PROGRAM IN
LAW
AND
PUBLIC
AFFAIRS
Annual Report 2011-2012
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.
# TABLE OF CONTENTS

**DIRECTOR’S INTRODUCTION** .......................................................................................................................................................................4

**THE PEOPLE AT LAPA** ........................................................................................................................................................................6

**LAPA FELLOWS PROGRAM** ....................................................................................................................................................................8

- LAPA Fellows 2011 2012
- Fellow Travelers
- Fellows Lunches
- Incoming LAPA Fellows 2012 2013

**PRINCETON FACULTY AT LAPA** ................................................................................................................................................................. 13

- LAPA Executive Committee
- LAPA Faculty Associates and Professional Associates

**LAPA EVENTS** ....................................................................................................................................................................................................... 16

- LAPA Seminars
- Invitational Events
- Public Events
  - Harlan Lecture
  - Presentations and Panel Discussions
  - Conference
  - Lectures, Talks, and Workshops
- Cosponsored Events
  - Public Lectures
  - Conferences and Symposia
  - Panels, Seminars, and Workshops

**LAPA STUDENT PROGRAMS** ................................................................................................................................................................... 28

- Graduate Programs
  - Law Engaged Graduate Students (LEGS)
  - Law in the Public Service Not Just for Lawyers
  - Special Events
- LAPA Undergraduate Associates
  - Special Events
  - Arthur J. Liman Fellows in Public Interest Law
  - J. Welles Henderson Class of 1943 Senior Thesis Prize

**A BRIEF HISTORY OF LAPA** ...................................................................................................................................................................... 33

**LAPA PUBLICATIONS 2011-2012** .................................................................................................................................................................... 34

**MORE INFORMATION** ............................................................................................................................................................................. 37
The 2011-2012 year at LAPA was a year to remember in many ways. LAPA hosted a remarkable number of distinguished guests for both public lectures and private conversations as well as a memorable and inspiring set of fellows. You’ll read more about them all in the pages of this annual report. Our fellows and speakers joined a set of faculty and students – and of course our remarkable LAPA staff – who form the core of the LAPA community. In my director’s report this year, I want to highlight what our faculty and students have done this year.

A number of our faculty associates generated important publications this year that traced the emergence (or not) of a social state in the United States. Long-time LAPA Executive Committee member Dirk Hartog’s magnum opus, Someday All This Will be Yours: A History of Inheritance and Old Age (Harvard UP, 2012) showed how older people had to bargain for care in the days before social security and how the law of inheritance struggled to make sense of their efforts. Faculty Associate Paul Starr’s book, Remedy and Reaction: The Peculiar American Struggle over Health Care Reform (Yale UP, 2011) traced the history of the drive for universal health care, teeing up the arguments for the Affordable Care Act (ACA). And a LAPA Executive Committee member, Anne-Marie Slaughter, had a blockbuster cover story in the Atlantic magazine this summer, “Why Women Still Can’t Have It All.” It showed how, despite the gains of feminism, the lack of institutional support for women’s careers still makes it difficult to rise to the highest levels of the workplace.

Other faculty associates showed how ideas – legal ideas prominently among them – have shaped the world. LAPA Executive Committee member Jan-Werner Müller’s book, Contesting Democracy: Political Ideas in 20th Century Europe (Yale UP, 2011), traced the challenges to democratic values in the last century and Jan’s frequent columns in the Guardian, Dissent, the London Review of Books and other venues showed how an understanding of intellectual history helps diagnose our present ills. LAPA Executive Committee member Melissa Lane published Eco-Republic: What the Ancients Can Teach Us about Ethics, Virtue, and Sustainable Living (Princeton UP, 2012) showing how the environmental movement might benefit from examining ancient political thought.

Our faculty received many awards this year, from former Executive Committee member Anthony Appiah’s honorary doctor of laws from Harvard University to current Executive Committee member Carol Greenhouse’s election to the American Academy of Arts and Sciences to Melissa Lane’s Guggenheim fellowship.

Our students are vital parts of the LAPA enterprise. This past year, we were particularly pleased to see several long-time LEGS (Law-Engaged Graduate Student) members succeed on the academic job market. Rohit De (PhD history) will be taking up a Junior Research Fellowship divided between Cambridge University and Harvard University before starting a job as an assistant professor of history at Yale University. Jessica Lowe (PhD history) will be taking up a position as associate professor at the University of Virginia Law School. Nurfadzilah Yahaya (PhD history) will be the Mark Steinberg Weil Early Career Fellow at the University of Washington, St. Louis. And Tom Dannenbaum (PhD candidate Politics) will become a Visiting Lecturer in Law and Robina Foundation Human Rights Fellowship at Yale Law School. Among our undergraduates, the J. Welles Henderson ‘43 Senior Thesis Prize for best thesis in law went to Carter Greenbaum, a sociology major, for a remarkable study of international mediation.

Princeton may not have a law school. But we have vibrant law scholarship being done by a range of students and faculty across a range of disciplinary fields. LAPA is the place where law and Princeton come together, to the enrichment of both.
LAPA AND LAW AT PRINCETON: ACROSS THE CAMPUS AND AROUND THE WORLD

This past year at LAPA had a distinctly international flavor provided by both people and programming. As dramatic events unfolded around the world, LAPA served as a forum for the academic and the larger communities to examine and understand the role of courts and law in seeking to resolve vexing challenges.

LAPA’s programs included panels and seminars that focused on the dangerous constitutional developments in Hungary, the end of the Berlusconi era in Italy, the Russian perspective on the intentional financial crisis, the conflict between secular and Shariah law in Malaysia, and the historic French elections. Other programs examined the role of judges and courts. LAPA welcomed retired U.S. Supreme Court Justice John Paul Stevens, who spoke about his long tenure on the Supreme Court at a public event as well as in private sessions with undergraduates and graduate students. At a panel discussion entitled “Judging Around the World” Dame Sian Elias, Chief Justice of the New Zealand Supreme Court, and Miguel Poiares Maduro, formerly of the European Court of Justice, provided both personal observations and scholarly assessments of the role of courts and judges. Analysis of American constitutional issues took center stage at programs examining the abortion issue prior to Roe v. Wade and presidential accountability post-9-11, as well as a conference on administrative agencies in the electronic age, in which LAPA joined in co-hosting the spring conference of the American Bar Association’s Administrative Law Section.

LAPA’s fellows similarly reflected an international and multidisciplinary theme. Three of the six scholars hailed from countries reflected in their scholarship, including Arzoo Osanloo, born in Iran and working on issues of forgiveness in that nation’s Islamic criminal sanctions; Camille Robcis, born in France and examining the law of kinship and family politics there; and Tayyab Mahmud, from Pakistan who added to his previous work on Pakistani courts a theoretical discussion of the U.S. debt crisis. Bernadette Atuahane enlightened us on South African land restitution issues, and Michael McCann shared his work on the history of Philippine immigrant cannery workers, while Michael Herz provided an analysis of the impact on American democracy of administrative agencies’ embrace of technology. The fellows’ academic careers also represented a variety of disciplines including anthropology, history, politics, law, and public policy, which attracted a broad cross-section of Princeton faculty to their LAPA seminars. In turn, they accepted invitations to participate in many programs across the campus disciplines.

LAPA was also delighted to be joined again by George Bustin, a long-time international lawyer, and by former LAPA Fellow and current law professor Gabor Halmai, from Hungary, who spent the year at Princeton as a PIIRS Fellow, and Ralf Poscher, from the University of Frieburg, Germany. Recent Berkeley law graduate Heather Hoekstra provided a fresh perspective as an active Fellow Traveler.

As the pages of this report demonstrate, LAPA highlighted the imperative of examining the role of law when seeking to understand today’s consequential developments in the United States and around the world.
THE PEOPLE AT LAPA

KIM LANE SCHEPPELE
Director
What a year! For me, 2011-2012 was even more than the usual LAPA whirlwind of events in the company of a truly memorable class of fellows who engaged critical perspectives, international challenges, and inter-disciplinarity in grand style. My research specialty is constitutions under stress, and this year was a banner year for real-time challenges, particularly in the country where I have done much of my research: Hungary. As a new government rammed through a new one-party constitution and rewrote much of the country’s legal order in just two years, I took to the blogosphere with the help of colleague Paul Krugman (whose office is in the middle of LAPA-land). In a series of blog posts that were widely circulated and immediately republished in Hungarian, I exposed what the government there was doing in real time. Not only was I now a household name in Hungary, but I became a major source for international journalists, multiple governments and various European authorities on Hungarian (and later Romanian) developments. Our LAPA-based team, including my long-time coauthor and LAPA fellow traveler, Gábor Halmai, and collaborating researcher (and recent WWS MPA grad), Miklós Bánkuti, tracked what was happening, coordinated an amicus brief to the European Commission on Democracy through Law and wrote several academic articles highlighting the changes. In addition to my Hungarian engagements this year, I was honored to give the Rosenthal Lectures at Northwestern Law School and the Eckstein Lecture at the University of California at Irvine. And I was one of five new American members inducted into the International Academy of Comparative Law.

JENNIFER BOLTON
Office Coordinator
I continue to provide a broad range of organizational and administrative support, ensuring smooth office operations. Earlier this year I transitioned LAPA’s weekly event announcement and event invitation communications to an online event management system. I am currently working with a web design consultant to upgrade and expand the existing LAPA Web site, and with OIT to improve the online fellowship application’s data collection and reporting capabilities.
LESLIE GERWIN
Associate Director
The year brought welcome new challenges and opportunities. In addition to the enjoyment of learning from LAPA’s accomplished Fellows, I was grateful to find new occasions for collaboration both on and off campus. I was particularly fortunate to join with 21 amazing women faculty and senior administrators as part of Princeton Public Voices Fellowship Program. In addition to publishing several pieces related to my public health research presenting perspectives not otherwise discussed in the current debates, I had the opportunity to read, edit and support other women engaging in fascinating scholarship in fields ranging from classics to drama to the sciences. I also continued to enjoy developing programs for and advising WWS public policy students. Each year brings students with differing interests and experiences. The Law in the Public Service—Not Just for Lawyers dinners always left the distinguished guests as impressed with the students as the students were with the speaker. For the fifth year, I taught a course in Public Health Law and Policy at the Benjamin Cardozo Law School in the spring semester, while also finding time for several new speaking opportunities. I was the guest expert at a University of Texas joint Law-Graduate School class on public health emergencies; a panelist at a WWS program examining the Supreme Court arguments on the constitutionality of the Affordable Care Act; a guest lecturer, speaker or moderator at several community organizations, including the keynote speaker at the League of Women Voters Annual Meeting, where I gave a talk entitled “Dead Presidents and Live Politicians: The Assault of Campaign Cash on our Democracy.” I presented my new research on emergency laws and chaired a panel on health care discrimination at the 2012 Law and Society meeting, while I finished my article on the challenge of providing the public with accurate information during a crisis. It will appear in a peer-reviewed journal in fall 2012. For a fifth year, the teamwork of the LAPA staff and our collaborative search for efficient administration was a valuable and valued ingredient of a productive year.

JUDI RIVKIN
Events Manager
This year marked my 10th anniversary on the Princeton staff, and I continue to learn and to share my knowledge of event management with colleagues across the university community. Events I managed in 2011-2012 included: 21 LAPA Lunches, 12 LAPA Seminars, 10 LEGS Seminars, 8 invitational events (many having multiple sessions, i.e., the Con Law Schmooze, Faculty Retreat, ASCL Workshop, ABA Spring Conference), 4 “Law in the Public Service” dinners, 9 public lectures (including the Harlan Lecture)/panel discussions/book panels, 5 Undergraduate Associate Fellows Dinners, to list but some. I designed a special bookmark for the LAPA Seminars, as well as numerous posters, flyers, and advertisements; created and sent scores of email announcements and invitations (tracking replies as well); and researched, selected, and oversaw the logistics of and preparation for all of LAPA’s myriad events, so that our guests/visitors/faculty/staff/students/community each felt the professional standard and personal attention for which LAPA’s activities are well-known.

DAVID A. HOLLANDER
Law and Legal Studies Librarian, Princeton University Library
I am pleased to offer faculty and students assistance with their legal research projects, while working to build a library collection that fosters world-class legal research. I strive to act as a valuable resource for fellows, providing services ranging from library tours to sharing the history of Princeton’s short-lived law school. I orient fellows coming from a law school to interdisciplinary library collections, while helping fellows from social science departments with law materials. Also, each year I organize a “Law School Preview” program for undergraduates considering attending law school. My day-to-day work with students involves helping students pursue research topics that involve law, training them to use legal databases, and helping them to find legal materials. In the 2009, 2010 and 2012, I taught a seminar titled “The Fourteenth Amendment” in the Princeton Writing Program, and in the fall of 2012, I will begin teaching the legal bibliography courses at the Pratt Institute’s Graduate School of Information and Library Science. My current research project is a bibliographic analysis of Jewish law in American legal scholarship.
BERNADETTE ATUAHENE
I came to the LAPA program to begin writing my book, “We Want What’s Ours: Evaluating South Africa’s Land Restitution Program.” While at LAPA I did the analysis for and wrote three chapters. Princeton’s faculty and students critiqued and commented on two of my chapters at the LAPA seminar and the Princeton Program in African Studies African Indaba. Not only did I make significant progress on my book, but I also finished the short documentary film that I directed and produced called “Sifuna Okwethu: We Want What’s Ours,” which is about one family’s struggle to reclaim their land. The film was recently selected to be screened at the 2012 Montreal International Black Film Festival, and the 2012 Africa World Documentary Film Festival. I attended several on-campus conferences and seminars and also gave several talks outside the Princeton community, including Harvard Law and International Development Society Symposium; the Conference on Empirical Legal Studies at Northwestern Law School; the AALS annual meeting; and the Sergio Arboleda University’s Center for Studies on Transitional Justice, Victims, and Land Restitution in Bogota, Colombia. Lastly, the fellowship allowed me to carve out time to serve in the Law & Society Association in various positions. It was a hell of a year!

MICHAEL HERZ
I came to LAPA with high expectations, which were only exceeded by the actual experience. My primary project concerned administrative agencies’ use of new technologies to perform old tasks. I made substantial progress, focusing particularly on the use of new technologies in notice-and-comment rulemaking. I also completed work on a co-edited volume concerning hate speech, wrote a book chapter on judicial deference to agency statutory interpretations, and gave a talk at a conference at the Cardozo Law School on the concept of proportionality in administrative law. One particular benefit of LAPA for me was that it is on the same floor as Princeton’s Program in Science, Technology and Environmental Policy. I gave a talk in STEP’s lunch-time speaker series, taught an undergraduate course on environmental regulation, and learned a great deal from lunches and hallway conversation with the STEP faculty. This year I was also Chair of the ABA’s Section of Administrative Law and Regulatory Policy, which involved, in addition to rather too many conference calls and meetings outside of Princeton, a variety of different projects which informed my academic work. One highlight was organizing a day-long conference, co-sponsored by the Section, LAPA, and Princeton’s Center for Information Technology Policy.

TAYYAB MAHMUD
My only regret about my year at LAPA is that it ended too soon. The incredibly rich intellectual community of LAPA and Princeton provided a wonderful opportunity to learn, think and write. As a result, the multidisciplinary bent of my work was reinvigorated and my intellectual agenda took a new and productive turn. While I continued my ongoing research on the roots of praetorianism in postcolonial settings, my focus turned to the disciplinary role of debt in both international and domestic settings. This turn is reflected in three articles I wrote during the year. In addition to LAPA seminars and weekly meetings with leading scholars from varied fields, I benefitted greatly from the wonderful resources of Firestone Library and workshops, seminars and conferences offered by other units of Princeton. Another delightful experience was the opportunity to teach a Freshman Seminar on “Emergency Powers, Extra-Constitutionality, and Regimes of Exception.” I also had the opportunity to present my research at several other universities, including a faculty seminar presentation on “Colonial Cartographies and Post-Colonial Insecurities” at Columbia University, and two keynote addresses - one at the Expanding Critical Spaces in International Law Discourse Conference at Whittier University, and the other at the Rethinking Development Conference at Cornell University.
MICHAEL McCANN
I arrived in Princeton with Hurricane Irene, and from that moment forward my experience at LAPA was an exciting, stimulating, and challenging whirlwind of intellectual activity. My primary project was to advance research and writing for a new co-authored book entitled “A Union by Law: Filipino Cannery Workers and the Transpacific Struggle for Justice.” I managed to write two empirical chapters, advance the historical research significantly, and, most important, forge lots of new reading and thinking into the overall theoretical framework for the book. That progress was quite gratifying. Quite unexpectedly, I also ended up writing four minor essays unconnected to the book project, including a reflection on the achievements of Gordon Hirabayashi and a long engagement with a wonderful new article by David Engel for the Indiana Journal of Law and Globalization. I found the scheduled LAPA colloquia interesting, the Thursday lunches amusing and informative, and the ongoing engagement with other LAPA fellows extremely enjoyable. I also had a blast delivering talks at a dozen universities over the year, visiting NYC nearly as many times, and teaching very impressive Princeton students in a spring seminar class. Finally, I found time to meet my many obligations as President of the Law and Society Association. It was a very productive whirlwind of a year for me.

ARZOO OSANLOO
During the past year, LAPA provided a collegial and stimulating environment for me to begin work on my manuscript tentatively titled, “Crime and Reconciliation: Logics of Forgiveness in the Iranian Justice System.” I completed a debut essay on the subject that will be published shortly. My time here also allowed me to work on several other projects. I published a comprehensive article on Iranian politics for a comparative politics casebook, “Iran,” and another on the stakes of legal reform in Iranian family law, “What a focus on ‘family’ means in the Islamic Republic of Iran.” Thursday lunches, post-seminar dinners, campus-wide talks, not to mention chance meetings with Princeton faculty and fellows from other programs, permitted rich and thought-provoking conversations. These exchanges stimulated thinking on two new articles that will be published in the coming year. In addition to writing, I was invited to give several talks this year, including one in which I got to practice my French at the Colloquium on Justice, Religion, and Reconciliation at the meeting of the French Association of Social Sciences of Religion, with CNRS and EHESS. Finally, I had the distinct pleasure of teaching a Princeton Freshman Seminar. In this course, students explored local and international remedies after human rights violations while questioning the politics of humanitarian intervention.

CAMILLE ROBCIS
My year at Princeton was an amazing experience, both intellectually and personally. I was able to finish several projects, begin new ones, attend fascinating conferences and seminars, and meet some of the wonderful faculty. My main accomplishment was to finish revising my book manuscript on the law of kinship, which will be published by Cornell University Press next year. I also completed two articles derived from this project. I presented sections of the book at both, LAPA and at the History Department Modern European Workshop. I also began working on two new projects which I hope to develop in the coming years. The first is a history of institutional psychotherapy, a movement born in France after WWII, anchored in Marxism and in psychoanalysis, which advocated a radical restructuring of the asylum, in an attempt to rethink and reform psychiatric care. The second is a study of French intellectuals who were seduced by thirdworldism during the 1970s and of those who rejected it in the name of human rights. I presented the preliminary results of some of my research in an article on Louis Althusser and in a conference at the CUNY Graduate Center. I am so grateful to the LAPA community for making this year so productive and intellectually stimulating.

“I loved everything at LAPA: the other fellows, the Thursday lunches, the seminars, the staff, the offices... I thought we met just enough to get to know each other but we also had enough independence to do our work...I also really appreciated the retreat and the get-togethers throughout the year. They were a great way to introduce us and to integrate us into the community.”
— Camille Robcis, Mellon/LAPA Fellow
GEORGE BUSTIN ’70

I have now been a LAPA fellow traveler for five years (which may be a record), and it continues to be a privilege and pleasure. I continued my role as senior counsel with my law firm, Cleary Gottlieb, and perhaps occasionally added a practitioner’s dimension to the LAPA mix. In October, I delivered a guest lecture at Seton Hall Law School on institutional and legal aspects of relations between the European Union and Russia, and in March presented a paper on the EU and Russia (“A Partnership of Lowered Expectations”) at a seminar jointly sponsored by Princeton’s Program in EU Studies and the Program in Russian and Eurasian Studies. Perhaps the highlight of the spring term, for me, was the first visit to Princeton of my old friend and client Sergey Storchak, now Deputy Minister of Finance of the Russian Federation responsible for Russia’s relations with international financial institutions. This was a rare appearance by a Russian government official of this rank at a US university. During the year I also served as a member of the executive committee of Princeton’s Alumni Association and chair of an ad hoc committee to revise the Association’s constitution and by-laws.

GÁBOR HALMAI

Having been a LAPA Fellow in the first year of the program, Halmai returned as a LAPA associate in the official capacity as a Visiting Research Scholar at the Princeton Institute for International and Regional Studies. He comes to Princeton as a professor of law and director of the Institute for Political and International Studies at Eötvös Loránd University, Budapest, as well as director of the Hungarian Human Rights Information and Documentation Center. During the year, he continued to publish extensively in English, German, and Hungarian on problems related to human rights, judicial review, freedom of expression, and freedom of association. Drawing upon his scholarship and experience as former chief counselor to the president of the Hungarian Constitutional Court, Laszlo Solyom, (later president of the republic), and as vice chair of the Hungarian National Election Commission, Halmai was in a unique position to share with the Princeton community his analysis of the unfolding events associated with Hungary’s new constitution. He also co-taught a course in Comparative Constitutional Law in the Woodrow Wilson School.

HEATHER HOEKSTRA

Coming to Princeton for the year as a newly-minted graduate of the University of California Berkeley School of Law (Boalt Hall) Hoekstra was an active and regular participant in LAPA activities and events. She began the year pursuing an interest in environmental law engaging with Princeton faculty and fellows on a topic defined while in law school. In mid-year, she undertook a new project examining the law of trusts and maintaining donor’s wishes in changing circumstances. As she headed back to California, she was preparing her project for litigation.

RALF POSCHER

Poscher first associated with LAPA as a Member at the Institute for Advanced Study. He joined LAPA again this year for two months during the spring semester. Coming from the University of Freiburg, Germany, where he is director of the Institute for Political Science and Philosophy of Law, Poscher gave a stimulating year-end seminar on his current work examining theories of adjudication in search of a doctrinal theory that, according to Poscher, will “reclaim adjudication in hard cases as a specifically legal enterprise.” Poscher is an accomplished scholar whose work has focused on constitutional law, national security and legal theory.
“Thursday lunches, post-seminar dinners, campus-wide talks, not to mention chance meetings with Princeton faculty and fellows from other programs, permitted rich and thought-provoking conversations. These exchanges stimulated thinking on two new articles that will be published in the coming year.”

— Arzoo Osanloo, LAPA Fellow

Each Thursday throughout the year, LAPA Fellows, Fellow Travelers, and staff lunch with an invited guest from the Princeton faculty or support community. Guests share their expertise and research interests engaging in lively discussion and shared inquiry on a wide range of subjects. LAPA is grateful to the following members of the Princeton community for their contributions to the fellowship experience:

Stanley Corngold, Comparative Literature
Cathy Cuff, WWS Office of Information Technology
Christopher Eisgruber, Provost
Paul Frymer, Politics
Anthony Grafton, History, Humanities Council
Hendrik Hartog, American Studies
David Hollander, Law & Legal Studies Librarian
Stanley Katz, WWS
Stephen Kotkin, WWS

Paul Krugman, Economics, WWS
David Leheny, Near Eastern Studies
Stephen Macedo, Politics and UCHV
Chuck Myers, Law Editor, Princeton University Press
Michael Oppenheimer, WWS
Devah Pager, Sociology
Christina Paxson, Dean, WWS
Imani Perry, Center for African American Studies
Anne-Marie Slaughter, WWS
Paul Starr, Sociology and WWS

LAPA is also grateful for the luncheon discussion led by special guests Linda Greenhouse and Reva Siegel of Yale Law School.
INCOMING LAPA FELLOWS 2012-2013

APA Fellows are selected from a large pool of highly qualified applicants from around the world. The fellows for the coming year are all distinguished scholars with a wide variety of experience.

MARK ALEXANDER is a law professor at Seton Hall University Law School, specializing in Constitutional Law and the intersection of law and politics. Professor Alexander writes and teaches in the areas of constitutional law, law and politics, criminal procedure, and the First Amendment. He has been active in politics and government, including serving on the Obama campaign and transition teams, working on Capitol Hill, and serving as an elected D.C. government official. At Princeton he will be working on a project examining government operations and politics in Washington, DC through the perspective of a freshman U.S. Senator.

KATHRYN HENDLEY is Voss-Bascom Professor of Law and Political Science at the University of Wisconsin-Madison. Her research focuses on legal reform in post-Soviet Russia. She will be coming to Princeton from Russia where she spent the 2011-12 academic year on a Fulbright research fellowship and an Ed Hewett fellowship exploring Russians’ access to justice. During her fellowship, she will be working on a monograph about how law works in Russia, tentatively titled “Everyday Law in Russia.”

MARTIN LOUGHLIN will hold the Martin and Kathleen Crane Fellowship at LAPA. He is Professor of Public Law at the London School of Economics and Political Science (LSE), who recently stepped down as Head of the Public Law Department at LSE. He is a leading scholar and theorist in the field of public law. At Princeton he will undertake to formulate a restatement of constitutional theory, addressing the constitutional challenges that the extension of governing power beyond the nation-state form imposes.

LISA L. MILLER is an Associate Professor of Political Science at Rutgers University. Her research interests are in law and social policy, constitutionalism, inequality and crime and punishment. She has written extensively on the development of crime and justice policy and legal frameworks in the U.S. with her work appearing in law and public policy journals. She is coming to Princeton from a year as a Visiting Fellow at All Souls College at the University of Oxford. At Princeton, she will be working on a project entitled “In Defense of the Mob? Violence, Inequality and Democracy.”

NATHANIEL PERSILY is the Charles Keller Beekman Professor of Law and Political Science and the Director of the Center for Law and Politics at Columbia Law School. His scholarship focuses on American election law or what is sometimes called the “law of democracy,” which addresses issues such as voting rights, political parties, campaign finance, and redistricting. He also created DrawCongress.org, a website that serves as a repository for nonpartisan congressional redistricting plans for all 50 states. At Princeton he will work on a book about the congressional redistricting process.

ALEXANDER SOMEK holds the Charles E. Floete Chair in Law at the University of Iowa College of Law, where he became a Professor of Law in 2003. Before moving to the United States, he was an Associate Professor in the Faculty of Law of the University of Vienna. His work has focused mostly on historical transformations of the authority of law and how these are reflected in legal scholarship. Professor Somek is the author of a number of books and numerous articles on European Union law, comparative law, public international law and jurisprudence. As a LAPA fellow he will work on his project “The Cosmopolitan Constitution.”
PRINCETON FACULTY AT LAPA

“The LAPA fellowship provided me with an opportunity for uninterrupted writing as well as a chance to take advantage of the larger academic Princeton community.”

— Bernadette Atuahane, LAPA Fellow

LAPA EXECUTIVE COMMITTEE

The distinguished faculty members of LAPA’s Executive Committee are representatives of each of LAPA’s three principal funding sources: Woodrow Wilson School, University Center for Human Values, and Princeton University. In addition to offering sage advice and selecting fellows, members contribute to the success of LAPA programs and events. In 2011-2012, LAPA benefited from the service of:

Paul Frymer, Associate Professor of Politics, Acting Director, LAPA 2009-2010 (Univ)
Carol J. Greenhouse, Professor and Chair, Department of Anthropology (Univ)
Hendrik A. Hartog, Class of 1921 Bicentennial Professor in History of American Law & Liberty (Univ)
Stanley N. Katz, Lecturer with the rank of Professor in Public and International Affairs
Melissa S. Lane, Professor of Politics, Program in Values and Public Life (UCHV)
Stephen J. Macedo, Laurance S. Rockefeller Professor of Politics Values (UCHV)
Jan-Werner Müller, Professor of Politics (UCHV)
Devah Pager, Professor of Sociology (WWS)
Anne-Marie Slaughter, Bert G. Kerstetter ’66 University Professor of Politics & International Affairs (WWS)

Ex-Officio Members:
Charles Beitz, Director, University Center for Human Values
Christina Paxson, Dean, Woodrow Wilson School

We are grateful to the Executive Committee Members for their guidance and active participation in LAPA programs.


LAPA FACULTY ASSOCIATES

Members of the Princeton faculty contribute to LAPA through their teaching, research, and engagement in law. They bring a wide range of disciplinary interests and specific expertise to the enterprise of legal studies at Princeton and to their participation in LAPA events and scholarly inquiries. In 2011-2012 LAPA Faculty Associates included:

Kwame Anthony Appiah, Laurance S. Rockefeller University Professor of Philosophy, UCHV
R. Douglas Arnold, William Church Osborn Professor of Public Affairs WWS, Professor of Politics
Orley C. Ashenfelter, Joseph Douglas Green 1895 Professor of Economics
Gary J. Bass, Professor of Politics and International Affairs, WWS
Leora F. Batnitzky, Professor of Religion
Charles R. Beitz, Edwards S. Sanford Professor of Politics, Director UCHV
Sandra L. Bermann, Cotsen Professor of the Humanities, Professor of Comparative Literature;
João Biehl, Susan Dod Brown Professor of Anthropology
John W. Borneman, Professor of Anthropology
Peter Brooks, Lecturer with rank of Professor, Comparative Literature, UCHV. Mellon Visiting Professor
D. Graham Burnett, Professor of History
Charles Cameron, Professor of Politics and Public Affairs, WWS
Margot Canaday, Associate Professor of History
Miguel A. Centeno, Professor of Sociology and International Affairs, Chair, Department of Sociology
John M. Cooper, Henry Putnam University Professor of Philosophy
Stanley A. Corngold, Professor of German and Comparative Literature, Emeritus
Wolfgang F. Danspeckgruber, Lecturer WWS
John M. Darley, Dorman T. Warren Professor of Psychology, Professor of Psychology and Public Affairs
Christina Davis, Associate Professor of Politics and International Affairs, WWS
Paul J. DiMaggio, A. Barton Hepburn Professor of Sociology and Public Affairs, WWS
Christopher L. Eisgruber, Provost; Laurance S. Rockefeller Professor of Public Affairs, WWS, UCHV
Edward W. Felten, Professor Computer Science and Public Affairs
Patricia Fernandez-Kelly, Senior Lecturer in Sociology
Susan T. Fiske, Eugene Higgins Professor of Psychology, Professor of Psychology and Public Affairs
Aaron L. Friedberg, Professor of Politics and International Affairs, WWS
Paul Frymer, Associate Professor of Politics
Robert P. George, McCormick Professor of Jurisprudence, Professor of Politics;
Carol J. Greenhouse, Professor of Anthropology; Chair, Department of Anthropology
Elizabeth Harman, Associate Professor of Philosophy, UCHV
Hendrik A. Hartog, Class of 1921 Bicentennial Professor in the History of American Law and Liberty
Daniel Heller-Roazen, Arthur W. Marks ’19 Professor of Comparative Literature, Council of the Humanities
Walter H. Hinderer, Professor of German, Emeritus
G. John Ikenberry, Albert G. Milbank Professor of Politics and International Affairs, WWS
Harold James, Claude and Lore Kelly Professor in European Studies, Prof of History and International Affairs
William Chester Jordan, Dayton-Stockton Professor of History, Chair, Department 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, WWS
Nannerl O. Keohane, Laurance S. Rockefeller Distinguished Visiting Professor of Public Affairs, UCHV
Robert O. Keohane, Professor of Public and International Affairs, WWS
Jonathan P. Kastellec, Assistant Professor of Politics
Gillian R. Knapp, Professor of Astrophysical Sciences
Kevin M. Kruse, Associate Professor of History
David Leheny, Henry Wendt III ’55 Professor of East Asian Studies
Amy E. Lerman, Assistant Professor of Politics and Public Affairs, WWS
Stephen J. Macedo, Laurence S. Rockefeller Professor of Politics, UCHV
Douglas S. Massey, Henry G. Bryant Professor of Sociology and Public Affairs, WWS
Denise Mauzerall, Professor of Civil and Environmental Engineering, Public and International Affairs, WWS
Tali Mendelberg, Associate Professor of Politics
Helen V. Milner, B.C. Forbes Professor of Public Affairs, Professor of Politics and International Affairs, WWS
Andrew Moravcsik, Professor of Politics and International Affairs, WWS
Jan-Werner Müller, Professor of Politics, UCHV
Michael Oppenheimer, Albert G. Milbank Professor of Geosciences and International Affairs, WWS
Serguei Alex Oushakine, Associate Professor of Anthropology and Slavic Languages and Literatures
Devah Pager, Professor of Sociology and Public Affairs, WWS
Alan W. Patten, Professor of Politics
Imani Perry, Professor of African American Studies
Philip N. Pettit, Laurance S. Rockefeller University Professor of Politics, UCHV
Emily Pronin, Associate Professor of Psychology and Public Affairs, WWS
Bhavani Raman, Assistant Professor of History
Gideon A. Rosen, Stuart Professor of Philosophy, Chair, Council of the Humanities
Lawrence Rosen, William Nelson Cromwell Professor of Anthropology
Michael Rothschild, William Stuart Tod Professor of Economics and Public Affairs, WWS, Emeritus
Kim Lane Schepppele, Laurance S. Rockefeller Professor of Sociology, Public Affairs, WWS, UCHV
Eldar Shafir, William Stewart Tod Professor of Psychology and Public Affairs, WWS
Paul Sigmund, Professor Politics, Emeritus
Lee M. Silver, Professor of Molecular Biology and Public Affairs, WWS
Bradley R. Simpson, Assistant Professor of History and International Affairs, WWS
Peter Singer, Ira W. Decamp Professor of Bioethics in the University Center for Human Values
Anne-Marie Slaughter, Bert G. Kerstetter ’66 University Professor of Politics and International Affairs, WWS
Valerie Smith, Dean of the College, Woodrow Wilson Prof. of Literature, Prof. of English & African Amer. Studies
Paul Starr, Stuart Professor of Communications and Public Affair, Professor of Sociology, WWS
Ezra N. Suleiman, IBM Professor in International Studies, Professor of Politics
Lynn T. White, Professor of Politics and International Affairs, Emeritus, Senior Scholar
Keith E. Whittington, William Nelson Cromwell Professor of Politics
Jennifer A. Widner, Professor of Politics and International Affairs, WWS
David S. Wilcove, Professor of Ecology and Evolutionary Biology and Public Affairs, WWS
Julien Zelizer, Professor of History and Public Affairs, WWS
Viviana A. Zelizer, Lloyd Cotsen ’50 Professor of Sociology

Professional Associates are members of Princeton’s community who have academic backgrounds in law and legal studies who contribute to LAPA’s intellectual life.

Alison L. Boden, Dean of Religious Life and the Chapel
Leslie E. Gerwin, Associate Director LAPA
David A. Hollander, Law and Legal Studies Librarian
Clayton K. Marsh, Deputy Dean of the College
Nancy Pressman-Levy, Head, Donald E. Stokes Library for Public & International Affairs
Sophie Meunier, Research Scholar, Woodrow Wilson School
Charles Myers, Senior Editor for Political Science and Law Princeton University Press
Diane Snyder, Lecturer in Politics
Bradford P. Wilson, Executive Director, James Madison Program, Politics
LAPA EVENTS

“The bi-weekly LAPA seminars capture much of what characterizes the program as a whole. The room is full; the attendees represent all sorts of intellectual backgrounds and disciplines; (almost) everyone has read the paper; and the questions and comments are of consistently high quality, offer insights of breathtaking variety, and reflect genuine inquiry rather than one-upmanship. In short: a group of brilliant and serious people, engaged in a common interdisciplinary enterprise, with intellectual rigor and generosity of spirit.”

— Michael Herz, Microsoft/LAPA Fellow

LAPA SEMINARS

BERNADETTE ATUAHENE, LAPA Fellow; Chicago-Kent Law School; American Bar Foundation
Land Restitution in South Africa: Voices from Below
Commentator: Carolyn Rouse, Anthropology

MICHAEL HERZ, Microsoft/LAPA Fellow; Benjamin N. Cardozo School of Law
Democracy Deficit or Democracy Surplus? Agency Rulemaking in the Electronic Age
Commentator: Cary Coglianese, Edward B. Shils Professor of Law, University of Pennsylvania

EUGENE KONTOROVICH, Member, Institute for Advanced Study; Northwestern University Law School
Discretion, Delegation, and Defining in the Constitution’s Law of Nations Clause
Commentator: Keith Whittington, Politics

TAYYAB MAHMUD, LAPA Fellow; Seattle University School of Law
Debt and Discipline
Commentator: Carol Greenhouse, Anthropology

DANIEL MARKOVITS, Yale Law School
Toleration as Respect
Commentator: Stephen Macedo, Politics & University Center for Human Values

2011-2012 LAW AND PUBLIC AFFAIRS SEMINAR SERIES
MONDAYS AT 4:30 P.M. KERSTETTER ROOM 3RD FLOOR MARX HALL

17 OCTOBER: DANIEL MARKOVITS Yale Law School
Toleration as Respect

26 OCTOBER: JENNIFER HAINDL Princeton University
Trade Relations & International Relations of State, Authority, and Law

14 NOVEMBER: JEFFREY SEGAL
Computer Science & Policy

28 NOVEMBER: MITRA SHARAFI
Institute for Advanced Study
University of Wisconsin Law School
Entrusting the Faith: Zoroastrian Religious Trusts and the Parsi Legal Profession in Colonial India

12 DECEMBER: CAMILLE ROBIC
Cardozo School of Law

27 FEBRUARY: MICHAEL MCCANN
University of Washington
Beyond Legal Mobilization: Rethinking Rights and Power

2 APRIL: ARZOO OSANLOO
University of Washington
Humanity and Forgiveness in Iranian Criminal Law

16 APRIL: BERNADINE ATUAHENE
LAPA Fellow; Chicago-Kent Law School
Land Restitution in South Africa: Voices from Below

Photos by Jud Ruben
Bernadette Atuahene and Carolyn Rouse
Michael Herz and Cary Coglianese
MICHAEL MCCANN, LAPA/Crane Fellow, University of Washington
Beyond Legal Mobilization: Rethinking Rights and Power
Commentator: Paul Frymer, Politics

JENNIFER NEDELSKY, University of Toronto Law School
Law’s Relations: A Relational Theory of Self, Autonomy, and Law
Commentators: Anna Stilz, Politics & Kim Lane Schepple, LAPA

ARZOO OSANLOO, LAPA Fellow; University of Washington
Humanity and Forgiveness in Islamic Criminal Sanctioning in Iran
Commentator: Didier Fassin, James D. Wolfensohn Professor, Institute for Advanced Study

RALF POSCHER, Albert-Ludwigs-University Freiburg
The Common Error in Theories of Adjudication: an Argument for a Doctrinal Approach
Commentator: Keith Whittington, Politics

CAMILLE ROBCIS, Mellon/LAPA Fellow in Law and the Humanities; Cornell University
The Law of Kinship: Anthropology, Psychoanalysis, and the Politics of the Family in France
Commentator: John Borneman, Anthropology

JEFFREY SEGAL, Visiting Scholar, Princeton University; Stony Brook University
Are Supreme Court Justices Merely Legislators in Robes?
Commentator: Keith Whittington, Politics

MITRA SHARAFI, University of Wisconsin
Pure Parsi: Libel, Race and Group Membership in Colonial South Asia
Commentator: Cyrus Schayegh, Near Eastern Studies

SPECIAL SEMINAR
TAMIR MOUSTAFA, Simon Fraser University
Liberal Rights vs. Shariah in Malaysian Political Discourse

The LAPA Seminars are funded in part by the Bouton Law Lecture Fund.
INVITATIONAL EVENTS

SEVENTH ANNUAL LAPA FACULTY RETREAT

LAPA marks the beginning of each academic year by convening faculty, fellows and graduate associates for a day-long examination of Princeton faculty recent work or work-in-progress. Participants read an advance copy of each author’s work, which is presented at the gathering by a colleague from another department. Following the author’s response, there is a lively discussion joined by all the participants. The Retreat concludes with a dinner that brings together the old and new faculty and academic visitors, and which introduces the new LAPA Fellows.

The 2011 Retreat featured the work of:

**Linda Colley**, History
**Written Constitutions, Nation and Empire: The British Case**
Commentator: **Paul Frymer**, Politics

**Didier Fassin**, Anthropology (and Institute for Advanced Study)
**The French Asylum Court**
Commentator: **Jan-Werner Müller**, Politics and UCHV

**Stephen Macedo**, Politics and UCHV
**The Future of Marriage**
Commentator: **Robert P. George**, Politics and James Madison Program

**Paul Starr**, Sociology and WWS
**The Affordable Care Act as Public Philosophy**
Commentator: **Elizabeth Harman**, Philosophy and UCHV

Faculty attendees at Retreat

Didier Fassin and Jan Werner Muller

Stephen Macedo and Robert George

Paul Starr and Elizabeth Harman

Photo by Judi Rivkin
SEVENTH ANNUAL COMPARATIVE LAW WORKS-IN-PROGRESS WORKSHOP

In 2012, LAPA hosted this annual event, which it jointly sponsors with the American Society of Comparative Law, University of Illinois College of Law, and Yale Law School. It provides an opportunity for comparative law scholars to develop a synergy that fosters continuing dialogue, cooperation, and coherence. For more information: http://lapa.princeton.edu/eventdetail.php?ID=510

The Papers and Commentators included:

Anna diRobillant, Boston University Law School
  One Property, Many Properties: Designing the Liberal Egalitarian Commons
  Commentators: Bernadette Atuahene, Chicago-Kent College of Law (LAPA Fellow), Greg Alexander, Cornell Law School

Samuel Estreicher, New York University Law School, and Jeffrey Hirsch, University of North Carolina School of Law
  Comparative Wrongful Dismissal Law: Reassessing American Exceptionalism
  Commentators: Julie Suk, Cardozo Law School, Gordon Silverstein, University of Connecticut School of Law

Katarina Linos, Boalt Hall Law School, Berkeley
  Benchmarks from Abroad: Selling voters on Health and Family Reforms
  Commentators: Jim Whitman, Yale Law School; Paul Starr, Princeton University

David Clark, Willamette Law School
  History of Comparative Law and Society
  Commentators: George Bermann, Columbia Law School, Bill Ewald, Penn Law School

Yaniv Roznai, London School of Economics
  Explicit Limits Upon the Constitutional Amendment Power
  Commentators: Gábor Halmai, University of Budapest and PIIRS Fellow, Princeton University; Kim Lane Scheppele, Princeton University

Dorit Rubenstein-Reiss, Hastings Law School
  Relying on Government in Comparison: Why is There no Real Administrative Estoppel in the United States?
  Commentators: Susan Rose-Ackerman, Yale Law School, Jacqueline Ross, University of Illinois Law School.

Ozan Varol, Chicago-Kent College of Law
  The Democratic Coup D’État
  Commentators: Tayyab Mahmud, Seattle University School of Law (LAPA Fellow), Nathan Brown, George Washington University
CRIME AND PUNISHMENT WORKSHOP

Under the leadership of Sociology and WWS Professor Devah Pager, Princeton faculty and graduate students meet for a monthly dinner to hear talks, papers, and works-in-progress by visiting faculty, graduate students, and faculty and to discuss “half-baked” research ideas. Invited presenters included Peter Enns, Cornell University; Jeffrey Fagan, Columbia Law School; Jason Schnittker, University of Pennsylvania, and Christopher Uggen, University of Minnesota; and Rachel Stein, Stanford University.

FIFTH ANNUAL PRINCETON “CON LAW SCHMOOZE”

For the past four years, LAPA has convened in Princeton major scholars from both law schools and political science departments for a day and a half “schmooze” about on a topic of general and pervasive importance in the field of constitutional law. This gathering of legal and political experts is part of a decades’ long tradition taking place at academic institutions around the country. This past year’s theme was “Constitutional Breakdown.” More information at: http://lapa.princeton.edu/eventdetail.php?ID=506
LAPA PUBLIC EVENTS

“We had an especially rich menu this year, with presentations on legal issues touching several continents and legal systems, together with opportunities for interaction with distinguished Princeton faculty.”

— George Bustin, LAPA Fellow Traveler

NAMED LECTURE

THE JOHN MARSHALL HARLAN ’20 LECTURE IN CONSTITUTIONAL ADJUDICATION

The Honorable JOHN PAUL STEVENS, retired Associate Justice of the United States Supreme Court

The Court, the Constitution, and the Justice from Illinois

In conversation with Princeton Provost Christopher Eisgruber

Justice Stevens meets with New Jersey Supreme Court Justices (l-r) Chief Justice Stuart Rabner, Justice Barry Albin, and Jaynee LaVecchia

Former Clerk Troy McKenzie presents a Princeton bow tie to Justice Stevens as WWS Dean Chris Paxson looks on

Past Harlan Lecturers: Associate U.S. Supreme Court Justice Sandra Day O’Connor; Judge Dieter Grimm, Federal Constitutional Court of Germany; Judge Leonie M. Brinkema, U.S. District Court, Eastern District of Virginia; Associate U.S., Supreme Court Justice Ruth Bader Ginsburg; the Honorable Stuart Rabner ’82; Chief Justice of the Supreme Court of New Jersey; and the Honorable Madame Justice Rosalie Silberman Abella, Supreme Court of Canada
PRESENTATIONS AND PANEL DISCUSSIONS

HUNGARY’S CONSTITUTIONAL REVOLUTION

Expert panelists examined Hungary’s controversial new constitution, the government’s efforts to centralize power, and the concerns of the European Union and Council of Europe for the survival of Hungary’s constitutional democracy.

KIM LANE SCHEPPELE, Director, LAPA

JAN-WERNER MÜLLER, Professor of Politics, Princeton, and Director, Project in the History of Political Thought

PAUL KRUGMAN, Professor of Economics and International Affairs, WWS

GÁBOR HALMAI, Visiting Professor Princeton University; Professor of Law, University of Budapest, former chief counselor to the President of the Constitutional Court of Hungary

MIKLÓS HÁRASZTI, human rights activist, journalist, university professor, author of *Worker in a Worker’s State* and *The Velvet Prison: Artists Under State Socialism*

MIKLÓS BANKUTI, MPA ’11, Senior Research Specialist, WWS

THE LIBERTY OF SERVANTS: BERLUSCONI’S ITALY

MAURIZIO VIROI

LAPA marked the publication of the English language edition of Princeton Professor of Politics Maurizio Viroli’s study of Prime Minister Silvio Berlusconi’s leadership. The author engaged with expert scholars to explore the political, philosophical, and historical dimensions of his book as events in Italy were bringing an end to the Berlusconi government.

Discussants:

R. DANIEL KELEMEN, Center for European Studies, Rutgers University

JAN-WERNER MÜLLER, Program in the History of Political Thought, Princeton University

Moderator: KIM LANE SCHEPPELE, Director, Program in Law and Public Affairs
BEFORE (AND AFTER) ROE V. WADE: NEW PERSPECTIVES ON BACKLASH

The authors of Before Roe v. Wade: Voices that Shaped the Abortion Debate Before the Supreme Court’s Ruling (Kaplan, 2010) examined the escalation of the abortion conflict during the decade before Roe, seeking to understand its lessons about the logic of the decades following the decision. Approaching the conflict as an expression of politics, they argued that the Supreme Court was not the most important actor.

LINDA GREENHOUSE, Knight Distinguished Journalist in Residence & Joseph Goldstein Lecturer in Law
REVA SIEGEL, Nicholas deB. Katzenbach Professor of Law, Yale Law School

Discussants:
CHRISTOPHER EISGRUBER, Princeton University
MICHAEL MCCANN, Crane/LAPA Fellow; University of Washington
GORDON SILVERSTEIN, University of Connecticut School of Law

JUDGING AROUND THE WORLD

This panel discussion featured distinguished jurists examining the particular and universal roles of courts and judges based upon their experience and expertise:

DAME SIAN ELIAS, Chief Justice of the Supreme Court of New Zealand
MIGUEL POIARES MADURO, former Advocate General at the European Court of Justice in Luxembourg

Moderator: KIM LANE SCHEPPELE, LAPA Director

THE FIRST ANNUAL WALTER F. MURPHY ROUNDTABLE MARRIAGE, MORALITY, AND THE LAW

Following the 10th Annual Murphy Lecture delivered by Princeton Politics and UCHV Professor Stephen J. Macedo.
Invited participants in the Roundtable, which was open to the public, included: Mark Brandon, Vanderbilt University; Matthew J. Franck, Witherspoon Institute; Linda C. McClain, Boston University School of Law; Camille Robcis, Mellon/LAPA Fellow in Law and Humanities, Cornell University; Laurie Shrage, UCHV Fellow, Florida International University; Sotirios Barber, University of Notre Dame; James E. Fleming, Boston University School of Law; Will Harris, University of Pennsylvania; Jeff Tulis, University of Texas at Austin School of Law. LAPA Director Kim Lane Scheppele moderated the discussion.

Co-sponsored with the James Madison Program in American Ideals and Institutions
LETTURES, TALKS, WORKSHOPS

MICHAEL BARR.
University of Michigan Law School
The Financial Crisis and the Path of Reform

SERGEY STORCHAK.
Deputy Minister of Finance of the Russian Federation
A Russian Perspective on the International Financial Crisis

GORDON BAJNAI, former prime minister of Hungary

JACK GOLDSMITH, Professor, Harvard Law School
The Accountable Presidency After 9/11

TOBY CADMAN,
International Criminal Law Specialist, U.K. Barrister
Human Rights in the Developing World: The Implications of the International Crimes Tribunal in Bangladesh

CONFERENCE
THE ADMINISTRATIVE AGENCY IN AN ELECTRONIC AGE

APA co-hosted the spring conference of the Section on Administrative Law and Regulatory Practice of the American Bar Association, which was organized by LAPA Fellow and Section Chair Michael Herz of the Benjamin N. Cardozo School of Law. The day-long conference brought to Princeton attorneys, government officials, and leading academics to examine the new opportunities and the challenges of technological developments in governing. This was a special opportunity for Princeton undergraduates, graduate students and the Princeton community to interact with a broad range of policy makers and scholars working in this field.

The event was also co-sponsored by Princeton’s Center for Information Technology Policy.
COSPONSORED EVENTS

PUBLIC LECTURES:

CONSTITUTION DAY LECTURE

PAUL FRYMER, Princeton University, Politics
LABOR AND THE CONSTITUTION
Respondents: Henry S. Farber, Princeton University, Economics; James Gray Pope, Rutgers School of Law; Sean Wilentz, Princeton University, History
Cosponsored with the Program in American Studies, James Madison Program in American Ideals and Institutions, and the Office of the Provost

11TH ANNUAL WALTER F. MURPHY LECTURE IN AMERICAN CONSTITUTIONALISM

STEPHEN J. MACEDO, Politics and the University Center for Human Values
THE CONSTITUTION AND THE FUTURE OF MARRIAGE
Cosponsored with the James Madison Program in American Ideals and Institutions

GÁBOR HALMAI, LAPA/PIIRS Visiting Scholar; Law Professor Budapest University
FROM THE "RULE OF LAW REVOLUTION" TO THE CONSTITUTIONAL COUNTER REVOLUTION IN HUNGARY
Organized by with the Princeton Institute for International and Regional Studies, and the Program in Russian and Eurasian Studies

LÁZARO LIMA, University of Richmond
SONIA SOTOMAYOR: AN AMERICAN LIFE AFTER MULTICULTURALISM (Latino Heritage Month Lecture)
Cosponsored with Acción Latina, University Center for Human Values, Chicano Caucus, Davis International Center, Fields Center, Latino Heritage Month Planning Committee, LGBT Center, Pride Alliance, Program in American Studies, Program in Gender and Sexuality Studies, Program in Latin American Studies, Program in Latino Studies, and Women’s Center

PATRICIA J. WILLIAMS, Columbia University
UNUSUAL SUSPECTS: A MEDITATION ON CIVIC LAPSE
Organized by the Wilson College Signature Lecture Series, and the Center for African American Studies
CONFERENCES AND SYMPOSIA

THE HUMANITIES IN THE PUBLIC SPHERE

Keynote address: Judith Butler, Columbia University. Other speakers included: Kwame Anthony Appiah, Princeton University, Philosophy and UCHV; Derek Attridge, University of York; Homi Bhabha, Harvard University; Peter Brooks, Princeton University, Comparative Literature and UCHV; Jonathan Culler, Cornell University; Didier Fassin, Institute for Advanced Study; William Germano, Cooper Union; Ralph Hexter, University of California-Davis; Paul Kahn, Yale Law School; Charles Larmore, Brown University; Jonathan Lear, University of Chicago; Michael Roth, Wesleyan University; Elaine Scarry, Harvard University; Kim Lane Scheppele, Princeton University, LAPA, Sociology, and UCHV; Richard Sennett, New York University; Patricia Williams, Columbia Law School.

Organized by Mellon Professor Peter Brooks and cosponsored with the University Center for Human Values.

AFTER SUBALTERN STUDIES

Organized by Princeton University Graduate Students in History Gyan Prakash, Rohit De, and Rotem Geva.

Co-Sponsored with: Princeton Institute of International and Regional Studies; Program in South Asian Studies; Program in Law and Public Affairs, Graduate School of Arts and Sciences, Department of History, Shelby Cullom Davis Center for Historical Studies.

HUMAN TRAFFICKING IN THE TWENTY-FIRST CENTURY

Organized by Liechtenstein Institute on Self-Determination and Princeton Against Sex Trafficking.

Co-Sponsored with: University Center for Human Values, Office of Religious Life, Gender and Sexuality Studies; Gender and Policy Network, and Department of Anthropology.

JEFFERSONIAN DEMOCRACY: FROM THEORY TO PRACTICE

Organized by Princeton University Graduate Students in History Lo Faber, and Jessica Lowe, and Professor Barbara Oberg, Princeton/The Papers of Thomas Jefferson.

Co-Sponsored with: Princeton Colonial Americas Workshop, Papers of Thomas Jefferson, History Department, Program in American Studies, and University Center for Human Values.

SYMPOSIUM: “THE IDEOLOGIES OF SEXUAL (IN)DIFFERENCE”

Slavoj Zizek, University of Ljubljana; Mladen Dolar, University of Ljubljana; Alenka Zupancic, European Graduate School.

Organized by the Department of English.
INTERNATIONAL LAW AND NATIONAL POLITICS, INTERNATIONAL LAW WEEKEND 2011
NEW YORK CITY

LAPA joined as a cosponsor of the conference organized by the American Branch of the International Law Association and the International Law Students Association, which enabled many Princeton undergraduates, graduate students and faculty to attend. More information at: http://www.ilsa.org/conference/ILW.php

PANELS, SEMINARS, AND WORKSHOPS

ROUND TWO: A PANEL DISCUSSION ON THE FRENCH PRESIDENTIAL ELECTION

David Bell, Princeton, History; Angèle Christin, doctoral candidate, Sociology, Princeton, and EHESS (Paris); Ezra Suleiman, Princeton, Politics; Ted Stanger, former Newsweek correspondent, Paris; Moderator: Sophie Meunier, Princeton, WWS
Cosponsored with the European Union Program and the Center for French Studies

MODERN AMERICA WORKSHOP

ROUNDTABLE ON THE HISTORICAL STUDY OF CRIMINAL LAW

Gerry Cadava, Northwestern University; Risa Goluboff, UVA School of Law, author of “The Lost Promise of Civil Rights”; Michael Willrich, Brandeis University; Moderator: Sarah A. Seo, doctoral candidate, History, Princeton
Organized by the Program in American Studies

PROJECT IN THE HISTORY OF POLITICAL THOUGHT

THE PUBLIC USES OF HISTORY: ETHICS, EDUCATION, AND HISTORICAL CONSCIOUSNESS

Balázs Trencsényi, History, Central European University, Budapest; Melissa Lane, Princeton University, Politics; David A. Bell, Princeton University, History; Chair: Jan-Werner Müller, Princeton University, Politics, and Founding Director, Project in the History of Political Thought
Organized by University Center for Human Values

PROGRAM IN ETHICS AND PUBLIC AFFAIRS SEMINARS

Christopher Kutz, University of California-Berkeley School of Law, Democratic Holy Wars: Democracy, Intervention, and Self-Defense
Liam Murphy, New York University School of Law, The Normativity of Law
Organized by UCHV

RELIGION AND INCARCERATION, A DINNER CONVERSATION WITH TWO PRISON CHAPLAINS

Imam Talib Abdur-Rashid and Rev. Maria Lopez
Organized by the Princeton Religious Life Council
“LAPA is an amazing program, not just for Princeton, but also for the larger universe of comparative sociolegal scholarship. There is a huge need for such centers, and especially for centers that generate interdisciplinary, social science based Ph.D.s”.

— Michael McCann, LAPA Fellow

GRADUATE PROGRAMS

LAPA sponsors a rich variety of law-related programing for graduate students, including PhD candidates, students in the WWS public policy masters program, other candidates for masters degrees, and those with or in the process of earning law degrees. LAPA’s directors advise the joint degree students, while LAPA staff provides resources and assistance in arranging student-organized conferences. LAPA maintains three programs dedicated to the interests of graduate students: The Law Engaged Graduate Students (LEGS), Law in the Public Service—Not Just for Lawyers, and occasional special events.

LAW ENGAGED GRADUATE STUDENTS (LEGS)

LEGS seminars provide a gathering place for graduate students from academic departments across the campus to share their interest and research in law-related topics. Drawing students and faculty from many disciplines, the 2011-2012 student presenters ignited lively discussions and received valuable feedback.

Matthew Birkhold, German
Freud on the Court: Reinterpreting Child Pornography Law

Liz Chiarello, Postdoctoral Research Associate, WWS
Exercising Discretion on the Front Lines of Healthcare: How Pharmacists Negotiate Legal and Medical Gatekeeping Roles

Tom Dannenbaum, Politics
Patently Aggressive War, Mass Atrocity, and the Duty to Disobey

Salla Garsky, Visiting Student, WWS/LAPA
The Stragglers: State Agendas of Late Ratifiers to the Rome Statute of the International Criminal Court

Chris Kendall, Politics
Divided Sovereignty: Race and Constitutional Innovation in the American Empire

LEGS Seminars are attended by Fellows, faculty and graduate students.
Jessica Lowe, History
The Hermeneutics of Southern Legal History: Uncovering the Politics of State and Local Courts in Federal Virginia

John Palmer, WWS

Avani Mehta Sood, Psychology
‘Unpoisoning’ the Fruit of the Poisonous Tree: Motivated Applications of the Exclusionary Rule

Nurfadzila Yahaya, History
Ambiguous Subjects: The Place of Arabs in Netherlands Indies During the Early Twentieth Century

Introducory program led by Kim Lane Schepple, LAPA Director
Intellectual Paths, Career Options: A Conversation about Graduate Legal Studies at Princeton

Special Events

Graduate Student Opening Reception, each year LAPA hosts a reception for graduate students to meet one another, explore their shared research interests, and meet the LAPA Fellows.

Lunch with The Honorable John Paul Stevens, retired Associate Justice of the U.S. Supreme Court, moderated by Princeton Provost Christopher Eisgruber

A full table for a question and answer luncheon with Justice Stevens.

Camille Robcis introduces herself at the Graduate Students Opening Reception as Michael McCann (L) waits to follow.

Ph.D. candidate Jessica Lowe used her LEGS Seminar as a practice job talk.
LAW IN THE PUBLIC SERVICE - NOT JUST FOR LAWYERS

Convening public policy students for off-the-record discussions with policy practitioners and scholars, these sessions allow students to explore the role of law in developing and implementing public policy in a variety of areas and from differing perspectives. This year’s gatherings featured:

LAPA OPENING LUNCHEON for incoming public policy students

BARTON GELLMAN ’82, investigative journalist and WWS Lecturer, and DAFNA LINZER, ProPublica senior reporter
Journalism, Accountability and the Law

JACK GOLDSMITH, Harvard Law Professor and former head, Office of Legal Counsel, U.S. Justice Department
(Joint faculty/graduate student dinner)

JEFFREY M. PRIETO, Counsel to the Assistant Attorney General for the Environment and Natural Resources Division, U.S. Department of Justice
The Intersection of Law and Policy in Environmental Issues

JONATHAN J. RUSCH ’74, Deputy Chief for Strategy and Policy, Fraud Section of the Criminal Division, United States Department of Justice
Fraud and the Psychology of Influence
Princeton undergraduates interested in law and public policy have opportunities to interact with legal scholars, practitioners, and LAPA fellows through this student-led organization. In 2011-2012 student coordinators George Maliha ’13 and Kahyun Park ’13 arranged events and facilitated a civic engagement project.

**Special Events**

Reception and discussion with the Honorable John Paul Stevens, Associate Justice of the Supreme Court of the United States (retired), moderated by Provost Christopher Eisgruber.

Welcome Dinner with LAPA Fellows

Lunch with Constitutional Law Scholars attending the Con Law Schmooze

**Law School Preview**

Organized by Law and Legal Studies Librarian David Hollander this program is designed to allow undergraduates to experience a law school class. Microsoft/LAPA Fellow Michael Herz provided this year’s law study experience

**Dinners and Discussions with LAPA Fellows**

MICHAEL HERZ, Constitutional Law, Environmental Law, Law School, and more

TAYYAB MAHMUD, The Greek Sovereign Debt Crisis, International Law, and related topics

MICHAEL MCCANN, The Politics of Rights

ARZOO OSANLOO, At the Crossroads of Culture and Law
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 individuals and causes that might otherwise go unrepresented. Students are selected through a competitive process based upon their demonstrated commitment to public service. The 2012 Liman Fellows and their placements were:

Undergraduates:

GEORGE MALIHA ’13, U.S. Senator John Cornyn
TIENNAN PHAN ’12, U.S. Dept. of State, Bureau of Population, Refugees and Migration
SHAINA R. WATROUS ’14, National Legal Aid & Defender Association

Graduate Students

CODY GRAY, Ph.D. candidate (2nd Year), Politics Department, White House Domestic Policy Council
JULIA SPIEGEL, MPA student WWS/J.D. candidate, Yale Law School, Center for Justice and Accountability, San Francisco

THE J. WELLES HENDERSON PRIZE ’43, 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 2012 Prize to:

CARTER GREENBAUM, Sociology,

From Stories to Monies: Sociological Perspectives on the Meaning of Money in International Commercial Mediation

Tiennhan Phan, Julia Spiegel, Shaina Watrous and Cody Gray (not pictured, George Maliha)
A BRIEF HISTORY OF LAPA

From its beginning in 1999 as an intellectual home to Woodrow Wilson public policy students pursuing law degrees at American law schools and a program providing one-year fellowships to distinguished legal scholars, LAPA has grown to become the center of Princeton’s multidisciplinary legal inquiry and scholarship. There are few Princeton programs, centers, or departments with which LAPA has not collaborated on programming.

Its roster of Faculty Associates exceeds 80 members whose home departments range from Anthropology and Astrophysics to Sociology and Woodrow Wilson School. Applicants for its fellowship program regularly come from numerous countries on six continents. LAPA’s programming has also evolved to serve several constituencies, with dedicated programming for Princeton faculty, graduate students, and undergraduates, as well as for the general community and legal scholars. Bi-weekly LAPA Seminars (still the heart of the LAPA program) and the Law Engaged Graduate Student (LEGS) Seminars provide opportunities for intense examination of legal issues and attract faculty and students who do not normally interact.

Undergraduates have the opportunity to explore law as an academic discipline through programming, meetings with legal scholars, and informal interaction with LAPA fellows. LAPA’s two named lectures, the John Marshall Harlan ’20 Lecture in Constitutional Adjudication and Donald S. Bernstein ’75 Lecture, have attracted distinguished jurists from the high courts of the United States, Germany, Israel, and New Jersey as well as legal scholars from the nation’s top law schools. LAPA’s public lectures and programs draw foremost scholars and public officials who examine the legal dimensions of current issues on the public policy agenda. Its academic conferences have included collaboration with several institutions, such as New York University Law School, the Rutgers University Center for Race and Ethnicity, University of California-San Diego Department of Politics, and Yale Law School. LAPA-sponsored inquiries have contributed to legal research and jurisprudence, beginning with the publication of the oft-cited Princeton Principles on Universal Jurisdiction in 2001, and continuing with the collaboration of scholars, military personnel, practitioners, and contractors, which resulted in Consensus Findings on Legal Framework Governing Military Contractors and subsequent congressional legislation. Several LAPA conferences also provided the basis for special issues of I•Con: The International Journal of Constitutional Law.

In 2007 LAPA secured its place as a university-wide program when the Woodrow Wilson School, the University Center for Human Values, and the Princeton University general fund assumed equal shares of LAPA’s annual funding. Since its inception LAPA has prospered under the enlightened leadership of five directors or acting directors: Stephen Macedo, founding director; Christopher Eisgruber ’83, the first permanent director who was named University Provost after three years, Kim Lane Scheppele, currently in her second term as director, and acting directors Stanley Katz (2004-05), and Paul Frymer (2009-10).
During the past year, LAPA staff, Fellows, and Fellow Travelers have produced the following publications:

- Bernadette Atuahene, We Want What’s Ours: Evaluating South Africa’s Land Restitution Program (forthcoming).
- Leslie E. Gerwin, The Challenge of Providing the Public with Actionable Information during a Pandemic, 40 JOURNAL OF LAW, MEDICINE & ETHICS (forthcoming Fall 2012).
- Leslie E. Gerwin, The Bird Flu Debate: How to Avoid Ruffling Feathers While Still Having a Real Conversation, HUFFINGTON POST (Feb. 10, 2012), http://huff.to/ycEtYK.
- Leslie E. Gerwin, It is Wrong to Ransom College Affordability with Preventive Health Funds, HUFFINGTON POST (May 10, 2012), http://huff.to/1NUyLT.
- Leslie E. Gerwin, Why Everyone Should Celebrate Jim Yong Kim’s Election as President of the World Bank, HUFFINGTON POST (April 25, 2012), http://huff.to/IEyvYE.
- Leslie E. Gerwin, Will SCOTUS Be Found Wanting in the Court of Public Opinion?, NEED TO KNOW ON PBS (April 10, 2012), http://to.pbs.org/1H8UJF.
- Leslie E. Gerwin, The Supreme Court’s Missed Opportunity to Treat Health and Death With Dignity (with Sanford Levinson), HUFFINGTON POST (June 15, 2012), http://huff.to/MhZ43B.
- Gabor Halmai, From the “Rule of Law Revolution” to the Constitutional Counter-Revolution in Hungary, EUROPEAN YEARBOOK ON HUMAN RIGHTS (forthcoming 2012).
- Gabor Halmai, Kim Lane Schepple & Miklós Bánkuti, A Large Governing Party in the Center of the Political Stage: Hungary’s New Constitutional Order, JOURNAL OF DEMOCRACY (forthcoming 2012).
- Gabor Halmai, A jogállam forradalomtól az illiberális demokráciáig [From the Rule of Law Revolution to an Illiberal Democracy], in Mi a Magyar Most? [WHAT IS HUNGARIAN NOW?] (Kalligram, 2011).


Michael Herz, Chair’s Messages, in ADMINISTRATIVE AND REGULATORY LAW NEWS (all issues, 2011-2012).


Tayyab Mahmud, Debt and Discipline, 64 AMERICAN QUARTERLY (forthcoming).

Tayyab Mahmud, Neoliberal Reordering of Capitalism and the Working Classes, 104 KENTUCKY LAW JOURNAL (forthcoming).

Tayyab Mahmud, Is it Greek or déjà vu all over again?: Neoliberalism, and Winners and Losers of International Debt Crises, 42 LOYOLA CHICAGO LAW JOURNAL 629 (2011).

Michael McCann, Going Global: Lessons from an American Fellow Traveler, 21 LAW & COURTS (forthcoming Fall 2012).


Arzoo Osanloo, Iran, in CASE STUDIES IN COMPARATIVE POLITICS (David J. Samuels, ed. Pearson Press 2012).

Arzoo Osanloo, From Status to Rights: The Shifting Dimensions of Women’s Affairs and Family Law in Iran, in FAMILY LAW IN ISLAM: DIVORCE, MARRIAGE AND WOMEN IN THE MUSLIM WORLD (Maaike Voorhoeve, ed. Tauris 2012).


Arzoo Osanloo, Women’s Peacebuilding Initiatives in Iran, in WOMEN, ISLAM, AND PEACEBUILDING (Yasmin Saikia & Chad Haines, eds. forthcoming).


Camille Robcis, Lévi-Strauss’s Structuralist Social Contract, YALE FRENCH STUDIES (Special Issue: Rethinking Lévi-Strauss (1908 – 2009)) (forthcoming 2013).


Camille Robcis, Child Psychoanalysis in France and the Oedipalization of Life (under review at JOURNAL OF THE HISTORY OF IDEAS).
The Program in Law and Public Affairs is cosponsored by the Woodrow Wilson School of Public and International Affairs, the University Center for Human Values, and Princeton University.

Princeton University is an equal opportunity affirmative action employer. LAPA invites applications for its Fellowships from women and members of under-represented minorities. Information about applying for a LAPA fellowship may be found on the LAPA website at http://lapa.princeton.edu/fellowships.php

Nondiscrimination Statement

In compliance with Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and other federal, state, and local laws, Princeton University does not discriminate on the basis of age, race, color, sex, sexual orientation, gender identity, religion, national or ethnic origin, disability, or status as a disabled or Vietnam-era veteran in any phase of its employment process, in any phase of its admission or financial aid programs, or other aspects of its educational programs or activities. The vice provost for Institutional Equity and Diversity is the individual designated by the University to coordinate its efforts to comply with Title IX, Section 504 and other equal opportunity and affirmative action regulations and laws. Questions or concerns regarding Title IX, Section 504 or other aspects of Princeton’s equal opportunity or affirmative action programs should be directed to the Office of the Vice Provost for Institutional Equity and Diversity, Princeton University, 321 Nassau Hall, Princeton, NJ 08544 or telephone (609) 258-6110.

This report was written and edited by Leslie Gerwin.

Design assistance from Jennifer Bolton, Leona Rosso-Dzugan and the Office of Print & Mail Services