

Faculty Activities



left to right

Bruce Ackerman

Anne L. Alstott

Ian Ayres

Jack M. Balkin

Bruce Ackerman

Awards and Recognition

Commander, French Order of Merit.

Lectures and Addresses

Goldstone Lecture, University of Pennsylvania, "Deliberation Day"; New America Foundation, "Deliberation Day."

Publications

DELIBERATION DAY (with J. Fishkin, 2004); THE CASE FOR STAKEHOLDING/VERSO NUOVE FORME DI WELFARE (Centro Nazionale di Prevenzione e Difesa Sociale, 2003); *The Emergency Constitution*, YALE L.J. (2004); *System Down*, AMERICAN PROSPECT ONLINE, December 12, 2003, available at <http://www.prospect.org> (with I. Ayres); *Righting the Ship of Democracy*, LEGAL AFFAIRS, January-February 2004, at 34; *Deliberation Day*, AMERICAN PROSPECT, January 2004 (with J. Fishkin); *How Jefferson Counted Himself In*, ATLANTIC MONTHLY, March 2004, at 84 (with D. Fontana); *A Holiday Fit for a President*, L.A. TIMES, February 16, 2004, at B 13 (with J. Fishkin).

Anne L. Alstott

Lectures and Addresses

Columbia Legal Theory Workshop, New York, "No Exit"; Rawls and the Law Symposium, Fordham Law School, New York, "What Does a Fair Society Owe Children—and Their Parents?"; Women Faculty Forum, Yale University, "Work/Family Issues"; Bush Center in Child Development & Social Policy, Yale University, "No Exit."

Publications

What Does a Fair Society Owe Children—and Their Parents?, 72 FORDHAM L. REV. (2004); *Parenthood As A Public Role*, lead

essay in a New Democracy Forum, BOSTON REVIEW, April/May 2004, at 6.

Ian Ayres

Lectures and Addresses

University of Chicago Law School, "Three Tests for Measuring Unjustified Disparate Impacts in Organ Transplantation: The Problem of 'Included Variable' Bias"; AALS Annual Meeting, Atlanta, "Undisclosed Markups and the Ban on Temporary Negative Amortizations" and "To Insure Prejudice: Racial Determinants of Taxicab Tipping"; Economics Department, Princeton University, and Stanford Law School: "To Insure Prejudice: Racial Determinants of Taxicab Tipping"; University of Florida, Yale Law School Alumni Weekend, and Yale Law School alumni associations in Seattle, Los Angeles/Silicon Valley, and San Francisco: "Can Legal Creativity Be Taught?"

Publications

The Wrong Ticket to Ride, N.Y. TIMES, March 24, 2004, at A29 (with B. Nalebuff); *Principled Problem Solving: Letting Constraints Filter and Guide Your Thinking Can Often Be the Best Way to Reach Truly Creative Solutions*, 14 SCIENTIFIC AMERICAN MIND 96 (2004) (with B. Nalebuff); *System Down: McCain-Feingold Helped Doom the Current Model of Public Financing for Campaigns. Fixing it will Take Some Imagination*, AMERICAN PROSPECT ONLINE, Dec. 12, 2003, (with B. Ackerman), available at <http://www.prospect.org>; *Why Legislating Low Tuitions for State Colleges Is a Mistake: They Just Subsidize the Rich*, WRIT FINDLAW'S LEGAL COMMENTARY, October 30, 2003, (with A. Edlin), available at [\[tary/20031030_ayres.html\]\(http://writ.news.findlaw.com/commen-tary/20031030_ayres.html\); *In Praise of Honest Pricing*, 45 MIT SLOAN MGMT. REV. 24 \(2003\) \(with B. Nalebuff\); *Getting Iraq to Undermine OPEC*, Marketplace Public Radio Commentary, April 6, 2004 \(with B. Nalebuff\); *Benefits of Non-Transparency*, Marketplace Public Radio Commentary, Feb. 23, 2004 \(with B. Nalebuff\); *Who's Right?* Marketplace Public Radio Commentary, Nov. 10, 2003 \(with B. Nalebuff\); *Dialing for Thieves*, FORBES, April 19, 2004, at 76 \(with B. Nalebuff\); *Don't Sell Us Short*, FORBES, Feb. 2, 2004, at 57 \(with B. Nalebuff\); *It Beats a CD*, FORBES, Dec. 8, 2003, at 160 \(with B. Nalebuff\).](http://writ.news.findlaw.com/commen-</p></div><div data-bbox=)

Jack M. Balkin

Lectures and Addresses

University of Tulsa, Tulsa, Oklahoma, "Respect-Worthy: Frank Michelman and the Legitimate Constitution"; The State of Play: Law in Virtual Worlds, New York Law School, New York, "Freedom of Speech and Virtual Worlds"; Conference on *Brown v. Board of Education*, University of Virginia, Charlottesville, "What *Brown v. Board of Education* Teaches Us About Constitutional Theory"; Law, Culture and Humanities Conference, University of Connecticut, Hartford, "Freedom of Speech and Democratic Culture"; Information Society Project Conference on Digital Cops in a Virtual Environment, Yale Law School, "Cyber-protest"; Conference on *Bolling v. Sharpe*, Georgetown Law School, "The Truman Show: Nonjudicial Precedents for Judicial Interpretations."

Publications

How Rights Change: Freedom of Speech in the Digital Era, 26 SYDNEY L. REV. 5 (2004); *Idolatry and Faith: The Jurisprudence of*

**left to right**

Lea Brilmayer
Robert A. Burt
Guido Calabresi
Amy Chua

Sanford Levinson, 38 TULSA L. REV. 553 (2003).

Lea Brilmayer**Legal Consultation or Testimony**

Lead Counsel for Eritrea, Eritrea-Ethiopia Claims Commission, The Hague, hearings November 2003 (claims under Geneva Conventions) and March 2004 (claims regarding denationalization, illegal expulsion, and expropriation); U.S. Senate Judiciary Committee, Subcommittee on the Constitution, Civil Rights, and Property Rights, testimony and written submission, Full Faith and Credit, Family Law, and the Constitutional Amendment Process, March 2004.

Publications

A Marriage License Only Goes So Far, WASH. POST, February 15, 2004, at B1; *Full Faith and Credit*, WALL ST. J., March 9, 2004, at editorial page.

Robert A. Burt**Lectures and Addresses**

Center for Health Law and Policy, Brooklyn Law School, "Death In American Law, Medicine, and Culture"; Ditchley Foundation, Oxfordshire, England, "Biogenetics: Social and Political Implications"; Law School, Universitat Pompeu Fabra, Barcelona, Spain, "On Physician-Assisted Suicide, Abortion and the Death Penalty."

Publications

Resolving Disputes Between Clinicians and Family About 'Futility' of Treatment, 27 SEMINARS IN PERINATOLOGY 495 (2003); *The Law Professors vs. the Military: Why We Are Suing*, 67 YALE ALUMNI MAGAZINE 22 (2004).

Guido Calabresi**Appointments**

Juror, Heinz Awards, Heinz Family Foundation, Pittsburgh; Judge, Roscoe Pound Tournament, UCLA Moot Court, Los Angeles.

Lectures and Addresses

The Niebuhr Forum on Religion and Public Life, Whitney Humanities Center, Yale University, "The Conscience of a Judge"; Colloquium: The Future of Torts, Pace University, White Plains, New York, "The Complexity of Torts"; Swift's Inn 75th Anniversary Celebration, West Hartford, Conn., "About Equality"; Portrait Unveiling, Senior U.S. District Judge Alfred V. Covello, New Haven, remarks; University of Padua, Italy, "Roe v. Wade—Thirty Years Later—Toward Tolerance"; Philip A. Hart Memorial Lecture, Georgetown University Law Center, Washington, D.C.

Publications

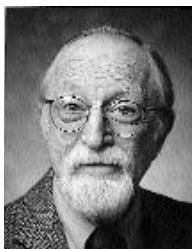
The Generosity of a Dean: Tribute to Eugene V. Rostow, 113 YALE L.J. 5 (2003); *Perspective on Sexual Harassment Law*, in DIRECTIONS IN SEXUAL HARASSMENT LAW 47 (C. A. MacKinnon & R. B. Siegel eds., 2004).

Amy Chua**Lectures and Addresses**

Royal Institute of International Affairs, Chatham House, London, "Rubies and Rice Paddies: How Globalization and Free Markets Breed Ethnic Conflict in Asia"; American Society of International Law, Grotius Lecture, Washington, D.C., "Markets, Democracy, and Ethnic Conflict"; Yale Club of New Haven, "Markets, Democracy, and Ethnic Conflict"; United Nations Development Program, Ford Foundation, New York, "How Exporting

Free Market Democracy Breeds Ethnic Hatred and Global Instability"; Jewish Community Center, Whippany, New Jersey, "Markets, Democracy, and Ethnic Conflict"; Association of International Educational Administrators, Washington, D.C., "Globalization and Ethnic Conflict"; Westminster Town Forum, Minneapolis, "World on Fire"; Asian Pacific American Conference, Harvard University, keynote address; Long Wharf Theater, New Haven, commentary on Gip Hoppe's "A New War"; NAFSA, Hartford, "Globalization and Ethnic Conflict"; World Affairs Council of Philadelphia, "Free Trade and Globalization," panelist; World Affairs Council of Northern California, San Francisco, "Markets, Democracy, and Ethnic Conflict"; McAuley Lecture, St. Joseph College, West Hartford, "Markets, Democracy, and Ethnic Hatred"; State of the World Conference, Princeton Institute for International and Regional Studies, "Particular Identities and Universal Rights," panelist; Institute of International Studies, U.C. Berkeley, "Market, Democracy, and Ethnic Conflict"; University of Central Florida International Speakers Series, Orlando, "Globalization and Ethnic Conflict"; Washington University Public Interest Law Speakers Series, St. Louis, "How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability"; Celebration of Diversity Speaker Series, The World Bank, Washington, D.C., "World on Fire: How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability."

► Faculty Activities



left to right
Morris L. Cohen
Mirjan R. Damaška
Drew S. Days, III
Robert C. Ellickson
Daniel C. Esty
Owen M. Fiss

Morris L. Cohen

Lectures and Addresses

Columbiad Club of Connecticut, "Politics and Children's Literature."

Publications

BIBLIOGRAPHY OF EARLY AMERICAN LAW (Supp. 2003).

Mirjan R. Damaška

Publications

Epistemology and Legal Regulation of Proof, 2 LAW, PROBABILITY AND RISK 117 (2003); *Cajpan de Zhenshi (Truth in Judgments)* 5 SUSONG FAXUE YANJIU (RESEARCH IN PROCEDURAL LAW) 431 (2003).

Drew S. Days, III

Lectures and Addresses

Vermont Law School, South Royalton, Vermont, "Homeland Insecurity: Assessing Threats to Constitutional Protections in Abnormal Times"; Eighth Annual Corporate Counsel Institute, Georgetown University Law Center, Washington, D.C., "Supreme Court Review and Preview."

Robert C. Ellickson

Lectures and Addresses

Gallivan Conference on "Tax and Grow?," University of Connecticut Law School, Hartford, "Smart Growth," panelist; Rural Land Reform Workshop, China Law Center for Economic Research, Beijing University, China, "Land Systems in Perspective"; Federalist Society Panel, University of Chicago Law School, "Informal Dispute Resolution Among Neighbors," panelist.

Publications

The Twilight of Critical Theory: A Reply to Litowitz, 15 YALE J.L. & HUMAN. 344 (2003).

Daniel C. Esty

Lectures and Addresses

Conference on Environmental Protection and the Social Responsibility of Firms, Harvard University, Cambridge, "Reconceptualizing Corporate Social Responsibility"; "Return to Yale" Forum, Yale World Fellows Program, New Haven, "Managing Globalization"; ABA Conference on Green Trade and the Environment, Santiago, Chile, "New Tools for Assessing Countries' Environmental Performance"; Institute for Sustainable Development and International Relations Conference on International Environmental Governance, Paris, France, "Global Environmental Governance."

Publications

Strengthening the International Environmental Regime: A Transatlantic Perspective, in TRANSATLANTIC ECONOMIC DISPUTES: THE EU, THE US, AND THE WTO 371 (E. Petersmann & M. A. Pollack eds., 2003); *Environmental Protection in the Information Age*, 79 N.Y.U. L. REV. 115 (2004); *The Environmental Dimension of Economic Integration: The FTAA and Beyond*, in INTEGRATING THE AMERICAS: FTAA AND BEYOND 673 (A. Estevadeordal et al. eds., 2004).

Owen M. Fiss

Lectures and Addresses

Middle East Legal Studies Seminar, Rome, Italy, "A Militant Decency at Law and Violence in the Middle East"; College Seminar, Racial Integration: Law, Policy, and Private Preferences, Yale University, speaker.

Publications

THE IRONY OF FREE SPEECH (translation), Az-Boli (Macedonia) (2003); *Another Equality*, in THE ORIGINS AND FATE OF ANTISUBORDINATION THEORY: A SYMPOSIUM ON OWEN FISS'S "GROUPS AND THE EQUAL PROTECTION CLAUSE" (2004); *The Death of a Public Intellectual* (translation), in DEMOCRACIA DELIBERATIVA Y DERECHOS HUMANOS 35 (H.H. Koh and R.C. Slye eds., 2004); *Not With Our Tears*, 113 YALE L.J. 785 (2004); *In the Shadow of War*, 58 U. MIAMI L. REV. 449 (2003).

Daniel J. Freed

Lectures and Addresses

Sentencing Conference of Chief District Judges of the Ninth Circuit, Laguna Beach, California, "Impact of the Feeny Amendment and the Ashcroft Memoranda on the Sentencing Discretion and Independence of Federal Judges," panelist.

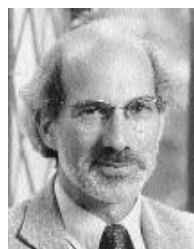
Robert W. Gordon

Appointments

Fellow, Connecticut Bar Foundation.

Lectures and Addresses

Harvard Law School and Washington & Lee University School of Law, "Yale Law Professors and the New Deal"; Chief Justice of Ontario Advisory Committee's Conference, Toronto, "Ten Propositions on Teaching Professionalism"; Conference on Rights, Liberties and Justice, Santa Cruz, "Economic Justice Issues"; AALS Annual Meeting, Atlanta, "Using History in Teaching Contracts: The Case of *Britton v. Turner*"; Commentary on Frankel Lecture, University of Houston Law Center Lecture, "Doing Well by Doing Good: Public Service and Private Careers in Law"; Conference on



left to right

Daniel J. Freed

Robert W. Gordon

Oona A. Hathaway

Paul W. Kahn

Harold Hongju Koh

Capitalism and the Importance of Trust: The Role of Gatekeepers, Chicago, "Rethinking Corporate Counseling After Enron."

Publications

Professors and Policy-Makers: Yale Law School Faculty in the New Deal and After, in HISTORY OF THE YALE LAW SCHOOL: THE TRICENTENNIAL LECTURES 75 (A. T. Kronman ed., 2004).

Oona A. Hathaway

Lectures and Addresses

Harvard Law School, Cambridge, "Between Power and Principle: A Political Theory of International Law"; American Society of International Law, "Empirical Approaches to Human Rights," panelist; University of Bremen, Germany, "Between Power and Principle: A Political Theory of International Law."

Publications

Human Rights and Security, a paper for the United Nations High Level Panel on Global Security Threats (commissioned by the UN Foundation), 2004; *Two Cheers for International Law*, 27 WILSON Q. 50 (2003); *The Cost of Commitment*, 55 STAN. L. REV. 1821 (2003); *Testing Conventional Wisdom*, 13 E.J.I.L. 185 (2003).

Paul W. Kahn

Lectures and Addresses

Madison Center, Princeton University, "Reformation Redux: Sovereignty in the 21st Century"; Annual Meeting of the Association for the Study of Law, Culture and the Humanities, University of Connecticut School of Law, Hartford, speaker.

Publications

Comparative Constitutionalism in a New Key, 101 MICH. L. REV. 2677 (2003).

Harold Hongju Koh

Awards and Recognition

Presidential Medal, Central Connecticut State University.

Lectures and Addresses

Presidential Lecture, Central Connecticut State University, New Britain, "American Exceptionalism After September 11"; Yale University Development Board, "Yale Law School's 21st Century Agenda"; Public Interest Reception, Yale Law School, "Yale Law School and Public Service"; Memorial Service for John Hart Ely, Stanford Law School, "The Right Stuff"; Yale-Howard Law School Joint Conference on the Legacy of *Brown v. Board of Education*: Reflections on the last 50 Years, Yale Law School, "Bathed in *Brown*"; KASCON XVIII, Yale University, keynote address; Cybercrime Conference, Yale Law School Information Society Project, "9/11 and Cybercrime"; Annual Banquet, Anti-Defamation League, New Haven, Torch of Liberty Address; General Electric Litigation Council, "Four Myths about Corporate Responsibility Litigation under the Alien Tort Statute"; Yale Law School Association of Birmingham, Alabama, "Yale Law's 21st Century Agenda"; Yale Law School Association of Miami, Florida, "Yale Law's 21st Century Agenda"; Memorial Service for John Hart Ely, University of Miami Law School, "The Right Stuff"; Southern District of New York Inns of Court, "The Padilla and Guantanamo Cases"; C-SPAN, "The Release of the Justice Harry A. Blackmun Papers"; European Commission Video Conference, Brussels,

"Transnational Legal Process After September 11"; 2004 Oxford Amnesty Lecture, Oxford, U.K., "The New Global Slave Trade"; Yale Law School Association of London, "Yale Law's 21st Century Agenda"; Quinnipiac Law School, "The Guantanamo Litigation"; Phi Beta Kappa Orator, Yale University, "What I Wish I Knew"; Emory Law School, Atlanta, "Lawyering in the Public Interest"; International Law Section, AALS Annual Meeting, Atlanta, "The New Architecture of International Law After Iraq"; AALS Annual Meeting, Atlanta, "Rights of Enemy Combatants."

Legal Consultation or Testimony

U.S. Supreme Court Amicus Brief on behalf of International Jurists in *Sosa v. Alvarez-Machain*; U.S. Supreme Court Amicus Brief on behalf of Former U.S. Government Officials in *Rasul v. Bush*; U.S. Supreme Court Amicus Brief on behalf of Louis Henkin, Harold Hongju Koh, and Michael Posner in *Rumsfeld v. Padilla*; U.S. Supreme Court Amicus Brief on behalf of Experts on the Laws of War in *Hamdi v. Rumsfeld*.

Publications

International Law As Part of Our Law, 98 AM. J. INT'L L. 43 (2004); *Separating Myth from Reality about Corporate Responsibility Litigation*, 7 J. INT'L ECON. L. 263 (2004); *Snatched in Sudan, Captive In Khartoum*, TIMES HIGHER EDUCATION SUPPLEMENT, February 20, 2004 (excerpted from 2004 Oxford Amnesty Lecture, "The New Global Slave Trade"); *Advice to the Next High Commissioner: Symposium on the United Nations High Commissioner for Human Rights: The First Ten Years of the Office, and the Next*, COLUM. HUM. RTS. L. REV. (2003); *Transnational Legal Process After*

► Faculty Activities



left to right

Anthony T. Kronman

John H. Langbein

Michael E. Levine

Jerry L. Mashaw

September 11, 22 BERKELEY J. INT'L L.; DEMOCRACIA DELIBERATIVA Y DERECHOS HUMANOS (with R. C. Slye, 2004) (trans).

Anthony T. Kronman

Appointments

Sterling Professor of Law.

Lectures and Addresses

Brown v. Board of Education 50th anniversary conference at Howard Law School in Washington, D.C., and New Haven, host/remarks; International Symposium on Assessing Corporate Law Reform in a Transatlantic Context, Paris, France, remarks; Alumni Dinner, AALS Annual Meeting, Atlanta, remarks; MELSS Conference, Rome, Italy, remarks; Yale Law School Alumni Reception in Miami, Florida, remarks; Arthur Liman Public Interest Colloquium, Yale Law School, remarks.

Publications

HISTORY OF THE YALE LAW SCHOOL: THE TRICENTENNIAL LECTURES (ed., 2004).

John H. Langbein

Lectures and Addresses

Conference on "Managing Charitable Assets: The Legal and Accounting Framework," National Center on Philanthropy and the Law, NYU Law School, New York, "The Prudent Investor Revolution: Implications for Charitable Investing"; Annual Meeting, American Society for Legal History, remarks to panel on In Defense of Normative Legal History, "Author Meets Readers: Langbein's The Origins of Adversary Criminal Trial."

Public Service

Commissioner, National Conference of Commissioners on Uniform State Laws; Member, Joint Editorial Board for the

Uniform Trusts and Estates Acts; Member, Drafting Committee to Revise the Uniform Management of Institutional Funds Act. American Law Institute: Associate Reporter, Restatement of Property: Wills and Other Donative Transfers; presented draft to ALI Council meeting; Advisor, Restatement (Third) of Trusts.

Publications

Mandatory Rules in the Law of Trusts, 98 NW. U. L. REV. 1109 (2004); UNIFORM TRUST AND ESTATE STATUTES: 2004-05 EDITION (with L. W. Waggoner, 2004); *What's Wrong with Employee Stock Pension Plans*, in ENRON: CORPORATE FIASCOS AND THEIR IMPLICATIONS 487 (N. B. Rapoport & B. G. Dharan eds., 2004) (incorporating testimony presented to U.S. Senate Committee on Governmental Affairs, Jan. 24, 2002); PENSION AND EMPLOYEE BENEFIT STATUTES AND REGULATIONS: SELECTED SECTIONS: 2004 EDITION (with Bruce Wolk, 2003); *Curing Execution Errors and Mistaken Terms in Wills: The Restatement of Wills Delivers New Tools (and New Duties) to Probate Lawyers*, PROBATE & PROPERTY, Jan./Feb. 2004, at 28; *Review, The Trial in History* (2 vols. 2003), in 119 ENG. HIST. REV. 192 (Feb. 2004); *Blackstone, Litchfield and Yale: The Founding of the Yale Law School*, in HISTORY OF THE YALE LAW SCHOOL: THE TRICENTENARY LECTURES 17 (A. T. Kronman ed., 2004); *Law School in a University: Yale's Distinctive Path in the Later Nineteenth Century*, id. at 53.

Michael E. Levine

Appointments

Expert Advisor, Aviation, Travel and Tourism Governors' Meeting, World Economic Forum, Davos, Switzerland; Visiting Faculty, University of Virginia

School of Law; Expert Consultant, Australian Competition and Consumer Commission.

Lectures and Addresses

Weidenbaum Center Forum on The Future of the Airline Industry, Washington University, St. Louis, keynote address: "St. Louis and the Future of Legacy Network Airlines"; J.P. Morgan Airline Conference, New York, "What Does it Take to Succeed in the New Environment?"; Embry-Riddle Aeronautical University Airline Economics Seminar, Survival of the Fittest: The Impact of Low-Cost Carriers on Competition, Washington, D.C., keynote address: "What it Will Take for Existing Legacy Airlines to Survive over the Medium and Long Term?"

Jerry L. Mashaw

Appointments

Distinguished Visiting Professor, Center for the Analysis of Risk and Regulation, London School of Economics, England.

Lectures and Addresses

Symposium on Achieving Retirement Security, National Academy of Social Insurance, Washington, D.C., "Social Insurance and the American Social Contract"; Faculty Workshop, Harvard University, Cambridge, "Agency Statutory Interpretation"; Conference on Economic and Social Regulation and Accountability and Democracy, Brazilian Center of Analysis and Planning – Law and Democracy Project, Sao Paulo, Brazil, "Judicial Review: An Accountability Perspective."

Publications

SEASONED BY SALT: A VOYAGE IN SEARCH OF THE CARIBBEAN (with A.U. MacClintock, 2003); *Law and Engineering: In Search of*

**left to right**

Jean Koh Peters

Robert C. Post

George L. Priest

W. Michael Reisman

the Law Science Problem, 66 LAW & CONTEMP. PROBS. 135 (2003); *Reinventando o Governo e Reforma Regulatória: Estudos sobre A Desconsideração e o Abuso do Direito Administrativo*, in REGULAÇÃO ECONÔMICA E DEMOCRACIA (P. Mattos ed., 2004).

Jean Koh Peters**Lectures and Addresses**

University of New Mexico School of Law, "Professionalism in Children's Court: Models of Representation," panelist; Faculty Colloquium, Rutgers Law School, "Habits of Cross-Cultural Lawyering" (with S. J. Bryant); Clinical Theory Workshop, New York Law School, "Experiment in Listening" (with M. Weisberg); Works-In-Progress, George Washington University Law School, "The American Experience and International Developments in Representing Children in Child Protective Proceedings: Lessons from Each Other."

Robert C. Post**Appointments**

Director, American Constitution Society; Editorial board member, LAW AND SOCIAL INQUIRY: Journal of the American Bar Foundation.

Lectures and Addresses

Conference on "The Next 1000 Years," Rockefeller University, "The Future Path of the Law"; Joint Meeting of the American Constitution Society and the Federalist Society, University of Virginia Law School, "The Theory and Practice of Originalism"; Harvard Law Review Forum, Cambridge, "Fashioning the Legal Constitution"; Faculty Forum, Ohio State Law School, "Creating Legal Authority"; Conference on

Academic Freedom After September 11," U.C. Berkeley, keynote address.

Publications

Redenfreiheit, Menschenwürde und Demokratie, in BILDERVERBOT: RECHT, ETHIK, UND ÄSTHETIK DER ÖFFENTLICHEN DARSTELLUNG (G. Frankenberg & P. Niesen eds., 2004); *Sexual Harassment and the First Amendment*, in DIRECTIONS IN SEXUAL HARASSMENT LAW 382 (C. A. MacKinnon & R. B. Siegel eds., 2004); *Foreword: Fashioning the Legal Constitution: Culture, Courts, and Law*, 117 HARV. L. REV. 4 (2003).

George L. Priest**Lectures and Addresses**

University of Colorado, School of Law Faculty Colloquium Series, Boulder, Colorado, "The Problematic Structure of the September 11th Victim Compensation Fund"; Legal Reform Meeting, Bradley Foundation, Washington, D.C.; Faculty Workshop, Northwestern University Law School, Chicago, "Reexamining the Market for Judicial Clerks and Other Assortative Matching Markets"; Law and Economics Workshop, John M. Olin Center for Law and Economics, University of Michigan Law School, Ann Arbor, "Reexamining the Market for Judicial Clerks and other Assortative Matching Markets"; 23rd Annual Student Symposium, Federalist Society, Vanderbilt University Law School, Nashville, "The Limitation of Tort Law as a Regulatory Device" in "Should Tort Law be a Form of Public Regulatory Law?"; John M. Olin Program in Law and Economics Workshop, The University of Chicago Law School, "Reexamining the Market for Judicial Clerks and other Assortative Matching Markets"; AALS Scholars

Showcase, ABA Section of Antitrust Law, Spring Meeting, Washington, D.C., "The Empirical Evidence of the Effects of the Antitrust Laws"; Federalist Society, University of Colorado, Boulder, "Rethinking Campaign Contributions and the Implications of Campaign Finance Reform."

Publications

The Cumulative Sources of the Asbestos Litigation Phenomenon, 31 PEPP. L. REV. 261 (2004); *The Problematic Structure of the September 11th Victim Compensation Fund*, 53 DEPAUL L. REV. 527 (2004); *El surgimiento del análisis económico del derecho: una memoria de los primeros años*, 2 REVISTA DE ECONOMÍA Y DERECHO 51 (2004).

W. Michael Reisman**Appointments**

Board of Editors, ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW, Heidelberg; Member, Panel of International Consultants, Gujarat National University, Ahmedabad, Gujarat State, India; Member, Editorial Board, INDIAN JOURNAL OF INTERNATIONAL LAW; Member, European Society of International Law; Honorary Editor, AMERICAN JOURNAL OF INTERNATIONAL LAW; Visiting Professor, Vanderbilt University Law School, Nashville.

Awards and Recognition

Manley O. Hudson Medal, American Society of International Law, 2004.

Lectures and Addresses

Brendan Francis Brown Lecture Series, The Catholic University of America Columbus School of Law, "Anatomy of a Love-Hate Relation: America and International Organizations"; Conference

► Faculty Activities



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Judith Resnik

Roberta Romano

on The Development of International Law: Alternatives to Treaty-Making?, Max Planck Institute, Heidelberg, Germany, “Democratization of Contemporary International Law-Making Processes and the Differentiation of Their Application,” delivered paper; State Department Advisory Committee on International Law, Washington, D.C.; One-week intensive course on Public International Law, Vanderbilt University Law School; Roundtable on American-European Dialogue: Perception of International Law, Max Planck Institute, Heidelberg, Germany, delivered paper; Advisory Board Meeting, Encyclopedia of Public International Law (EPIL), Max Planck Institute, Heidelberg, Germany; “Issues Before the UN’s High-Level Panel—A Roundtable Discussion on Intervention in Humanitarian Crises,” The Stanley Foundation and The United Nations Foundation, Arden Conference Center, Harriman, New York; The Manley O. Hudson Medal Lecture, American Society of International Law, “Why Regime Change is (Almost Always) a Bad Idea,” delivered paper.

Publications

Self Defense in an Age of Terrorism, ASIL PROCEEDINGS, April 4, 2003, at 142; *Free Association: The United States Experience*, 39 TEX. INT’L L.J. 1 (2003) (with C. I. Keitner); *Learning to Deal with Rejection: The International Criminal Court and the United States*, 2 J. INT’L CRIM. JUST. 17 (2004).

Judith Resnik

Lectures and Addresses

Conference on Beyond Borders, International Association of Women Judges, Washington, D.C., presenter,

“Domestic/ Foreign Law, How to think About It” and moderator, “Human Rights Through An International Lens: U.S. Law and the World”; Trager Symposium, Our New Federalism?, Brooklyn Law School, National Authority and Local Autonomy in the War on Terrorism, roundtable discussant; Symposium on ABA Vanishing Trials, San Francisco, “Mitigation, Morphing and Vanishing: The Empirical and Normative Puzzles of Declining Trial Rates in Courts,” discussant on Section paper; AALS Annual Meeting, Atlanta, Federal Courts Section, “Indian Tribes and the Federal Courts: The Forgotten Sovereign in Federal Jurisdiction,” presenter; AALS Annual Meeting, Joint Program of Sections on Alternative Dispute Resolution and Civil Procedure, ADR/Civil Procedure Section, “Competing or Complementary Rule Systems? Adjudication, Arbitration, and the Procedural World of The Future,” presenter; AALS Annual Meeting/Yale Law School alumni dinner, “Representing Justice: From Renaissance Iconography to 21st Century Courthouses,” speaker; Scholars in Residence Program, Hofstra University School of Law, Endowed Lectureship on “Representing Justice”; American Judicature Society, Washington, D.C., “The Courts, the Legislature and Executive Separate and Equal,” panel presenter; Symposium on Judicial Selection: Reconsidering the Federal Judicial Appointments Process, Cardozo School of Law, Yeshiva University, “Criteria for Judicial Selection,” presenter; Panel on Science, Technology, and the Law of the National Academy of Sciences, “Explaining the Vanishing Trial Science for Judges/Education needed?,” presenter;

Faculty Workshop, University of Pennsylvania, School of Law, “The Corporate Judiciary,” presented paper; Yale University presentations for: Gender and Governance, for a segment of World Fellows Curriculum; Center on Globalization, Faculty Conversations on Globalization, “New Sovereignities,” discussant; Coalition for Faculty Diversity, “Faculty Diversity”; Women Faculty Forum, “Working Lives”; 7th Annual Arthur Liman Public Interest Colloquium, convener.

Publications

THE PROCESSES OF THE LAW: UNDERSTANDING COURTS AND THEIR ALTERNATIVES (2004); SUGGESTIONS FOR THE REFLECTION ON TEACHING ADJUDICATION AND ITS ALTERNATIVE: AN INTRODUCTION TO PROCEDURE, (with N. Marder, 2004); *Federalism(s), Feminism, Families, and the Constitution*, in WOMEN AND THE UNITED STATES CONSTITUTION: HISTORY, INTERPRETATION, AND PRACTICE 127 (S. A. Schwarzenbach & P. Smith eds., 2004); *Civil Processes*, in THE OXFORD HANDBOOK OF LEGAL STUDIES 748 (P. Cane & M. Tushnet eds., 2003); *The Rights of Remedies: Accounting for and Insuring Against the Harms of Sexual Harassment*, in DIRECTIONS IN SEXUAL HARASSMENT LAW 247 (C. A. MacKinnon & R. B. Siegel eds., 2003); *A Continuous Body: Ongoing Conversations About Women and Legal Education*, 53 J. LEGAL EDUC. 4 (2003); *Independence of the Federal Judiciary*, BULL. AM. ACAD. ARTS & SCI. 17 (with D. J. Boggs & H. Berman) (2004); *Engendering Equality: A View from the United States*, 35 EUR. LAW. 21 (2004); *At Home and Work, Still a Man’s World*, Commentary, L.A. TIMES, January 2, 2004, at B 13 (with E. Bazelon).

**left to right***Carol M. Rose**Susan Rose-Ackerman**Peter H. Schuck***Roberta Romano****Appointments**

Board of Academic Advisors, Journal of Law, Economics and Policy.

Lectures and Addresses

The Matthews Lecture, University of Mississippi School of Law, "The Sarbanes Oxley Act and the Making of Quack Corporate Governance"; Centre for European Policy Studies Roundtable on Corporate Governance Reform in the EU, Brussels Belgium, panel on The SOXA and the EU, "The Sarbanes Oxley Act and the Making of Quack Corporate Governance"; Yale Law School Center for the Study of Corporate Law International Symposium on Assessing Corporate Law Reform in a Transatlantic Context, Paris, France, "Advantages of Competition for Corporate Charters"; University of Pennsylvania Institute for Law and Economics Roundtable, "The Sarbanes Oxley Act and the Making of Quack Corporate Governance"; Vienna University of Economics and Business Administration and UNCITRAL Forum für Internationales Wirtschaftsrecht, Vienna, Austria, "The Sarbanes Oxley Act and the Making of Quack Corporate Governance"; Vienna University of Economics and Business Administration Institut für Bürgerliches Recht, Handels- und Wertpapierrecht Workshop, "Advantages of Competition for Corporate Charters"; 8th Post Graduation Course on Securities Law, Instituto dos Valores Mobiliários, Faculdade de Direito de Lisboa, "Less is More: Making Institutional Investor Activism a More Valuable Mechanism of Corporate Governance"; University of Virginia School of Law Colloquium in Business Law, "The

Sarbanes Oxley Act and the Making of Quack Corporate Governance"; University of North Carolina Chapel Hill School of Law Faculty Workshop and Speakers Series, "The Sarbanes Oxley Act and the Making of Quack Corporate Governance"; University of Iowa College of Law Faculty Seminar, "The Sarbanes Oxley Act and the Making of Quack Corporate Governance"; NBER Corporate Finance Spring Meeting, "Mandated Disclosure, Stock Returns, and the 1964 Securities Acts Amendments," discussant.

Publications

Pick Your Regulator, FORBES, Feb. 16, 2004, at 42.

Carol M. Rose**Lectures and Addresses**

American Society for Legal History, Washington, D.C., Panel on Property History and Indigenous Peoples, commentator; Columbia Law School Legal Theory Workshop, New York, "*Shelley v. Kraemer*: State Action Doctrine through the Lens of Property"; Yale University Whitney Humanities Center, "The Road to *Shelley v. Kraemer*: Racially Restrictive Covenants from the City Beautiful to the Cold War"; Workshop on China's Rural Land Requisition Reform, China Center for Economic Research, Beijing, "Strategies for Public Land Management: The U.S. Experience"; Seminar on Contract and Property in the Digital Age, Stanford University Law School, "Traditions of Public Property in the Information Age"; George Mason University Law School Faculty Workshop, "*Shelley v. Kraemer* and the State Action Doctrine."

Publications

Shelley v. Kraemer, in PROPERTY STORIES (A. Morris & G. Korngold ed., 2004).

Susan Rose-Ackerman**Lectures and Addresses**

Conference on Tax Evasion, Trust, and State Capacities, St. Gallen, Switzerland, "Public Participation in Consolidating Democracies: Hungary and Poland"; Bildner Center, Graduate Center, City University, Seminar on Corruption in High Places: How to Combat It; International Conference on Economic and Social Regulation, Accountability and Democracy, CEDRAP and Vargas Foundation, Sao Paulo, Brazil, "The Challenge of Poor Governance and Corruption"; CEDRAP, Sao Paulo, Brazil, "Electoral Rules and Constitutional Structures as Constraints on Corruption"; American Society of International Law, panel on "The Role of Law in Combating Official Corruption."

Publications

CORRUPTION AND GOVERNMENT, translations into Russian, Portuguese, Arabic.

Peter H. Schuck**Awards and Recognition**

Fulbright Senior Scholar grant for lectures in India, January to April, 2004.

Lectures and Addresses

Numerous lectures on a variety of subjects at different institutions throughout India; Radcliffe Institute, Political Incorporation of Immigrants; Harvard University, Diversity and Governance; St. John's Law School, School Choice; Johns Hopkins Center for Ethics, Victim Compensation Schemes; Ethnic and Immigrant History Society, comments

► Faculty Activities



left to right
Vicki Schultz
Reva Siegel
James J. Silk
Henry E. Smith
Robert A. Solomon

on papers; Albany Law School, Gun Control Conference.

Publications

FOUNDATIONS OF ADMINISTRATIVE LAW, 2d edition (ed., 2004); *Equal Opportunity Recruiting*, AM. LAW., January 2004, at 57 (A shorter version published as *Why Yale Should Open its Interview Program to the Military*, YALE ALUMNI MAGAZINE, January/February 2004, at 23).

Vicki Schultz

Lectures and Addresses

Reimagining Academic Work and Family, Yale University, “Family Decisionmaking and Discrimination Avoidance”; Plenary Lecture, Law, Culture and the Humanities Annual Conference, University of Connecticut Law School, Hartford, “Looking for Sex Harassment Law: Law and Culture in a Contemporary Context”; AALS Annual Meeting, Atlanta, Program of the Section on Labor Relations and Employment Law, panel on Global Perspectives on Workplace Harassment, chair and commentator; AALS Annual Meeting, plenary session on The Discrimination System: Race, Social Structures, and Social Policy, commentator; AALS Annual Meeting, Program of the Section on Labor Relations and Employment Law, presenter of award to Professor James E. Jones, Jr.; Legal Theory Workshop, University of Miami Law School, “The Sanitized Workplace”; Conference on Change at Work: Implications for Labor Law, Cornell Law School, panel on New Forms of Employment Discrimination, “Changes in Employment Discrimination Law”; Work & Citizenship Workshop speaker series, Yale Law School, convener.

Publications

From Frontiero to Oncale, Plenary Remarks, Subversive Legacies/Constructing the Future conference, 12 TEX. J. WOMEN & L. 203 (2003).

Reva Siegel

Lectures and Addresses

Yale Law School Alumni Weekend, “Re-imagining Equality: Social Movements Transforming and Extending *Brown*,” moderator; Harvard Law School Constitutional Law Conference, Harvard Law School, commentator on Heather Gerkin, “Juries and the Value of Second-Order Diversity in Democracy”; University of Virginia Law School, Yale Law School, and Stanford Law School: presented manuscript on “Equality Talk: Antisubordination and Anticlassification Values in Constitutional Struggles Over *Brown*”; U.C.L.A. Law School, discussion of DIRECTIONS IN SEXUAL HARASSMENT LAW with co-editor Catharine MacKinnon; Maryland/Georgetown Discussion Group on Constitutionalism, University of Maryland School of Law, presented manuscript of “Principles, Practices, and Social Movements” (co-authored with Jack Balkin); The Legacy of *Brown v. Board of Education*: Reflections on the Last Fifty Years, Yale Law School, “Beyond *Brown*: Courts, Congress, and Civil Rights,” moderator; Harvard Celebration of the 50th Anniversary of *Brown v. Board of Education*, Harvard Law School, Harvard Law Review Symposium on *Brown*, panelist.

Publications

Equality Talk: Antisubordination and Anticlassification Values, in Constitutional Struggles Over Brown, 117 HARV. L. REV. 1470

(2004); DIRECTIONS IN SEXUAL HARASSMENT LAW (with C. A. MacKinnon, 2004).

James J. Silk

Lectures and Addresses

Seminar on Comparative Issues in Migration to the Americas, Vanderbilt University, “Over-Emphasizing International Criminal Justice—The Implications for Human Rights Protection”; Vanderbilt Institute for Public Policy Studies and the Center for the Americas, “Human Rights Progress and Prospects: Questioning the Rush to Lower Expectations”; University of Virginia Human Rights Program and the JB Moore Society for International Law, University of Virginia School of Law, “Can Over-Emphasizing International Prosecution Undermine the Protection of Human Rights?”

Henry E. Smith

Lectures and Addresses

Law and Economics Workshop, Harvard Law School, “Property and Property Rules”; Intellectual Property Workshop, University of Virginia School of Law, “Intellectual Property as Property: An Information Cost Approach”; Faculty Workshop, University of Virginia School of Law, “Property and Property Rules.”

Robert A. Solomon

Appointments

Special Master, U.S. District Court.

Lectures and Addresses

Yale Law School Alumni Weekend, “*Brown* on the Ground,” panelist; Planning Course, Columbia University, bus tour of New Haven and presentation; Yale Law School

**left to right**

Kate Stith
Stanton Wheeler
James Q. Whitman
Stephen Wizner

Linkages Program, bus tour of New Haven and presentation.

Legal Consultation or Testimony

Represented the City of New Haven concerning demutualization of New Haven Savings Bank; testified in this matter before State Banking Commissioner and submitted testimony to FDIC.

Publications

"Solomon's Wisdom," CONNECTICUT LAW TRIBUNE: 22 weekly columns on a variety of topics.

Kate Stith**Appointments**

Provost's Ad Hoc Advisory Committee on National Security and University Policy; Advisory Committee, Connecticut Lawyer; Faculty Sponsor, Women's Campaign School at Yale University.

Lectures and Addresses

Investigating and Defending Financial Scandals: Perspectives from the Justice Department, the SEC and the Defense, sponsored by the Federal Bar Council and the Connecticut Bar Association, Yale Law School; Conference on The Quest for Judicial Independence in China, sponsored by the Party School of the People, Beijing, and the China Law Center, Yale Law School, at the Party School, Beijing, speaker.

Publications

Criminal Law and the Supreme Court: An Essay on the Jurisprudence of Byron White, 74 U. COLO. L. REV. 1523 (2003); *Informal Opinions*, Committee on Professional Ethics, Connecticut Bar Association.

Stanton Wheeler**Awards and Recognition**

Outstanding Scholar Award (with Stewart Macaulay), 48th Annual Meeting, Fellows of the American Bar Foundation.

James Q. Whitman**Lectures and Addresses**

University of Tokyo Faculty of Law, "The Protection of Personal Honor"; Roger Williams Law School, "The Two Western Cultures of Privacy."

Legal Consultation or Testimony

Testimony before ABA Justice Kennedy Commission on Criminal Punishment.

Publications

Bring Back the Glory!, 4 RECHTSGESCHICHTE 74 (2004); *Book Review: A Simple Story*, 4 RECHTSGESCHICHTE 206 (2004); *La justice française vers une américanisation?: La procédure du 'plaider coupable' fait partie des innovations du projet de loi*, LIBÉRATION, November 27, 2003, at 36 (op-ed); *A Plea Against Retributivism*, 7 BUFF. CRIM. L. REV. 85 (2003).

Stephen Wizner**Lectures and Addresses**

University of Maryland School of Law, "Teaching and Doing: Walking the Clinical Tightrope."

Publications

Religious Values, Legal Ethics, and Poverty Law, 31 FORDHAM URB. L.J. 37 (2003). ∞

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