

Faculty Activities



left to right
Bruce Ackerman
Anne L. Alstott
Ian Ayres
Jack M. Balkin
Robert A. Burt
Guido Calabresi

Bruce Ackerman

Lectures and Addresses

Holmes Lectures, Harvard Law School, "The Living Constitution."

Publications

Les pouvoirs d'exception a l'age du terrorisme, ESPIRIT, August–September 2006 at 150; *Come Scegliere il Si or il No (How to Choose between Yes and No)*, LA REPUBBLICA, June 23, 2006 (with J. Fishkin); *Putting Reason Back into Emergency Powers*, BOSTON GLOBE, July 2, 2006; *Before the Next Attack*, NEW STATESMAN, July 3, 2006; *How Congress Can Make Guantanamo Even Worse*, SLATE, July 17, 2006; *Give New York's Poor What They Need Most: A Voice*, N.Y. DAILY NEWS, Aug. 14, 2006, at 31 (with I. Ayres); *In Case of Emergency*, AMERICAN PROSPECT ONLINE, Aug. 18, 2006; *Talk of "War" is Misleading and Dangerous*, PHILADELPHIA INQUIRER, Sep. 12, 2006; *Bad Party Line: All the Reasons to Hate Bush's Wiretapping Bill*, SLATE, Sept. 18, 2006; *White House Warden*, L.A. TIMES, September 28, 2006; *We Answer to the Name of Liberals*, AMERICAN PROSPECT, Nov. 2006, available at <http://www.prospect.org/web/page.wv?section=root&name=ViewWeb&articleid=12124> (with T. Gitlin); (French translation: *Liberation* (October 19, 2006), available at <http://www.liberation.fr/opinions/rebonds/211551.FR.php>).

Anne L. Alstott

Lectures and Addresses

Harvard Workshop on Current Research in Taxation, "Inheritance and Equal Opportunity."

Ian Ayres

Awards and Recognition

Elected Fellow, American Academy of Arts & Sciences; 2006 Scribes Book Award "for the best work of legal scholarship published during the previous year."

Lectures and Addresses

Stresa Lecture, "A Theory of Default and Altering Rules"; University of Missouri Law School, "The Refund Booth"; Yale Tomorrow Conference, "Creativity Where You Least Expect It"; Northwestern University, "Racial Profiling Hit Rates."

Publications

Ya-HUH: There Are and Should Be Penalty Defaults, 33 FLA. ST. U. L. REV. 589 (2006); *The Knicks Boldly Go Where Companies Have Not*, N.Y. TIMES, July 2, 2006 (with J.J. Donohue III); *Give NY's Poor What They Need Most: A Voice*, N.Y. DAILY NEWS, Aug. 14, 2006, at 31 (with B. Ackerman); *Promissory Fraud*, 78 N.Y. ST. BAR A. J. 26, May 2006 (with G. Klass); *Secret Political Donations Can End the Secret Deal*, FINANCIAL TIMES, April 27, 2006, at 13 (with B. Ackerman); *A Way to Stop Pretexting*, Marketplace Radio Commentary, Sept. 11, 2006; *How to Strengthen Shareholder Democracy*, Marketplace Radio Commentary, July 6, 2006; *Skin in the Game*, FORBES, Nov. 13, 2006, at 156 (with B. Nalebuff); *The Ticket to Savings*, FORBES, May 22, 2006, at 176 (with B. Nalebuff).

Jack M. Balkin

Lectures and Addresses

Access to Knowledge Conference, Yale Law School, "What is Access to Knowledge?"; Microsoft, Redmond, WA., "Internet Policy and Democratic Culture"; American Constitution

Society Convention Panel, "Checks and Balances: Keeping Faith"; American Political Science Association Roundtable, Philadelphia, "The Constitutional Order after 9-11"; Distinguished Lecture Series, Constitutional Law Center, Drake Law School, "How the Constitution Changes: Partisan Entrenchment and the National Surveillance State"; Vanderbilt/ACS Conference on Constitutional Interpretation, Nashville, "Original Meaning and the Living Constitution"; Lockhart Lecture, University of Minnesota, "The National Surveillance State."

Publications

THE STATE OF PLAY: LAW, GAMES AND VIRTUAL WORLDS, (with B. Noveck eds., 2006); *Law and the Humanities: An Uneasy Relationship*, 18 YALE J. L. & HUM. 155 (2006) (with S. Levinson); *Online Legal Scholarship: The Medium and the Message*, 116 YALE L.J. POCKET PART 20 (2006); PROCESSES OF CONSTITUTIONAL DECISIONMAKING (with Brest, Levinson, Amar & Siegel eds., 5th ed. 2006).

Robert A. Burt

Lectures and Addresses

Yale Club of Northern New Jersey, "Yale Law School, Military Recruiters and Constitutional Litigation"; Hallie Lecture, Wesleyan University College of Letters, "Regulating Love, Sex, and Marriage."

Publications

The Uses of Psychoanalysis in Law: The Force of Jay Katz's Example, YALE J. HEALTH POL'Y, L. & ETHICS 401 (2006); *Commentario sobre la obligacion de erradicar la pobreza, in DERECHO Y POBREZA 45* (R. Saba ed., SELA 2005); *A Poor Ruling by the Supreme Court*, CHRONICLE OF HIGHER EDUCATION, May 19,



left to right
 Amy Chua
 Dennis E. Curtis
 Mirjan R. Damaška
 Drew S. Days, III
 John J. Donohue III
 Robert C. Ellickson

2006, at B18; *Family Conflict and Family Privacy: The Constitutional Violation in Terri Schiavo's Death*, 22 CONSTITUTIONAL COMMENTARY 427 (2005).

Guido Calabresi

Awards and Recognition

Distinguished Service Medal, Boston College Law School.

Lectures and Addresses

International Conference on Welfare Systems, Contrasting Models, Centro Nazionale di Prevenzione e Difesa Sociale, Stresa, Italy, Opening and Closing Remarks; Randolph Lecture (keynote address), Tort Law and the Modern State, Columbia University, "Toward a Unified Theory of Torts"; Dean's Distinguished Service Lecture, Boston College Law School 75th Anniversary Celebration.

Amy Chua

Lectures and Addresses

Ethics and Public Policy Forum, Choate Rosemary Hall, Wallingford, CT, "Why Global Studies?"; Class of 1936 Lecture, Kingswood-Oxford School, West Hartford, CT, "Globalization and Ethnic Conflict"; GE Leading and Learning Conference, Ossining, NY, "Markets, Democracy, and Ethnic Conflict"; Elizabeth Rogers Lecture, Phillips Andover Academy, Andover, MA, "Markets, Democracy, and Ethnic Conflict."

Dennis E. Curtis

Lectures and Addresses

Annual Conference of Chief Justices and Conference of State Court Administrators, Indianapolis, presenter (with J. Resnik); keynote address, Conference on Clinical

Legal Education in the World, Wasada University, Tokyo.

Mirjan R. Damaška

Lectures and Addresses

University of Pavia, Italy, "The Uncertain Self-identity of International Criminal Courts."

Legal Consultation or Testimony

Consultant before Croatian Government on its relations with the War Crimes Tribunal in The Hague.

Publications

BI JIAO FA SHI YE ZHONG DE ZHENG JU ZHI DU (EVIDENCE: A COMPARATIVE STUDY) (2006).

Drew S. Days, III

Appointments

Special Advisor, Standing Committee on Amicus Curiae Briefs, American Bar Association.

Lectures and Addresses

Annual Bruce Bartlett Lecture, Review of the 2005–2006 Supreme Court Term, United States District Court for the Western District of Missouri; American Constitution Society, Supreme Court Review; The Bench-Bar Conference, Federal District Court for the District of Connecticut, "The Roberts Court."

Legal Consultation or Testimony

Testimony before the Judiciary Committee, United States Senate, "Re-Authorization of the 1965 Voting Rights Act."

John J. Donohue III

Appointments

Co-Editor (with Steven Shavell), American Law and Economics Review, May 2006–present.

Lectures and Addresses

Meetings of the American Law and Economics Association, Berkeley, "Uses and Abuses of Empirical Evidence in the Death Penalty Debate"; Law and Economics Workshop, University of Chicago Law School, "Uses and Abuses of Empirical Evidence in the Death Penalty Debate"; Law and Economics Workshop, Harvard Law School, "Estimating the Impact of the Death Penalty on Murder."

Publications

The Discretion of Judges and Corporate Executives: An Insider's View of the Disney Case, 3 THE ECONOMISTS' VOICE, available at <http://www.bepress.com/ev/vol3/iss8/art4>; *The Knicks Boldly Go Where Companies Have Not*, N.Y. TIMES, July 2, 2006 (with I. Ayres); *The Costs of Wrongful Discharge Laws*, 88 REV. ECON. & STAT. 211 (2006) (with D. Autor and S. Schwab).

Robert C. Ellickson

Lectures and Addresses

New Haven Museum & Historical Society, New Haven, "Old City, Young Historians"; Yale Law School, Dean's Introductory Lectures, "Introduction to New Haven: Some Unsung Virtues."

Publications

The Puzzle of the Optimal Social Composition of Neighborhoods, in THE TIEBOUT MODEL AT FIFTY: ESSAYS IN PUBLIC ECONOMICS IN HONOR OF WALLACE OATES 199 (W.A. Fischel ed., 2006); *Norms of the Household*, in NORMS AND THE LAW (J.N. Drobak ed., 2006).

► Faculty Activities



left to right
William N. Eskridge, Jr.
Daniel C. Esty
Owen M. Fiss
Heather Gerken
Robert W. Gordon
Henry Hansmann

William N. Eskridge, Jr.

Lectures and Addresses

Ryan Lecture, Georgetown University Law Center, "Death, Democracy, and Deference in Statutory Interpretation"; Federalist Society Convention, Washington, D.C., featured speaker; Workshops at Columbia, Georgetown, Kentucky, and San Diego Law Schools, relating to Eskridge & Spedale's GAY MARRIAGE: FOR BETTER OR FOR WORSE? WHAT WE'VE LEARNED FROM THE EVIDENCE (with D. Spedale, 2006).

Publications

Editorials in the WALL STREET JOURNAL and other publications on same-sex marriage.

Daniel C. Esty

Lectures and Addresses

Brookings Conference on International Institutional Reform and Global Governance, Washington, "The Global Environmental Governance Agenda"; Environmental Assessment, American Enterprise Institute, "Benchmarking National Environmental Results: The Environmental Performance Index"; Addressing Global Climate Change in the Post-Kyoto World, Harvard University, Cambridge, "Beyond Kyoto: Learning from the Montreal Protocol"; Biodiversity: Interplay of Science, Valuation, and Policy, Annual Meeting of the American Institute of Biological Sciences, "From Science to Policy: Biodiversity Protection, Metrics, and Results"; Managing EHS in a Competitive Global Environment, Annual Forum of the National Association of Environmental Managers, "From Green to Gold: Making Corporate Environmental Strategy Count"; "Globalizing Yale: Introduction to the Yale World Fellows Program," presentations in Mumbai, Delhi, Hong Kong, Shanghai, and Beijing.

Publications

GREEN TO GOLD: HOW SMART COMPANIES USE ENVIRONMENTAL STRATEGY TO INNOVATE, CREATE VALUE, AND BUILD COMPETITIVE ADVANTAGE (with A. Winston ed., 2006); *From Local to Global: The Changing Face of the Environmental Challenge*, Vol. XXVI, No. 2, SAIS REVIEW (2006).

Owen M. Fiss

Lectures and Addresses

American Constitution Society, Campaign Finance and the First Amendment (debate with Robert Post); SELA 2006, Globalization and Executive Power, Bogotá, Colombia, commentator; Global Constitutionalism Seminar, Political Parties and Democratic Pluralism, moderator (with Dieter Grimm).

Publications

Between Supremacy and Exclusivity, in THE LEAST EXAMINED BRANCH: THE ROLE OF LEGISLATURES IN THE CONSTITUTIONAL STATE 452 (R. Bauman & T. Khana eds., 2006); *The War Against Terrorism and the Rule of Law*, 26 OXFORD J. LEGAL STUD. 235 (2006); *La Guerra contra el terrorismo y el Estado de Derecho*, REVISTA ARGENTINA DE TEORIA JURIDICA, May 2006 (in Spanish); *A Autonomia do Direito*, in CONSTITUIÇÃO E CRISE POLITICA (CONSTITUTION AND POLITICAL CRISIS) 57 (J. Sampaio ed., 2006); *Troubled Beginnings of the Modern State, 1888–1910*, *The Oliver Wendell Holmes Devise*, in HISTORY OF THE SUPREME COURT, Volume VIII (2006 reprint).

Heather Gerken

Appointments

Professor of Law, Yale Law School, July 2006.

Lectures and Addresses

Pepperdine Faculty Workshop, "Dissenting by Deciding" (excerpts from book

manuscript); Ohio State University, Moritz College of Law, Roundtable Discussion, "Election Law and the Roberts Court Symposium"; American Political Science Association Annual Meeting, Washington, D.C., "The Judicial Struggle with Democracy," commentator; Tobin Project, Working Group Meeting, Washington, D.C., "No Voter Left Behind"; Michigan Legal Theory Workshop, "Dissenting by Deciding" (excerpts from book manuscript); George Washington University Law School Faculty Workshop, "Dissenting by Deciding" (excerpts from book manuscript); Notre Dame Law School Faculty Workshop, "Dissenting by Deciding" (excerpts from book manuscript).

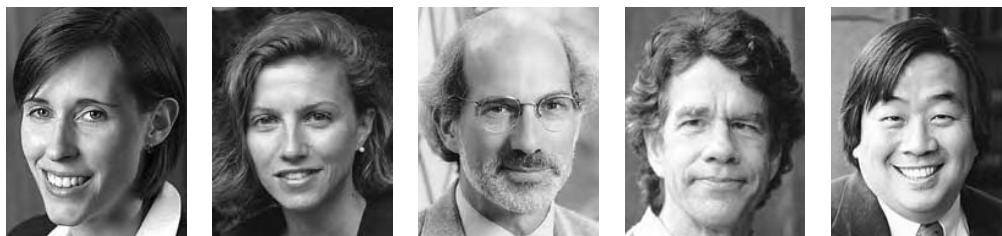
Publications

Of Sovereigns and Servants, 115 YALE L. J. 2634 (2006); *A Third Way: Section 5 and the Opt-In Approach*, in THE FUTURE OF THE VOTING RIGHTS ACT 277 (Epstein et al. 2006); *A Third Way for the Voting Rights Act: Section 5 and the Opt-In Approach*, 106 COLUM. L. REV. 708 (2006).

Robert W. Gordon

Lectures and Addresses

Conference on History in Constitutional Interpretation, Vanderbilt Law School, presented paper on "Shedding the Bad Past"; Conference on Gatekeepers Today: The Professions after the Reforms, Columbia Law School, "The Lawyer as Gatekeeper"; Conference on Legal Education, Vanderbilt Law School, presented paper on "The Geologic Strata of the Law School Curriculum"; Annual Meeting, Organization of American Historians, Washington, D.C., commentator on "New Legal Histories of Race and Nationality"; Wesleyan Humanities Center, Wesleyan University, "The Past as Authority,

**left to right**

Oona A. Hathaway
Christine Jolls
Paul W. Kahn
S. Blair Kauffman
Harold Hongju Koh

Inspiration and Nightmare.”

Legal Consultation or Testimony

Co-author, Final Report of Task Force on the Future of the Legal Profession, Connecticut Bar Association.

Publications

The Law School, The Profession, and Humane Professionalism, 44 OSGOOD HALL L. J. 157 (2006).

Henry Hansmann**Lectures and Addresses**

Comparative Law and Economics Forum, Barcelona, Spain, presented paper on “International Competition for Judicial Services” (coauthored with J. Dammann); Conference on Comparative Corporate Governance for Nonprofit Organizations, University of Heidelberg, presented paper on “The Economics of Nonprofit Organizations.”

Publications

Corporation and Contract, 8 AMER. L. & ECON. REV. 1 (2006).

Oona A. Hathaway**Appointments**

Fellow, New America Foundation; Distinguished Visitor, University of Toronto Faculty of Law.

Lectures and Addresses

University of Toronto Faculty of Law, “Strong States, Strong World”; Columbia Law School Law and Economics Workshop, “Strong States, Strong World”; University of Michigan Law School, International Law Workshop, “Strong States, Strong World”; Duke Law School, “Does Delegation Undermine U.S. Sovereignty?”; Fordham Law School, “Reflections on International Law and the Internal Point of View”; University of Connecticut School of Law, “Strong States, Strong World.”

Publications

Rationalism and Revisionism in International Law, 119 HARV. L. REV. 1404 (2006) (with A. Lavinbuk).

Christine Jolls**Appointments**

Gordon Bradford Tweedy Professor of Law and Organization, Yale Law School; Director, Law and Economics Program, National Bureau of Economic Research.

Lectures and Addresses

Economics Department and School of Law, Columbia University, “Managerial Contracts at Regulated Firms”; Princeton University, Woodrow Wilson School of Public and International Affairs, “Behavioral Law and Economics”; Colloquium in Law and Economics, New York University School of Law, “Disability Civil Rights and Workplace Leave Mandates”; American Law and Economics Association, Annual Meeting, “Workplace Leave Mandates and the Employment of Individuals with Disabilities”; National Bureau of Economic Research, Summer Institute in Law and Economics, “Workplace Leave Mandates and the Employment of Individuals with Disabilities.”

Publications

Debiasing through Law, 35 J. LEGAL STUD. 199 (2006) (with C. Sunstein); *The Law of Implicit Bias*, 94 CAL. L. REV. 969 (2006) (with C. Sunstein); *Law and the Labor Market*, 2 ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE 359 (2006).

Paul W. Kahn**Publications**

OUT OF EDEN: ADAM AND EVE AND THE PROBLEM OF EVIL (2006); *Political Time: Sovereignty and the Transtemporal Community*, 28 CARDOZO L. REV. (2006);

Judicial Ethos and the Autonomy of Law, 110 PENN. ST. L. REV. (2006); *Legal Performance and the Imagination of Sovereignty*, Vol. 3, No. 1, E-MISFÉRICA (2006).

S. Blair Kauffman**Awards and Recognition**

American Association of Law Libraries Presidential Certificate of Merit.

Legal Consultation or Testimony

National Conference of Bar Examiners regarding feasibility of testing for legal research skills on the bar exam.

Publications

What the Americans are up to..., 6 LEGAL INFORMATION MANAGEMENT 164 (2006) (with M.J. Kelsey); *Fostering Legal Research as a Subject Specialty*, 10 THE SPECTRUM (2006).

Harold Hongju Koh**Appointments**

Chair, Committee on Public Responsibility and Ethics and Member, Executive Committee, The Brookings Institution; Chair, Schools Committee and Member, Executive Committee, Harvard Board of Overseers; Advisory Council, The Fund for Independence in Journalism; Advisory Board, International Human Rights Program, University of Toronto Faculty of Law.

Awards and Recognition

2006 Phillip Burton Award for Advocacy, Immigrant Legal Resource Center; named one of 500 leading lawyers of America by *LawDragon*.

Lectures and Addresses

Panel on China President Hu Jintao's visit to Yale, presentation on “China and Human Rights”; “International Responses to Darfur,” panel moderator; Boston Bar Association, Law Day Address, “On Law and

► Faculty Activities



left to right
John H. Langbein
Jonathan R. Macey

Globalization”; Yale Club of Hartford, “On Law and Globalization”; Annual Meeting of The American Law Institute, Washington, D.C., “On Law and Globalization”; Connecticut Bar Foundation & New Haven Bar Foundation, “A World Turned Upside-Down”; Memorial Service for William Sloane Coffin, “A Remembrance of William Sloane Coffin, Jr.”; Presentation to Chinese Ministers at Yale University, “On Law and Globalization”; Stanford/Yale Junior Faculty Forum, welcoming remarks; Seminario en Latinoamérica de Teoría Constitucional y Política, Bogotá, Columbia, opening remarks; St. Thomas Day School Graduation Ceremony, New Haven, commencement speech; Aspen Institute, Aspen, CO, “On Law and Globalization”; World Affairs Council, Jackson Hole, WY, “The Supreme Court and the War on Terror”; Yumin Memorial Lecture, Seoul, Korea, “On Law, Globalization, and Human Rights”; Yonsei University Lecture, Seoul, Korea, presentation on “Law, Human Rights, and Public Health”; Master of Ceremonies, Community Mediation’s 25th Anniversary Dinner, New Haven; The Marbury Institute, Piper Rudnick et al., New York, “On Law and Globalization.”

Legal Consultation or Testimony

American Bar Association’s Task Force on Presidential Signing Statements and the Separation of Powers Doctrine; Testimony before the Senate Committee on the Judiciary regarding “*Hamdan v. Rumsfeld*: Establishing a Constitutional Process.”

Publications

The Bright Lights of Freedom, NPR: THIS I BELIEVE (J. Allison & D. Gediman eds., 2006) 141; *A World Drowning in Guns*, INTERNATIONAL LAW AND INTERNATIONAL RELATIONS: BRIDGING THEORY AND PRACTICE, (T.J. Biersteker et al eds., 2006) 59; *Louis B.*

Sohn: Present at the Creation, HARV. INT’L L.J., 2006; *Unveiling Justice Blackmun*, 72 BROOKLYN L. REV. 9 (2006); *Setting the World Right*, 115 YALE L.J. 2350 (2006); *The Healing Wisdom of Jay Katz*, 6 YALE J. HEALTH POLICY, LAW AND ETHICS 397 (Spring 2006); *Harry Andrew Blackmun*, in YALE BIOGRAPHICAL DICTIONARY OF AMERICAN LAW (2007).

Media Activities

Alliance for Justice film *Quiet Revolution*, available at <http://www.afj.org/quietrevolution.html>; Commentary on *Hamdan v. Rumsfeld*, National Public Radio’s “Where We Live.”

John H. Langbein

Lectures and Addresses

Wissenschaftskolleg zu Berlin, Germany, attended meeting of Scientific Advisory Board; Dublin, Ireland, attended meeting of the International Academy of Trust & Estate Law; YLS Alumni Association of New England, Boston, “Torture and Law: Lessons from Legal History”; Boston University Morrin Center for Banking and Financial Law, Conference on Conflicts of Interest in Wealth Management Transactions, Washington, D.C., “How the Financial Services Industry Is Recasting the Trust Law Duty of Loyalty”; YLS Alumni Weekend, Panel on Work and Retirement Patterns, panelist; Second Annual Uniform Trust Code National Conference, Providence, RI, speaker.

Public Service

National Conference of Commissioners on Uniform State Laws: Member, Drafting Committee to Revise the Uniform Prudent Management of Institutional Funds Act (UPMIFA), presentation to Commission’s 2006 annual meeting, Hilton Head, SC; Member, Drafting Committee on the

Uniform Statutory Trust Entity Act, attended meeting in Detroit, MI. American Law Institute: Associate Reporter, Restatement of Property: Wills and Other Donative Transfers; presented Tentative Draft No. 5 (Powers of Appointment) to annual meeting, Washington, D.C.

Publications

PENSION AND EMPLOYEE BENEFIT LAW: FOURTH EDITION (with S. Stabile & B. Wolk eds., 2006); *Richard Wellman and the Reform of American Probate Law*, 40 GA. L. REV. 1093 (2006).

Jonathan R. Macey

Appointments

Deputy Dean for Curriculum, Yale Law School.

Lectures and Addresses

Five Lecture Series on Comparative Corporate Governance, Inter-university Center for Comparative Law and Economics, Law and Economics, and Economics of Institutions, Turin, Italy; Lecture to the Confederation of Swedish Enterprise on Gender Diversity Among Boards of Directors and Corporate Governance; Panelist at the Yale Law School Center for Study of Corporate Law’s tenth “Occasional Breakfast” in New York on “Ethics and Professional Responsibility in Corporate and SEC Investigations”; Presentation on the Comparative Law and Economics of Capital Market Regulation at the Japan-Yale Senior Government Leadership Program.

Legal Consultation or Testimony

Testimony before the United States Judiciary Committee, “Illegal Insider Trading: How Widespread is the Problem and is There Adequate Criminal Enforcement?”

**left to right**

Jerry Louis Mashaw

Jean Koh Peters

Robert C. Post

George L. Priest

William Michael Reisman

Publications

The Nature of Conflicts of Interest Within the Firm, 31 THE JOURNAL OF CORPORATION LAW 613 (2006); *The Politicization of American Corporate Governance*, 1 VA. L. & BUS. REV. 10 (2006); *Government as Investor: Tax Policy and the State*, 23 SOCIAL PHILOSOPHY & POLICY (2006).

Jerry Louis Mashaw**Publications**

Recovering American Administrative Law: Federalist Foundations, 1787–1801, 115 YALE L.J. 1256 (2006); *Accountability and Institutional Design: Some Thoughts on the Grammar of Governance*, in PUBLIC ACCOUNTABILITY: DESIGNS, DILEMMAS AND EXPERIENCES 115 (M. Dowdle ed., 2006); *Exploring Agency Statutory Interpretation*, 31 ADMIN. & REG. LAW NEWS 6 (2006); *Administrative Law & Agencies: The Quest for Accountability*, in ENCYCLOPEDIA OF LAW & SOCIETY: AMERICAN & GLOBAL PERSPECTIVES (2006); *You Didn't Ask, But I'm Telling*, ARIZONA DAILY STAR, March 14, 2006, at B5.

Jean Koh Peters**Publications**

How Children are Heard in Child Protective Proceedings in The United States and Around the World in 2005: Survey Findings, Initial Observations, and Areas of Further Study, 6 NEV. L.J. 966 (2006).

Robert C. Post**Appointments**

John H. Watson, Jr. Visiting Professor of Law, Harvard Law School.

Lectures and Addresses

USC Law School, presented paper on "Literature and the Novel"; Annual

Convention of The Consortium of Humanities Centers and Institutes, Conference on The Fate of the Disciplines, "What is a Discipline?"; The 14th Annual Conference on 'The Individual vs. the State,' Central European University, "Free Speech and Religion—The Eternal Conflict in the Age of Selective Modernization," speaker.

Publications

Transparent and Efficient Markets: Compelled Commercial Speech and Coerced Commercial Association in United Foods, Zauderer and Abood, 40 VAL. U.L. REV. 555 (2006); *Compelled Subsidization of Speech: Johanns v. Livestock Marketing Association*, 2005 SUPREME COURT REVIEW 195; *Balancing Information and Personality Rights*, in SPECIALIZED RESEARCH IN PERSONALITY RIGHTS LAW AND TORT LAW (P. Gewirtz ed., 2006) (in Chinese).

George L. Priest**Lectures and Addresses**

American Law and Economics Association Sixteenth Annual Meeting, Berkeley, panel chair, "Antitrust and Regulation"; The Yale Law School Association of Colorado, Denver, "The Asbestos Litigation Crisis"; American Enterprise Institute, Washington, D.C., The U.S. Senate Takes on Medical Malpractice Reform, panelist; Seminario en Latino América de Teoría Constitucional y Política (SELA), Bogota, Columbia; American Enterprise Institute 2006 World Forum, The Current State of Medical Malpractice Law, Beaver Creek, CO, "Does Successful Capitalism Require Political Freedom?"; Barbon Institute, New York, "The Role of Insurance and the Management of Risk in the 21st Century"; AEI-Brookings Joint Center for Regulatory Studies, Washington, D.C., "The Allocation of Risk in Society:

Where Law and Economics Intersect"; George Mason Law and Economics Center Program for Federal Judges, Tucson, AZ, "The Economics of Tort Law"; "Litigation Theory."

William Michael Reisman**Appointments**

Editorial Board, Stockholm International Arbitration Review, 2005–; ICSID Arbitrators List for Columbia, February 15, 2006–2012; Member, Advisory Board of the Columbia Program on International Investment, 2006–.

Lectures and Addresses

Meeting, Advisory Committee on International Law, State Department, Washington, D.C.; Meeting, Editors of Stockholm International Arbitration Review, Montreal, Canada; Meeting, Advisory Board of the Max Planck Encyclopedia of Public International Law, Max Planck Institute, Heidelberg, Germany; 2006 ICCA Congress Conference entitled "International Arbitration 2006," Montreal, Canada, "Law, International Public Policy (so-called) and Arbitral Choice in International Commercial Arbitration"; Faculty Workshop, Tel Aviv University Faculty of Law, Tel Aviv; International Conference in Honor of Professor Ruth Lapidot, The Hebrew University of Jerusalem Faculty of Law, Jerusalem, "Sovereignty, Supremacy and Subsidiarity in International Law: Philosophical and Theoretical Perspectives," panelist; 10th Commission Rapporteur Meeting for the Institut de Droit International, Geneva; Participated with Richard Goldstone in televised discussion on international criminal tribunals for the Foreign Policy Association's PBS Great Decisions Series;

► Faculty Activities



left to right
Judith Resnik
Roberta Romano

taught an intensive course on international law at St. Thomas University School of Law LL.M./J.S.D. Program for Intercultural Human Rights.

Publications

The Question of Unilateral Governmental Statements as Applicable Law in Investment Disputes, in COMMON VALUES IN INTERNATIONAL LAW: ESSAYS IN HONOUR OF CHRISTIAN TOMUSCHAT 409 (P.M. Dupuy et al eds., 2006); *Foreword*, in T.H. Cheng's STATE SUCCESSION AND COMMERCIAL OBLIGATIONS ix (2006); *Foreword*, in E. Louka's INTERNATIONAL ENVIRONMENT LAW: FAIRNESS, EFFECTIVENESS, AND WORLD ORDER xi (2006); *The Past and Future of the Claim of Preemptive Self-Defense*, 100 AM. J. INT'L L. 525 (2006) (with A. Armstrong).

Judith Resnik

Appointments

Co-Chair, Women Faculty Forum, Yale University; Member, Standing Committee on Federal Judicial Improvements, American Bar Association.

Lectures and Addresses

"Whither and Whether Adjudication?," paper presented at Symposium on The Role of the Judge in the Twenty-First Century, Boston University School of Law, Boston, Massachusetts; "Places of Power: From Renaissance Town Halls to Guantanamo Bay," paper presented at Faculty Workshop, Columbia University Law School; "Borders, Law, and Doors—Opening," Convocation Speaker, Bryn Mawr College, Pennsylvania; "Gender and Judging: An Analysis of the Idea of Diversity as Relevant to Judicial Selection," Discussant, Law and Society Association International Research Collaboration: Gender and Judging, Baltimore, Maryland; Seminar Presentations on "Federalism" and

on "The Gender of Political and Judicial Power," Japan-Yale Senior Government Leadership Program, New Haven; "From Renaissance Iconography to Twenty-First Century Courthouses," Keynote Speech, "Roscoe Pound, One Hundred Years Later," Roundtable moderator and discussant, both at Annual Conference of Chief Justices and Conference of State Court Administrators, Indianapolis; "Law's Migration: Boundaries Transversed, Transgressed, and Maintained," Plenary Session Presenter, American Sociological Association, Montreal; Women in Higher Education International Alliance of Research Universities (IARU), Cambridge, UK; "Democratic Constitutionalism," Discussion Leader (with Reva Siegel & Luzius Wildhaber), Yale Law School Global Constitutionalism Seminar; "The Origins of Jurisdiction and the Terror at its Absence," Speaker at panel on Modernity, Totalitarianism and Jurisdictional Legacies at Conference on Hannah Arendt at One Hundred: Crises of our Republics, Yale University; "Democracy and Adjudication" and "Identity Gender, Justice," presentations at Seminar for Yale World Fellows; "Principles of the Law of Aggregate Litigation," Advisors Roundtable Discussion, American Law Institute, Philadelphia.

Publications

Uncovering, Disclosing, and Discovering How the Public Dimensions of Court-Based Processes Are at Risk, 81 Chi.-Kent L. Rev. 521 (2006); *Law's Migration: American Exceptionalism, Silent Dialogues, and Federalism's Multiple Ports of Entry*, 115 Yale L. J. 1564 (2006); *Contracting Civil Procedure*, in LAW AND CLASS IN AMERICA: TRENDS SINCE THE COLD WAR (P. Carrington & T. Jones eds., 2006).

Roberta Romano

Lectures and Addresses

University of Southern California Law School Center for Law, Economics and Organization Workshop, "The States as a Laboratory: Legal Innovation and State Competition for Corporate Charters"; Yale School of Management, Management for Lawyers, "After the Revolution in Corporate Law"; University of Illinois College of Law, Illinois Program in Business Law and Policy Corporate Colloquium, "Institutional Investors and Proxy Voting: The Impact of the 2003 Mutual Fund Voting Disclosure Regulation"; ISNIE 10th Annual Conference on Institutions: Economic Political & Social Behavior, "On Mutual Fund Voting" and discussant of paper on "A Closer Look at Mutual Fund Advisor Fees"; Keynote Speaker, Canadian Law and Economics Association Annual Meeting, "After the Revolution in Corporate Law" and "The Uneasy Case for Corporate Governance Indices"; Hong Kong Institute of Chartered Secretaries Corporate Governance Conference, "The Sarbanes-Oxley Act and Quack Corporate Governance"; Chinese University of Hong Kong and University of Hong Kong, "The Uneasy Case for Corporate Governance Indices."

Publications

The States as a Laboratory: Legal Innovation and State Competition for Corporate Charters, 23 YALE J. ON REG. 209 (2006); *Less is More: Making Institutional Investor Activism a Valuable Mechanism of Corporate Governance*, originally published in 18 YALE J. ON REG. 174 (2001), reproduced in an abridged version, in 6 DIREITO DOS VALORES MOBILIÁRIOS 313 (2006).

**left to right**

Carol M. Rose

Susan Rose-Ackerman

Peter H. Schuck

Vicki Schultz

Carol M. Rose**Lectures and Addresses**

Faculty Workshop, University of Arizona Rogers College of Law, "The Moral Subject of Property"; Yale Law School Introductory Lecture, "Law and Economics for Poets"; Illinois Program in Law and Economics, Conference on the Future of the Commons and Anti-Commons, Chicago; SELA (Seminario en Latina America de Teoria Constitucional y Politica), Bogota, Columbia; Water Resources Research Center, Conference on Water and Growth, Phoenix, Arizona; Science and a New Generation of Environmental Law, Yale Environmental Law Association.

Publications

Privatization: The Road to Democracy? (Childress Lecture), 50 ST. LOUIS UNIV. L.J. 691 (2006); *Property and Language*, 18 YALE J. L. & HUMANITIES 1 (2006).

Susan Rose-Ackerman**Lectures and Addresses**

Business School, Cambridge University, and meeting of the Comparative Law and Economics Forum, Barcelona, "When BITs Have Some Bite: The Political-Economic Environment for Bilateral Investment Treaties"; OECD, Paris, workshop, and EUI, Conference on Democracy and Political Accountability, "From Elections to Democracy in Eastern Europe: Public Participation and the Role of Civil Society"; American Political Science Association, Philadelphia, chair and discussant, "The Politics of Corruption"; Keynote speaker, Conference on Reform of the Justice System in Mexico, Casa California, Mexico City, "Corruption and an Independent Judiciary"; Separation of Powers Conference, MacMillan Center,

Yale University, "Electoral Rules and Constitutional Structures as Constraints on Corruption."

Peter H. Schuck**Awards and Recognition**

American Society of Business Publication Editors, National Gold Award for Regular Columnist.

Lectures and Addresses

New School University, New York City, panel on immigration history; Chinese delegation at Yale, on administrative regulation; Bellagio, Italy, conference on migration; Humanity in Action, New York City, on diversity in America; Japanese delegation at Yale, on immigration and diversity; Fordham Law School, on citizenship; Temple Law School, on immigration; Lady of Assumption Church, Woodbridge, on immigration; University of Chicago Law Forum, on immigration federalism.

Publications

TARGETING IN SOCIAL PROGRAMS: AVOIDING BAD BETS, REMOVING BAD APPLES (with R. J. Zeckhauser, 2006); *Banish the Bad Apples*, THE AMERICAN LAWYER, October 2006, at 73; *Good Cop, Bad Cop*, THE AMERICAN LAWYER, August 2006, at 69; *Federalism: A View from the United States*, in GLOBAL LAW v. LOCAL LAW (C. Amato & G. Ponzanelli eds., 2006); *Federalism*, 38 CASE W. RES. J. INT'L L. 5 (2006); *The Asbestos Mess*, WALL ST. J., March 8, 2006, at A20 (with T. Sebok).

Vicki Schultz**Lectures and Addresses**

Conference on Gender and Labor: What's Working?, University of Texas Law School, panel on Workplace Discrimination, presented "Toward a New Understanding of Antidiscrimination Law"; Yale Law School Alumni Weekend, chair and commentator, panel on "Cycles of Work, Beginning, Switching, Multi-Careering, and Retiring"; International Conference on Access to Justice: Policy and Institutions, New Delhi, chair and commentator, panel on "The Present and Future of Legal Education: Comparative Perspectives"; International Conference on Access to Justice: Policy and Institutions, New Delhi, presented on panel on Alternative Dispute Resolution, session on Formal and Informal Dispute Resolution Systems, "Assessing Mediation in Sri Lanka"; Annual Meeting of the Law and Society Association, Baltimore, commentator, panel on Social Science Perspectives on Employment Discrimination Law; Yale Law Women Works-in-Progress Series, commentator, Maia Goodell, "Physical Strength Rationales for Exclusion of Women from Military Combat Positions"; Workplace Theory & Policy Workshop, Yale Law School, "The Need for a Reduced Workweek in the United States."

Publications

El lugar de trabajo higienizado, 7 REVISTA JURÍDICA DE LA UNIVERSIDAD DE PALERMO 101 (2006); *Sex and Work*, 18 YALE J. L. & FEMINISM 223 (2006); *The Need for a Reduced Workweek in the United States*, in PRECARIOUS WORK, WOMEN, AND THE NEW ECONOMY: THE CHALLENGE TO LEGAL NORMS 31 (J. Fudge & R. Owen eds., 2006).

► Faculty Activities



left to right
Reva Siegel
John G. Simon
Henry E. Smith
Robert A. Solomon
Kate Stith

Reva Siegel

Appointments

Felix Frankfurter Visiting Professor of Law, Harvard Law School.

Lectures and Addresses

American Constitutional Society, Annual Convention, Washington, D.C., Reproductive Rights Panel, “The New Woman-Protective Antiabortion Arguments in South Dakota and Beyond”; International Alliance of Research Universities Workshop on Understanding Women in Universities Around the Globe, St. John’s College, Cambridge, UK, “Research Aims and Projects”; Constitutional Law Colloquium, New York University School of Law, presented manuscript on “The New Politics of Abortion: An Equality Analysis of Woman-Protective Abortion Restrictions”; Global Constitutionalism Seminar, Yale Law School, co-chaired session on “Democratic Constitutionalism”; From Voters to European Citizens: 75 Years of Female Suffrage in Spain, Parlamento de Andalucia, Sevilla, Spain, “The Gender of Democracy: Historical and Comparative Perspectives”; Alumni Weekend, Yale Law School, Panel on Work and Self, “Legal Regimes that Understand Work-Family Conflict As Structure, Bias, and Choice.”

Publications

2005–06 Brennan Center Jorde Symposium Lecture, *Constitutional Culture, Social Movement Conflict and Constitutional Change: The Case of the De Facto ERA*, 94 CAL. L. REV. 1323 (2006); *Mommy Dearest?: Women-Protective Antiabortion Argument*, AMERICAN PROSPECT, October 2006 (with S. Blustain).

John G. Simon

Awards and Recognition

Dedication of THE NONPROFIT SECTOR: A RESEARCH HANDBOOK to “Gabriel G. Rudney, Burton A. Weisbrod, and John Simon, for their efforts in creating the field of nonprofit studies.”

Publications

The Federal Tax Treatment of Charitable Organizations (with H. Dale & L. Chisolm), in THE NONPROFIT SECTOR: A RESEARCH HANDBOOK (R. Steinberg & W. W. Powell eds., 2006).

Henry E. Smith

Appointments

Fred A. Johnston Professor of Property and Environmental Law, Yale Law School.

Lectures and Addresses

American Law and Economics Association Annual Meeting, University of California Berkeley Boalt Hall School of Law, “Modularity in Contracts: Boilerplate and Information Flow”; Seoul National University College of Law, “Two Conceptions of Property in Law and Economics”; Korean Law and Economics Association, Seoul, “Modularity in Contracts: Boilerplate and Information Flow”; Korean Intellectual Property Association, Seoul, “Modularity in Intellectual Property”; Seoul National University College of Law, “What’s New in American Legal Education”; Sponsors for Educational Opportunity Corporate Law Institute, New York City, “Property.”

Robert A. Solomon

Appointments

Connecticut Legal Internship Committee.

Elections

Chair, Board of Commissioners, Housing Authority of the City of New Haven;

chair, Board of Directors, Connecticut Association of Human Services.

Legal Consultation or Testimony

University of Michigan Law School, Consultant on Clinical Appointment.

Lectures and Addresses

Connecticut Bar Association Annual Meeting, panel on education; Connecticut Association of Public School Superintendents, keynote address at 2006 Legislative Conference.

Publications

Commentator, CONNECTICUT LAW TRIBUNE; Commentator, NEW HAVEN ADVOCATE.

Kate Stith

Appointments

Whitney Humanities Center Executive Committee; Connecticut Bar Association Committee on Professional Ethics; Connecticut Bar Foundation Executive Committee.

Legal Consultation or Testimony

Testimony before The Knesset Committee on the Constitution, Law and Justice, Jerusalem, “Sentencing Guidelines—The American Experience.”

Lectures and Addresses

The Annual Conference on Criminal Law, sponsored by the Israel Ministry of Justice in cooperation with Fordham University, Jerusalem, “The Criminal Law and Criminal Sentencing”; Bench-Bar Conference of the District of Connecticut, St. Clements Castle, Portland, CT, “An Independent Judiciary?,” commentator and moderator.



left to right
Alec Stone Sweet
James Q. Whitman
Michael Wishnie

Alec Stone Sweet

Publications

The New Lex Mercatoria and Transnational Governance, 13 JOURNAL OF EUROPEAN PUBLIC POLICY 627 (2006).

James Q. Whitman

Appointments

Visiting Professor, Scuola Sant'Anna, Pisa;
 Visiting Professor, NYU Law School.

Lectures and Addresses

NYU Law School and Columbia Law School, "Consumerism versus Producerism"; NYU Law School and Columbia Law School, "The Separation of Church and State in America and Europe: Why the Difference?"; Boalt Hall Law School, Berkeley, "The Separation of Church and State in America and Europe: Why the Difference?"; Yale, "Transitions to Modernity Colloquium"; Amherst College, "The Origins of Reasonable Doubt: Religious Roots of the Criminal Trial."

Michael Wishnie

Lectures and Addresses

Institute for Urban Research, University of Pennsylvania, "Blurring the Lines: A Profile of State and Local Police Enforcement of Immigration Law Using the National Crime Information Center Database"; Liman Colloquium, Yale Law School, "Organizing and Reorganizing: The Challenge for Immigrants and Labor"; Rebellious Lawyering Conference, Yale Law School, "Empowering 21st Century Workers"; NYU School of Law Symposium, Annual Survey of American Law, "Coercive Interrogations"; Timothy Gelatt Symposium on Chinese Law, NYU School of Law, "Clinical Education in China"; Human Rights Institute, Columbia Law School, "Guantanamo Then and

Now"; Office of the Attorney General of the State of New York, Labor Bureau, "Immigration Law for Labor Lawyers"; Sun Yat-sen University School of Law, Guangzhou, China, "Litigating as a Law Student"; Yunnan University School of Law, Kunming, China, "Clinical Education in the United States"; NYU College of Arts & Sciences, "Chinatown and its Sweatshops"; Chicago Legal Forum, University of Chicago Law School, "Employer Sanctions: The Experiment Fails"; Connecticut Law Review, University of Connecticut School of Law, "Crossing Boundaries: Wal-Mart and Immigration Law."

Legal Consultation or Testimony

Senate Judiciary Committee, Hearing on Adjudication of Immigration Cases, written testimony.



Yale Law School has published memorial booklets containing remembrances of former Dean and Sterling Professor Emeritus of Law Abraham S. Goldstein and Sterling Professor Emeritus of Law Boris I. Bittker. Copies of these booklets are available from the Yale Law School Office of Public Affairs, P.O. Box 208215, New Haven, CT 06520-8215; 203 432-8464; publicaffairs.law@yale.edu.