional Quarterly*, *Handelsblatt*, *Los Angeles Times*, McClatchy newspapers, *National Journal*, *New Republic*, *New York Times*, *Newsday*, Newhouse newspapers, *Oakland Tribune*, *Wall Street Journal*, and *Washington Post*.

Publications

Gallant Delusions, FOREIGN POLICY MAGAZINE, Sept./Oct. 2002, at 44, reprinted in *La Stampa/Global FP* (Milan), Oct. 2002, at 31; *The U.S. and the International Criminal Court*, BERLIN JOURNAL, No. 5, Nov. 2002 (American Academy in Berlin, available at www.americanacademy.dc); *International Criminal Court*, WORLDLINK, July/Aug. 2002, at 15, available at www.worldlink.co.uk; *Al Qaeda, Military Commissions, and American Self-Defense*, 3 POL. SCI. Q. 117, (reprinted in SEPTEMBER 11, TERRORIST ATTACKS, AND U.S. FOREIGN POLICY 161 (D.M. Caraley ed., 2002)); *After September 11*, 36 NEW ENG. L. REV. (Summer 2002); *Law in the Fog of War*, TIME, May 13, 2002, at 50; *Enemy Within—The Constitution Doesn't Privilege al Qaeda at War*, WALL ST. J., June 14, 2002, at A12; *World Court: A Slippery Slope*, BOSTON GLOBE, Aug. 10, 2002, at A15; *September 11—Legal Limits*, TIME.COM, Sept. 2002; *Roundtable on Preemptive Self-Defense*, Outlook Section, WASHINGTON POST, Sept. 29, 2002, at B1; *Self-Defense and Striking at Saddam*, NAT'L L.J., Oct. 28, 2002, at A16.

Stanton Wheeler

Lectures and Addresses

Yale Law School alumni associations, Los Angeles and San Francisco, "The National Collegiate Athletic Association as Czar of the Multi-billion-dollar Intercollegiate Sports Industry."

James Q. Whitman

Appointments

Visiting Professor, University of Rome III.

Lectures and Addresses

University of Chicago Law School and University of Iowa Law School, "Harsh Justice."

Stephen Wizner

Lectures and Addresses

AALS Section on Clinical Legal Education, Pittsburgh, plenary closing session on "The Role of Clients in Clinical Legal Education," speaker; Conference on Juvenile Justice, Tel Aviv University Law School, "The Role of Defense Counsel in Juvenile Delinquency Cases."

Legal Consultation or Testimony

Consultant on public interest practice and clinical legal education, Tel Aviv University School of Law and Resource Center for Public Interest Law; Israel Clinicians' Forum, The Interdisciplinary Center, Herzliya, Israel.

Publications

The Law School Clinic: Legal Education in the Interests of Justice, 70 FORDHAM L. REV. 1929 (2002). ∞



EUGENE V. ROSTOW

1913 – 2002

As this issue of the *Yale Law Report* went to press, we learned of the death, on November 25, 2002, in Alexandria, Virginia, of Eugene V. Rostow '37, former Dean and Sterling Professor Emeritus of Law and Public Affairs.

Dean Anthony T. Kronman issued the following statement: "Much of the Yale Law School we now know—to which we have become so accustomed by the passage of time—was built or rebuilt during Gene's deanship years. Gene's intellect, will, and character were molding forces in the evolution of the modern Yale Law School, and his legacy is all about us. Gene Rostow was one of the Law School's great deans. His passing is a somber moment that should cause us to reflect on how much this extraordinary man gave of himself, for the school he loved with all his heart."

The date for a memorial service to be held at the Yale Law School has not yet been set. When plans have been finalized, an announcement will be posted on the "@YLS" section of the Yale Law School's website. A fuller remembrance of Dean Rostow will be published in the next issue of the *Law Report*. ∞

For updated information
on faculty activities and other
Yale Law School news, visit @YLS at
www.law.yale.edu