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2008—09

CONSTITUTION



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PROGRAM IN  
**LAW**  
AND  
**PUBLIC  
AFFAIRS**

Annual Report 2008-09

*Princeton University's Program in Law and Public Affairs (LAPA) explores the role of law in politics, society, the economy, and culture in the United States, in countries around the world, and across national borders. Through its programming, teaching, and research initiatives, LAPA combines the multi-disciplinary expertise of Princeton's faculty with the knowledge provided by leading academic and practical experts on American, international, and comparative law. This extraordinary legal community provides an exciting forum for rethinking the role of law across the disciplines and for addressing the complex problems of the 21st century.*

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# DIRECTOR'S INTRODUCTION

Law at Princeton is like law nowhere else. While most American universities either concentrate law in professional schools or leave it to isolated disciplines that may have a specialist or two in the field, Princeton has been able to bring together legal specialists from all over campus through the Program in Law and Public Affairs (LAPA). As a result, Princeton has the strengths of a concentrated law faculty while having the disciplinary rigor of an arts-and-sciences-based research program. It is distinctive, high-powered and productive. It provides an important model for the future of academic legal studies.

At its core, LAPA has a fellows program that brings legal specialists from law schools and multiple disciplines to campus to constitute an annually changing vibrant legal community. This year, we had a particularly international group, with fellows from Germany, South Africa and the United Kingdom as well as the United States. This year's fellows group was also unusually active in the policy world. Fellow Christina Murray, was elected by the Kenyan Parliament to serve as a non-national member of the new Committee of Experts, tasked with writing a new constitution. Fellow Ingolf Pernice, argued one of the most important cases of recent years before the Federal Constitutional Court of Germany on the constitutionality of the Treaty of Lisbon. Research Scholar Deborah Pearlstein testified on multiple occasions before the US Congress on detention and interrogation policy.

The LAPA program can also boast of its fellows' scholarly activities, including publications and conference participation: Noah Zatz examined new analytical models for welfare policy; Malcolm Feeley finished his book on women and crime; Mark Brandon elaborated the intersection of constitutional and family law; Chris Beauchamp delved into the history of patent law. Each of the six fellows showcased their impressive scholarship in a LAPA seminar, and together with the Fellow Travelers and LAPA administrators they produced a formidable number of publications, a list of which can be found later in this report.

LAPA also contributed substantially to the teaching mission of the University. LAPA fellows offered courses through the history department, the European Politics and Society program and the graduate and undergraduate programs at the Woodrow Wilson School. The LAPA/Mellon Seminar brought graduate students from all over the campus to comparative literature and law.

This year, LAPA's core programming focused on several themes. Our major public lectures highlighted the role of women in comparative constitutional law, featuring Associate Justice Ruth Bader Ginsburg of the US Supreme Court and President Dorit Beinisch of the Supreme Court of Israel. Our public lecture series on the "war on terrorism" featured a range of speakers from all points of the political spectrum addressing topics like the closing of the Guantánamo detention camp, the potential prosecution of Bush Administration officials for the abuse of detainees and the challenges in international law facing the new Obama administration. Race and the law featured prominently this year with a program on reparations for slavery and a conference on Race and Real Estate. Other series - in human rights and criminology - rounded out the year.

LAPA also brought meetings of national and international legal organizations to campus this year. In December, Princeton hosted its second Constitutional Law Schmooze, an annual national event that brings together law professors and political scientists who specialize in constitutional law. In February, Princeton hosted the works-in-progress workshop of the American Society for Comparative Law. LAPA also brought to campus the rapporteurs of the American Law Institute preparing the Third Restatement of International Arbitration. In each of these cases, Princeton faculty and students who work in these areas joined these national meetings and were able to both contribute and learn.

Most crucially, though, all of this activity added up to more than the sum of the parts. LAPA continued to draw in new Princeton faculty, graduate students and undergraduates to become regular attendees at LAPA events. More and more PhD, M.P.A./M.P.D. and undergraduate students are finding in LAPA an intellectual home that allows them to integrate and refine their studies at Princeton. Legal studies is one of the core programs that brings scholars together for common conversation across the university.

Thus, as LAPA heads towards its tenth year, it is positioned to draw from its history to take its programming in still new directions to new audiences. This potential is symbolized by the return of a former LAPA fellow, Paul Frymer, to serve as Acting Director in the coming year. As I take a sabbatical at Yale Law School, I pass the directorship to Paul, who joined the faculty of the Princeton Politics Department this past year. Holding both J.D. and Ph.D. degrees, Paul brings his wide range of interests and his scholarly interests in American politics and labor history to this leadership post. He will no doubt open new avenues of inquiry in a program that is always eager for innovation.

This year at LAPA, we saw the program grow in the ambitiousness of its events, deepen in the commitments that faculty and students brought to the program, and increase its contributions to legal knowledge and legal policy across a wide range of issues. This annual report details these accomplishments and reminds us all of the spectacular year we just had with law at Princeton.



Kim Lane Scheppelle  
 Director, Program in Law and Public Affairs



Kim Lane Scheppelle, Director of the  
 Program in Law and Public Affairs

# LAPA AND LAW AT PRINCETON 2008-2009

*“For a lawyer from a traditionally professional law school, LAPA provides an ideal intellectual vacation—it provides time to do uninterrupted work but also demands and engagement with other fields and disciplines that is hugely enriching. Who needs a law school if you have LAPA?”*

*—Christina Murray, LAPA Fellow from the University of Cape Town*

For the In the 2008-2009 academic year, the Program in Law and Public Affairs vigorously pursued its mandate to serve as Princeton’s center for multi-disciplinary inquiry of 21st century law-related issues. It not only expanded its reach throughout the university, engaging increasing number of faculty and disciplines, but attracted a truly international class of LAPA fellows with diverse and broad based interests. Moreover, through an ambitious programming agenda, LAPA facilitated examination and fostered debate over some of the most controversial issues facing our country and the world.

Significantly high on LAPA’s agenda were programs specifically designed for Princeton students at all levels. Nearly every distinguished speaker who accepted a LAPA invitation for a public event also agreed to participate in a student function, and LAPA worked with students to convene novel educational experiences. Described in more detail later in this report, the following overview highlights LAPA’s service to students:

- LAPA’s **Undergraduate Associates** collaborated with staff to develop two well-received public programs, each of which was followed by a private dinner for the panelists and students. “Presidential Elections and the Law of Democracy” featured three law professors who had also advised a recent presidential candidate, while “The Art of Legal Blogging” featured two journalists and a law professor who not only explored the role and potential of law-focused blogs, but later advised students concerning their efforts to establish a law blog. Undergraduate Associates were invited to private receptions with Associate Justice of the Supreme Court Ruth Bader Ginsburg, and President of the Supreme Court of Israel Dorit Beinisch, and to lunch with John B. Bellinger III ‘82, former Legal Advisor to Secretary of State Condoleezza Rice; law professors coming to the LAPA’s Constitutional Law Schmooze; and human rights attorney David Remes.



- **M.P.P./M.P.A.** candidates had ten occasions to engage in **off-the-record conversations and dine with policy and legal experts** as part of the second year of LAPA's series, "Law in the Public Service: Not Just for Lawyers." Reflecting the range of student interests, speakers explored topics including elections law, the law of war, human rights, and constitutional issues, with speakers who included law professors, government lawyers, practicing attorneys, and journalists.
- **Law Engaged Graduate Students (LEGS)** continued to gather bi-weekly to discuss each other's work as well as to prepare and practice job talks. Large crowds attended two sessions that explored writing law-related dissertations and looking at law-related academic employment opportunities. An opening dinner for all graduate students interested in law issues was well attended and succeeded in connecting students with shared interests across many disciplines.
- All Princeton students associated with LAPA were invited to participate in a **simulated National Security Council meeting led by LAPA's Distinguished Practitioner-in-Residence John B. Bellinger III '82**. Limited by the size of the room and the seats at the table, undergraduates joined with fourth-year Ph.D. candidates and second-year M.P.P. students for a two-hour debate over how the United States should respond to a pending missile launch by North Korea. It was an educational and exhilarating experience for all participants.

LAPA's Fellows, who serve as the core of LAPA's academic community, demonstrated the diversity and breadth of LAPA's contribution to the University. As a group they comprised an impressive picture: three of the six came from abroad (Germany, United Kingdom, and South Africa); while the other three arrived from different areas of the country (California, Illinois, and Tennessee). They shared a commitment to interdisciplinary inquiry and a broad knowledge base, and each contributed a unique perspective and area of expertise towards informing their colleagues' research agendas. This collected expertise contributed to the University in many ways:

- Four Fellows taught courses in different areas, including: European studies, American legal history, and the Woodrow Wilson School undergraduate and graduate programs. They formally or informally advised many students on theses, dissertations, or research projects.
- Fellows presented or actively participated in more than 11 university conferences, panels, or ongoing programs, including helping to establish of a monthly faculty-graduate student Crime and Punishment Workshop, and to create a legal anthropology group looking at Africa.
- The Fellows hosted 19 members of the Princeton community at their weekly lunches. Faculty guests came from 11 different university departments or programs.
- Each of the Fellows showcased his or her Princeton affiliation while engaging in noteworthy and scholarly activities beyond the University. These included appearing before the German High Court defending that country's decision to adopt the Lisbon Treaty; consulting with government officials of Nepal and Kenya on drafting a new constitution; and presentations at colloquia, forums, classes, and policy workshops at more than 15 law schools.

Similarly, LAPA's programming reflected its continually expanding mission and growing reach throughout the University, including:

- The **Fourth Annual LAPA Faculty Retreat**, which featured a wide range of subject areas exemplifying the multi-disciplinary participation of LAPA faculty associates. Authors and commentators came from the departments of Anthropology, Comparative Literature, East Asian Studies, History, Politics, Sociology, the Woodrow Wilson School, and the University Center for Human Values.
- **LAPA Seminars** showcased both the international and eclectic reach of law-related exploration. In addition to the Fellows' presentations, which ranged from global constitutional issues to patent and criminal law, invited authors included two legal anthropologists, a comparative constitutional law scholar, a law professor examining vagrancy law, and a history professor examining the development of human rights.
- In a unique approach to the national workshop known as the **"Constitutional Law Schmooze,"** which has traditionally brought together top scholars in law and politics to explore an aspect of constitutional law, LAPA chose to focus its second annual gathering on the new translation of Carl Schmitt's major work on law, *Constitutional Theory* (Duke University Press, 2008). An impressive group of legal scholars, political theorists, and legal philosophers and historians gathered to join with interested Princeton faculty and fellows for the day-and-a-half discussion.
- **LAPA-Sponsored Public Lectures** included two distinguished women jurists with broad international experience. **Associate Justice Ruth Bader Ginsburg of the Supreme Court of the United States** was the John Marshall Harlan '20 Lecturer in Constitutional Adjudication in fall 2008; and **President Dorit Beinisch of the Supreme Court of Israel** delivered the Donald S. Bernstein '75 Lecture in spring 2009. In addition to offering enlightening insights into the operations of their courts and the application of the rule of law in challenging situations, both women discussed how international law impacts their view of law and judging. LAPA's events calendar for the Princeton community included seven major public programs, five invitational events, and a distinguished-practitioner-in-residence program.
- **Co-sponsorships** formed a significant part of LAPA's offerings. In addition to its major events, LAPA co-sponsored with numerous departments over 22 lectures, conferences, and panel discussions during the academic year on a wide variety of law-related topics. Among the collaborative ventures were a semester-long lecture series/graduate course with Comparative Literature on law and literature and a yearlong Human Rights Colloquium cosponsored with the History Department. Joining with African American Studies, LAPA co-sponsored a path breaking conference on Race and Real Estate.

LAPA's activities and events and the wide participation from the university, general, and scholarly communities that the program attracts continue to demonstrate that law is a universal language spoken at Princeton.

# THE PEOPLE AT LAPA

*“My year at LAPA was a truly special experience. The core group of fellows and staff was an incredibly creative and collegial group, and the broader LAPA community is remarkable in its scholarly breadth. I can’t think of a better setting in which to generate new ideas and hone work in progress.”*

—Christopher Beauchamp, LAPA Fellow

## Kim Lane Scheppele

Director of LAPA



Kim Lane Scheppele finished her first four-year term as LAPA director this year, and has agreed to serve for another. She has continued to build a campus-wide network of faculty, graduate students and undergraduates, who make law a featured element of many Princeton disciplines. She has been committed to LAPA's continuing involvement in front-line policy issues, particularly around the global anti-terrorism campaign. Scheppele's expertise in comparative constitutional law was reflected this year in LAPA programming with the appearance of two Supreme Court justices from different countries, the December conference on Weimar constitutional theory and the February workshop on comparative law. Off campus, Scheppele gave presentations on her scholarship in this area at Boston University Law School, at the annual meeting of the American Association for the Advancement of Slavic Studies in Philadelphia, and at the Law and Society Association's annual meetings in Denver. She also led off the Comparative Law panel at the Association of American Law Schools meeting in San Diego with her international survey of constitutional law on social rights. She initially undertook this project for the Russian Constitutional Court, which wanted to know what other courts had been doing on this subject. She also participated in the Yale Law School Global Law Workshop that brings together constitutional judges from around the world.

Scheppele's other primary field of expertise is the international and comparative law of terrorism, particularly focusing on detention and torture policy. Here, too, LAPA's public lecture series this year on terrorism and torture tracked her interests. Off campus, Scheppele presented her research on this theme in a number of venues, including at the University of Iowa Law School, Suffolk Law School, University of Texas Law School and New York University Law School. She appeared on a featured panel on the United Nations and Human Rights at the annual meetings of the American Society for International Law in Washington, discussing her book-in-progress on the global campaign against terrorism after 9/11. She also met with the Guantánamo Task Force charged with closing the camp, advising on both detention policy and terrorism tribunals in comparative perspective. Scheppele appeared in a feature segment on German, Austrian and Swiss television discussing the difficulties of closing Guantánamo, published a paper on the U.S. terrorism policy in France, and continued to facilitate a major international working group of legal professionals engaged in combating torture.

## Leslie Gerwin

### Associate Director of LAPA



Leslie Gerwin's second year at LAPA enabled her to apply her management, academic, and analytical skills honed in an eclectic career to the program's creative enterprise. In collaboration with LAPA's Director, Gerwin helped develop program content and worked to establish new program paradigms, including the four-day Distinguished Practitioner-in-Residence. Gerwin's particular focus centered on creating and securing opportunities reserved for student interaction with LAPA's invited guests. Initiator of the series for M.P.P./M.P.A. candidates, "Law in the Public Service: Not Just for Lawyers," Gerwin worked to expand the second year of the program both by responding to students' subject interests and exploring issues associated with policy development and implementation that confront policy makers. Drawing upon her experience as a policy consultant and advocate, M.P.A. recipient, nonprofit management professional, and law professor, Gerwin honored requests from students seeking advice on particular projects or career paths.

In addition to her regular participation in LAPA events, Gerwin also maintained an active outside academic schedule. She continued to serve as an Adjunct Professor of Law at the Benjamin N. Cardozo School of Law where she taught a course in public health law and policy. She also represented LAPA as an expert observer to the first United Nations Human Rights Council forum on minorities' access to education in Geneva. Having also served as Executive Director of a public education advocacy organization and a consultant to national education policy groups, Gerwin prepared a report to the independent expert commenting on some of the proposed recommendations and outline issues associated with access to higher education. Other academic activities included delivery of two papers at law and society conferences in Israel and the United States based upon her public health research on legal issues arising in pandemics; a presentation on law and obesity at the Harvard Club of Princeton; and moderating a day-long symposium on reproductive justice at Cardozo Law School.

## Judith Rivkin

### Events Manager



Judith Rivkin's background in public relations and media continues to contribute to LAPA's enhanced visibility at the University and across the country, as program visitors now leave Princeton with LAPA coffee mugs, and LAPA Undergraduate Associates sport LAPA t-shirts, both of which she created. This past year, she designed LAPA's new podium banner and table runners, as well as balloons and an updated mug. LAPA's in-house events now include use of compostable and biodegradable paper, sugarcane, plant starch, and corn products, consistent with the University's sustainability initiative. Rivkin's creative collaborations with on- and off-campus catering vendors result in gastronomic experiences that accommodate the many dietary preferences of attendees at LAPA events. She is a member of the Palmer House Advisory Committee, and is often consulted by other campus programs about aspects of event management at Princeton. During the spring semester, Rivkin again taught English country dance through the Princeton Adult School.

## Jennifer Bolton

Office Coordinator



Jennifer Bolton expanded her LAPA responsibilities to include management of LAPA's website content. In collaboration with LAPA's recently-hired web consultant, Bolton keeps LAPA's new homepage up to date, and oversees efforts to ensure that the site operates efficiently to meet the needs of its many diverse users. She also designed and launched LAPA's new school year electronic publication, "This Week at LAPA," which informs hundreds of subscribers of LAPA's immediate and future events as well as other law-related events of interest at the University. Bolton continues to draw on her five years of experience working in Nassau Hall, as well as her pre-Princeton career at the Public Policy Program at The Pew Charitable Trusts, to meet almost any need of LAPA staff, Fellows, and students.

## David A. Hollander

Law and Legal Studies Librarian, Princeton University Library



Since becoming Princeton's law librarian in 2006, Hollander has worked to build the University library's ability to foster world-class legal research at Princeton, both in print and electronically. During the past year, Hollander continued to offer faculty and students individual and group legal research consultations. Hollander taught a seminar for freshman in the Princeton Writing Program, which examined cases and controversies arising under the Fourteenth Amendment. Working with Princeton's Office of Career Services and several law-engaged faculty, he again organized the annual "Law School Preview" for undergraduates considering law school. Hollander remained committed to a research agenda and maintained an active membership in the American Association of Law Libraries (AALL). This past year he served on the judging committee for the Lexis-Nexis-sponsored AALL Call for Papers.

## Kai Laidlaw

Web Consultant

This past year, Kai Laidlaw agreed to add LAPA as one of the Princeton programs for which he regularly consults. He has worked to update the technical operation of the website and to enhance user friendliness. According to Laidlaw, he has been "working on the Web from before it was a topic of everyday conversation, for institutions large and small." He has thus brought his experience and enthusiasm to the task of continuing to improve the usefulness of LAPA's website to its many and frequent visitors.

# THE LAPA FELLOWS PROGRAM

*“LAPA is a Goldilocks fellowship. We had ample opportunities for intellectual engagement both within the program and throughout the University. Yet the demands on our time were modest enough to leave ample space for, and emphasis on, conducting our own research. The balance was just right.”*

*—Noah Zatz, LAPA Fellow from UCLA Law School*

Each year LAPA hosts a distinguished group of Fellows selected from applicants from around the world. While all have academic interests and come to pursue unique research projects, they bring a diverse set of experiences and expertise in law, related academic disciplines, and engagement in public policy. Chosen from more than 100 applicants from six continents, the 2008-2009 Fellows shared their research at LAPA Seminars, their expertise at academic conferences, and their experiences with Princeton faculty colleagues and students.

## THE 2008-2009 LAPA FELLOWS



**Christopher Beauchamp** was the Microsoft/LAPA Fellow in information technology, intellectual property and economic organization. Coming to Princeton from a Samuel I. Golieb Fellowship in Legal History at New York University School of Law, Beauchamp devoted part of his research effort to preparing for publication his prize-winning doctoral dissertation, “The Telephone Patents,” which examined the rise and fall of the telephone monopolies in Great Britain and the United States. He also initiated a second book project entitled “Technology’s Trials,” examining patent litigation in the United States in the nineteenth and early twentieth century. Beauchamp’s LAPA Seminar on “Patent Litigation in the United States during the Second Industrial Revolution” challenged the narrow conception of patent law, as the discussion encompassed the history of the sewing machine, the nature of German patent law, and the relationship between chemical patenting and World War I. Beauchamp participated and presented at the Innovation Policy Colloquia at NYU Law School, as well as giving papers at several other academic conferences. He served as a preceptor for the undergraduate course on “The Role of Law in American Society” taught by Professor Hendrik Hartog. Beauchamp leaves Princeton for the University of Pennsylvania Law School, where he will teach and continue his research as a Sharswood Fellow in Law and History.



**Mark Brandon** is Professor of Law and Political Science at Vanderbilt University, where he is also Director of the Law School's Program in Constitutional Law and Theory. For Brandon, the LAPA fellowship represented a return to Princeton since he received his PhD in the Politics Department's Public Law Program. While he chose to devote the bulk of his time to research and writing, Brandon generously participated in many programs and activities that furthered students' understanding of constitutional law. At the same time he was quite productive, completing two manuscripts for publication, and several chapters of his next book on "Family, Change, and the American Constitutional Order." Brandon's seminar paper, "Constitutionalism and the Education of American Indian Children: A Critique of Civic Education," produced a lively discussion, especially since the paper's commentator was one of those critiqued in the paper. Although Brandon sought to limit the distractions from his work, he accepted four invitations to present at academic conferences around the country and served as Program Chair for the Division of Constitutional Law and Jurisprudence at the 2009 meeting of the American Political Science Association.



**Malcolm Feeley** was the Martin and Kathleen Crane Fellow at LAPA this year, so designated in recognition of his distinguished teaching career and his teaching of an undergraduate seminar on Courts and Social Policy at the Woodrow Wilson School. Feeley's productivity while a LAPA Fellow was impressive. His major book project on "women and crime," considering hundreds of years of data across multiple countries, neared completion. His paper drawn from that project "Where Have All the Women Gone?" The Decline of Women in the Criminal Justice Process" served as the focus of the first LAPA Seminar of the year. Feeley also made substantial progress on another co-edited book project on the legal complex in former commonwealth countries. At Princeton, Feeley contributed to the founding and regularly participated in the inaugural year of the faculty-graduate student Crime and Punishment Workshop. In addition, he found time to present at seven different conferences during the academic year, participate in several academic programs at Princeton, and see several articles through to publication. Feeley will return to the Jurisprudence and

Social Policy Program in the Law School at the University of California at Berkeley, where he holds the Clare Sanders Clements Dean's Chair in the Jurisprudence and Social Policy.



**Christina Murray** arrived at LAPA from South Africa, where she is Professor of Human Rights and Constitutional Law at the University of Cape Town. During her tenure at Princeton, Murray's expertise in constitutional drafting—acquired as one of seven experts advising the South African Constitutional Assembly in drafting that country's final constitution—was in great demand. Shortly after her arrival, Murray traveled to Kathmandu, Nepal, to give several presentations on issues associated with their constitution-making process. In the spring, Murray was selected as one of three outside experts to advise in the drafting of Kenya's new constitution. At Princeton, these experiences formed the basis of her presentation at the final LAPA Seminar, at a lively dinner meeting with M.P.P./M.P.A. candidates, and attracted numerous students to seek her assistance on research projects. Murray also participated in the forming of a new group of legal anthropologists interested in Africa, and participated in several symposia/workshops involving constitutional design and human rights issues. Despite the demands upon her time, she also prepared several manuscripts for publication, and completed the compilation of conference papers on African constitutional law. Upon leaving Princeton, Murray continued her work as a member of the Kenyan Committee of Experts.



**Ingolf Pernice** came to LAPA after stepping down as Dean of the Faculty of Law at the Humboldt-Universität of Berlin, where he holds the Chair for Public Law, International Law, and European Law. His expertise in German and European constitutional law was in considerable demand while at Princeton, and included travel to Germany to appear before the German Federal Constitutional Court representing the German Federal Parliament in defense of its signing the Treaty of Lisbon. Pernice gave several talks on European constitutionalism at both faculty and student organized events, and accepted two invitations to lecture on the subject at Columbia Law School. Pernice's research project sought to expand on both his research on and experience with European constitutional issues to develop a concept of multilevel global constitutionalism. Draft chapters of this project, "Possible Meaning and Implications of Global Constitutionalism," provided the basis for his LAPA Seminar, which was marked by extended and vigorous debate. Pernice leaves Princeton to return to Germany, where he will be completing his book (in German) on constitutional questions of the European Union, and continuing his project (in English) on global constitutionalism.



**Noah Zatz** arrived at LAPA after a year visiting at the University of Chicago Law School. At LAPA, Zatz expanded his research focus on the concept of work/family policy and poverty law, by investigating how the family wage model of household economy as the origin of contemporary anti-poverty policy renders child-care invisible, both as a component of household need and as a form of valuable work. As a consequence, Zatz is developing new approaches to means-testing and work requirements to reshape welfare policies more effectively to respond to family needs. Drawing upon his research and experience as a Skadden Public Interest Law Fellow at the National Employment Law Project, Zatz gave several presentations at academic conferences and programs, both at Princeton and at institutions around the country. He submitted or revised for publication five articles during his fellowship year. Zatz' LAPA Seminar on "Accounting for Care in the Age of Work" was especially well received by his LAPA colleagues, who urged him to develop his research to date into a book. Zatz departs Princeton to return to UCLA Law School, which granted him tenure during his LAPA Fellowship.



## LAPA FELLOW TRAVELERS

LAPA often welcomes into its community distinguished scholars and practitioners in the Princeton area who enhance LAPA's learning opportunities and participate in many of LAPA's programs. Due to their valued contribution to LAPA and regular interaction with LAPA fellows, these individuals are fondly referred to as LAPA "fellow travelers." In 2008-2009 LAPA benefitted from three continuing travelers and a visit from a scholar who spent a semester's leave in the Princeton area.



**Deborah Pearlstein**, Associate Research Scholar at Woodrow Wilson, came to Princeton after serving as the founding director of the Law and Security Program at Human Rights First. Pearlstein has been researching and writing in the area of U.S. national security law and its effects on executive power. This year, she was particularly active in providing expertise to government, including multiple occasions where she gave congressional testimony, and many occasions in which she assisted legal organizations in the area of national security and constitutional law.



**George Bustin '70** returned to Princeton after more than 20 years practicing law with Cleary Gottlieb Steen and Hamilton in its Brussels office. George shares his expertise, in particular his experience in financial transactions between Russia and the European Union, as an adjunct professor at Woodrow Wilson, guest lecturer, and student theses advisor. This year, he taught a course on EU-Russian Relations in the graduate program at the Woodrow Wilson School.



**Robert L. Ashbaugh** came to LAPA after a career of nearly 25 years in the Office of Inspector General at the Departments of Justice and Homeland Security. In addition to participating in LAPA events, Ashbaugh both formally and informally shares his expertise with students. He also served as a preceptor in a course on national security offered by the Politics Department.



**Thomas Poole** spent a portion of his leave from the London School of Economics, where he is a Professor of Law, participating in and contributing to LAPA seminars and programs. An expert in British constitutional law and comparative international law concerned with national security issues, Poole was a regular contributor to many of LAPA's programs. He also presented his work in progress to a special luncheon gathering of LAPA fellows and affiliates.

## LAPA FELLOWS' LUNCHESES

*“Unforgettable lunches and dinners allowed us to meet and discuss with the most outstanding personalities, old and young academics and practitioners, from the U.S. and other parts of the world.”*

*—Ingolf Pernice, LAPA Fellow from Humboldt Universitat Berlin*

Each Thursday, LAPA Fellows, fellow travelers and staff, gathered for lunch and lively discussion with an invited guest. Invitations are extended to distinguished members of the Princeton faculty, members of the Princeton support community, and occasional special guests, who come to share their current research interests. The format usually resembles an “oral argument” where guests begin the discussion, but are continually interrupted with questions and comments. The Fellows and LAPA staff are grateful for the informative and invigorating contributions made by the following luncheon guests:

**Peter Brooks** (Comparative Literature, University Center for Human Values)

**George Bustin '70** (Woodrow Wilson School)

**Cathy Cuff** (Woodrow Wilson School Office of Information Technology)

**John Darley** (Psychology)

**Christopher Eisgruber** (Princeton University Provost)

**Paul Frymer** (Politics)

**Carol Greenhouse** (Anthropology)

**Dirk Hartog** (History, American Studies)

**David Hollander** (Law and Legal Studies Librarian)

**Stanley Katz** (Woodrow Wilson School)

**Paul Krugman** (Economics, Woodrow Wilson School)

**Ambassador Daniel Kurtzer** (Woodrow Wilson School)

**David Leheny** (East Asian Studies)

**Steve Macedo** (University Center for Human Values, Politics)

**Andrew Moravcsik** (Woodrow Wilson School)

**Chuck Myers** (Law Editor, Princeton University Press)

**Michael Oppenheimer** (Science Technology and Environmental Policy Program, WWS)

**Paul E. Starr** (Sociology, WWS)

**Mark Watson** (Interim Dean, Woodrow Wilson School, Economics)

*The Fellows also welcomed four special guests:*

**The Hon. Dorit Beinisch** (President of the Supreme Court of Israel)

**Walter Murphy** (McCormick Professor of Jurisprudence emeritus)

**Donald S. Bernstein '75** (Partner, Davis Polk and Wardwell, Chair of LAPA Advisory Board)

**Thomas Poole** (Professor London School of Economics)

*LAPA also hosted a special celebratory fellows and faculty luncheon for **Stanley Corngold**, German and Comparative Literature Departments and LAPA Faculty Associate, upon the publication of his book *Franz Kafka, The Office Writings* (Princeton University Press). Co-editor **Jack Greenberg** also attended and spoke at the event.*

## COMING SOON: THE LAPA 2009-10 FELLOWS

***“We are pleased that LAPA is developing a reputation that attracts an impressive pool of applicants from around the world. All of LAPA’s new fellows have both law and Ph.D. degrees with research interests and expertise that will allow them both to benefit from and contribute to the academic life at Princeton University.”***

***—LAPA Director Kim Lane Sheppelle, in press release announcing the 2009-2010 fellows***

**Jeannine Bell** is a professor of law and the Charles Whistler Faculty Fellow at the Maurer School of Law at Indiana University. A scholar of policing and hate crime, she is the author of *Policing Hatred: Law Enforcement, Civil Rights and Hate Crime*, and *Police and Policing Law*, an edited collection that explores scholarship on the police. At Princeton, Bell will work on her forthcoming book, “Hate Thy Neighbor,” which explores hate crime in integrating neighborhoods. She will also teach a graduate course on race and American cities in the Woodrow Wilson School.

**Susanna Blumenthal** is an associate professor of law and history at the University of Minnesota, where she researches and teaches in the areas of American legal history, criminal law, and trusts and estates. Recently she has written about the historical relationship between law and the human sciences. During Blumenthal’s year at LAPA, she will be writing a book about insanity trials in the United States in the 19th century.

**Bernadette Meyler** will be the inaugural Mellon/LAPA Fellow in Law and Humanities. She is an associate professor of law at Cornell University. Meyler’s scholarship focuses on the intersections between constitutional law and the common law, British and American legal history, law and literature, and law and religion. While at Princeton, Meyler will complete a book on common law originalism and will co-teach the Mellon Graduate Seminar on the Ethics of Reading with Peter Brooks.

**Ralf Michaels** will be the Katherine and Martin Crane LAPA Fellow. He is a professor of law at Duke University School of Law and director of its Center for International and Comparative Law. The author of a book on comparative private law, Michaels researches and teaches comparative law, conflict of laws, and legal theory. He currently is working on an analysis of the role of domestic courts, especially those in the United States, as world courts, and will teach a freshman seminar on American courts and international law.

**Eli Salzberger**, dean of the faculty of law at the University of Haifa in Israel, will hold the Microsoft/LAPA Fellowship. His research and teaching areas are legal theory and philosophy, economic analysis of law, legal ethics, cyberspace and the Israeli Supreme Court. Salzberger’s latest book is *Law, Economics and Cyberspace*, co-written with Niva Elkin-Koren. At Princeton, he will be researching the role of the judiciary in the economic theory of the state and on the law and economics of intellectual property, and teach a freshman seminar on the economics of constitutional law.

**Jim Staihar** was the 2008-2009 law and philosophy fellow at the University of Chicago Law School. His main scholarly interests are in criminal law theory, ethics, jurisprudence and political philosophy. At Princeton, Staihar will work on several projects involving the role that moral luck should play in criminal liability and permissible forms of punishment.

# PRINCETON FACULTY AT LAPA

## LAPA EXECUTIVE COMMITTEE

Reflecting LAPA's sponsorship, LAPA's Executive Committee includes representatives of each of LAPA's three principal funding sources. Chaired by LAPA Director Kim Scheppele, the committee members not only selected the Fellows, but provided guidance and support for LAPA's expanding mission. For the 2008-2009 academic year, the members were:

### From Woodrow Wilson School

- **John Darley**, Dorman T. Warren Professor of Psychology; Professor of Psychology and Public Affairs
- **Stanley N. Katz**, former LAPA Director and Lecturer with the rank of Professor in Public and International Affairs
- **Jennifer A. Widner**, Professor of Politics and International Affairs; Director, Bobst Center for Peace and Justice

### From University Center for Human Values

- **Kwame Anthony Appiah**, Laurance S. Rockefeller University Professor of Philosophy and the University Center for Human Values
- **Jan-Werner Müller**, Associate Professor of Politics
- **Gideon A. Rosen**, Professor of Philosophy; Director, Program in Humanistic Studies; Chair, Council of the Humanities; Director, Stewart Seminars in Religion

### From the University

- **Carol J. Greenhouse**, Professor of Anthropology and Chair, Department of Anthropology.
- **Hendrik A. Hartog**, Class of 1921 Bicentennial Professor in the History of American Law and Liberty; Professor of History; Director, Program in American Studies
- **Viviana A. Zelizer**, The Lloyd Cotsen '50 Professor of Sociology

### Ex-Officio Members

- **Stephen A. Macedo**, Director, University Center for Human Values
- **Anne-Marie Slaughter**, Dean, Woodrow Wilson School

## LAPA FACULTY ASSOCIATES

Faculty Associates contribute to LAPA through their teaching, research and engagement in law. They offer law-related classes throughout the Princeton curriculum, and they research and write about law, legal institutions and legal processes. Faculty Associates also frequently attend LAPA events, participate in LAPA workshops, and constitute a vibrant law-engaged community at Princeton. Ranging across virtually all departments of the humanities and social sciences and beyond, LAPA Faculty Associates bring a wide range of disciplinary interests and specific expertise to the enterprise of legal studies at Princeton. The Faculty Associates include:

**Kwame Anthony Appiah**, Laurance S. Rockefeller University Professor of Philosophy and the University Center for Human Values  
**R. Douglas Arnold**, William Church Osborn Professor of Public Affairs in the Woodrow Wilson School; Professor of Politics  
**Orley C. Ashenfelter**, Joseph Douglas Green 1895 Professor of Economics  
**Gary J. Bass**, Associate Professor of Politics and International Affairs, Woodrow Wilson School  
**Leora F. Batnitzky**, Professor of Religion  
**Charles R. Beitz**, Edwards S. Sanford Professor of Politics  
**Sandra L. Bermann**, Professor of Comparative Literature; Chair, Department of Comparative Literature  
**João Biehl**, Professor of Anthropology  
**John W. Borneman**, Professor of Anthropology  
**Peter Brooks**, Lecturer with rank of Professor in Comparative Literature and the University Center for Human Values; Mellon Visiting Professor  
**D. Graham Burnett**, Associate Professor of History  
**Charles Cameron**, Professor of Politics and Public Affairs, Woodrow Wilson School  
**Margot Canaday**, Assistant Professor of History  
**Miguel A. Centeno**, Professor of Sociology and International Affairs, Woodrow Wilson School  
**John M. Cooper**, Stuart Professor of Philosophy; Chair, Program in Classical Philosophy  
**Stanley A. Corngold**, Professor of German and Comparative Literature  
**Wolfgang F. Danspeckgruber**, Director, Liechtenstein Institute on Self-Determination; Lecturer in Public and International Affairs, Woodrow Wilson School  
**John M. Darley**, Dorman T. Warren Professor of Psychology; Professor of Psychology and Public Affairs, Woodrow Wilson School  
**Christina Davis**, Assistant Professor of Politics and International Affairs, Woodrow Wilson School  
**Paul J. DiMaggio**, Professor of Sociology and Public Affairs, Woodrow Wilson School  
**Mickey Edwards**, Lecturer in Public and International Affairs, Woodrow Wilson School  
**Christopher L. Eisgruber**, Provost; Laurance S. Rockefeller Professor of Public Affairs in the Woodrow Wilson School and the University Center for Human Values  
**Edward W. Felten**, Professor of Computer Science and Public Affairs, Woodrow Wilson School; Director, Center of Information Technology Policy  
**Patricia Fernandez-Kelly**, Senior Lecturer in Sociology  
**Susan T. Fiske**, Professor of Psychology; Chair, Institutional Review Panel for Human Subjects

- Aaron L. Friedberg**, Professor of Politics and International Affairs, Woodrow Wilson School
- Paul Frymer**, Associate Professor of Politics
- Robert P. George**, McCormick Professor of Jurisprudence and Professor of Politics; Director, James Madison Program in American Ideals and Institutions
- Carol J. Greenhouse**, Professor of Anthropology; Chair, Department of Anthropology
- Emilie M. Hafner-Burton**, Assistant Professor of Politics and International Affairs, Woodrow Wilson School
- Elizabeth Harman**, Assistant Professor of Philosophy and the University Center for Human Values
- Hendrik A. Hartog**, Class of 1921 Bicentennial Professor in the History of American Law and Liberty; Professor of History; Director, Program in American Studies
- Daniel Heller-Roazen**, Professor of Comparative Literature
- Walter H. Hinderer**, Professor of German
- G. John Ikenberry**, Albert G. Milbank Professor of Politics and International Affairs, Woodrow Wilson School
- Harold James**, Professor of History and International Affairs, Woodrow Wilson School
- Beth Kiyoko “Kiki” Jamieson**, Director, Pace Center; Lecturer in Politics
- William Chester Jordan**, Dayton-Stockton Professor of History
- George Kateb**, William Nelson Cromwell Professor of Politics, Emeritus
- Stanley N. Katz**, Lecturer with the rank of Professor in Public and International Affairs, Woodrow Wilson School
- Nannerl O. Keohane**, Laurance S. Rockefeller Distinguished Visiting Professor of Public Affairs and the University Center for Human Values
- Robert O. Keohane**, Professor of Public and International Affairs, Woodrow Wilson School
- Kevin M. Kruse**, Associate Professor of History
- David Leheny**, Henry Wendt III '55 Professor of East Asian Studies.
- Amy Lerman**, Assistant Professor of Politics and Public Affairs, Woodrow Wilson School
- Jason M. Lyall**, Assistant Professor of Politics and International Affairs, Woodrow Wilson School
- Stephen J. Macedo**, Laurance S. Rockefeller Professor of Politics and the University Center for Human Values; Director, University Center for Human Values
- Douglas S. Massey**, Henry G. Bryant Professor of Sociology and Public Affairs, Woodrow Wilson School
- Tali Mendelberg**, Associate Professor of Politics
- Sophie Meunier**, Associate Research Scholar, Woodrow Wilson School
- Helen V. Milner**, B.C. Forbes Professor of Public Affairs; Professor of Politics and International Affairs, Woodrow Wilson School; Director, Center for Globalization and Governance; Chair, Department of Politics
- Andrew Moravcsik**, Professor of Politics and International Affairs, Woodrow Wilson School
- Jan-Werner Müller**, Associate Professor of Politics
- Walter F. Murphy**, McCormick Professor of Jurisprudence, Emeritus
- Katherine S. Newman**, Malcolm Stevenson Forbes, Class of 1941 Professor of Sociology and Public Affairs, Woodrow Wilson School

**Michael Oppenheimer**, Albert G. Milbank Professor of Geosciences and International Affairs, Woodrow Wilson School, Acting Director of the Program in Science, Technology and Environmental Policy, Woodrow Wilson School

**Serguei Alex Oushakine**, Assistant Professor, Department of Slavic Languages & Literatures

**Devah Pager**, Associate Professor of Sociology

**Alan W. Patten**, Associate Professor of Politics; Chair, Fund for Canadian Studies

**Philip N. Pettit**, Laurance S. Rockefeller University Professor of Politics and the University Center for Human Values; Director, Program in Political Philosophy

**Emily Pronin**, Assistant Professor of Psychology and Public Affairs, Woodrow Wilson School

**Bhavani Raman**, Associate Professor of History

**Gideon A. Rosen**, Professor of Philosophy; Director, Program in Humanistic Studies; Chair, Council of the Humanities; Director, Stewart Seminars in Religion

**Lawrence Rosen**, William Nelson Cromwell Professor of Anthropology

**Michael Rothschild**, William Stuart Tod Professor of Economics and Public Affairs, Woodrow Wilson School

**Jesse M. Rothstein**, Assistant Professor of Economics and Public Affairs, Woodrow Wilson School

**Kim Lane Scheppele**, Laurance S. Rockefeller Professor of Sociology and Public Affairs and the University Center for Human Values; Director of LAPA

**Eldar Shafir**, Professor of Psychology and Public Affairs, Woodrow Wilson School

**Tamsin K. Shaw**, Assistant Professor of Politics

**Lee M. Silver**, Professor of Molecular Biology and Public Affairs, Woodrow Wilson School

**Bradley Simpson**, Assistant Professor of History and International Affairs, Woodrow Wilson School

**Peter Singer**, Ira W. Decamp Professor of Bioethics in the University Center for Human Values

**Anne-Marie Slaughter**, Dean, Woodrow Wilson School; Bert G. Kerstetter '66 University Professor of Politics and International Affairs, Woodrow Wilson School

**Valerie Smith**, Woodrow Wilson Professor of Literature; Professor of English and African American Studies

**Diane Snyder**, Lecturer in Politics

**Paul E. Starr**, Stuart Professor of Communications and Public Affairs, Woodrow Wilson School; Professor of Sociology and Public Affairs

**Ezra N. Suleiman**, IBM Professor in International Studies; Professor of Politics

**Jessica Luce Trounstein**, Assistant Professor of Politics and Public Affairs, Woodrow Wilson School

**Lynn T. White**, Professor of Politics and International Affairs, Woodrow Wilson School

**Keith E. Whittington**, William Nelson Cromwell Professor of Politics

**Jennifer A. Widner**, Professor of Politics and International Affairs, Woodrow Wilson School; Director, Bobst Center for Peace and Justice

**David S. Wilcove**, Professor of Ecology and Evolutionary Biology and Public Affairs, Woodrow Wilson School; Director, Program in Environmental Studies

**Julian E. Zelizer**, Professor of History and Public Affairs, Woodrow Wilson School

**Viviana A. Zelizer**, The Lloyd Cotsen '50 Professor of Sociology

# LAPA EVENTS

*“Princeton is an inspiring university with a rich and distinctive tradition in the study of law. LAPA is now the most visible, vital and intellectually vibrant institutional expression of that tradition. LAPA’s interdisciplinary and holistic approach to the study of law is stimulating, rigorous, and challenging. It is also refreshing.”*

—Mark Brandon, Ph.D. '92, LAPA Fellow from Vanderbilt Law School

## LAPA SEMINARS

The LAPA Seminar provides a forum for lively and intense discussion of a work-in-progress by a distinguished legal scholar. In a departure from traditional seminar format, the work is presented by a knowledgeable colleague rather than the author. The author then responds to the commentator’s critique and questions, after which the discussion is opened to audience participation. Authors include LAPA Fellows and invited faculty from other universities. Seminar participants include Princeton faculty, graduate students, legal academics and practitioners in the community, and guests designated by the author. Following a reception for all participants, a smaller group of invited guests adjourns to dinner where discussion of the paper continues.

The 2008-2009 LAPA Seminars featured:

**Christopher Beauchamp**, Microsoft/LAPA Fellow

***Technology’s Trials: Patent Litigation During The Second Industrial Revolution***

Commentator: **Hendrik Hartog**, Class of 1921 Bicentennial Professor in the History of American Law and Liberty; Professor of History; Director, Program in American Studies, Princeton University

**Mark E. Brandon \*92**, LAPA Fellow and Professor of Law; Professor of Political Science; and Director, Program in Constitutional Law & Theory, Vanderbilt University Law School

***Constitutionalism and the Education of American-Indian Children: A Critique of Civic Education***

Commentator: **Stephen J. Macedo \*87**, Laurance S. Rockefeller Professor of Politics and the University Center for Human Values, and Director, University Center for Human Values, Princeton University



**Sujit Choudhry**, Scholl Chair of Law, University of Toronto; Global Visiting Professor of Law, New York University Law School

***Rethinking Comparative Constitutional Law***

Commentator: **Christina Murray**, LAPA Fellow and Professor of Human Rights and Constitutional Law, University of Cape Town

**Malcolm Feeley**, Crane/LAPA Fellow and Claire Sanders Clements Dean's Chair Professor of Law (Boalt Hall), University of California- Berkeley

***Where Have All the Women Gone? The Decline of Women in the Criminal Justice Process***

Commentator: **Lynn Chancer**, Visiting Professor of Women and Gender Studies, Princeton University; Professor of Sociology, City University of New York Graduate Center and Hunter College

**Risa Goluboff '03**, Cadell and Chapman Research Professor of Law and History, University of Virginia; Visiting Professor of Law, Columbia Law School

***People Out of Place: The Sixties, the Supreme Court, and Vagrancy Law***

Commentator: **Paul Frymer**, Associate Professor of Politics, Princeton University

**Christina Murray**, LAPA Fellow and Professor of Human Rights and Constitutional Law, University of Cape Town; Member of the Kenyan Constitutional Review Committee of Experts

***Constitution-Making in Kenya: Politicians, Elites, Experts, and the People***

Commentator: **Jennifer Widner**, Professor of Politics and International Affairs, Woodrow Wilson School; Director, Bobst Center for Peace and Justice

**Ingolf Pernice**, LAPA Fellow and Professor and Chair of Public Law, European Law and International Law, Humboldt University, Berlin

***Possible Meaning and Implications of Global Constitutionalism***

Commentator: **Karen Alter**, Associate Professor, Political Science, Northwestern University School of Law

**Eric D. Weitz**, Distinguished McKnight University Professor, University of Minnesota; Visiting Professor of History and Stanley Kelley, Jr., Visiting Professor for Distinguished Teaching, Princeton University 2008-2009

***From the Vienna to the Paris System: International Politics and Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions***

Commentator: **Peter Holquist**, Associate Professor of History, University of Pennsylvania; Member, School of Historical Studies, Institute for Advanced Studies, 2008-2009

**Noah Zatz**, LAPA Fellow and Acting Professor of Law, University of California- Los Angeles Law School

***Accounting for Care in the Age of Work***

Commentator: **Viviana Zelizer**, Lloyd Cotsen '50 Professor of Sociology, Princeton University

### **LAPA Seminars in Conjunction with the Department of Anthropology**

**Susan Bibler Coutin**, Professor of Criminology, Law and Society; Professor of Anthropology, University of California at Irvine

#### ***Re/Membering the Nation***

*Also sponsored by the University Center for Human Values and the Program in Latin American Studies*

**Liisa Malkki**, Professor of Anthropology, Stanford University

#### ***Baby Animals and Welfare Pigeons: On the Uses of the Nonhuman in the Cultivation of Humanitarian Sentiment***

*Also sponsored by the University Center for Human Values*

## **SPONSORED PROGRAMS**

### **CRIME AND PUNISHMENT WORKSHOP**

In the fall of 2008, LAPA supported the efforts of Professors **Devah Pager** and **Amy Lerman**, with the assistance of LAPA Fellow **Malcolm Feeley**, to convene a group of faculty and graduate students for a year-long workshop to discuss topics of crime and punishment. The Workshop met monthly over dinner with each discussion featuring a work in progress by a faculty member or graduate students. The workshop attracted participants from across campus, including sociology, politics, psychology, philosophy, and law. Presentations focused on topics such as: downsizing prisons; the psychology of punishment; the history of plea bargains; high profile crimes; the relationship between punishment and welfare; the decline of rehabilitation; and racial profiling in policing.

### **SOCIOLOGY OF LAW READING GROUP**

Convened in spring 2009 by LAPA Director Kim Lane Scheppelle, the sociology of law reading group brought together a dozen graduate students from departments across campus to read new and exciting scholarship in sociolegal studies. Graduate students came from the departments of Sociology, History, Near Eastern Studies, Politics, and Computer Science. The group was very international, with students hailing from France, Finland, India, Bahrain, Israel, Pakistan and the United States.

## PUBLIC EVENTS

In keeping with its commitment to the Princeton community to provide forums for the examination of contemporary issues that are the most challenging to maintaining the rule of law both in the U.S. and within the international community, LAPA devoted a significant part of its public programming to issues of national security and the challenge of terrorism. Similarly, LAPA's two named public lectures each featured a distinguished woman jurist who offered an enlightening view of her court's operation and the justices' struggle to protect individual liberties and democratic government in the current political environment.



University Provost Christopher Eisgruber with Justice Ruth Bader Ginsburg.

### The John Marshall Harlan '20 Lecture in Constitutional Adjudication

The honorable **RUTH BADER GINSBURG**, Associate Justice of the Supreme Court of the United States

#### *The Lighter Side of Life at the U.S. Supreme Court*

LAPA joined with the Princeton Public Lecture Series Walter E. Edge Lecture to welcome Justice Ginsburg to campus. In opening remarks followed by a wide-ranging discussion with Provost (and former LAPA Director) **CHRISTOPHER EISGRUBER**, Justice Ginsburg provided an informative picture of her court, the law, and the art of judging. Video of the event may be viewed at: [www.princeton.edu/WebMedia/flash/20081023\\_publect\\_ginsburg.html](http://www.princeton.edu/WebMedia/flash/20081023_publect_ginsburg.html).

**Past Harlan Lecturers:** Associate Justice **Sandra Day O'Connor**, Supreme Court of the United States; Judge **Dieter Grimm**, Federal Constitutional Court of Germany; Judge **Leonie M. Brinkema**, U.S. District Court, Eastern District of Virginia.

### The Fifth Annual Donald S. Bernstein '75 Lecture

The honorable **DORIT BEINISCH**, President of the Supreme Court of Israel

#### *Defending Human Rights in Times of Terror*

President Beinisch delivered a highly informative and sobering examination of the challenges facing the Israeli Supreme Court on national security questions in her address. Her lecture can be viewed at: [lapa.princeton.edu/2009\\_0416\\_beinisch.php](http://lapa.princeton.edu/2009_0416_beinisch.php).

**Past Bernstein Lecturers:** Judge **Richard Posner**, Seventh Circuit Court of Appeals; **Kenneth Roth**, Executive Director, Human Rights Watch; Professor **Robert Post**, Yale Law School; Professor **Cass R. Sunstein**, University of Chicago.



The Honorable Dorit Beinisch, President of the Israeli Supreme Court



**LECTURE: JANE MAYER**, staff writer, *The New Yorker*

*The Dark Side: The Inside Story of How the War on Terror Turned Into a War on American Ideals*

Event video is available at [www.princeton.edu/WebMedia/flash/special/20080924\\_scheppele.shtml](http://www.princeton.edu/WebMedia/flash/special/20080924_scheppele.shtml).

**LECTURE: BARTON GELLMAN '82**, *The Washington Post*

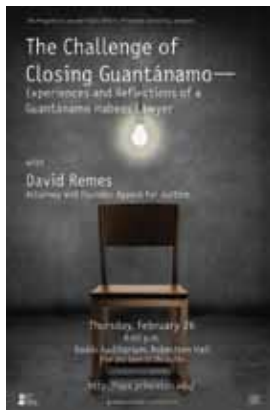
*Cheney Rules: What the Obama White House Can Learn from the 'Angler'*

Cosponsored with the Woodrow Wilson School of Public and International Affairs

Event video is available at [lapa.princeton.edu/multimedia\\_archive.php](http://lapa.princeton.edu/multimedia_archive.php)

**LECTURE: DAVID REMES**, Director, Appeal for Justice

*The Challenge of Closing Guantánamo: Experiences and Reflections of a Guantánamo Habeas Lawyer*



**LECTURE: JOHN B. BELLINGER III '82**, former Legal Advisor to Secretary of State Condoleezza Rice

*The International Law Challenges Facing the Obama Administration: From Closing Guantánamo to Engaging the International Criminal Court*



Barton Gellman '82

**PANEL DISCUSSION: Justice After Bush: Should Former Administration Officials be Prosecuted?**



**ISTVÁN DÉAK**, Emeritus, Columbia University; **CHARLES FRIED '56**, Harvard Law School, Solicitor General of the United States, 1985-1989; and Associate Justice of the Supreme Judicial Court of Massachusetts, 1995-1999; **SCOTT HORTON**, Contributing Editor, *Harper's Magazine*; and Distinguished Visiting Professor, Hofstra Law School; **MICHAEL RATNER**, Center for Constitutional Rights (CCR), the lead organization coordinating litigation on behalf of the Guantánamo detainees. Moderator: **DEBORAH PEARLSTEIN**, Associate Research Scholar, Woodrow Wilson School and LAPA Fellow Traveler.

Event video is available at: [www.princeton.edu/WebMedia/flash/lectures/20090310\\_lapa\\_justice\\_bush.shtml](http://www.princeton.edu/WebMedia/flash/lectures/20090310_lapa_justice_bush.shtml)

**PANEL DISCUSSION: *Presidential Elections and the Law of Democracy***, with **Mark Alexander**, Seton Hall Law School, and senior advisor to President-elect Barack Obama; **Samuel Issacharoff**, New York University School of Law; and **Richard H. Pildes**, New York University School of Law.

**PANEL DISCUSSION: The Art of Legal Blogging**, featuring bloggers **Lyle Denniston**, veteran Supreme Court journalist, of *SCOTUSblog*; law professor **Ilya Somin** of *The Volokh Conspiracy*, and former journalist and blog editor **Alex Wohl** of the *American Constitution Society for Law and Policy*.

## INVITATIONAL EVENTS

### FOURTH ANNUAL LAPA FACULTY RETREAT

LAPA continued to mark the beginning of the academic year by convening its faculty, fellows and graduate associates for a day-long discussion of their law-related work-in-progress. In five sessions over the course of a full day, new work of LAPA faculty associates was presented, with introductory comments on each given by a faculty colleague from a discipline other than the authors.. In addition to providing an opportunity for LAPA affiliates to hear about their colleagues' work, the retreat also provides a forum for introducing new Princeton faculty and academic visitors, including the new LAPA fellows, to the broader LAPA community.

This year's Retreat featured:

**Peter Brooks** (Comparative Literature and University Center for Human Values), *Narrative Transactions*. Commentator: **Carol Greenhouse** (Anthropology)

**Paul Frymer** (Politics), *The NAACP Confronts Racism in the Labor Movement: 1935-1964 from Black and Blue: African Americans, the Labor Movement and the Decline of the Democratic Party*. Commentator: **Julian Zelizer** (History and Woodrow Wilson School)

**Amy Lerman** (Politics and Woodrow Wilson School) *The People Prisons Make: Effects of Incarceration on Criminal Psychology*. Commentator: **Devah Pager** (Sociology)

**Kim Lane Scheppelle** (Woodrow Wilson School, University Center for Human Values, and Sociology), *The International State of Emergency*. Commentator: **David Leheny**, (East Asian Studies)

**Anne-Marie Slaughter** (Woodrow Wilson School and Politics), *Transgovernmental Networks and Multilateral Governance*. Commentator: **Stephen Macedo** (University Center for Human Values and Politics)

## FOURTH ANNUAL COMPARATIVE LAW WORKS-IN-PROGRESS WORKSHOP

In 2009 LAPA hosted the Annual Comparative Law Works-in-Progress Workshop, the only regular opportunity for comparative law scholars in the United States to meet and discuss their work in progress. Over the two-day period, scholars discussed and critiqued seven draft papers that were likely to make substantial contributions in the field. In addition to LAPA, sponsors included the American Society of Comparative Law, University of Michigan Law School, and University of Illinois College of Law.

Participants were: **Alexandra Huneeus**, University of Wisconsin Law School; **Leila Sadat**, Washington University School of Law; **David Fontana**, George Washington University School of Law; **Catherine Vlacke**, University of Toronto; **Vlad Perju**, Boston College Law School; **Liav Orgad**, Harvard/Tel Aviv Law Schools; **Richard Hyland**, Rutgers(Camden) School of Law. Participating commentators were: **William Burke-White**, University of Pennsylvania Law School; **Malcolm Feeley**, LAPA Fellow and UC Berkeley Law School; **Jackie Ross**, University of Illinois College of Law; **Mattias Kumm**, New York University Law School; **Susan Rose-Ackerman**, Yale Law School; **Mark Brandon**, LAPA Fellow and Vanderbilt Law School; **William Ewald**, University of Pennsylvania Law School; **Philip Pettit**, Princeton University; **George Bermann**, Columbia Law School; **Mathias Reimann**, University of Michigan Law School; **Stephen Macedo**, Princeton University; **Linda Bosniak**, Rutgers (Camden) School of Law; **Jim Whitman**, Yale Law School; **Jim Maxeiner**, University of Baltimore School of Law. The workshop schedule and paper topics are available at [lapa.princeton.edu/eventdetail.php?ID=241](http://lapa.princeton.edu/eventdetail.php?ID=241)

## THE SECOND ANNUAL PRINCETON “CON LAW SCHMOOZE”

Constitutional Law “Schmooze” has been bringing together major scholars in both law schools and political science departments for decades. The Second Annual *Princeton Schmooze* continued the tradition, bringing together more than 20 scholars in the fields of law, political theory, history, and political science, for an intense and illuminating day and a half discussion on a major new translation of Carl Schmitt’s *Constitutional Theory*.

## AMERICAN LAW INSTITUTE FACULTY LUNCHEON

Under LAPA’s sponsorship, Reporters for the American Law Institute’s “Restatement Third of the United States Law of International Commercial Arbitration” gathered for a working session at Princeton University. LAPA hosted a luncheon at which the Reporters, led by Professor **George Bermann**, Gellhorn Professor of Law & Jean Monnet Professor of European Union Law at Columbia University School of Law, discussed the peculiar challenges that their project entails.

## SPECIAL FACULTY DISCUSSION”

LAPA hosted faculty associates for a brunch and informal freewheeling discussion with Justice **Ruth Bader Ginsburg** on the morning following the Bernstein Lecture.

## DISTINGUISHED PRACTITIONER-IN-RESIDENCE



**THE HONORABLE JOHN B. BELLINGER III '82**, former Legal Adviser to Secretary of State Condoleezza Rice and Senior Associate Counsel to the President and Legal Adviser to the National Security Council at the White House

During the spring term, LAPA brought a most distinguished practitioner-in-residence to campus for an event-filled four-day visit. Drawing upon his long career in public service, and displaying an impressive intellectual capacity and enthusiasm for wide-ranging discussion on such topics as international law, national security, and government service, John Bellinger's activities reached hundreds of students, faculty, and members of the Princeton community.

His activities included:

- Public lecture: "Law Challenges for the Obama Administration: From Closing Guantánamo to Engaging the International Criminal Court"
- Guest lecturer in three classes
- Special seminar sessions including gatherings of Scholars in the Nation's Service, and students from a prior semester seminar on the International Criminal Court
- Career counseling conversations on government careers in international and national security law for students in the Woodrow Wilson School and for interested undergraduates
- Off-the-record dinner conversation on "Law and Diplomacy: An Insider's View of the National Security Council and the State Department During the Bush Administration" with M.P.P./M.P.A. candidates, as part of the "Law in the Public Service: Not Just for Lawyers" series
- Informal lunch discussion with LAPA Undergraduate Associates
- Participation in the LAPA Seminar and dinner discussion
- Lunch with LAPA Fellows and associated faculty
- Office hours for students and faculty, providing one-on-one conversations on topics relating to his experience and expertise.
- A National Security Council meeting simulation developed for graduate and undergraduate students interested in learning about the Council's operation. The subject was the appropriate United States response to a planned North Korean missile launch.



National Security Council simulation: Serving as Legal Advisor, John Bellinger advises students assuming roles as Council members advising the President

## CO-SPONSORED EVENTS

### Program Series

#### ETHICS OF READING: HUMANITIES AND PROFESSIONAL CULTURES SERIES - READING LAW READING

*Cosponsored with the University Center for Human Values and the Department of Comparative Literature*

Mellon Visiting Professor **Peter Brooks** offered this inaugural seminar in Spring 2009. Open to faculty and graduate students (the latter for credit), the seminar this year brought together scholars from LAPA and the University Center for Human Values, and students from the Departments of Politics, English, Comparative Literature, German, and Spanish & Portuguese. It studied Supreme Court opinions and other texts in order to understand how the practice of reading closely, critically, creatively and, ultimately, responsibly intersects with the rhetoric and cultures of law and legal professionalism.

Several sessions hosted distinguished visitors who participated in the discussion, including **Robert Post** (Sol & Lillian Goldman Professor of Law, and recently appointed Dean, Yale Law School); **Patricia J. Williams** (James L. Dohr Professor of Law, Columbia Law School); **Marianne Constable** (Professor of Rhetoric, UC Berkeley); **Julie Stone Peters** (Professor of English & Comparative Literature, Columbia University); **Robin West** (Frederick J. Haas Professor of Law & Philosophy, Georgetown Law Center); and **Kim Lane Scheppelle**, Director of LAPA. (For more information: [www.princeton.edu/~ereading/](http://www.princeton.edu/~ereading/))

#### HUMAN RIGHTS AND CRIMES AGAINST HUMANITY: A COLLOQUIUM SERIES

*Cosponsored with the Department of History, Shelby Cullom Davis Center for Historical Studies, and the University Center for Human Values*

Organized by **Eric D. Weitz**, Stanley Kelley Jr. Visiting Professor for Distinguished Teaching, History Department, this year-long series provided a forum for discussion and debate on the establishment of human rights standards and, at the same time, their persistent violation. The series focused on a broad understanding of human rights, encompassing democratic citizenship as well as concerns for social, economic, and environmental justice. Speakers presented a teaching workshop, a public lecture, and then led a faculty discussion over dinner. They included: **David Scheffer**, Northwestern University School of Law; **Balakrishnan Rajagopal**, Massachusetts Institute of Technology; **Geoffrey Robinson**, UCLA; **Norman Naimark**, Stanford University; **Aryeh Neier**, Open Society Institute; **Ronald Grigor Suny**, University of Michigan; Professor Emeritus, University of Chicago; **Jacqueline Bhabha**, Harvard Law School; Harvard University Committee on Human Rights Studies; Kennedy School of Government; **Andrew James Nathan**, Columbia University. (For more information: [www.princeton.edu/cch/events/seminar-series/human-rights/](http://www.princeton.edu/cch/events/seminar-series/human-rights/))

#### REPARATIONS: THE FUTURE OF THE DEBATE

*Cosponsored with the University Center for Human Values and the Center for African American Studies*

This year's *Laurance S. Rockefeller Visiting Associate Professor for Distinguished Teaching of University Center for Human Values*, **Lawrie Balfour** organized a discussion series to examine the subject of reparations for slavery, a subject that has sparked intense discussion around the United States. An associate professor of politics at the University of Virginia, Balfour brought to campus scholars to lead each session. They included: **Alfred Brophy**, University of North Carolina Law School, speaking on "The Future of the Reparations Movement?" **Melissa Nobles**, Political Science, Massachusetts Institute of Technology, speaking on "Apologies vs. Reparations: A False Trade-Off?" and **Adrienne Davis**, Washington University Law School, speaking on "The Law and Philosophy of Reparations."



## Conferences

Additional information about each event may be found at [lapa.princeton.edu/eventsarchive.php](http://lapa.princeton.edu/eventsarchive.php)



### RACE AND REAL ESTATE

*Cosponsored with the Center for African American Studies*

LAPA and the Center for African-American Studies (CAAS) cosponsored a major conference on Race and Real Estate. Bringing specialists from the disciplines of law, sociology, urban planning and architecture to campus, the conference addressed a wide range of interlocking issues ranging from discrimination to design. The conference built on the idea that the American dream has long been associated with owning one's own home, although the history of home ownership in the U.S. has been marked by racial prejudice. The program included a screening of the documentary "Home" about the struggle of a Newark, N.J., family to own a home followed by a discussion with the film's director, **Jeffrey Togman**, associate professor of political science at Seton Hall University, **Regina Austin**, the William A. Schnader Professor of Law at the University of Pennsylvania Law School, and the two women featured in the film **Mary Abernathy** and **Sheree Farmer**.

Other participants on panels that examined "Homes," "Neighborhoods," "Public Space," the keynote lecture "House Proud," "Money," and closed with a roundtable discussion about the future of urban housing issues, included: **Lawrie Balfour**, Princeton University 2008-2009, and University of Virginia; **Craig Barton**, University of Virginia School of Architecture; **Debbie Becher**, Princeton University; **Jeannine Bell**, Indiana University School of Law; **Nisha Botchwey**, University of Virginia School of Architecture; **Carlton Brown '73**, Full Spectrum of New York; **Mitchell Duneier**, Princeton University; **Patricia Fernandez-Kelly**, Princeton University; **Paul Frymer**, Princeton University; **Rachel D. Godsil**, Seton Hall University School of Law; **K. Ian Grandison**, University of Virginia; **George Hawkins '83**, District Department of the Environment and Green Building Advisory Council; **Martin Johnson '81**, ISLES; **Monique King-Viehland**, Capital City Redevelopment Corporation; **Kevin Kruse**, Princeton University; **Karyn Lacy**, University of Michigan; **Douglas S. Massey**, Princeton University; **Georgette Chapman Phillips**, University of Pennsylvania; **Wendell Pritchett**, University of Pennsylvania School of Law, Philadelphia Housing Development Corporation, and Redevelopment Authority of Philadelphia; **Joe Ritchie**, Brick City Development Corporation; **Carol Rose**, Yale Law School; **Kim Lane Scheppele**, Princeton University; Valerie Smith, Princeton University; **Edward E. Telles**, Princeton University; **William Daryl Williams**, University of Virginia School of Architecture; and **Patricia Williams**, Columbia Law School and columnist for *The Nation*.

### BEYOND ELECTIONS: THE DEMOCRATIC LEGITIMACY OF NEW FORMS OF REPRESENTATION

*Cosponsored with the University Center for Human Values*

This workshop examined the question of whether non-electoral representation is consistent with democracy. Presenters and discussants included: **Jean Cohen**, Columbia University; **Archon Fung**, Harvard University; **Margaret Keck** Margaret Keck, Johns Hopkins University; **Benedict Kingbury**, New York University; **Stephen Macedo**, Princeton University; **Jane Mansbridge**, Harvard University; **Laura Montanaro**, University of British Columbia; **Evan Oxman**, Princeton University; **Philip Pettit**, Princeton University; **Jennifer Rubenstein**, University of Virginia; **Michael Saward**, Open University; **Melissa Schwartzberg**, Columbia University; **Anna Stiliz**, Princeton University; **Nadia Urbinati**, Columbia University; **Mark Warren**, University of British Columbia; and **Alex Zakaras**, University of Vermont.

## MASS MURDER AND THE MANAGEMENT OF MEMORY: EUROPE AND EAST ASIA AFTER WORLD WAR II

*Cosponsored with the History Department, the Shelby Cullom Davis Center for Historical Studies, and the Center for Collaborative Studies*

Examining the intersection of history and memory, this conference examined the accountability for WWII atrocities in a variety of jurisdictions ranging from Eastern Europe to Japan and China. Presenters and discussants included: **Timothy Brook**, Oxford University; **Jane Caplan**, Oxford University; **Holly Case**, Cornell University; **István Déak**, Columbia University; **Ben Frommer**, Northwestern University; **Sheldon Garon**, Princeton University; **Jan Gross**, Princeton University; **Robert Moeller**, University of California at Irvine; **Philip Nord**, Princeton University; **Marci Shore**, Yale University; **Tim Snyder**, Yale University; **Nick Stargardt**, Oxford University; **Yuma Totani**, University of Hawai'i at Mānoa; **Kerstin Von Lingen**, University of Tübingen; **Daqing Yang**, George Washington University.

## PRISON-BASED HIGHER EDUCATION WORKSHOP

*Cosponsored with the Pace Center*

This one-day workshop addressed the current and future state of prison-based higher education programs across the United States. Program directors, educators, funders, and state criminal justice practitioners gathered to discuss how programs can thrive through changing policy regimes and times of scarce resources, as well as challenges faced in continuing and expanding current programs. Presenters and discussants included: **Aileen Baumgartner**, Bedford Hills College Program; **Michael Jacobson**, Vera Institute of Justice; **Kiki Jamieson**, Class of 1951 Director, Pace Center; **Mary Katzenstein**, Cornell at Auburn; **Max Kenner**, Bard Prison Initiative; **Jill Knap**, Princeton Project Inside; **Amy Lerman**, Princeton University; **Jody Lewen**, Prison University Project; **Cathy Morgan**, Edna Mahan Correctional Facility for Women; **Lori Pompa**, Inside-Out Prison Exchange Program, Temple University; **James Schechtner**, Cornell at Auburn; **Renee Walker**, Project Inside, Mercer County Community College; **Pete Wetherbee**, Cornell at Auburn.

## Panel Discussions

### Caring Labor In International Perspective

**Florence Weber**, École Normale Supérieure, Paris; **Noah Zatz**, University of California at Los Angeles Law School and LAPA Fellow; *Discussant:* **Hendrik Hartog**, Class of 1921 Bicentennial Professor in the History of American Law and Liberty and the Director of the Program in American Studies; *Moderator:* **Viviana Zelizer**, Lloyd Cotsen '50 Professor of Sociology.

*Cosponsored with the Program in American Studies; the Princeton Institute for International and Regional Studies; the Center for Research on Child Wellbeing; the Department of Sociology; and the Program in the Study of Women and Gender*

### Cyril Black International Book Forum: *Terror and Consent* by Philip Bobbitt

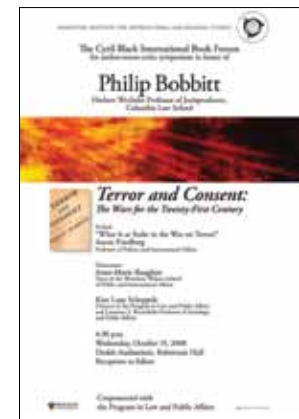
**Philip Bobbitt**, Columbia Law School; *opening remarks by* **Aaron Friedberg**; **Anne-Marie Slaughter** and **Kim Lane Scheppele**, *discussants*

*Cosponsored with the Princeton Institute for International and Regional Studies*

### A Conversation with Joaquim Barbosa Gomes, Brazilian Supreme Court

**Edward Telles**, Princeton University and **João Biehl**, Princeton University

*Cosponsored with the Program in Latin American Studies*



## Seminars and Invitational Events

**Workshop in American Studies: “The Life and Times of Florence Kelley, Factory Inspector in Chicago, 1890-1899: 55,000 Documents and the Challenges of the Digital Age”**

**Leigh Bienen**, Northwestern University School of Law and Director, Chicago Historical Homicide Project

*Cosponsored with the Program in American Studies, and the Program in Women and Gender Studies*

**Making Money: The Measure Of The Market Reconsidered**

**Christine Desan**, Harvard Law School

*Cosponsored with the Program in American Studies*

**Workshop in American Studies: “Citizenship and Membership at Odds? Legal Histories of One-and-a-Half Generation Salvadoran Migrants”**

**Susan Bibler Coutin**, University of California-Irvine and Director, UCI Center in Law, Society and Culture

*Cosponsored with the Program in American Studies*

**The Industrial Organization of the Japanese Bar: Levels and Determinants of Attorney Income**

**J. Mark Ramseyer**, Harvard Law School

*Cosponsored with East Asian Studies*

**Modern America Workshop: Brown v. Board of Education and the Warren Court**

**Morton Horwitz**, Harvard Law School

*Cosponsored with the History Department*

**The New Terrain of International Law: International Courts in International Politics**

**Karen Alter**, Northwestern University School of Law

*Cosponsored with the Niehaus Center for Globalization and Governance, and the European Union Program*

**Dinner discussion with**

**Patty Gerstenblith**, DePaul College of Law

*Cosponsored with the University Center for Human Values*

## Public Lectures

**Constitution Day Lecture - Thomas Jefferson and the Rights of Citizens**

**Barbara Oberg**, Princeton University

*Cosponsored with the Program in American Studies, and the James Madison Program in American Ideals and Institutions*

**What Should the FCC Do About Net Neutrality?**

**Phil Weiser**, University of Colorado

*Cosponsored with the Center for Information Technology Policy*

**The Transformation of the Internet**

**Christopher Yoo**, University of Pennsylvania Law School

*Cosponsored with the Center for Information Technology Policy*

**The Religious Exemptions Debate**

**Douglas Laycock**, University of Michigan Law School

*Cosponsored with the James Madison Program in American Ideals and Institution*

**Political Philosophy Colloquium : The Moral Semantics of Legal Discourse**

**Jules Coleman**, Yale Law School

*Cosponsored with the Program in Political Philosophy, the University Center for Human Values, and the Department of Politics*

**James A. Moffett '29 Public Lecture in Ethics: “Same Sex Marriage: Beyond the Politics of Disgust”**

**Martha Nussbaum**, University of Chicago

*Cosponsored with the University Center for Human Values*

**Tyranny of Choice: Subjectivity in Post-Industrial Capitalism**

**Renata Salecl**, Institute of Criminology, Faculty of Law, Ljubljana, Slovenia

*Cosponsored with the Departments of French and Italian, English, Slavic Languages and Literatures*

**Cheney Rules: What the Obama White House Can Learn from the ‘Angler’**

**Bart Gellman '82**, The Washington Post; Lecturer at the Council of the Humanities and Ferris Professor of Journalism, Princeton University

*Cosponsored with the Woodrow Wilson School of Public and International Affairs*

# LAPA STUDENT PROGRAMS

*“Interactions between LAPA participants and regular faculty throughout the University, and with groups of graduate and undergraduate students in different disciplines, are frequent and rich. In some ways, LAPA might be seen as a model for the future of higher education, reaching out across disciplines to tackle important issues for the law and the larger society in a rigorous but collegial way.”*

*—George L. Bustin '70, LAPA Fellow Traveler and Visiting Lecturer, Woodrow Wilson School*

## GRADUATE PROGRAMS

LAPA continued to expand its programming for Princeton graduate students by offering opportunities for all students with a shared interest in law to explore issues of mutual concern and by continuing its two highly successful series: The LEGS Seminars designed primarily for PhD students and the “Law in the Public Service” discussions primarily for public policy students. Graduate students were encouraged to attend the LAPA Seminars and public lectures and were often invited to participate in conferences sponsored or co-sponsored by LAPA. LAPA again contributed to the recruitment of law-oriented graduate students into PhD programs around campus by holding a brunch and arranging meetings for admitted students with LAPA faculty and fellows during their campus visit. The increasing enrollment of graduate students with law-related interests testifies to the effectiveness of LAPA’s message that Princeton has an interdisciplinary community of law scholars that can prepare students for academic or policy careers in law-related subjects.

Among the 2008-2009 Programs for all graduate students were:

- **Welcome Dinner** to discuss the role of LAPA and explore law-related research and study-related interests of Ph.D. and policy students;
- **Brunch and private discussion** with **The Honorable Dorit Beinisch, President of the Supreme Court of Israel**;
- **National Security Council seminar and simulation** with Distinguished Practitioner in Residence **John B. Bellinger III '82** who had served as Senior Associate Counsel to the President and Legal Adviser to the National Security Council (undergraduates also participated).

## Graduate Student Travel Grant Program

LAPA established a grant program to assist in funding unreimbursed travel expenses of graduate students who had law-related papers selected for delivery at academic conferences. In 2008-2009, LAPA awarded 14 grants, enabling students to attend a diverse range of conferences, including: the Law and Society Annual Meeting; the Annual Conference on Southeast Asia; the American Society for Legal History Annual Conference; the Latin American and Caribbean Law and Economic Association Annual Meeting; the Inaugural Conference of Law and Society Research Network (India); the Southern Forum on Agricultural, Rural and Environmental History; and the Middle East Studies Association Annual Meeting.

## LAW-ENGAGED GRADUATE STUDENTS (LEGS)

**L**EGS brings together graduate students who are conducting research, studying or interested in law-related issues. Several of Princeton's Ph.D. students come to the university with, or in the process of earning, a law degree, and are preparing for the law school teaching market. Other Ph.D. students are interested in integrating legal inquiry into their chosen field of study. LAPA organizes seminars to give students a place to present their work, to connect with students in other departments who share their interests, and to meet law-related faculty from across the campus. LAPA also provides opportunities for students to learn the norms of legal writing and publishing, and to seek career advice.

In 2008-2009, LEGS bi-weekly seminars featured the following presentations:

**Arudra Burra**, JD, Philosophy Ph.D. candidate

**Parliament and the Courts in Independent India: The Constitution (First Amendment) Act of 1951**

**Kellam Conover**, Classics Ph.D. candidate, UCHV Graduate Prize Fellow

**Anti-Bribery Legislation in Practice: How Legal Inefficiency Strengthened the Athenian Democracy**

**Rohit De**, History Ph.D. candidate

**Emasculating the Executive? The Federal Court and Civil Liberties in Late Colonial India**

**Daniel Mark**, Politics Ph.D. Candidate

**Perjury and the Power of the Court in Jewish Law**

**Santiago Montt**, Woodrow Wilson School SJD, M.P.P. candidate

**The Latin American Position on State Responsibility: Looking into the Past for Lessons on the Future**



Members of LEGS participate in a Monday seminar session.

## LEGS Bi-Weekly Seminars (continued)

**Intisar Rabb**, Near East Studies JD, Ph.D. candidate  
**Legal Maxims in Islamic Law**

**Michael Sullivan**, Politics Ph.D. candidate  
**Unauthorized Immigrants and the Rule of Law**

**Philip Wallach**, Politics Ph.D. candidate  
**Politics, Policy Erosion and Policy Maintenance: The Case of the Glass-Steagall Act**

**Nurfadzilah Yahaya**, History Ph.D. candidate  
**Arabs Under English Law in the British Straits Settlement of Singapore, 1880-1941**

## Special LEGS Seminars

**Professors Kim Lane Scheppele and Paul Frymer**  
**Thinking Outside the Box after Graduate School**

**Professor Kim Lane Scheppele**  
**Workshop on Legal Dissertations**

## Special Programs



Professor  
Walter Murphy

Professors **Walter Murphy** (McCormick Professor of Jurisprudence Emeritus), **Sanford Levinson** (University of Texas), **Mark Brandon \*92** (Vanderbilt Law School), **Paul Frymer** (Princeton Politics Department)

**Luncheon and discussion, "Studying Public Law at Princeton"**

**Susan Bibler Coutin**, Criminology, Law and Society Program, Department of Anthropology, University of California at Irvine  
Graduate students brown bag lunch

## M.P.P./M.P.A. PROGRAM: LAW IN THE PUBLIC SERVICE— NOT JUST FOR LAWYERS

A grant from the Woodrow Wilson School, enabled LAPA to expand the second year of this program that provides opportunities for candidates for Masters in Public Policy and Public Affairs to engage in off-the-record discussions with policy practitioners to examine legal issues and the role of law in developing and implementing public policy. The dinner discussions allowed for wide ranging discussion about the substance of a particular issue as well as questions of ethics, politics and how lawyers and non-lawyers work together to enhance their search for solutions to pressing problems. This year's guests and the topics of conversation included:

**Richard Briffault**, Professor, Columbia Law School

**“Dollars and Democracy: The Unraveling of Our Campaign Finance System.”**

**The Honorable Mickey Edwards**, former United States Congressman; political commentator; Woodrow Wilson School

**“American Government in the 21st Century -- Does the Constitution Matter Any More?”**

**Major John C. Dehn**, United States Military Academy at West Point

**“Rediscovering the Law of War through the Rule of Law.”**

**David Remes**, Founding Director, Appeal for Justice

**“The Transformative Influence of Representing Guantánamo Prisoners: How a Corporate Lawyer Became a Human Rights Lawyer.”**

**Jonathan Fredman '79**, Assistant Deputy Director of National Intelligence for Special Programs

**“Protecting the National Security While Preserving the Constitution: An Insider View and Off-the-Record Discussion by a CIA Legal Adviser of the Responsibilities of Government Lawyers to Policy Makers.”**

**John B. Bellinger III '82**, former Legal Adviser to Secretary of State Condoleezza Rice, and former Legal Adviser to the National Security Council

**“Law and Diplomacy: An Insider’s View of the National Security Council and the State Department During the Bush Administration.”**

**Bart Gellman '82**, Washington Post reporter; and **Dafna Linzer**, ProPublica investigative reporter, former national security reporter for the Washington Post

**“Law and Ethics in National Security Policy and Practice.”**

**Christina Murray**, LAPA Fellow; Professor of Human Rights and Constitutional Law, University of Cape Town; Member of the Kenyan Constitutional Review Committee of Experts

**“Creating Constitutions.”**

The dinners, which were hosted by LAPA Associate Director Leslie Gerwin, generally included at least one faculty member or LAPA fellow in the discussions. Among those joining the students at the dinner table were Professors Diane Snyder, Paul Sigmund, Mark Brandon, Ingolf Pernice, Kim Lane Scheppele, and the Hon. Jim Leach.

## LAPA UNDERGRADUATE ASSOCIATES

LAPA offered members of its Undergraduates Associates group numerous private opportunities to examine issues of law and policy through programming, discussions with noted scholars and practitioners, and several unique activities. Led by Chair **Elizabeth Ingriselli '11** and Vice Chairs **Kelly Lack '10** and **Will Beutenmuller '10**, the Associates had more than 60 members from all undergraduate classes with many different concentrations. In addition to working with LAPA staff to plan two public programs followed by private dinners for students and panelists, the Undergraduate Associates launched a blog entitled "The Gavel," ([blogs.princeton.edu/lapa/undergrads/](http://blogs.princeton.edu/lapa/undergrads/)) and made substantial progress towards developing their own governance process and policies.



Undergraduate Associates at the year-end party.

## Undergraduate Associate Public Programs

**Presidential Elections and the Law of Democracy**, a panel discussion with **Mark Alexander**, Seton Hall Law School, and senior advisor to President-elect Barack Obama; **Samuel Issacharoff**, New York University School of Law; and **Richard H. Pildes**, New York University School of Law.

**The Art of Legal Blogging**, featuring bloggers **Lyle Denniston**, veteran Supreme Court journalist, of *SCOTUSblog*; law professor **Ilya Somin** of *The Volokh Conspiracy*, and former journalist and blog editor **Alex Wohl** of the *American Constitution Society for Law and Policy*.



Justice Ruth Bader Ginsburg at the undergraduate reception.

## Special Undergraduate Associate-Only Receptions

with

- **Justice Ruth Bader Ginsburg**, United States Supreme Court
- **President Dorit Beinisch**, Supreme Court of Israel



Bloggers and Undergraduate Associate Leaders. From left to right: Ilya Somin; Will Beutenmuller '10; Lyle Denniston; Elizabeth Ingriselli '11; Alex Wohl; Kelly Lack '10.



## Conversations with Lawyers and Law Professors

- Lunch with prominent **Constitutional Law Professors** prior to the commencement of the Constitutional Law Schmooze offered students the opportunity to engage in informal discussion with some of the nation's leading legal scholars.
- Lunch with human rights attorney **David Remes**.
- A lunch and public service career conversation with **John B. Bellinger III '82**, former Legal Adviser to Secretary of State Condoleezza Rice, and former Legal Adviser to the National Security Council.

## Gatherings with LAPA Fellows

LAPA sponsored two events for Undergraduate Associates to meet and converse with the Fellows. In addition to the **academic year opening dinner** to discuss Fellows' and students' research and study interests, and the **end-of-the-year ice cream social**, an informal gathering, students were welcome to consult with Fellows throughout the school year.

## Student Event

**National Security Council Simulation led by Distinguished Practitioner in Residence John B. Bellinger III '82** included Undergraduate Associates as well as graduate students.



Fellow Ingolf Pernice (third from left) at the opening dinner for the LAPA Fellows and Undergraduate Associates.

## THE ARTHUR J. LIMAN FELLOWS IN PUBLIC INTEREST LAW

Created by the Liman Family Foundation in honor of Arthur Liman's long and distinguished career in public interest law, and established at Princeton through the generosity of Emily Liman '85, this fellowship program enables Princeton students to spend an eight-to-ten week summer internship serving the needs of people and causes which might otherwise go unrepresented. Through a competitive application process, LAPA selected five Princeton undergraduates and two graduate students based upon their demonstrated commitment to public service, for the summer 2009 fellowship. They began their program by attending the 12th Annual Liman Public Interest Program Colloquium at Yale Law School, where they joined with advocates, scholars, attorneys, and other undergraduate fellows from Barnard, Brown, Harvard, Spelman, and Yale. For more information on the program and its history at Princeton, please see: [lapa.princeton.edu/liman\\_previousfellows.php](http://lapa.princeton.edu/liman_previousfellows.php)

The 2009 Arthur Liman Fellows and their placements were:

**VENEKA CHAGWEDERA** '09, WWS; The Rockefeller Foundation (New York)

**DAVID CHRISTIE** , '10, WWS; New York County Defender Services

**KELLY LACK** '10 WWS; Danish Institute of Human Rights (Copenhagen)

**MARIAN MESSING** '11 WWS; Human Rights Watch – Terrorism & Counterterrorism Program (New York)

**VENESSA RODRIGUEZ** '09 History and Latin American Studies; Rio Grande Legal Aid (San Antonio)

**SARAH ISLAM** 2nd Year Masters candidate, Near East Studies; Karamah, Muslim Women Lawyers for Human Rights (Washington, DC)

**KAREN LEVY** J.D., 1st Year Ph.D. candidate, Sociology; Project for Public Spaces (New York)



Princetonians at the Yale Law School Liman Colloquium (left to right): Venessa Rodriguez '09; Karen Levy (Ph.D. candidate); LAPA Liman Advisor Leslie Gerwin; Kelly Lack '10; David Christie '10; Marian Messing '11; Sarah Islam (Master's candidate); Veneka Chagwedera '09.

## THE J. WELLES HENDERSON PRIZE, CLASS OF 1943, SENIOR THESIS PRIZE

Endowed by Judge Arlin M. Adams to honor his friend, J. Welles Henderson, on his 85th birthday, this prize carries a cash award for the best senior thesis on a law-related subject.

LAPA awarded the 2009 Prize to **ANDREW PAUL DIXON**, Department of Comparative Literature for his thesis, "*Laws Before the Law, Laws Behind the Laws: Reflections on, Refractions of, Images of Law and Authority in Kafka.*"

Honorable mentions were awarded to: **LUCY ADELIN GUARNERA**, Department of Psychology for her thesis, "*Making the Crime Fit the Punishment: The Interplay of Punishment, Moral Outrage, and Legitimacy in the Context of Strict Liability Laws*" and to **JESSICA LAUREN FREY**, Department of Art and Archaeology, for her thesis, "*Internationalism along the Nile: Egyptian Policy and Foreign Archaeology.*"

# A BRIEF HISTORY OF LAPA

LAPA began in 1999 when Woodrow Wilson School (WWS) Dean Michael Rothschild and University Center for Human Values (UCHV) Director Amy Gutmann created an academic legal center on the Princeton campus, which would serve several functions: providing an “intellectual home” to Princeton students who were pursuing a Juris Doctor (JD) degree at a law school while jointly studying for a Masters in Public Affairs (M.P.A.) degree at Princeton; adding law and public policy courses to the WWS curriculum; and convening scholars and students across many campus disciplines collaboration, discussion and programs about the law.



Stephen Macedo



Christopher Eisgruber



Stanley N. Katz



Kim Lane Scheppelle

In its short history, LAPA has had several distinguished directors. LAPA’s first director, Stephen Macedo, initiated the Fellows program, with the first “class” arriving in the 2000-2001 academic year. He also inaugurated the LAPA Seminar – still the heart of LAPA’s regular programming. Director Macedo also immediately raised LAPA’s profile by initiating a project resulting in the publication of the Princeton Principles on Universal Jurisdiction. Macedo went on to become Director of UCHV.

In spring 2001, LAPA recruited law professor Christopher Eisgruber from New York University Law School as LAPA director. As Eisgruber welcomed the second class of LAPA fellows, he launched a major publicity campaign to bring LAPA and its activities to the attention of national and international academic audiences. Eisgruber also increased LAPA’s presence in the WWS curriculum, initiated a continuing legal education conference for alumni preceding the annual spring reunions, and expanded LAPA’s programming with the addition of the John Marshall Harlan ’20 Lecture in Constitutional Adjudication. LAPA’s enhanced visibility significantly increased the number of applicants for LAPA fellowships, while several donors endowed parts of the LAPA program. Three years after his arrival, Eisgruber was named the University’s Provost, and a second search for a new director was launched. During the 2004-2005 interim year, Professor Stanley N. Katz served as acting director. Katz continued LAPA’s active program, and at year’s end, LAPA received a gift from the Microsoft Foundation to fund a fellowship in the study of law, property and economic organization.

The search for a new director concluded with the hiring in 2005 of Professor Kim Lane Scheppelle, the John J. O’Brien Professor of Comparative Law and Sociology at the University of Pennsylvania. While maintaining existing LAPA programs, Scheppelle introduced new elements in LAPA’s portfolio of projects, including the day-long faculty retreat to showcase faculty research projects and to provide a forum for extended discussion and collegial interaction. She also reached out to involve more Princeton faculty in LAPA, nearly tripling the number of faculty associates during her first year. Working with graduate students, Scheppelle launched the Law-Engaged Graduate Students (LEGS) to provide an interdisciplinary space for reading, meeting, and discussing each other’s work. She also oversaw the development and launch of LAPA’s new website. At the end of the 2006-2007 academic year, Scheppelle oversaw LAPA’s expansion into a university-wide program that receives support from WWS, UCHV and the University general fund. As a consequence, LAPA was able to increase its public programming, to implement new initiatives, and to enhance further its visibility both at Princeton and in the international legal-academic community. The expansion of the program to a university-wide scale enables LAPA to become a resource for all students at Princeton.

LAPA has built a highly visible profile as a unique academic center for research, discussion, and educational programming centered on issues of law and public affairs, both contemporary and historical, domestic and international. Upon this foundation, LAPA is poised to create an even more exciting agenda in the future, which will serve the interests of Princeton students at all levels, University faculty, and the larger audience of citizens and policy makers who seek to identify solutions to today’s complex problems and to understand how law affects us all.

## “LAPAn” PUBLICATIONS 2008-09

Christopher Beauchamp, *Who Invented the Telephone? Lawyers, Patents, and the Judgments of History* J. TECHNOLOGY & CULTURE (forthcoming).

Christopher Beauchamp, *The Telephone Patents: Intellectual Property, Business, and the Law in the United States and Britain, 1876-1900*. 9 ENTERPRISE & SOCIETY 591 (2008).

Mark Brandon, *A Preamble*, entry for ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES, David Tanenhaus ed. (Macmillan, 2009)

Mark Brandon, *The Rankings Games* (with James W. Ely, Jr.) 62 VANDERBILT L. REV 311 (2009)

Mark Brandon, *War and Constitutional Change*, in LIMITS OF CONSTITUTIONAL DEMOCRACY, Stephen Macedo and Jeffrey Tulis eds. (Princeton University Press, forthcoming)

George Bustin, *Proposed Regulation on a Statute for a European Private Company* (with Peter Werdmuller) EUROPEAN LAW DEVELOPMENTS, THE INTERNATIONAL LAWYER (ABA, Summer 2009 forthcoming)

Malcolm M. Feeley, *Working on the Process in the Punishment*, in CONDUCTING LAW AND SOCIETY, Simon Halliday and Patrick Schmidt, eds., (Cambridge: Cambridge University Press, 2009).

Malcolm M. Feeley, *Three Hypotheses about Crime in Japan*, in THE CRIME WAVE IN JAPAN, Koichi Hamai and Thomas Ellis, eds., (Ryokku University Press, 2009) (in Japanese; scheduled for English language book publication in 2010).

Malcolm M. Feeley, *Judges as Executives: How Judges Manage Structural Reform Litigation in the United States* (paper translated into Spanish and published in Argentina, in *Delito y Sociedad: Revista de Ciencias Sociales* (2009)

Malcolm M. Feeley, *Review of Keith Whittington, et al*, Handbook of Law and Politics, in ELECTRONIC BOOK REVIEW (November 2008).

David Hollander, *New Jersey Practice Materials*, in STATE PRACTICE MATERIALS: ANNOTATED BIBLIOGRAPHIES (Frank G. Houdek & Adeen Postar, eds., 2008)

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