

# LAW SCHOOL NEWS

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### FACULTY WRITINGS

**Stuart Benjamin**, *The Logic of Scarcity: Idle Spectrum as a First Amendment Violation*, AEI-Brookings Joint Center for Regulatory Studies, Related Publication 02-12, Aug. 2002, <http://www.aei.brookings.org/publications/abstract.php?pid=266>. [To be published in the Duke Law Journal.]

### FACULTY ACTIVITIES

The University of St. Gallen (Switzerland) executive M.B.L. program on “The Law of the New Economy,” held at the Law School Nov. 3-8, 2002, was organized by **Anthony Reese** and included lectures by **Carl Baudenbacher** (the program’s founder and director), **Neil Netanel**, **Anthony Reese**, and **John Robertson**.

**John Dzienkowski** spoke at the State Bar of Texas CLE program on “Advanced Drafting: Estate Planning and Probate Course” on Nov. 1, 2002. His topic was “MDPs, MJP and Other Ethics Issues for Wills and Estates Practitioners.” The program will be repeated by videotape in Dallas on Dec. 13, 2002.

**Lee Fennell** presented a work-in-progress (co-authored with Christopher Fennell) entitled “Fear and Greed in Tax Policy: A Qualitative Research Agenda,” at an Empirical Tax Workshop held at Washington University School of Law in St. Louis, Nov. 1-2, 2002.

**Lino Graglia** participated in a debate on racial preferences with the head of the Amarillo chapter of the American Civil Liberties Union, Oct. 17, 2002, at the Texas Tech University Law School.

**Henry Hu** appeared on National Public Radio’s “Morning Edition” show on Aug. 12, 2002, discussing Securities & Exchange Commission requirements as to Chief Executive Officer and Chief Financial Officer personal certification of corporate financial reports. **Hu** was quoted in the WASHINGTON POST, Aug. 1, 2002, on General Electric’s decision to expense stock options and investor skepticism of GE’s financial reporting. **Hu** commented on the expensing of stock options in the DALLAS MORNING NEWS, July 28, 2002. The WASHINGTON POST, July 28, 2002, referred to Hu’s March 2000 *Faith and Magic* article, noting that the article had argued that federal policymakers themselves promoted an equity culture rooted in flawed theories as to stock market risks and returns. **Hu** was quoted in the LOS ANGELES TIMES on July 23, 2002 and July 24, 2002, on the possible consequences of J.P. Morgan Chase and Citigroup being involved in various transactions with Enron and a related U.S. Senate hearing.

**Hu** was quoted on Dynegy accounting and internal control matters in the HOUSTON CHRONICLE, July 16, 2002. **Hu** was quoted on reform of corporate governance and the expensing of stock options in NEWSDAY, July 14, 2002. **Hu** was quoted on accounting and other travails of telecommunications companies like WorldCom, Global Crossing, and Qwest Communications in the SAN FRANCISCO CHRONICLE, July 14, 2002.

**Terri LeClercq** has been appointed to the editorial board of the Journal of Legal Education. **LeClercq** will address the thrills and chills of legal writing to the attorneys at Locke, Liddell & Sapp in Houston, Nov. 18, 2002, and in Dallas, Nov. 22, 2002.

**Brian Leiter** (ed.), OBJECTIVITY IN LAW AND MORALS (2001) was reviewed at 113 ETHICS 169 (2002). **Leiter** presented a paper on “The Hermeneutics of Suspicion” on Oct. 30, 2002, to the philosophy faculty at Birkbeck College, University of London. On Oct. 31, 2002, **Leiter** taught a session of the LLM Jurisprudence Course at University College London devoted to his paper “Legal Realism and Legal Positivism Reconsidered” (Ethics, 2001). On Nov. 1, 2002, **Leiter** presented the first of three two-hour intercollegiate seminars at the University of London, each one devoted to one essay of Nietzsche’s ON THE GENEALOGY OF MORALITY; the second seminar was held on Nov. 4 and the third on Nov. 8. **Leiter** presented his paper “Beyond the Hart/Dworkin Debate” on Nov. 5, 2002, to law faculty and students at Cambridge University. On Nov. 6, 2002, he co-taught with William Twining (Quain Chair in Jurisprudence Emeritus at UCL) a special session of the LLM Jurisprudence course on “Conceptions of Legal Theory,” in which **Leiter** presented his paper “Naturalism in Legal Philosophy” from the Stanford Encyclopedia of Philosophy. That same evening, **Leiter** addressed the Undergraduate Philosophy Society at UCL on the topic, “Nietzsche: Naturalist or Postmodernist?”. On Nov. 7, 2002, **Leiter** taught another session of the LLM Jurisprudence course at UCL, this one devoted to the Hart/Dworkin debate.

**Sanford Levinson** was the focus of the University of Tulsa College of Law’s Second Annual Legal Scholarship Symposium, “The Scholarship of **Sanford V. Levinson**,” Oct. 31-Nov. 1, 2002. Speakers included Jack Balkin, Martin Belsky, Sherman Clark, Stephen Feldman, Paul Finkelman, Mark Graber, Frank Michelman, Elizabeth Reilly, Rodney Smith, Aviam Soifer, and Mark Tushnet. **Levinson** himself spoke on “My (Very Lucky) Life as a Scholar.”

**Neil Netanel** spoke on “Copyright and the First Amendment” at the Institute for Judicial Administration Workshop on the Internet and the Law, Nov. 8, 2002, at the New York University School of Law. **Netanel**’s proposal for a noncommercial use levy to allow unhindered Internet copying while compensating copyright holders, which he presented at the conference on Paying Artists, Protecting Innovation, at the American University Washington College of Law on Oct. 21, 2002, was discussed in the BNA PATENT, TRADEMARK & COPYRIGHT JOURNAL, Nov. 1, 2002.

**Gerald Torres**’ THE MINER’S CANARY: ENLISTING RACE, RESISTING POWER, TRANSFORMING DEMOCRACY (2002; with Lani Guinier) was reviewed at 64 JOURNAL OF POLITICS 1244 (2002).

**Louise Weinberg** gave a talk to the LAMP continuing education group at the Thompson Conference Center on Nov. 6, 2002. Her presentation was entitled "Did the South Have a Constitutional Right to Secede?".

#### LAW LIBRARY NEWS

**Michael Widener**, *Second Conference on Archives of the U.S.-Mexico Frontier*, SOUTHWESTERN ARCHIVIST, Nov. 2002, at 9.