In this edition of LAPA occasional reports we feature a selection of the books written by LAPA Fellows during their tenure at Princeton. Writing a book takes significantly longer than the ten months spent each fellow spends in residence, but many Fellows have begun, completed, or made substantial progress on their manuscript. We also look at our “hot off the press” book series that bring legal authors from around the country to Princeton to speak before our community. Finally, we review the past year and provide an initial glimpse of what we expect to be an on-going series examining the constitutional and legal issues arising under the new Trump administration.

LAPA IS A PLACE FOR SIGNIFICANT INTERDISCIPLINARY LAW SCHOLARSHIP

For the past 17 years, LAPA has hosted classes of fellows. These legal scholars have not only found an environment conducive to productivity, but taken the opportunity to engage in academic discourse with the University community of faculty, students, and distinguished visitors. An important feature of the fellowship is the LAPA Seminar in which each fellow presents his or her work-in-progress to a multidisciplinary academic audience. Following a non-traditional format, in which a commentator initially presents and critiques the paper before the author responds, the seminar generates a lively discussion. The conversation then continues over dinner with faculty and invited guests providing the author with substantial and significant feedback. LAPA Fellows also participate in departmental programs across the campus in their areas of interest or expertise. They are featured speakers at and contributors to the workshops, seminars, conferences, colloquia and other programs that are a daily occurrence at Princeton.

The fellowship experience offers the talented and interdisciplinary scholars multiple opportunities to engage with the academic community at Princeton as well as to find times and space for pursuing their research and producing written work. Below are descriptions offered by former LAPA Fellows.

The LAPA seminars and subsequent dinners were occasions not only of rigorous intellectual sparring, but also of great camaraderie, where the speakers seemed to leave feeling that their work had been treated with a rare combination of generosity and the utmost seriousness.

Bernadette Meyler, 2009-2010 (Stanford Law School)

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; 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, 2011-2012 (Benjamin N. Cardozo School of Law)

LAPA’s interdisciplinary and holistic approach to the study of law is stimulating, rigorous, and challenging. It is also refreshing.

Mark Brandon ’92, 2008-2009 (Dean, University of Alabama School of Law)

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, 2008-09 (Brooklyn Law School)

LAPA gave me the chance to learn from the masters, to collaborate with brilliant scholars, to wander the halls of a great university, and to make friendships that I will carry forever.

Mark Alexander, 2012-13 (Dean, Villanova Law School)

Continued next page
LAPA is truly a gift to the intellectual community of law-and-social science scholars, bringing new groups together each year to spark new synergies in our field… I leave Princeton with a reinvigorated and changed intellectual agenda, led down unexpected but promising new paths by the experiences I had here.

Elizabeth Mertz, 2010-11 (American Bar Foundation and University of Wisconsin)

LAPA is the crown jewel of legal studies in the United States, and perhaps across the globe. No place else offers such wide-ranging discussions across so many academic fields. The amount of work emerging from LAPA reminds us of how important setting and staking out terrain in conversation is to the completion of a serious body of written work.

Steven Wilf, 2010-11 (University of Connecticut)

For more information on LAPA Fellows, past and present: http://lapa.princeton.edu/fellowships

We invited former LAPA Fellows to comment upon the role of their experience at LAPA in their book projects. We list below a sampling of books, comments, and announcements that they sent to LAPA.


Colin writes, “[This book] was begun at LAPA. It was Chris Eisgruber who was also a fellow that year who asked or rather challenged: “But are you saying that legal opinion amounts to a philosophy?” or something like that. Our discussions pushed me to think through my argument about law as a philosophy of personhood.”

NOTE: The book was named a Choice top academic title of the year.


Wilfrid writes, “This is the first comprehensive scholarly biography of a major figure in eighteenth-century public life, best known for his Commentaries on the Laws of England, first published in the 1760s, and even more influential in North America than in its author’s native Britain. My LAPA year was absolutely critical in setting the parameters of this study, not least drafting my seminar paper, and pondering the questions raised then and afterwards by Stan Katz, other fellows and participants.”


Mary writes, “I was only [at LAPA] for a semester, but I was able to finish one book and start another.”


Peggy writes, “The Introduction to the book thanks Princeton and LAPA. I valued very much the atmosphere of collegiality and curiosity as I began work on this topic during my LAPA year. The book has attracted a lot of commentary and reviews; it has been featured in various panels and symposia in the press and academic journals. Subsequent to the book’s publication in 2013 I have written a number of follow-up pieces… Based upon this body of work, I was invited to deliver the 2016 H.L.A. Hart memorial lecture at Oxford. A revised version of the Lecture, entitled “The Deformation of Contract Theory in the Information Society” will be published soon in the Oxford Journal of Legal Studies.”

NOTE: The book won the 2014 Scribes Book Award.
(Cambridge University Press 2014)
NOTE: The book was nominated by Cambridge Press for a Pulitzer Prize.

Forthcoming 2017)
Marci writes, “There is no doubt that my year of research and discussion at LAPA contributed to both of these publications.”


According to law professor and family law scholar Linda McClain: “Brandon persuasively challenges contemporary claims that our political order, since the Founding, has rested upon a particular family form and set of legal and moral norms. This wry and engaging book should inform ongoing discussions about family values, family forms, and the political and constitutional order.”

NOTE: The book was a finalist for the American Bar Association’s Silver Gavel Award.


Tom writes, “My time at Princeton contributed in no small measure to the book’s conception. LAPA provides an intimate and diversely talented environment which encourages Fellows, very gently and subtly, to think outside their comfort zones. In my case, what was initially conceived of as a treatise on the English law of prerogative became a much more ambitious treatment that foregrounded political debate on reason of state in Britain’s imperial past and post-imperial present.”


Jeannine writes, “LAPA could NOT have helped me more—from the seminar that I presented, to the other fellows who I bounced ideas off, to the students I taught and who provided research assistance--my book is what it is today because of the time I spent at LAPA. I wish I could do LAPA again for the project I am working on now!”


According to Princeton Professor (and LAPA Executive Committee Member) Hendrik Hartog: “Susanna Blumenthal is distinctive among legal historians of her generation. She brings to her work wide and thoughtful reading in various technical fields—the history of philosophy, the history of psychology, and American and English legal history—and has an immense gift for synthesis and summation. The book is an extraordinary achievement that helps to define the meaning of private law in the nineteenth-century judicial imagination.”

This book received the 2017 Merle Curti Award for the best book in American social history and American intellectual history from the Organization of American Historians.


According to the publisher, “This book disrupts the traditional narrative of Latin America’s legally benign racial past by comprehensively examining the existence of customary laws of racial regulation and the historic complicity of Latin American states in erecting and sustaining racial hierarchies. Tanya Kateri Hernández is the first author to consider the salience of the customary law of race regulation for the contemporary development of racial equality laws across the region.”


Anna writes in the book’s acknowledgments: “I did much of the research for this project as a fellow at the Law and Public Affairs Program at Princeton University in 2010–2011, where I enjoyed proximity to Washington, D.C., as well as the generous resources and stimulating conversations with my colleagues there.”

Vaccine expert Dr. Paul Offit writes: “Vaccine Court provides historical, political, and social context to our country’s unprecedented attempt to resolve the conflict between those certain of vaccine harms and the science that may or may not support their claims. In a compelling and sympathetic manner, Kirkland explores the murky netherworld between science, where truths are often determined by decades of study, and court, where truths are determined after a few weeks of testimony.”

History Professor Eli Zaretsky writes in *The Journal of Modern History* (June 2015): “All in all, this is a superb book that brilliantly links two fields—intellectual history and the history of law and policy—normally kept separate. In particular, Robcis is to be congratulated for not reproducing what often seems the willful obscurity and grandstanding of Lacan and others. Most important of all, Robcis finds her way through two exceptional claims to universal validity—French republicanism, which prioritizes the social bond, and American liberalism, which prioritizes the individual, without succumbing to the provincialism and tendentiousness of either.”


According to the publisher, Somek “offers a new and innovative contribution to contemporary debates in constitutional theory, explaining three stages of the development of constitutionalism.” It is “interdisciplinary in its approach, bridging the gap between constitutional and political theory.”


After spending many, many late nights in his LAPA office, Danny received stunning reviews upon submission of his book manuscript before his fellowship year ended. The University of Chicago Press says of the book, “In the mid-1990s, as public trust in big government was near an all-time low, 80% of Americans told Gallup that they supported the death penalty. Why did people who didn’t trust government to regulate the economy or provide daily services nonetheless believe that it should have the power to put its citizens to death? That question is at the heart of ‘Executing Freedom,’ a powerful, wide-ranging examination of the place of the death penalty in American culture and how it has changed over the years...Lachance argues, fascinatingly, that it’s the very failure of capital punishment to live up to that mythology that could prove its eventual undoing in the United States.”


Turku writes, “Here is what I wrote in the Preface of the book about LAPA: I had the chance to revise my book manuscript during a year spent as a Perkins fellow at Princeton University’s Law and Public Affairs Program (LAPA). For a law-engaged political theorist, LAPA might just be the happiest place on earth. I heartily thank its director, Kim Lane Scheppele, for giving me the opportunity to be a part of an invigorating intellectual environment that only she could have built.”


Princeton Professor (and LAPA Executive Committee member) Hendrik Hartog writes, “Michelle A. McKinley has written a book that embodies the richness of recent Latin American legal history and also transcends that literature. Fractional Freedoms is rooted in heroic work in recondite and intractable archives in Europe and in the Americas. It is shaped by an incredibly sophisticated historical imagination, and is also filled with really interesting and well told stories about the negotiations and the local lives of enslaved Africans in early modern Lima. There are surprises on every page. For anyone interested in the global history of slavery, which by rights should be every serious student of history, this is the state of the art.”


Jim writes, “The research for this book began when I was a LAPA fellow, after I pulled a copy of Mein Kampf off the shelf at Firestone, and read Hitler’s description of America as “the one state” that had progress toward the creation of healthy race-based order. More research followed. Nazism triumphed in Germany during the high era of Jim Crow in the United States. Did American race law influence the Nazis? The answer, this book shows, is yes; and it presents detailed documentation of the American influence on the notorious Nuremberg Laws, the centerpiece anti-Jewish legislation of the Nazi regime.”
LAPA HOSTS HOT-OFF-THE-PRESS LAW BOOK TALK SERIES

Inaugurated in 2015 by newly-appointed LAPA Director Paul Frymer, this series featured authors of recently published law-related books. In addition to exploring an area of substantive law, each session provided an opportunity for students and faculty to explore the dimensions of legal scholarship, including social science research methodologies, the process of conceptualizing and writing a book, and deciding issues associated with presentation and audience. In the past two years, LAPA has hosted Princeton faculty, former fellows and other notable scholars:

- **Anna Kirkland**, University of Wisconsin, *Vaccine Court: The Law and Politics of Injury* (NYU Press 2016)*

Organized by the University Center for Human Values

Note: Selected by Princeton President Eisgruber as the 2017 “Pre-read” for entering Class of 2021.


**UPCOMING IN 2017-2018**


*Former LAPA Fellow  **Member, LAPA Executive Committee

---

LAPA BIDS FAREWELL to the 2016-2017 FELLOWS and looks forward to the books forthcoming in the next few years from their fellowship experience. Excerpts from their projects were featured in the Fall 2016 *Law and LAPA@Princeton.*

- **Kathryn Abrams**, University of California Berkeley Law School
- **Cornelia Dayton** *’86, University of Connecticut, History
- **James Fleming** *’88, Boston College School of Law
- **Melynda Price**, University of Kentucky College of Law
- **David Rabban**, University of Texas School of Law
- **Sarah Schindler**, University of Maine School of Law

---

Princeton University’s Program in Law and Public Affairs (LAPA) was founded in 2001 to explore 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.

- **Paul Frymer**, Director, Professor of Politics
- **Leslie Gerwin**, Associate Director, Adjunct Prof. of Law, Cardozo Law School

Jennifer Bolton, Office Manager
Judi Rivkin, Events Manager
ACADEMIC YEAR PROGRAM HIGHLIGHT: “TRUMP AND THE CONSTITUTION”

With the election of Donald Trump, the LAPA program has begun a series focusing on the legal and constitutional issues of his administration. LAPA initiated or sponsored both special and regular programming directed towards examining some of the critical controversies. Its offerings included:

The Rights of Immigrants and Refugees
A panel discussion featuring
Kathryn Abrams, LAPA Fellow
Amaney Jamal, Director, Bobst Center for Peace and Justice
Robert Keohane, Woodrow Wilson School
Sohaib Sultan, Muslim Life Chaplain
Moderator: Paul Frymer, LAPA Director

Selecting Judges in the Trump Era
The John Marshall Harlan ’20 Lecture in Constitutional Adjudication
A panel discussion featuring
The Hon. Deborah Poritz, Chief Justice (Ret) N.J. Supreme Court
The Hon. David Tatel, Judge, U.S. Court of Appeals, D.C. Circuit
Professor Jed Shugerman, Fordham University School of Law
Moderator: Leslie Gerwin, LAPA Associate Director

The Afterlives of Torture: Executive Power versus International Law in the Age of Trump
A lecture by Lisa Hajjar, Professor of Sociology, U.C. Santa Barbara
Organized by Professor Max D. Weiss, Associate Professor of History and Near Eastern Studies, Princeton

Islam Under Trial: Muslim and Civil Liberties
A talk by Sahar Aziz, Professor of Law, Texas A&M University, Brookings Institution
Co-sponsored with the Center for Muslim Life

Free Speech Now Series
Created and Organized by Susan Brison, Visiting Professor for Distinguished Teaching, UCHV
Session I: Why Fighting Online Abuse is Good for Free Speech
Danielle Keats Citron, Professor of Law, University of Maryland; Brett Frischmann, Professor of Law, Cardozo Law School; Edward Felten, Center for Information Technology, Princeton

Session II: Internet Hate Speech, Fake News and Armies of Trolls
Soraya Chemaly, Director of Women’s Media Center Speech Project; Myisha Cherry, Visiting Graduate Fellow, Edmonds Safra Center, Harvard; Katherine Haenschen, Postdoctoral Research Associate, Center for Information Technology, Princeton

Session III: Free Speech In and Out of the Classroom
David Rabban, LAPA Fellow; Frederick Schauer, University of Virginia Law School; W. Rochelle Calhoun, VP for Campus Life Princeton

Law in Public Service Programs for WWS Policy Students
David Rudenstine, Professor of Law, Cardozo Law School, Federal Judges and National Security: The Pros and Cons of Meaningful Judicial Oversight of the Executive
The Hon. Rosalie Silberman Abella, Puisne Justice of the Supreme Court of Canada, The Judicial Role and Democracy
Sahar Aziz, Professor of Law, Texas A&M University, In the Name of National Security

UPCOMING AT REUNIONS
LAPA Director PAUL FRYMER will host a conversation with
ANTHONY D. ROMERO ’87 Executive Director, ACLU, on

RIGHTS IN AMERICA TODAY
Saturday, June 3
10:30 AM
McCosh Hall 10

UPCOMING

2017 Donald S. Bernstein ’75 Lecture
Populism, Globalism, and the Decline of the Post-War International Order
Anne-Marie Slaughter ’80

A Reunions Event
Friday, June 2, 2017 at 4:00 P.M.
104 Computer Science Building
Reception to follow