

faculty activities



Bruce Ackerman

Bruce Ackerman

PUBLICATIONS

- *Populismus heisst Angst vor dem Volk, in DIE ALTE UND DIE NEUE WELT* (Scherer and Arnold eds., 2008)
- *Hey, What About the 24th? The Constitutional Amendment that the Court Forgot* (with J. Nou), SLATE, May 2, 2008, available at <http://www.slate.com/id/2190372>
- *A Better Way with Referendums* (with J. K. Fishkin), FIN. TIMES, June 17, 2008
- *Fixing the System Obama Broke* (with I. Ayres), AMERICAN PROSPECT, July 3, 2008
- *Keep Your Paws Off the Presidency*, SLATE, July 15, 2008
- *In Iraq, Timetables or Horizons or...?*, N.Y. TIMES (letter to the editor), July 23, 2008
- *Into No-Man's Land* (with O. Hathaway), L.A. TIMES, July 25, 2008
- *What Georgia Means for Europe*, GUARDIAN (U.K.), August 12, 2008
- *The Coming Transatlantic Crisis*, GUARDIAN (U.K.), September 2, 2008
- *What Bush Will Surrender in Iraq* (with O. Hathaway), TIME MAGAZINE, September 11, 2008
- *Abolish the Vice-Presidency*, L.A. TIMES, October 2, 2008

Ian Ayres

LECTURES AND ADDRESSES

- Yale Redpath Seminar, Washington, D.C., "Why Not? Ideas to Improve the Environment"
- SAS (Lisbon), SPSS (Athens), Fair Isaacs (San Francisco), and Association of Financial Planners (San Francisco), "Super Crunchers"

PUBLICATIONS

- STUDIES IN CONTRACT LAW, 7th edition (2008) (with R. E. Speidel)
- *Options and Epidemics*, DAEDALUS 118 (Spring 2008)
- *The LAPD and Racial Profiling*, L.A. TIMES, Oct. 23, 2008
- *Adam Smith Meets Climate Change*, SLATE, September 25, 2008 (with D. Kysar) available at www.slate.com/id/2200911/
- *Commentary: New Jingles May Be Coins in Your Pocket, Marketplace*, PUBLIC RADIO, July 21, 2008
- *Sell the Conventions*, FORBES, Oct. 13, 2008 (with B. Nalebuff)
- *An Equity Kicker*, FORBES, May 19, 2008 (with B. Nalebuff)



Robert A. Burt



Guido Calabresi

Jack M. Balkin

LECTURES AND ADDRESSES

- Jerome Chang Memorial Lecture, Hong Kong University, Hong Kong, "Access to Knowledge: An Introduction"
- First Amendment Symposium, Pepperdine University, Malibu, CA, "Freedom of Speech in a Digital Age"
- Symposium on Original Ideas About Originalism, Northwestern University Law School, Chicago, "Framework Originalism"
- Computers, Freedom and Privacy, New Haven, CT, "The National Surveillance State"
- American Political Science Association, Boston, "Constitutional Crises"
- Third Conference on Access to Knowledge (A2K3), Geneva, Switzerland, Keynote Address, "The Commons and What We Hold in Common"

PUBLICATIONS

- *Original Meaning and Constitutional Redemption*, 24 CONST. COMMENTARY 427 (2007)
- *Media Access: A Question of Design*, 76 GEO. WASH. L. REV. 933 (2008)
- *Constitutional Hardball and Constitutional Crises*, 26 QUINNIPIAC L. REV. 579 (2008)

Robert A. Burt

LECTURES AND ADDRESSES

- Mayo Clinic, Medical Grand Rounds, Rochester, MN, "Scientist or Shaman? Physicians' Role in the Dispensation of Death"
- Saint Louis University Law School, St. Louis, MO, "Doctors vs. Lawyers: The Perils of Perfectionism"
- Gardiner Program in Psychoanalysis and the Humanities, Yale University, "Obama's Race to the White House"
- "Seeing the Hollow," in LAW TOUCHED OUR HEARTS: A GENERATION REMEMBERS BROWN V. BOARD OF EDUCATION, (M. W. Robinson & R. J. Bonnie eds., 2008)

Guido Calabresi

LECTURES AND ADDRESSES

- First Memorial Address Honoring Stanley E. Tobin '58, Yale Law School Alumni Association of Southern California, "What Does the Judge Do When the Law is Not Just Wrong, But is Immoral?"

- First University of California at Berkeley Endowed Lecture in Law and Economics (UCBELLE), "Toward a Unified Theory of Torts"
- Facolta di Giurisprudenza, Universita di Genova, Genoa, Italy, Lectures "Fresco": "The Judge in American Democracy: Majoritarian and Anti-Majoritarian Roles," "Punitive Damages," and "Class Action"
- Keynote Luncheon Address, AALS Workshop for New Law School Teachers, Washington, D.C.
- Dinner Speaker, Class of 1958 Reunion Dinner, Yale Law School

Amy Chua

LECTURES AND ADDRESSES

- AYA Connect with Yale Day, New Haven, CT, "The Rise and Fall of Hyperpowers: Tolerance, Intolerance, and Lessons for America"
- Celebriade, Canadian Tulip Festival, Ottawa, "Alternative Destinies"
- NAFSA Annual Conference, Washington, D.C., "Day of Empire: How Hyperpowers Rise to Global Dominance—and Why They Fall"
- AYA Yale College Reunion, New Haven, CT, "Empire and Tolerance: The Rise and Fall of World-Dominant Powers"
- Louisville Ideas Festival, Louisville, KY, "The Rise and Fall of Hyperpowers"

Jules L. Coleman

LECTURES AND ADDRESSES

- Loyola Law School, "Doing Away with Tort Law" and "The Duties of Victorious Nations to the Vanquished"
- Boconni Law School, "Legal Directives and Moral Duties"
- Petrazycki Lecture, University of Warsaw, Poland, "Legal Directives and Moral Duties"
- Lecture, Conference on the 50th Anniversary of the Hart and Fuller Debate, New York University
- Journal Ratio Juris Conference, University of Bologna, "The Inclusive Legal Positivism of Jules Coleman," honoring Professor Coleman for his contributions to jurisprudence in which Professor Coleman gave the final lecture of the conference describing the development of his views in jurisprudence and responding to the papers presented by others
- Talk on the Relationship between Political and Legal Philosophy, Bled, Slovenia
- First International Conference in South America on Tort Law, Cartagena, Colombia, honoring Professor Coleman for his contributions to tort theory in which Professor Coleman gave the introductory and concluding lectures on the foundations of tort law and the right to repair for wrongs
- Conference on International Human Rights, Belgrade, Serbia

- International Society of Utilitarian Studies, "Can there Be a Utilitarian Theory of the Reactive Attitudes?"

PUBLICATIONS

- THE PRACTICE OF PRINCIPLE (translated into Chinese and Spanish)
- Editor-in-chief, JOURNAL OF TORT LAW

Dennis E. Curtis

LECTURES AND ADDRESSES

- The Historical Society for the United States District Court for the District of New Jersey, Frank R. Lautenberg Courthouse, "Representing Justice: Newark's Romuald Krauss Justice in Context: WPA Art at the Newark Federal Courthouse"
- OTHER PROFESSIONAL HIGHLIGHTS
- Advisory Board, National Institute for Military Justice
- Parajudicial Officer, Chambers of United States District Judge Peter Dorsey

Mirjan R. Damaška

LECTURES AND ADDRESSES

- New Vistas of International Criminal Justice Conference, Florence, Italy, chair
- Lecturer, Zagreb Law School, Zagreb, Croatia, Program in Criminal Law
- PUBLICATIONS
- *Pravi ciljevi međunarodnog kaznenog pravosuđa (The Proper Aims of International Criminal Justice)* 15 CROATIAN ANNUAL OF CRIMINAL LAW AND PRACTICE 13 (2008)
- OTHER PROFESSIONAL HIGHLIGHTS
- Legal Adviser to the Croatian Government's team, Hearing at the International Court of Justice in the *Croatia v. Serbia* Genocide Case, The Hague, Netherlands

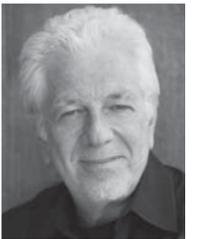
Drew S. Days III

LECTURES AND ADDRESSES

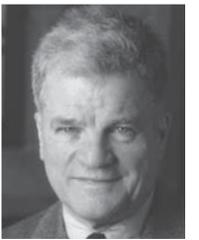
- Symposium on Equality, Public Interest Law Center of Philadelphia, "A Celebration of Thomas K. Gilhool's 41-Year Legacy of Service"
- The Aspen Institute, Aspen, CO, Co-Moderator, Justice and Society Seminar
- ABA Annual Meeting, New York, NY, Panelist on Supreme Court Review Panel
- Alexander F. Morrison Lecture, California Annual Bench Bar Luncheon, Monterey, CA, "Secret Law and the Corrosion of Representative Democracy"
- Yale Law School, New Haven, CT, panelist on "Whatever Happened to the Justice Department?"
- OTHER PROFESSIONAL HIGHLIGHTS
- Doctor of Letters, University of Port Harcourt, Nigeria
- Mentioned, National Law Journal: The 50 Most Influential Minority Lawyers



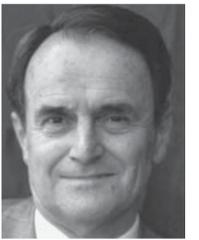
Amy Chua



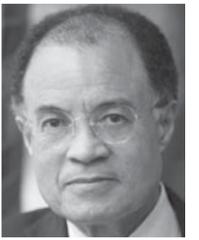
Jules L. Coleman



Dennis E. Curtis



Mirjan R. Damaška



Drew S. Days III



John J. Donohue III

- Legacy Diversity Award, ABA Council on Legal Education Opportunity (CLEO)
- Editorial Advisory Board for the Oxford Commentaries on American Law, by Oxford University Press

John J. Donohue III

LECTURES AND ADDRESSES

- The Facts of the Matter: Science, Public Health, and Counseling, Yale Conference on the Future of Sexual Reproduction Rights, Yale Law School, Panelist on “Evaluating the Empirical Claims of the Woman-Protective Anti-Abortion Movement”
- Law and Economics Workshop, Swiss Institute of Technology, Zurich, Switzerland, “Can You Believe Econometric Evaluations of Law, Policy, and Medicine?”
- Harvard Law School, “Empirical Evaluation of Gun Policy”
- Law and Economics Workshop, Tel Aviv University School of Law, Tel Aviv, Israel, “Assessing the Relative Benefits of Incarceration: The Overall Change Over the Previous Decades and the Benefits on the Margin”
- Law and Economics Workshop, Swiss Institute of Technology, Zurich, Switzerland, “The Death Penalty in Connecticut and the United States”
- Faculty Public Interest Conversation, Yale Law School, “Evaluating Connecticut’s Death Penalty Regime”

PUBLICATIONS

- *Have “Woman-Protective Studies” Resolved the Abortion Debate? Don’t Bet on It*, BALKINIZATION, September 2008, available at <http://balkin.blogspot.com/2008/09/have-woman-protective-studies-resolved.html>
- *“Dodging the Death Penalty Bullet On Child Rape,”* July 2008, available at <http://balkin.blogspot.com/2008/07/dodging-death-penalty-bullet-on-child.html>
- *“Why I’d Stick With Yale Clerks—Some Econometric Ruminations,”* April 2008, available at <http://balkin.blogspot.com/2008/04/why-id-stick-with-yale-clerks-some.html>

Steven B. Duke

LECTURES AND ADDRESSES

- Guest Speaker, Arizona Law Review Banquet

Robert C. Ellickson

LECTURES AND ADDRESSES

- American Constitution Society, Yale Law School, New Haven, “HUD in a Post-Bush Government”
- Lincoln Institute of Land Policy, Conference on Land Policies and Property Rights, Cambridge, MA, “The Mediocrity of Government Subsidies to Mixed-Income Housing Projects”



Steven B. Duke



Robert C. Ellickson



Daniel C. Esty

- 12th Annual Conference, International Society for New Institutional Economics, Toronto, Ontario, “The Household: The Forerunner of Complex Institutions”

PUBLICATIONS

- THE HOUSEHOLD: INFORMAL ORDER AROUND THE HEARTH (2008)

Daniel C. Esty

LECTURES AND ADDRESSES

- The Green Media Summit, Los Angeles, CA, “Green to Gold”
- Young Presidents’ Organization & World Presidents’ Organization, Milwaukee, WI, “Myth vs. Reality: Making Green by Selling Green”
- Association of Yale Alumni Redpath Seminar, Washington, DC, “Green to Gold”
- ExpoManagement 2008, Madrid, Spain, “Green to Gold”
- World Bank, Environmental Sustainability Conference, Washington, DC, “Toward Data Driven Environmental Management”
- Leading with Purpose senior executive development program, Yale-PepsiCo, Norwalk, CT, “Green to Gold”
- Global Alpha Forum, Connecticut Hedge Fund Association, Greenwich, CT, “Green to Gold”
- Carbon Disclosure Project, Global Forum, New York, NY, “Climate Policy”
- Stanford Graduate School of Business, Stanford, CA, “Green to Gold”
- Yale Law School Alumni Weekend, New Haven, CT, “Toward the Next Generation of Environmental Policy”
- Connecticut Fund for the Environment, Annual Meeting, New Haven, CT, “Green to Gold”
- Drexel University, 2008 Convocation, Philadelphia, PA, “Four Revolutions in Environmental Protection”

PUBLICATIONS

- *Governing at the Trade-Environment Interface*, in GLOBAL GOVERNANCE AND THE WTO (Gary Sampson ed., 2008)
- *Foreword*, in STATE OF WORLD 2008: INNOVATIONS FOR A SUSTAINABLE ECONOMY (Christopher Flavin et al eds., 2008)
- *Climate Change and Global Environmental Governance*, 14 GLOBAL GOVERNANCE 111 (2008)
- *Rethinking Global Environmental Governance to Deal with Climate Change: The Multiple Logics of Global Collective Action*, 98:2 AM. ECON. REV.: PAPERS & PROCEEDINGS 116 (2008)

OTHER PROFESSIONAL HIGHLIGHTS

- Myrtle Wreath Award for Civic Responsibility from Hadassah (for environmental leadership)

Owen M. Fiss

LECTURES AND ADDRESSES

- Panelist, Booth Theatre, New York, NY, Panel on Post-Show Discussion of “Thurgood”
- Conference on Property Rights, Seminario en Latinoamérica de Teoría Constitucional y Política (SELA), Buenos Aires, Argentina
- Seminar, Universidad de Buenos Aires, Argentina, “Social Protest”
- Lecture, Universidad de Palermo, “Two Faces of the State”
- Seminar, Asociación civil de justicia e igualdad, Buenos Aires, “Residential Deconcentration Policies”
- Manchester Community College, “The War on Terror and the Rule of Law”
- Conference in Honor of Professor Morton Horwitz, Harvard Law School, Cambridge, MA, “Timeless Truths”

PUBLICATIONS

- *Tienen los Servidores Públicos Derecho a la Intimidación?* in MÁS ALLÁ DEL ACCESO A LA INFORMACIÓN, TRANSPARENCIA, RENDICIÓN DE CUENTAS Y ESTADO DE DERECHO, Mexico City: SIGLO XXI/INSTITUTO DE INVESTIGACIONES JURÍDICAS, UNAM/CETA, 2008, p. 311
- *The Perils of Minimalism*, 9 THEORETICAL INQUIRIES IN LAW 643 (2008)
- *Una Comunidad de Iguales: La Protección Constitucional de los Nuevos Ciudadanos*, translated by Antonio de Cabo and Gerardo Pisarello for BIBLIOTECA DE ÉTICA, FILOSOFÍA DEL DERECHO Y POLÍTICA, Mexico City, 2008
- *No dar conferencias de prensa es una forme de censura*, Laura DiMarco, LA NACION, Buenos Aires, Argentina, July 23, 2008, available at www.law.yale.edu/documents/pdf/Faculty/Fiss_LaNacion.pdf

OTHER PROFESSIONAL HIGHLIGHTS

- Co-director, Seminario en Latinoamerica de Teoria Constitucional y Politica (SELA)
- Doctor Honoris Causa, Universidad de Palermo, Argentina
- Chair, Board of Directors, Iran Human Rights Documentation Center, New Haven, CT

Daniel J. Freed

PROFESSIONAL HIGHLIGHTS

- Honorand, National Association of Sentencing Commissions Annual Meeting, San Francisco, CA, “Standing on the Shoulders of Sentencing Giants,” for contributions to the field of sentencing law and policy over the last thirty-five years. The program discussed Freed’s influence on generations of students and the thinking of innumerable judges through workshops that explored and critiqued modern sentencing practice.

Heather K. Gerken

LECTURES AND ADDRESSES

- Symposium on Law and Politics for the 21st Century, Minnesota Law School, “Shortcuts to Reform”
- Public Law Lunch, Columbia Law School, New York, “Crawford and the Voter ID Debate”
- Data for Democracy Conference, The Pew Foundation, Washington, D.C., “Of Immovable Objects and Irresistible Forces”
- Faculty Workshop, Yale Law School, “Justice Kennedy and the Domains of Equal Protection”

PUBLICATIONS

- *Larry and Lawrence*, 42 TULSA L. REV. 843 (2007)
- *Shadow Districting Commissions*, BALKINIZATION (series of posts dated May 5, 6, 31 & June 4, 2008)
- *Out of the Shadows: Private Redistricting Can Help Overcome Lawmakers’ Partisanship*, LEGAL TIMES Vol. XXXI No. 18 (May 5, 2008)
- *Fixing Democracy*, Brennan Center for Democracy (May, 2008)

OTHER PROFESSIONAL HIGHLIGHTS

- Senior Adviser, Obama for America

Robert W. Gordon

LECTURES AND ADDRESSES

- Fordham Law School, Arizona State College of Law, Hastings College of Law, delivered paper on “Are Lawyers Friends of Democracy?”
- Conference on Legal Ethics and the Legal Profession, Fordham Law School, New York, NY, delivered paper on “Lawyers and Liberalization”
- Conference in Honor of Morton Horwitz, Harvard Law School, Cambridge, MA, delivered paper on “Uses of History in Constitutional Argument”
- Commencement Address, Law School, State University of New York at Buffalo

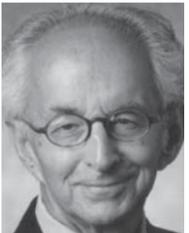
Henry Hansmann

LECTURES AND ADDRESSES

- Annual Meeting, International Society for the New Institutional Economics, Toronto, Canada, delivered paper on “Exit, Voice, and Liability: Legal Dimensions of Organizational Structure”
- Research Institute of Economy, Trade, and Industry, Tokyo, Japan, delivered paper on “Exit, Voice and Liability: Legal Dimensions of Organizational Structure”
- Workshop on Law and Economics, Georgetown Law Center, Washington, D.C., delivered paper on “Globalizing Commercial Litigation”
- Law and Business Workshop, Vanderbilt Law School, Nashville, TN, delivered paper on “Globalizing Commercial Litigation”
- Conference on Legal Innovation in Finance, Amsterdam, Netherlands, “Evolution of Entities”



Owen M. Fiss



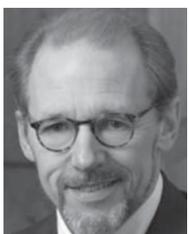
Daniel J. Freed



Heather K. Gerken



Robert W. Gordon



Henry Hansmann



Christine Jolls

PUBLICATIONS

- *Globalizing Commercial Litigation*, 94:1 CORNELL L. REV. 1–72 (2008) (with J. Dammann)

OTHER PROFESSIONAL HIGHLIGHTS

- Nobel Memorial Economics Symposium on Organization Theory, Stockholm, Sweden

Christine Jolls

LECTURES AND ADDRESSES

- Faculty Workshop, Duke Law School, “Equality’s Tools”
- Renault-Sciences Po Conference on Diversity, Sciences-Po Paris, “Anti-Discrimination Law at the Intersection of Economics and Psychology”
- Faculty Workshop, University of Virginia Law School, “Mandated Medical Leave in the Workplace”
- National Bureau of Economic Research Summer Institute, “Race Effects on eBay” (with I. Ayres and M. Banaji)

PUBLICATIONS

- *Law and Economics*, 2008(2) NBER REPORTER
- *Anti-Discrimination Law at the Intersection of Economics and Psychology*, Women’s Forum for the Economy and Society (2008)

OTHER PROFESSIONAL HIGHLIGHTS

- Directed the Law and Economics Meeting at the National Bureau of Economic Research 2008 Summer Institute

Paul W. Kahn

LECTURES AND ADDRESSES

- Nexus Conference 2008, Amsterdam, “On European Identity”
- Nijmegen University, Holland, “Evil and European Humanism”
- WBAI Interview on “Sacred Violence”
- Conversation, Paul Kahn and Robert Post, Labyrinth Books, New Haven, “Sacred Violence: Torture, Terror, and Sovereignty”
- Yale World Fellows Program, “Sacred Violence”

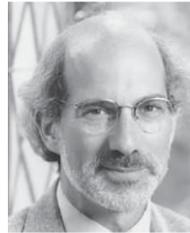
PUBLICATIONS

- SACRED VIOLENCE: TORTURE, TERROR, AND SOVEREIGNTY (2008)
- *Christianity, National Identity and the Problematic Character of Human Rights in the United States*, in COSMOPOLIS, vol. III, no. 1 (Italy)
- *Evil and European Humanism*, in NEXUS JUBILEE ISSUE (Holland)

S. Blair Kauffman

PROFESSIONAL HIGHLIGHTS

- Advisory Board, China-U.S. Conference on Legal Information and Law Libraries
- Advisor, Afghanistan Rule of Law Project, Kabul, Afghanistan



Paul W. Kahn



S. Blair Kauffman



Harold Hongju Koh

Harold Hongju Koh

APPOINTMENTS, ELECTIONS AND AWARDS

- Appointed Dean and Sol & Lillian Goldman Professor of Law, Yale University
- Honorary Degree from the Jewish Theological Society, NYC
- President’s Medallion from Western New England School of Law
- Appointed to the Advisory Committee for the Justice and Society Program, Aspen Institute
- Appointed to Initiative on International Law, Brookings Institute
- Appointed to the American Society of International Law Task Force on the International Criminal Court, Washington, DC
- Advisory Council of the Center for Public Integrity
- Awarded certificate from Lambda Legal for amicus participation in *Lawrence v. Texas*
- Awarded 2008 Judith Lee Stronach Human Rights Award for outstanding contribution to global justice from Center for Justice & Accountability, San Francisco

LEGAL CONSULTATION OR TESTIMONY

- Testified in front of the Senate Judiciary Committee Subcommittee on the Constitution Hearing entitled, “Restoring the Rule of Law,” September 16, 2008, Washington DC
- Counsel of Record, Amicus Brief of Civil Rights Organizations, *Iqbal v. Ashcroft* (S.Ct 2008).

LECTURES AND ADDRESSES

- Center for Justice and Accountability, San Francisco, keynote address, “Human Rights and the Next Presidential Administration”
- International Law Section of the DC Bar’s Annual Pro Bono Event to honor an individual and a community service organization in Washington DC, keynote address
- Jewish Theological Seminary, New York City commencement address, “Restoring our Human Rights Reputation”
- Aspen Institute Justice and Society Program, Wye, MD, presentation, “The Role of International and Foreign Law in U.S. Judicial doctrine: Constitutional and Statutory Interpretation”
- “The Role of International and Foreign Law in the 9/11 Cases”
- Law & Globalization Breakfast at White & Case, LLP, Washington, DC, “The Relationship Between National Courts and International Tribunals”
- Heartland Alliance’s 9th Annual Midwest Light of Human Rights Award, Chicago, keynote address, “Restoring Our Human Rights Reputation”
- Chicago YLS Association of Illinois breakfast address, “Restoring our Human Rights Reputation”
- Addressed Chicago Chapter of ACS, Chicago

- International Festival of Arts and Ideas panelist, “Habeas Corpus: From Racial Justice to the War on Terror”
- Annual Florida Bar Convention, Boca Raton, address, “Human Rights and the Post-Post-9/11 Era”
- University of Palermo, Buenos Aires lecture, “International Law and the Next U.S. Administration”
- Yale University podcast of SELA Democracy Roundtable, Buenos Aires, Argentina
- Columbia Law School, New York, Working Group on Detention Without Trial, moderator for “Presentation of Draft Working Group White Paper”
- The Hague, Alumni Event at the Peace Palace Small Hall of Justice, “International Law: New Haven and The Hague” and moderator for a Panel Discussion entitled, “How International Tribunals Promote Compliance with International Law”
- Address to DC Alumni Annual Dinner Honoring Linda Greenhouse, Washington, DC
- United Nations Office of Legal Affairs, New York taped address, “From International to Transnational Law”
- Western New England Law School Springfield, MA, convocation address, “Repairing Our Human Rights Reputation”
- 2008 Owen J. Roberts Lecture (UPenn) at the National Constitution Center and University, Washington, DC, entitled, “The National Security Constitution in an Age of Globalization”
- Cleveland YLS Alumni Lunch and Lecture, Columbus, OH, “Restoring Our Human Rights Reputation”
- Justice Harry A. Blackmun Lecture, Moritz College of Law, Ohio State, “Transnationalist Jurisprudence in the U.S. Courts”
- Carnegie Council’s “Author in the Afternoon” program with Michael Doyle, Discussion and Book-signing of “Striking First,” New York City
- UN Development Program Roundtable, Washington, DC, “Advancing Democracy through the United Nations: The Challenges on the Ground”
- Hofstra University School of Law lecture, “Human Rights and Immigration Law: Challenges for the Next President”
- Discourse Lecture, Royal Irish Academy, Dublin, Ireland, “Human Rights and the Next US Administration,” via video.

PUBLICATIONS

- TRANSNATIONAL LITIGATION IN UNITED STATES COURTS (2008)
- *A Community of Reason and Regrets*, FORDHAM L. REV.
- *The Story of Sale v. Haitian Centers Council: Guantanamo and Refoulement*, (co-authored with M. Wishnie) chapter in Hurwitz, Ford, and Satterthwaite, eds., HUMAN RIGHTS ADVOCACY STORIES 385 (2008)
- *Human Rights and National Security*, in PROGRESS IN BLUEPRINT FOR THE NEXT ADMINISTRATION (2008)

- *No Torture, No Exceptions*, Washington Monthly January/February/March edition

Douglas Kysar

LECTURES AND ADDRESSES

- Faculty Workshop, Temple University Beasley School of Law, Philadelphia, “Fish Tales”
- Conference on Nanotechnology: The New Generation, Embassy of France, Washington D.C., “Cultural Cognition and Nanotechnology”
- Law and Society Association Annual Meeting, Montreal, Canada, Panelist, Author Meets Reader Session, “New Foundations of Cost-Benefit Analysis,” by Matthew Adler and Eric Posner
- Conference on Climate Change and Consumption, Vanderbilt, Nashville, TN, “Implications for Law and Policy”
- Energy and Responsibility Conference, University of Tennessee, Knoxville, TN, panelist on “Environmental and Other Ethics in the Face of Potentially Tragic Environmental Problems”

PUBLICATIONS

- *Like a Nation State*, 55 U.C.L.A. L. REV. 1621 (2008) (with B. A. Meyler)
- *The Consultants’ Republic*, 121 HARV. L. REV. 2041 (2008)
- *Making Sense of Information for Environmental Law*, 86 TEX. L. REV. 1347 (2008) (with J. Salzman)
- *Democratizing Knowledge Generation*, Discussion Paper for Yale-UNITAR Conference on Environmental Governance and Democracy
- *Biased Assimilation, Polarization, and Cultural Credibility: An Experimental Study of Nanotechnology Risk Perceptions*, WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS PROJECT ON EMERGING TECHNOLOGIES, RESEARCH BRIEF No. 3 (2008) (with D. M. Kahan, P. Slovic, D. Braman, J. Gastil, and G. Cohen)
- *Adam Smith Meets Climate Change*, SLATE, September 25, 2008 (with I. Ayres)

OTHER PROFESSIONAL HIGHLIGHTS

- Brief for Economists Frank Ackerman et al. as Amici Curiae Supporting Respondents, *Entergy v. EPA*, No. 07–588 (S. Ct. October 6, 2008) (with D. Driesen)

John H. Langbein

PUBLIC SERVICE

- Commissioner, National Conference of Commissioners on Uniform State Laws. Member, Drafting Committee on the Uniform Statutory Business Trust Act; Member, Joint Editorial Board for the Uniform Trust and Estate Acts
- Associate Reporter, American Law and Institute, Restatement (Third) of Property: Wills and Other Donative Transfers. Attended Advisors’ Meeting, Cambridge, MA



Douglas Kysar



John H. Langbein



Yair Listokin

- Advisor, American Law Institute, Restatement (Third) of Trusts. Attend Advisors' Meeting, Philadelphia, PA.
- Trustee, William Nelson Cromwell Foundation (legal history)

LECTURES AND ADDRESSES

- Stair Society, Edinburgh, Scotland, "The Dissolution of the Anglo-American Legal Tradition"
- National Center on Philanthropy and the Law, NYU School of Law, New York, speaker, Conference on "Socially Responsible Investing"

PUBLICATIONS

- 2008 SUPPLEMENT TO PENSION AND EMPLOYEE BENEFIT LAW (2008) (with S. Stabile & B. Wolk)

Yair Listokin

LECTURES AND ADDRESSES

- Summer Lunch Series, Yale School of Management, New Haven, "Corporate Voting vs. Market Price Setting"
- Northwestern University, Chicago, Corporate Voting vs. Market Price Setting

PUBLICATIONS

- *Interpreting Empirical Estimates of the Effect of Corporate Governance*, 10 AM. L. AND ECON. REV. 90 (2008)
- *Management Always Wins the Close Ones*, 10 AM. L. AND ECON. REV. 205 (2008)
- *Is Secured Debt Used to Redistribute Value from Tort Claimants in Bankruptcy? An Empirical Analysis*, 57 DUKE L. J. 1037 (2008)

Jonathan R. Macey

LECTURES AND ADDRESSES

- Presentation in Honor of the 25th Anniversary of the Yale Journal on Regulation, New Haven, CT
- "Regulation and Scholarship: Constant Companions or Occasional Bedfellows?"
- New York Society of Security Analysts, Inc., New York, "Corporate Governance Under a Scenario of Distress"
- Conference on Empirical Legal Studies, Ithaca, NY
- Panelist, Conference on Capital Markets Crisis, New York, NY, jointly sponsored by the Wall Street Journal and Yale School of Management
- Centro Nazionale di Prevenzione e Difesa Sociale, Courmayeur, Italy, "Capital Markets Regulation"
- New York University Law School, New York, NY, "Rethinking Securities Law"

PUBLICATIONS

- THE LAW OF BANKING AND FINANCIAL INSTITUTIONS, Aspen Law and Business, fourth edition (2009) (with R. Cornell & G. P. Miller)
- CORPORATE GOVERNANCE: PROMISES MADE, PROMISES BROKEN (2008)



Jonathan R. Macey



Daniel Markovits

- CLASSICS IN CORPORATE LAW AND ECONOMICS (ed., 2008)

- *Regulation and Scholarship: Constant Companions or Occasional Bedfellows*, 25 YALE L.J. 305 (2008)
- *The Government is Contributing to the Panic*, THE WALL ST. J., October 11, 2008
- *Wall Street-Main Street Power Game*, THE WASH. INDEP., October 17, 2008 (with J. Holdcroft)
- *Was Bear Stearns Too Big to Fail?*, THE WASH. INDEP., May 21, 2008 available at www.washingtonindependent.com/view/bear-stearns-too-big

OTHER PROFESSIONAL HIGHLIGHTS

- Member, Hoover Institution Task Force on Property Rights, Stanford University
- Member, National Adjudicatory Council, Financial Industry Regulatory Association (FINRA)
- Fellow, Jonathan Edwards College
- Member, Economic Advisory Board, Financial Industry Regulatory Association (FINRA)
- NPR appearances, available at www.npr.org/blogs/money/2008/09/law_prof_warns_of_power_shift.html#commentSection and www.npr.org/search.php?text=macey
- CNBC appearances, available at <http://search.cnbc.com/main.do?keywords=Macey&sort=date&minimumrelevance=0.2&image.x=32&image.y=9>
- Apple iTunes lecture: *Where's the Theory in Corporate Governance?*
- ABC 20/20 October 17, 2008, *Part 2 of John Stossel's Politically Incorrect Guide to Politics*, available at <http://abcnews.go.com/2020>

- * Reuters, "The politics of regulation" (02:11) Report Oct 21—Lawmakers gather to talk regulation but there are questions about government effectiveness, available at www.reuters.com/news/video?videoid=92562&videoChannel=1
- *Prof Gives "F" to Bush Bailout Team*, NEW HAVEN INDEP., available at www.newhavenindependent.org/archives/2008/10/prof_gives_f_to.php

Daniel Markovits

LECTURES AND ADDRESSES

- GALA Seminar, University of California at Berkeley School of Law, "Toleration and Politics"
- Faculty Colloquium, University of California at Davis School of Law, "Law and Society"
- American Society for Political and Legal Philosophy, American Philosophical Association, Eastern Division meeting, invited paper on "Lawyerly Fidelity"
- Exploring Contract Law Symposium, University of Western Ontario School of Law, "Displaced Collaboration"
- Faculty Workshop, Yale Law School, "Contracts of Adhesion and Displaced Bargaining"

- Human Rights and the New Global Order: An Interdisciplinary Conference, Kennedy School of Government, Harvard University, commentator on "Toward a Revival of Consequentialist Human Rights Theory"
- Legal Ethics Schmooze, Fordham University School of Law, "Moral Influence and the Ethics of Teaching"
- University of Palermo School of Law and University of San Andres School of Law, Buenos Aires, Argentina, "Democratic Disobedience"
- Contract Theory Workshop, Georgetown University School of Law, "Efficient Breach Reconsidered"
- Faculty Workshop, Yale Law School, "The Morality of the Expectation Remedy" (with A. Schwartz)
- Conference on Promises and Agreements, James A. Baker Institute, Rice University, "Solidarity at Arm's Length"
- Global Political Theory Workshop (via teleconference), University of Palermo, "Luck, Egalitarianism, and Political Solidarity"

PUBLICATIONS

- A MODERN LEGAL ETHICS: ADVERSARY ADVOCACY IN A DEMOCRATIC AGE (2008)
- *Individual Preferences for Giving*, 97 AM. ECON. REV. 1858 (2007) (with R. Fisman and S. Kariv)
- *Luck, Egalitarianism and Political Solidarity*, 9 THEORETICAL INQUIRIES IN LAW 271 (2008) (symposium issue on Moral and Legal Luck)

Jerry L. Mashaw

LECTURES AND ADDRESSES

- Harvard-Boston University Legal History Colloquium, Boston, "Administration and 'The Democracy'"
- Conference on Statutory Interpretation, Harvard Law School, "Comment on Einer Elhauge's 'Preference Presentatism'"
- NYU Faculty Workshop, NYU Law School, New York, "Administration and 'The Democracy'"
- Yale Alumni of Southern New Jersey, "Seasoned by Salt: A Voyage in Search of the Caribbean"
- Conference on Presidential Power celebrating the 125th Anniversary of the founding of the Willamette Law School, Salem, Oregon, "Government Practice and Presidential Direction"

PUBLICATIONS

- *Reasoned Administration: The European Union, the United States and the Project of Democratic Governance*, 76 GEO. W.L. REV. 99 (2007)
- *Understanding Social Insurance: Fairness, Affordability and the Modernization of Social Security and Medicare* (with T.R. Marmor), in DEBATING HEALTH CARE: A HEALTH AFFAIRS RETROSPECTIVE 405 (2007)
- *Agency-Centered or Court-Centered Administrative Law—a Dialogue with Richard Pierce on Agency Statutory Interpretation*, 59 AD. L. REV. 889 (2007)



Jerry L. Mashaw



Thomas W. Merrill

- *Administration and "The Democracy": Administration Law from Jackson to Lincoln, 1829–1861*, 117 YALE L.J. 1568 (2008)
- *Pennsylvania Health-Care Reform: A Solid, Cost-Aware Plan*, THE PHILADELPHIA INQUIRER, March 31, 2008 (with T.R. Marmor)
- *A Health Question for the Democratic Candidates*, DISSENTMAGAZINE.ORG ONLINE, April 14, 2008 (with T.R. Marmor)
- *A Better Way for Jobless Pay, We Must Revise What for Many is a False Promise*, THE PHILADELPHIA INQUIRER, July 30, 2008 (with T.R. Marmor)
- *Health-Care Plans Familiar*, THE PHILADELPHIA INQUIRER, October 13, 2008 (with T.R. Marmor)

OTHER PROFESSIONAL HIGHLIGHTS

- 2007 John Southyard Book Award for Excellence in Sailing Journalism, Sail American Foundation

Thomas W. Merrill

LECTURES AND ADDRESSES

- Faculty Workshop, University of Iowa, "Establishing Ownership: First Possession Versus Accession"
- Property Works in Progress Conference, Boulder, CO, "Public Nuisance Law's Delegation Deficit"
- Faculty Workshop, University of Minnesota Law School, "The Origins of the Appellate Review Model of Administrative Law"
- Colloquium on Originalism versus Precedent, University of Minnesota Law School, Panelist

PUBLICATIONS

- *Preemption and Institutional Choice*, 102 NW. U. L. REV. 727 (2008)
 - *Public Use/Popular Constitutionalism, First Wolf Family Lecture on the American Law of Real Property, in 11 POWELL ON REAL PROPERTY WFL08–1–WFL08–16* (2008)
 - *The Conservative Case for Precedent*, 31 HARV. J. L. & PUB. POL'Y 977 (2008)
- OTHER PROFESSIONAL HIGHLIGHTS**
- Filed, Brief Amicus Curiae on behalf of the Center for State Enforcement of Antitrust and Consumer Protection Laws in *Wyeth v. Levine*, No. 06–1249 (U.S. Sup. Ct.)

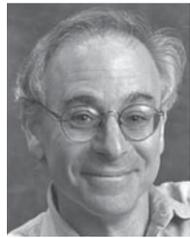
Jean Koh Peters

LECTURES AND ADDRESSES

- Asylum Officer Basic Training Course #28, Federal Law Enforcement Training Center, Glynco, GA, and Keynote Address, "Eligibility for Asylum: Burden of Proof"
 - Trainings, New Jersey and New York Asylum Offices, "Credibility Determinations in Asylum Interviews"
- PUBLICATIONS**
- *Experiments in Listening*, 57 J.OF LEGAL EDUC. 427 (2007) (with M. Weisberg)



Jean Koh Peters



Robert C. Post

Robert C. Post

LECTURES AND ADDRESSES

- Annual Julius Rosenthal Foundation Lectures, Northwestern University School of Law, “Knowledge and the First Amendment”
- Sciences Po, Paris, France, “The Logic of American Antidiscrimination Law”
- Boalt Hall School of Law, Berkeley, CA, “State Building in the E.U.”
- Law and Humanities Junior Scholars Conference, Los Angeles, Commentator on “Brazilian Prisoners in the 19th Century”
- Yale Law School Conference on the Future of Reproductive Rights, “Legislative Factfinding and Reproductive Rights”
- Palermo University, Buenos Aires, “Democratic Constitutionalism”
- San Andres University, Buenos Aires, “Democratic Legitimation and Law”
- Erasmus University, Rotterdam, The Netherlands, “The Scope of the Application of the Freedom of Speech Right” and “Democratic Constitutionalism”

PUBLICATIONS

- *Mr. Taft Becomes Chief Justice*, 76 U. CIN. L. REV. 761 (2008)
- *Viewpoint Discrimination and Commercial Speech*, 41 LOY. L. REV. 169 (2007)

George L. Priest

LECTURES AND ADDRESSES

- American Enterprise Institute World Forum, Beaver Creek, Colorado
- Seminario en Latino América de Teoría Constitucional y Política (SELA), Buenos Aires, Argentina, “Property Rights”
- Mont Pelerin Society 60th Anniversary Meeting, Tokyo, Japan, “Technology and Freedom”
- Ceremony honoring Francisco Busnelli, Scuola Superiore Sant’Anna, Pisa, Italy
- Conference, “Monopsony in the Labor Market,” Princeton University Industrial Relations Section, Sundance, Utah
- “On Academic Integrity,” Morgan High School, Clinton, CT

PUBLICATIONS

- *Globalization and the Olympics*, (with M. Myers III), THE WALL ST. J., August 25, 2008, at A11
- *Networks and Antitrust Analysis*, 1 ISSUES IN COMPETITION LAW AND POLICY 641 (ABA Section of Antitrust Law 2008)
- *Perspectives on the Future Direction of Antitrust*, 22 ANTITRUST 27 (2008)

- *Francesco Busnelli and the Development of Modern Tort Law in the U.S., Italy, and the European Community*, II LIBER AMICORUM per Francesco D. Busnelli at 437 (2008)

W. Michael Reisman

LECTURES AND ADDRESSES

- Third Annual Conference on International Arbitration and Mediation, Fordham Law School, “The Eclipse of Expropriation?”
- 2008 Experts’ Workshop, The War in Afghanistan: A Retrospective Legal Analysis, Naval War College, Keynote Lecture on “International Legal Dynamics and the Design of Feasible Missions: The Case of Afghanistan”
- Conference Marking the 25th Anniversary of the Lauterpacht Centre for International Law, Lauterpacht Centre for International Law, University of Cambridge, “On the Function of Law in the International Community”

- Report on Article 52 of ICSID, “Reflections on the Control Mechanism of the ICSID System,” at the International Arbitration Institute Forum, “The Review of International Arbitral Awards,” Dijon, France
- University of Florida Levin College of Law, Gainesville, remarks at “Weyrauch Symposium: Reflecting on the Contributions to Legal Thought of Walter Weyrauch”
- Third Columbia International Investment Conference, “FDI by State-Controlled Entities: Do the Rules Need Changing?,” Columbia University, discussant
- Seminar on Dialogues on International Justice, International Festival of Saint Lucia, Monterrey City, Mexico, “Inversión Extranjera, Desarrollo Económico y Arbitraje Internacional”

- Hofstra University School of Law, panelist on “U.S. Foreign Policy and Its Effect on the Domestic Economy”
- International Law Association Weekend 2008, New York, NY, panelist on “Kosovo’s Independence and the Future of Self-Determination”
- Foreign Policy Association Board Meeting, New York, NY

- 2008 Intercultural Human Rights Law Review Symposium, The Cuban Embargo and Human Rights, St. Thomas University School of Law, Florida, Keynote Lecture on “Sanctions and International Law”

- Recorded four lectures for the United Nations Audiovisual Library of International Law

PUBLICATIONS

- THE REASONS REQUIREMENT IN INTERNATIONAL INVESTMENT ARBITRATION: CRITICAL CASE STUDIES, Martinus Nijhoff Publishers (with Guillermo Aguilar Alvarez eds., 2008)

- *The International Criminal Court and the Congo: From Theory to Reality*, in THE THEORY AND PRACTICE OF INTERNATIONAL CRIMINAL LAW: ESSAYS IN HONOR OF M. CHERIF BASSIOUNI 325 (Sadat and Scharf eds., 2008) (with M. H. Arsanjani)
- *On the Causes of Uncertainty and Volatility in International Law*, in THE SHIFTING ALLOCATION OF AUTHORITY IN INTERNATIONAL LAW: CONSIDERING SOVEREIGNTY, SUPREMACY AND SUBSIDIARITY: ESSAYS IN HONOUR OF PROFESSOR RUTH LAPIDOTH 33 (Broude and Shany eds., 2008)
- *Development and Nation Building: A Framework for Policy-Oriented Inquiry*, 60 ME. L. REV. 309 (2008)
- *Acting Before Victims Become Victims: Preventing and Arresting Mass Murder*, 40 CASE W. RES. J. OF INT’L L. 57 (2008)

OTHER PROFESSIONAL HIGHLIGHTS

- Appointed, Honorary Professor, City University of Hong Kong, May 1, 2008 to April 30, 2011

Judith Resnik

LECTURES AND ADDRESSES

- Moderator, Women and Men in the Globalizing University: A Conference of the International Alliance of Research Universities; Panelist: Equality and Excellence in the Globalizing University Gender, Globalization, and Higher Education, Yale University
- Moderator, The Press and the Public, A Conversation on the First Amendment and Access to Justice with Anthony Lewis and Chris Finan; The Center for First Amendment Rights, Inc., 15th Anniversary, Sorokin Symposium, University of Connecticut School of Law, West Hartford, CT
- Lecture, Representing Justice: Newark’s Romuald Kraus’s Justice in Context; WPA Art at the Newark Federal Courthouse, The Historical Society for the United States District Court for the District of New Jersey, Frank R. Lautenberg U.S. Post Office and Courthouse Newark, NJ (with Dennis Curtis)
- Panelist, Changing Positions: On Civil Liberties, Hays 50th Anniversary Celebration of the Arthur Garfield Hays Civil Liberties Program, New York University, New York, NY
- Keynote Speaker, Justice in Jeopardy; Annual Conference on the Empowerment of Women, Reykjavik, Iceland
- Panelist and Moderator, Constitutional Commitments to Open and Public Courts and to a Free Press: Annual Meeting of the Conference of Chief Justices and the Conference of State Court Administrators, Anchorage, Alaska
- Lecture, In and Out of Site, Sight, and Cite: The Changing Role of the District Judges in an Era

- of ADR and Guilty Pleas; 40th Anniversary of the Federal Judicial Center, Lewis and Clark Law School, Portland, OR
- Lecturer, Citizenship, Equality, and the Law; Yale World Fellows Program
- Discussion Leader, Indigenous People, Yale Global Constitutionalism Conference, Yale Law School
- Moderator, In the Groves of Academe and Beyond: The Lifetime Labors of Charles Reich ’52 and John Simon ’53, Yale Law School Alumni Weekend
- Moderator, Sexual/Reproductive Rights: Dignity, Liberty, and Equality; and Speaker, Health Excepted, Health Accepted: Abortion, Health, and the Law (with Reva Siegel); Transnational Perspectives on Sexual and Reproductive Rights; The Future of Sexual and Reproductive Rights Conference, Yale Law School
- Presented Paper, Ratifying Kyoto at the Local Level, at the Constitutional Roundtable, University of Toronto
- Presented Paper, Representing Justice: An Iconography of Norms; Law and Literature Workshop, University of Toronto, Canada
- Discussant, A Conversation with Women Leaders in Law, University of Toronto

PUBLICATIONS

- *Courts and Democracy: The Production and Reproduction of Constitutional Conflict: The Courts and Social Policy in the United States* (Oxford: Foundation for Law, Justice and Society, 2008)
- *Moving American Mores: From Women’s Education to Torture*, 36 WOMEN STUDIES QUARTERLY 339 (Spring/Summer 2008)
- *Lessons in Federalism from the 1960s Class Action Rule and the 2005 Action Fairness Act: “The Political Safeguards” of Aggregate Translocal Actions*, 156 PENN. L. REV. 1929 (2008)
- *Interdependent Federal Judiciaries: Puzzling about Why and How to Value the Independence of Which Judges*, 137 DAEDALUS 28 (2008)
- *Ratifying Kyoto at the Local Level: Sovereignism, Federalism, and Translocal Organizations of Government Actors (TOGAs)*, 50 ARIZ. L. REV. 709 (with Joshua Civin and Joseph Frueh, 2008).
- *The Return of Regency*, September 11, 2008, SLATE, available at <http://www.slate.com/blogs/blogs/xxfactor/archive/2008/09/11/the-return-of-regency.aspx> (with Allison Tait)

OTHER PROFESSIONAL HIGHLIGHTS

- Reviewer for Journal of Women, Politics & Policy
- Adviser on Aggregate Litigation, American Law Institute



Judith Resnik



Roberto Romano

Roberta Romano

LECTURES AND ADDRESSES

- Federal Reserve Bank of Atlanta 2008 Financial Markets Conference on Financial Market Reforms: Taking Stock, “Institutional Investors and Proxy Voting: The Impact of the 2003 Mutual Fund Voting Disclosure Regulation”
- ITAM Extensión Universitaria Corporate Governance Executive Program: “After the Revolution in Corporate Law,” “Corporate Governance and Performance,” “The Sarbanes-Oxley Act and the Making of Quack Corporate Governance,” and “The Uncertain Future of the Sarbanes-Oxley Act”
- RIETI International Seminar on Lessons from SOX Act and Perspectives for J-SOX: Effects of the Legal System on Corporate Activities, Tokyo, Japan, “The Sarbanes-Oxley Act at a Crossroads”
- CPD Seminar, Hong Kong, “Sarbanes-Oxley: The Road Ahead”
- Dialogue with Regulators on Amending SOX, Hong Kong, “The Sarbanes-Oxley Act at a Crossroads”
- Chinese University of Hong Kong EMBA/JD Seminar, “Corporate Governance and Performance”
- 3rd Annual Conference on Empirical Legal Studies, “The Uncertain Future of the Sarbanes-Oxley Act” and Discussant on “Where Are Limited Liability Companies Formed? An Empirical Analysis”
- Institute of Corporate Directors 2008 Conference on Governance and Financial Markets in North America, Montreal, Canada, “Corporate Governance and Performance” and Panel on “The Future of Governance: Questions for the Gurus”
- Faculty Workshop, Ohio State University Moritz College of Law, “The Uncertain Future of the Sarbanes-Oxley Act”

PUBLICATIONS

- *Law as a Product: Some Pieces of the Incorporation Puzzle*, 1 J. L., ECON. & ORG. 225 (1985), was reprinted in J. Macey, ed. CLASSICS IN CORPORATE LAW AND ECONOMICS (2008), vol. II
- *The Shareholder Suit: Litigation without Foundation?*, 7 J. L. Econ., and Organization 55 (1991), was reprinted in J. Macey, ed., CLASSICS IN CORPORATE LAW AND ECONOMICS (2008), vol. I.
- *The Sarbanes-Oxley Act at a Crossroads*, in Giuffrè, ed., Quaderni di Giurisprudenza Commerciale (2008)

Carol M. Rose

LECTURES AND ADDRESSES

- Property Works in Progress Conference, Boulder, Colorado, workshop on “Liberty, Property, Environmentalism”
- Liberty Fund Conference on Liberty and the Environment, Orlando, Florida, “Liberty, Property, Environmentalism”



Carol M. Rose



Susan Rose-Ackerman

- Seminar in Latin America on Constitutional and Political Theory, Buenos Aires, Argentina, “Property Rights, Development Imperatives, and Environmental Protection”
- Yale Law School orientation, “Law and Economics for Poets”
- Yale Law School Faculty Workshop, “Racially Restrictive Covenants as a Study in Norms Change”
- Yale University Women’s Organization, “This Land is Your Land? The Public Lands in the American West”

PUBLICATIONS

- *Big Roads, Big Rights: Varieties of Public Infrastructure and Their Impact on Environmental Resources*, in Economics, Law and Environment Symposium, 50 Ariz. L. Rev. 409 (2008)
- *Derechos de propiedad, necesidades del desarrollo y protection medioambiental (Property Rights, Development Imperatives, and Environmental Protection)*, 5 REVISTA DE ECONOMIA Y DERECHO 7 (2008)

OTHER PROFESSIONAL HIGHLIGHTS

- Seminar on Property Rights and Environmental Protection, University of Puerto Rico Faculty of Law

Susan Rose-Ackerman

LECTURES AND ADDRESSES

- Transatlantic Law Forum: Citizenship in Europe and the United States, American Enterprise Institute, Washington, DC, Discussant on Citizenship and the Legal Tradition
- Conference on Environmental Governance and Democracy, Yale University, Chair and discussant
- American Academy of Arts and Sciences and World Peace Institute, Cambridge, MA, Corruption and Post-Conflict Peacebuilding, presented paper on “Corruption in the Wake of Domestic Conflict”

PUBLICATIONS

- *Corruption and Post-Conflict Peace-Building*, OHIO N.U. L. REV. 15(3): 328–343 (2008)
- *Corruption and Government*, JOURNAL OF INTERNATIONAL PEACEKEEPING, 15 (3): 328–343 (2008)
- *Risks of Corruption in Government Infrastructure Projects*, MUNICIPAL ENGINEER 161 (ME3): 149–160 (September 2008)
- *Corruption and Other Political Pathologies*, in George T. Kurian, ed., INTERNATIONAL ENCYCLOPEDIA OF POLITICAL SCIENCE, CQ Press, 2008
- *Corruption and Development*, in Vandana Desai and Rob Potter, eds., THE COMPANION TO DEVELOPMENT STUDIES, 2d edition, London: Hodder Arnold, 2008, pp. 493–497
- *Law and Regulation*, in Keith E. Whittington, Dan Kelemen and Greg Caldeira, eds., OXFORD HANDBOOK OF LAW AND POLITICS, Oxford: Oxford University Press, 2008, pp. 576–594

- *The Voluntary Sector and Public Participation in Hungary*, ANNALS OF PUBLIC AND COOPERATIVE ECONOMICS, 79(3/4): 601–623 (2008)
- *Government Accountability and Rule of Law in Consolidating Democracies*, (translated into Chinese) in CONSTITUTIONAL REENGINEERING IN NEW DEMOCRACIES: TAIWAN AND THE WORLD (Taipei: Angle Publishing, 2008) pp. 281–306

OTHER PROFESSIONAL HIGHLIGHTS

- Resident Fellow Rockefeller Foundation Center, Bellagio Italy
- Founder, Email list in Comparative Administrative Law

Peter H. Schuck

LECTURES AND ADDRESSES

- American Enterprise Institute for Public Policy Research, “Understanding America”
- Brookings Institution, “Understanding America”
- Manhattan Institute for Public Policy, “Understanding America”
- University of San Diego Law School, “The Morality of Immigration Policy”
- Institute for Governmental Studies, University of California at Berkeley, “Understanding America”
- Scuola Superiore Sant’Anna, Pisa, lectures on “Immigration and Diversity” and “Integrating Tort Law and Administrative Regulation in the U.S.”
- University of Brescia Law School, “Understanding America”
- BMW Foundation, Berlin, “Understanding America”
- CERI/Sciences-Po, Paris, “Understanding America”
- Conference on Nutrition Regulation, Albany Law School, discussant
- Brandeis University, “Politics of Public Policy,” discussant
- Conference on Portugal, the European Union and the USA, Lisbon, “American Models of Economy and Society” and “The U.S. Approach to Income Security and Health Care for the Elderly”
- Commonwealth Club, Palo Alto, “Understanding America”
- Kauffman Foundation Conference, Dana Point, CA, “Diversity and Innovation”
- Humanity in Action, New York, “Understanding America”
- Scott Hawkins Lecture, Southern Methodist University, “Understanding America”
- Colloquium on Law and Citizenship, Southern Methodist University, “Three Models of Citizenship”
- Lillie and Nathan Ackerman Lecture on Equality and Justice in America, Baruch College, CUNY
- Nieman Foundation, Cambridge, MA, “Covering Immigration”
- American Enterprise Institute, “Three Models of Citizenship”

- American Enterprise Institute, discussant on papers by James Ryan and R. Shep Melnick on the courts and education policy

PUBLICATIONS

- *FDA Preemption of State Tort Law in Drug Regulation: Finding the Sweet Spot*, 13 ROGER WILLIAMS U. L. REV. 73 (2008)
- *Review of Daniel Kanstroom, Deportation Nation: Outsiders in American History*, 9 JOURNAL OF INTERNATIONAL MIGRATION AND INTEGRATION, 225 (2008)
- *Demography, Human Rights, and Diversity Management, American-Style*, 2 J. L. & ETHICS OF HUMAN RIGHTS

OTHER PROFESSIONAL HIGHLIGHTS

- NPR, “Understanding America”; Chicago Public Radio, “Refugees”

Vicki Schultz

APPOINTMENTS

- Fellow, Center for the Advanced Study of the Behavioral Sciences, Stanford University, Palo Alto

LECTURES AND ADDRESSES

- Homeless Action Center, Social Justice Summer Brownbag Series, Berkeley, California, “Antidiscrimination Law as Disruption: Implications for Representing the Homeless”
- Fellows Lecture, Center for Advanced Study in the Behavioral Sciences, Palo Alto, California, “Antidiscrimination Law as Disruption: The Emergence of a New Legal Paradigm for Understanding and Addressing Discrimination”
- UCLA Law School faculty workshop, Los Angeles, “Antidiscrimination Law as Disruption”

OTHER PROFESSIONAL HIGHLIGHTS

- Quoted in Ben Smith and Jeffrey Ressler, *Obama Kept Law Review Balanced*, POLITICO, June 23, 2008, available at www.wistv.com/Global/story.asp?S=8539785
- Quoted in Maureen Holohan, *Game On*, ELLE MAGAZINE, April 2008, at 312

Reva Siegel

LECTURES AND ADDRESSES

- Symposium: The New Face of Women’s Legal History, University of Akron Law School, Keynote Address on “Movement/Counter-Movement: Abortion and the De Facto ERA”
- American Society for Legal History Annual Meeting, Tempe, Arizona, “The Constitution’s Histories: Compact, Common Law, Custom, and Collective Memory”
- Faculty Workshop, Washington University Law School, presented manuscript of “The Right’s Reasons: Constitutional Conflict and the Spread of Woman-Protective Antiabortion Argument”



Peter H. Schuck



Vicki Schultz



Reva Siegel



James J. Silk

- Case Western Medical School, “Grand Rounds: Developments in Reproductive Rights Law”
- Public Law Workshop, Stanford Law School, presented manuscript of “Roe Rage: Democratic Constitutionalism and Backlash”
- American Association of Law Schools Annual Meeting, New York, Roundtable on “Parents Involved and the Future of Race Discrimination Law” and Roundtable on “Reproductive Justice After Carhart.”
- Workshop on Antidiscrimination Law in China and the United States, Sichuan Law School, Chengdu China, “Competing Paradigms of Discrimination”
- American Constitution Society, University of California at Berkeley, “Casey, Carhart and the Spread of Woman-Protective Antiabortion Argument”
- Faculty Workshop, Hastings Law School, presented manuscript of “The Right’s Reasons: Constitutional Conflict and the Spread of Woman-Protective Antiabortion Argument”
- Conference on Family Responsibilities Discrimination, Center for WorkLife Law, Hastings Law School, “Understanding Family Responsibilities Discrimination: How Biases of (Mis)recognition and (Mal)distribution Interact”
- Conference on Parents Involved, Ohio State Law School, “Parents Involved: Anticlassification, Antisubordination, Antibalkanization”
- Rebellious Lawyering Conference, Yale Law School, Panel on Judicial Confirmations, “Judicial Confirmations and Democratic Constitutionalism”
- Legal History Workshop, University of Pennsylvania Law School, presented manuscript of “The Right’s Reasons: Constitutional Conflict and the Spread of Woman-Protective Antiabortion Argument”
- Political Theory Workshop, Yale University, presented manuscript of “The Right’s Reasons: Constitutional Conflict and the Spread of Woman-Protective Antiabortion Argument”
- Federalist Society Annual Conference, Tradition and the People’s Constitution, Michigan Law School, “The Constitution’s Histories: Arguments from Originalism and Tradition in Marsh, Lopez, and Glucksberg”
- Conference on Contested Constitutional Doctrines, Liberty and Equality, Michigan State University, “Parents Involved: Anticlassification, Antisubordination, Antibalkanization”
- Organization of American Historians Annual Meeting, 1970s Feminism and the Rise of the New Right: Antagonism and Influence, New York, “Movement/Counter-Movement: Abortion and the De Facto ERA”
- Columbia Law School, presented manuscript of “The Right’s Reasons: Constitutional Conflict and the Spread of Woman-Protective Antiabortion Argument”
- Faculty Workshop, Yale Law School, presented manuscript of “Dignity and the Politics of Protection”

- Stanford Law School, presented manuscript of “Dignity and the Politics of Protection”
 - American Constitution Society Annual meeting, Washington, D.C., moderated conversation on “Progressive Family Values”
 - Center for Reproductive Rights, presented manuscript of “Dignity and the Politics of Protection”
 - Schlesinger Library’s Summer Seminar on Gender History: Sequels to the 1960s, Radcliffe Institute for Advanced Study, Harvard University, “The Right’s Reasons: Constitutional Conflict, Social Movement Dynamics, and the Rise of Woman-Protective Antiabortion Argument”
 - Palermo University, Buenos Aires, Argentina, “Roe Rage: Backlash and Democratic Constitutionalism”
 - Moot Camp, Yale Law School, “Negotiating the Law Teaching Market: the ‘Job Talk’ as (two-way) Interview”
 - Faculty Workshop, Yale Law School, presented manuscript of “Dead or Alive: Originalism as Popular Constitutionalism in *Heller*”
 - September Group meeting, New York University Law School, presented manuscript of “Dead or Alive: Originalism as Popular Constitutionalism in *Heller*”
 - Global Constitutionalism Conference, Yale Law School, “Judicial Decisionmaking Under Conditions of Controversy”
 - Conference on the Future of Sexual and Reproductive Rights, Yale Law School, “Dignity and the Politics of Protection” and “Remembering Catherine Roraback: Movement Litigation of Abortion Rights Before *Roe*”
 - Conference on American Political Development, Harvard Law School, presented manuscript of “Dead or Alive: Originalism as Popular Constitutionalism in *Heller*”
 - Erasmus University Law School, Rotterdam, Netherlands, “Democratic Constitutionalism and Backlash”
- PUBLICATIONS**
- *Dignity and the Politics of Protection: Abortion Restrictions Under Casey/Carhart*, 117 YALE L.J. 1694 (2008)
 - *Brainerd Currie Lecture. The Right’s Reasons: Constitutional Conflict and the Spread of Woman-Protective Antiabortion Argument*, 57 DUKE L.J. 1641 (2008)
 - *Roe Rage: Backlash and Democratic Constitutionalism*, 42 HARV.C.R.-C.L. L. REV. 373 (2007) (co-authored with R. Post)
 - *Sex Equality Arguments for Reproductive Rights: Their Critical Basis and Evolving Constitutional Expression*, 56 EMORY L. J. 815–42 (2007)
- OTHER PROFESSIONAL HIGHLIGHTS**
- Deputy Dean for Intellectual Life, Yale Law School
 - Member, American Academy of Arts and Sciences



John G. Simon

James J. Silk

LECTURES AND ADDRESSES

- Connecticut Coalition on Human Rights, New Haven, “The Universal Declaration of Human Rights in Context”
 - Association of New York City Family Court Judges Annual Master Class, New York, “The Current State of International Human Rights and Children’s Rights”
- OTHER PROFESSIONAL HIGHLIGHTS**
- Visiting Professor, University of Brescia, Italy, Faculty of Law, lecturing on “Clinical Legal Education: Benefits and Challenges”

John G. Simon

LECTURES AND ADDRESSES

- Centre for Social Investment, Heidelberg University, Heidelberg, Germany, “Research on Philanthropy and Nonprofit Organizations”
- Member, Board of Directors, Iran Human Rights Documentation Center, New Haven
- Award of Merit, Yale Law School Association

Henry E. Smith

LECTURES AND ADDRESSES

- The International Society for New Institutional Economics, 12th Annual Conference, University of Toronto, “Information Costs in Property, Intellectual Property, and Organizations”
- Property Works in Progress Conference, University of Colorado Law School, “Community and Custom in Property”
- University of Colorado Law School, “Mapping the Frontiers of New Institutional Economics: The NIE and Legal Scholarship”
- The George Mason University/Microsoft Second Annual Conference on Patents and the Commercialization of Innovation, “Patents as Property”
- Sponsors for Educational Opportunity, New York, “Property”

PUBLICATIONS

- *Governing Water: The Semicommons of Fluid Property Rights*, 50 ARIZ. L. REV. 445–78 (2008)

OTHER PROFESSIONAL HIGHLIGHTS

- Hoover Institution, Stanford University, Task Force on Property Rights, Freedom, and Prosperity

Robert A. Solomon

LECTURES AND ADDRESSES

- Yale Law School, “History of Legal Service,” “Conversations Across the Courtyard” (with R. Ellickson), and “Mortgage foreclosures—Cause and Effects”

OTHER PROFESSIONAL HIGHLIGHTS

- Visiting Professor, University of Brescia, Italy, Faculty of Law, lecturing on “Clinical Legal Education: Benefits and Challenges”
- Reappointed, Housing Authority of the City of New Haven
- Reappointed by Chief Justice of the Connecticut Supreme Court to the Connecticut Legal Internship Committee
- 2008—Community Builder Award, Hill Development Corporation

Kate Stith

LECTURES AND ADDRESSES

- Women’s Campaign School at Yale University, “Women Running Around the World”
- National Association of State Sentencing Commissions, Stanford Law School Criminal Justice Center, “Standing on the Shoulders of Giants” and “Bridges Across the Divide”
- Women’s Leadership Forum, University of Connecticut, “Through the Glass Ceiling in Connecticut”
- “Capital Punishment Law: The View from the Trenches,” debate sponsored by the Capital Assistance Project, Yale Law Republicans, and Yale Law Students for Life

PUBLICATIONS

- *The Arc of the Pendulum: Judges, Prosecutors and the Exercise of Discretion*, 117 YALE L.R. 1420 (2008)
- *Two Fronts for Sentencing Reform*, 20 FEDERAL SENTENCING REPORTER 343 (2008)

OTHER PROFESSIONAL HIGHLIGHTS

- Provost’s Review Committee
- Vice-Chair, Committee on Professional Ethics, Connecticut Bar Association
- Executive Committee, Connecticut Bar Foundation
- Advisor, ALI Model Penal Code (Sentencing) Project

Alec Stone Sweet

PUBLICATIONS

- A EUROPE OF RIGHTS: THE IMPACT OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS ON NATIONAL LEGAL SYSTEMS (with H. Keller eds., 2008)
- *Constitutionalism, Rights, and Judicial Power*, in D. Caramani ed., COMPARATIVE POLITICS 217 (2008)

James Q. Whitman

LECTURES AND ADDRESSES

- NYU Law School, “The Verdict of Battle”
- Washington College of Law, American University, “Consumerism vs. Producerism”

PUBLICATIONS

- *No Right Answer?*, in J. Jackson, M. Langer & Peter Tillers eds., CRIME, PROCEDURE AND EVIDENCE IN A COMPARATIVE AND INTERNATIONAL CONTEXT: ESSAYS IN HONOUR OF PROFESSOR MIRJAN DAMAŠKA, Hart, 2008



Henry E. Smith



Robert A. Solomon



Kate Stith



Alec Stone Sweet



James Q. Whitman



Michael J. Wishnie

Michael J. Wishnie

LECTURES AND ADDRESSES

- “Fating Fengbao: The Law in Action,” addresses at Guangxi University School of Law, Nanning, China; Hainan University School of Law, Haikou, China; and Southwest Institute of Law & Politics
- Committee of Chinese Clinical Law Educators, Annual Conference, Nanning, China, “Social Justice and Clinical Education”
- Immigration Law Teachers Workshop, Miami, FL, “Post-Deportation Law”
- Annual Public Interest Reception, Yale Law School, “If it Offends Your Sense of Justice, There is a Fellowship”
- NLG NIP, Los Angeles, CA, “Evidence in Immigration Proceedings”
- Liman Colloquium, Yale Law School, “Vertical Federalism: The Pros and Cons of National Preemption in Immigration Lawmaking”
- Chinese Staff & Workers Association, Cornell School of Industrial & Labor Relations, New York, “The Repeal of Employer Sanctions”
- Rebellious Lawyering Conference, Yale Law School, “Immigration Detention Conditions: Challenging the System”
- UNITE HERE/ACLU of Southern California, day-long workshop for organizers and attorneys, Los Angeles, CA, “Immigration Raids: Strategy Workshop”
- AALS Annual Meeting, Workshop on Local Government at Risk: Immigration, Land Use, National Security and the Battle for Control, New York, closing plenary, “Local Governments Caught in the Middle”
- SEIU District 1199, Hartford, CT, “Immigration Enforcement and Labor Unions”
- Yale Law School, “Conversations Across the Courtyard: Immigration and Federalism”
- Yale Law School Federalist Society, “The Immigration Debate”
- Hofstra Law School, Conference on Local Dimensions of Immigration: Challenges and Opportunities in our Changing Communities, keynote address
- University of Minnesota, Minnesota Law Review Symposium, The Low Wage Worker: Legal Rights—Legal Realities, Minneapolis, MN, speaker on “Labor Law after Legalization”
- National Lawyers Guild, National Immigration Project, Annual Membership Meeting, Washington, DC, “State and Local Developments,” and “Damage Actions against ICE”
- Human Trafficking: Slavery Here & Now, Fairfield University, Fairfield, CT, “Human Trafficking and Labor Issues”
- Georgetown University Law Center, Immigrant Rights and International Human Rights Conference, “The Rights of Noncitizens Beyond Our Borders”

PUBLICATIONS

- *Labor Law After Legalization*, 92 MINN. L. REV. 1446 (2008)

OTHER PROFESSIONAL HIGHLIGHTS

- The Connecticut American Friends Service Committee, Immigrant Rights Award, to the Worker & Immigrant Rights Advocacy Clinic, Yale Law School, June 2008

RECENT CLINIC ACCOMPLISHMENTS

- *El Badrawi v. Department of Homeland Security*, ___ F.Supp.2d ___ 2008 WL 4480363 (D.Conn. Sept. 30, 2008) (in Freedom of Information Act suit arising from illegal arrest, detention, and coerced removal of UConn researcher to Lebanon, denying motions for summary judgment by five federal agencies)
- *Unidad Latina en Accion v. U.S. Department of Homeland Security*, 253 F.R.D. 44, (D.Conn. 2008) (in Freedom of Information Act suit arising from summer 2007 New Haven immigration raids, denying in part motion for summary judgment and ordering release of previously withheld records)
- *El Badrawi v. Department of Homeland Security*, ___ F.Supp.2d ___ 2008 WL 4397657 (D.Conn. Sept. 22, 2008) (in civil rights suit by UConn researcher alleging illegal arrest, detention, and coerced removal to Lebanon, denying motion to dismiss by state warden and denying in part motions to dismiss and for summary judgment by federal defendants)
- *Danaher v. Freedom of Information Com’n*, 2008 WL 4308212 (Conn. Super. Sept. 5, 2008) (in state Freedom of Information Act proceeding, ordering release of all State Police records relating to summer 2007 New Haven immigration raids)
- Representation of the Hartford Immigrant Rights Coalition in successful effort to secure enactment of “An Ordinance Concerning the City of Hartford’s Policy of Providence of City Services as it Relates to Residents’ Immigration Status,” (Hartford Common Council enacted Aug. 11, 2008) (codifying confidentiality policy and barring civil immigration enforcement by Hartford Police Department)
- *Danbury Area Coalition for the Rights of Immigrants v. Dept. of Homeland Security*, 2008 WL 2622782 (D.Conn. June 30, 2008) (refusing to grant summary judgment in Freedom of Information Act suit for records arising from 2006 arrest of “Danbury 11” day-laborers in Danbury)
- *In re Barrera* (EOIR Hartford Jan. 31, 2008) (denying motions to suppress and to terminate removal proceedings against “Danbury 11”), notice of appeal pending.

Jay Katz was a man of great wisdom and compassion.

Alexander M. Bickel Professor of Law Robert Burt '64



Jay Katz 1922–2008

PROFESSOR EMERITUS, ETHICS EXPERT

YALE LAW SCHOOL Professor Jay Katz died November 17, 2008, in New Haven at age 86. Katz was the Elizabeth K. Dollard Professor Emeritus of Law, Medicine, and Psychiatry and Harvey L. Karp Professorial Lecturer in Law and Psychoanalysis at Yale Law School.

Professor Katz made profound contributions in the area of law, medicine, and ethics. He was a leader in the area of reproductive technology law and ethics. His scholarship focused on psychoanalysis and law, family law, and law and medicine.

“As a doctor steeped in the law, Jay Katz illuminated better than anyone has before or since the complex of medical, legal, and ethical choices that haunt the silent world of doctor and patient,” said Dean Harold Hongju Koh.

Katz was born in Zwickau, Germany, in 1922. He graduated from the University of Vermont in 1944 and earned an M.D. from Harvard Medical School in 1949. After completing his internship and residency in New York, Katz served as 1st Lieutenant and Captain at the USAF Hospital at Maxwell Air Force Base in Alabama. He came to Yale in 1953 and was soon named Chief Resident of the outpatient clinic at the School of Medicine. Katz began teaching psychiatry at Yale in 1955 and psychiatry and law in 1958, when he was named Assistant Professor of Psychiatry and Law at Yale University.

Katz was a member of a committee that prepared the Connecticut law governing the privilege between patient and psychotherapist, enacted in 1961, which served as a model for the Federal Rules of Evidence for all 50 states. Working with Joseph Goldstein in the mid-1960s, he did groundbreaking work in the areas of both family law and psychiatry and law.

Katz also served on the national panel that studied and exposed the Tuskegee Syphilis Experiment, which began in 1932 and was not uncovered until the 1970s. Katz was a passionate proponent of the concept of truly informed consent and wrote extensively on the subject. He was an outspoken opponent of the use of data obtained from Nazi experimentation and was the first to call for a national board to oversee human experi-



mentation. He was appointed by President Bill Clinton '73 as a member of the Presidential Advisory Committee on Human Radiation Experiments.

He was a leader in the area of reproductive technology law and ethics and was an outspoken opponent of the criminal prosecution of pregnant women, citing privacy and equal protection concerns.

“Jay Katz was a man of great wisdom and compassion,” said Alexander M. Bickel Professor of Law Robert Burt '64. “He had a profound influence on biomedical ethics, on his students during his long tenure at Yale Law School, and on his friends. Jay’s passionate respect for the autonomy of individuals coupled with his deeply empathic understanding of individuals’ psychological

vulnerabilities was the foundation stone for this influence in every case.”

Katz received honorary Doctor of Science degrees from both Northeastern Ohio Universities College of Medicine and the University of Vermont. He received many professional awards, including the American Psychiatric Association’s Distinguished Service Award for 1998 and its Isaac Ray Award; the American College of Physicians’ William C. Menniger Memorial Award; the Hastings Center’s Henry Knowles Beecher Award; and the American Society of Law and Medicine Second President’s Award. In 1981, Katz received a John Simon Guggenheim Memorial Foundation Fellowship.

Katz’s books include *The Silent World of Doctor and Patient* (1984); *Catastrophic Diseases—Who Decides What?* (with Alexander M. Capron, 1975); and *Experimentation with Human Beings* (1972).

Katz’s first wife, Esta Mae, and his brother Joseph predeceased him. He is survived by his second wife, Marilyn; a son, Daniel; two daughters, Sally '82 and Amy; two stepdaughters, Mary and Emily; a brother, Norman; and four grandchildren.

Donations in Professor Katz’s name may be made to the Faculty Memorial Fund at Yale Law School. For more information, please contact the YLS Development Office at 203 432-1664.