

Curriculum Vitae

Robert D. Cooter

Office Address: University of California, School of Law, 792 Simon Hall
Berkeley, CA 94720, USA.

Email: rcooter@mail.law.berkeley.edu

Internet: <http://www.law.berkeley.edu/faculty/cooterr/>

Selected Works: http://works.bepress.com/robert_cooter/

EDUCATION

Ph.D. Harvard University, economics, 1975
B.A., Oxford University, philosophy,
politics and economics, 1969 (1st).
B.A. Swarthmore College, psychology, 1967.

ACADEMIC APPOINTMENTS

Herman F. Selvin Chair, School of Law, University of California at Berkeley, 1994-present.
Professor of Law, University of California at Berkeley, 1982-present.
Acting Professor, Law School, University of California, Berkeley, 1980-1982.
Assistant Professor, Department of Economics, University of California, Berkeley, 1975-80.

Visiting Fellow at Center for Advanced Studies, Munich, Germany, 13 October - 15 November 2011.
Visiting Professor at Michigan Law School, winter semester, 2010.
Visiting Fellow in the Center for Contract Law, Columbia University Law School, fall semester, 2008.
Visiting Professor at Hamburg University, October-December 2005 (in connection with winning the Humboldt Research Prize)
Bacon-Kilkenny Distinguished Visiting Professor, Fordham Law School, January-May 2003.
Visiting Professor, Law School, Tel Aviv University, December 2001; May-June 2000.
Professor of Law, Catholic University of Louvain, Louvain-La-Neuve, Belgium, 1991-2000.
Visiting Professor, Law Faculty, University of Hamburg, June 2001; July 2000.
Visiting Professor, Research School of Social Science, Australian National University, June-August 1998.
Visiting Professor, Center for Economic Studies, (CES) Munich, April 1998.
Visiting Professor, Law School, Toronto University, January 1996.
Visiting Professor, Law School, University of Chicago, winter and spring, 1994.
Jack N. Pritzker Distinguished Visiting Professor, Northwestern University School of Law, fall, 1993.
Visiting Professor, Faculty of Law, Cologne University, Germany, May-July 1989
Olin Visiting Research Professor, University of Virginia School of Law, 1988-89
Visiting Member, Institute for Advanced Study, Princeton, New Jersey, 1977-78

TEACHING

Berkeley Law School, Current Teaching

Law and Economics Seminar (currently by myself; in past co-taught with Justin McCrary, Suzanne Scotchmer, Aaron Edlin, Jesse Fried, and others)

Introduction to Law, Economics, and Business (taught in Berkeley Law School, Haas Business School, University of Michigan, Fordham University, University of Virginia, Toronto University, Tel Aviv University)

Economics of Intellectual Property Law

Political Economy of Public Law (with Kevin Quinn)

Berkeley Law School, Past Teaching

Constitutional Law and Economic Development (with John Yoo)

Constitutional Design and Rational Choice (with John Yoo)

Constitutional Law and Economics (with Robert Post)

Contracts (with Mel Eisenberg)

Corporate Theory and Economics (with Mel Eisenberg)

Economic Analysis of Law

Financial Instruments and Institution

Financial Services Seminar

Payment (myself; also with Ed Rubin)

Jurisprudence and Social Policy Orientation Seminar (with others)

Law and Anthropology (with and without Wolfgang Fikentscher)

Law and Economics of Growth and Development

Law and Economics I (private law)

Law and Economics II (public law)

Law, Economics, and Psychology (with Rob MacCoun)

Law and Justice (with Jeremy Waldron)

Payments Law

Philosophy of Law and Economics (with Jody Kraus; with Lewis Kornhauser)

Readings in Law (students choice among classics)

Social Scientific Foundations of the Interdisciplinary Study of Law

Theory of Legal Process (with Mel Eisenberg)

Torts Theory (with Steve Sugarman)

Berkeley Economics Department

Public Finance (graduate and undergraduate)

Intermediate Microeconomic theory (undergraduate)

Cost-Benefit Analysis (undergraduate)

Economic and Social Theories (graduate; with Richard Musgrave)

Places Other Than Berkeley, recent

“Three Lectures on Law and Growth Economics“, Economics Institute for Law Professors sponsored by the Law and Economics Center of George Mason University, consecutive summers in different resorts, 2012, 2013, 2014, 2015. (Also see below “Recent Invited Lectures”).

“Philosophy of Law and Economics,” New York University Law School, winter semester 2015 (co-taught with Lewis Kornhauser (with Jody Kraus); Michigan Law School, winter semester, 2010 (co-taught with Jody Kraus).

“Three Lectures on Law and Economics,” Center for Economic Studies, Munich, Germany, November, 2011.

"Incentives and Information in Torts and Contract" (with Ariel Porat), Tel Aviv Law School, May 22 – June 10, 2011.

“Introduction to the Economic Analysis of Law”, Michigan Law School, winter semester, 2010.

Five Lectures on Law and Economic Development, Hamburg University, June 2009.

Five lectures on law and economics, The 17th Summer School in Economic Theory, June 18 -27, 2006, Hebrew University, Jerusalem.

Short Course. “Property, Contracts, and Business Law,” Executive Masters of Business Administration Program of Wuhan University, China, held in JiuZai Paradise Resort, JiuZaiGou, Sichuan Province, China, 1-3 July 2005.

Short Course, “The law of property, torts, contracts, and regulation in light of recent developments in economics, psychology, and sociology,” University of Virginia, School of Law, January 19-29, 2004.

Lectures on Law and Economics, Faculty of Law, Tel Aviv University, December 2001; June 2000.

Lectures for Doctoral Students, Studienzentrum Gerzensee, Stiftung Der Schweizerischen Nationalbank, Suisse.

“Introduction to Law, Economics, and Business,” 20-24 May 2013; 17-21 May 2010; 9-13 June 2008; 29 May-2 July 2006.

“The law of property, torts, contracts, and regulation in light of recent developments in economics, psychology, and sociology,” 19-23 May 2003.

“Damages and Liability,” 26-30 March 2001.

“Law, Economics, and Social Norms,” 7-11 June 1999.

“Public Law and Economics,” 8-12 June 1998.

“Comparative Law and Economics of the Legal Process,” 7-11 April 1997.

“Constitutional Law and Economics,” 26 Feb-1 March 1996.

“Lectures on Private Law,” 27 -31 March 1995.

Lectures for Doctoral Students, Law School, Hamburg University.

“Lectures on Damages and Liability,” 25-27 June 2001.

“Lectures on Law, Economics, and Social Norms,” 6-11 June 1999.

CURRENT PROFESSIONAL APPOINTMENTS AND SERVICE

Founding Member of Advisory Board, Middle Eastern Law and Economics Association, 2014.

President, Latin American and Iberian Law and Economics Association (ALACDE), 2005. Board member 1995-present; Treasurer 2013-present.

President, American Law and Economics Association, 1994-95 (also President Elect, 1993; Secretary-Treasurer, 1992; founding Director, 1991).

Advisory Board, La Ciudad de las Ideas, Mexico, 2008-present.

Member, “Doing Business” Advisory Board, World Bank, 2012-present.

Member, American Economics Association, American Law and Economics Association, European Law and Economics Association, Latin American and Iberian Law and Economics Association.

PAST PROFESSIONAL APPOINTMENTS OF NOTE

Chairman, American Association of Law School’s section on Socio-Economics (2007 & 2008).

Co-Founder, Comparative Law and Economics Forum (CLEF), 1992-present.

Berkeley Electronic Press (Bepress), Founder and Member of the Board, 1999-present; Co-CEO, 2000-2005; Chairman of Board, 2005-2007.

RECENT UNIVERSITY SERVICE

Law School Admissions Committee (2015-2016).

Member, University’s Search Committee for Law School Dean (2013-14).

Co-Director, Berkeley Program in Law and Economics (1999-present).

Baxter Liberty Initiative, Committee Member (2011-present).

Chairman, Law School ad hoc committee on search for a joint economics and business appointment in law (2014).

Member, Law School ad hoc committee on search for a law and economics appointment (2015).

FELLOWSHIPS, SCHOLARSHIPS, HONORS AND AWARDS

Honorary Ph.D. (Docteur Honoris Causa), Sorbonne (Université Panthéon-Assas –Paris II), 29 January 2016.

Honorary Ph.D., Universidad del Pacifico, Lima, Peru, 13 November 2013.

Honorary Ph.D., Universidad de San Martin de Porres, Lima, Peru, 20 June 2012.

Honorary Ph.D., Hamburg University, Department of Economics and Business Administration, 2002.

European Law and Economics Association Distinction Award for 2011 (annual award given for distinguished contribution to European Law and Economics).

Kauffman Foundation author's grant for a book on law and economic growth (2011-2013).

Visiting Fellow in the Center for Contract Law, Columbia University Law School, fall semester 2008.

Humboldt Forschungspreis (Humboldt Research Prize), 2005.

American Academy of Arts and Sciences (1999-)

Scholar, Gruter Institute for Law and Behavior, 1992-present.

Volkswagen Foundation for research on American Indian tribal courts, '02-03 (with Wolfgang Fikentscher).

Japan Society for the Promotion of Science Fellowship for Research in Japan, 5-22 December 1998.

Ida Beam Distinguished Visiting Professor, University of Iowa, 18-20 February, 1998.

Max Planck Research Prize (with Wolfgang Fikentscher, Professor of Comparative Law, Munich), 1994-1997.

Asia Foundation, travel grant to Papua New Guinea, 1988.

Guggenheim Fellowship, 1985-86.

Summer Research Grant, National Center on Financial Services, 1984 & 1985.

Summer Research Grant from Law School, annually, 1981-present.

National Economics Club Essay Contest Winner, 1979.

Faculty Development Grant, 1979.

Institute for Business and Economic Research Grant, 1979.

Visiting Member, Institute for Advanced Study, Princeton New Jersey, 1977-78.

National Science Foundation Research grant, 1977-79.

Institute for Business and Economic Research Grant, 1975-76.

Kent Graduate Fellowship (Danforth Foundation) to Harvard, 1974-75.

National Science Foundation Graduate Fellowship to Harvard, 1971-73.

Fulbright Scholar to Oxford University, 1967-69.

RECENT INVITED ACADEMIC LECTURES

“The New Economic Freedom,” with Ben Chen, Workshop on Economic Liberties, Human Fulfillment and Human Rights, sponsored by Center for the Philosophy of Freedom Center and the Berkeley Law and Economics Program, El Conquistador Hotel Resort, Tucson, Arizona, 3-18-16

“Why public choice theory has so little influence on constitutional courts, and what to do about it,” keynote lecture, annual meeting, Public Choice Society, Fort Lauderdale, 11 March 2016.

“Economic Foundations of Intellectual Property Law,” Center for the Protection of Intellectual Property, George Mason Law School, conference at Hotel Loews Coronado Bay, Coronado, California, 4 March 2016.

“Internalization and Deterrence in the Law of Torts and Restitution,” Law and Economics Workshop, University of Chicago, 19 January 2016.

“Legal Certainty and Economic Performance,” Perspective on Legal Certainty Index, World Bank's Legal Week, Washington, D.C., 11-19-2015.

- “Legal and Economic Reasoning: Eisenberg’s Philosophy of Common Law”, Symposium in Honor of Mel Eisenberg, October 17, 2015.
- “Progress in the Useful Arts: Foundations of Intellectual Property Law in Growth Theory”, Comparative Law and Economic Forum, Brussels, Belgium, June 12, 2015; Seminar, Center for Technology, Innovation and Competition University of Pennsylvania Law School, February 12, 2015; Washington University Law Faculty Seminar, St. Louis, October 29, 2014; Florida State University Law Faculty Seminar, Tallahassee, October 29, 2014; University of Virginia Law and Economics Seminar, 10 April 2014; Stanford Law and Economics Seminar, Stanford University, October 24, 2013.
- Author’s Comments, conference on publication of Getting Incentives Right (Princeton University Press, 2014, authors Robert Cooter and Ariel Porat), Hebrew University, Jerusalem, June 4, 2015.
- “The Two Enterprises of Law and Economics,” Workshop in Law, Philosophy, and Political Theory, Berkeley Law School. 4 September 2015.
- “The Measure of Law and Economics,” keynote address, Latin American and Caribbean Law and Economics Association (ALACDE) annual meeting, Santo Domingo, Dominican Republic, 13 July 2015; Seminar on Theory of Private Law, Tel Aviv University Law School, June 3, 2015; Center for Advanced Studies, Munich, Germany, 26 October 2011; European Law and Economics Association, Hamburg, Germany, 22 September 2011; Berkeley Law Faculty Retreat, plenary session, Asilomar, Monterrey, California, August 21, 2010; University of Michigan Law Faculty Theory Seminar, April 15, 2010 (with Jody Kraus); University of Michigan Law and Economics Workshop, April 15, 2010; New York University Law and Economics Seminar, April 6, 2010 (with Jody Kraus).
- “Why Constitutional Law and Economics is like Food in the Catskills,” Conference on Constitutional Agendas, Interdisciplinary Center (IDC), Radziner School of Law, Herzliya, Israel, 31 May 2015.
- “Community Versus Market Values of Life” (with David DePianto), Annual Conference, American Law and Economics Association, Columbia University, May 16, 2015.
- “The New Economic Freedom,” conference entitled “The Ends of Capitalism”, Classical Liberal Institute, New York University, 27 February, 2015 (joint with Benjamin Chen).
- “Growth and The Measure of Law and Economics”, NYU Law School JSD program, 29 January 2015; International Conference on Law and Economics, Bilkent University, Ankara, Turkey, April 25-26, 2014.
- “Three Pillars of Law and Growth Economics,” Ratio Institute’s 6th Colloquium for Young Social Scientists entitled “Financing Innovation”, 22 August 2014, Stockholm, Sweden.
- “Freedom, Growth, and Intellectual Property -- Three Lectures on Law and Growth Economics,” Economics Institute for Law Professors sponsored by the Law and Economics Center of George Mason University, Homestead Resort, Hot Springs, Virginia, 23 July, 2016; Steamboat Springs, Colorado, 26 July 2014.
- “Disgorgement for Accidents” (with Ariel Porat), Latin American and Iberian Law and Economics Association (ALACDE), Annual Meeting, Chicago, May 26, Universidad Francisco Marroquin, Guatemala City, 2014; American Law and Economics Association, Annual Meetings, Chicago, May 8, 2014.
- “Legal Foundations for Growth,” conference for Guatemalan judges, Guatemala City, 28 May 2014.
- “Law and Economics for Entrepreneurs,” Tokyo Institute of Technology, Tokyo, Japan, 22 May 2014.
- “Tribal Culture and Economy on American Indian Reservations”, conference entitled “Sustaining the Reservation -- Creating Tribal Economies”, School of Law, Arizona State University, February 27, 2014.
- “Welfare Overtaking and Intellectual Property Law”, Japan Law and Economics Association, Tokyo, Japan, 19 May 2014; law faculty seminar, Law School; University of Arizona, February 25, 2014; also law and philosophy seminar, Center for Law and Philosophy, University of Arizona, February 25, 2014.
- “Solomon’s Knot: How Law and *Doing Business* Contribute to Ending the Poverty of Nations,” Plenary Session of World Bank conference entitled “Dong Business: Past, Present, and Future of

- Business Regulation”, McDonough School of Business Georgetown University, February 21, 2014.
- “What Use Is Law and Economics to Judges?”, Supreme Court of Peru, November 15, 2013.
- “Should tort damages differ in developed and developing countries?”, Universidad del Pacifico, Lima, Peru, November 15, 2013.
- “The Most Powerful Social Force in the Universe,” speech on receiving honorary doctorate, with commentary by Oscar Urviola Hani (Presidente del Tribunal Constitucional), Alfred Bullard Gonzalez (socio del Estudio Bullard Falla Ezcurra), and Pable Secada Leguera (economista principal del instituto Peruano de Economia), Universidad del Pacifico, Lima, Peru, November 14, 2013.
- “Legal Education for Business Innovation,” IAB-Bolashak Program for Kazakh lawyers and economists, Haas School of Business, University of California at Berkeley, October 8, 2013.
- “Obamacare: Calculus of Consent or Limit of Liberty?” Written for and presented to a conference entitled, “James M. Buchanan: A Celebration of Scholarship”, George Mason University, Fairfax, Virginia, September 28-29, 2013.
- “Freedom, Creativity, and Innovation -- Three Lectures on Law and Economics,” Economics Institute for Law Professors sponsored by the Law and Economics Center of George Mason University, Park Hyatt Beaver Creek, Avon, Colorado, 19 July 2013.
- “Freedom, Creativity, and Inequality”, City of Ideas, Puebla, Mexico, June 17, 2013.
- “Is Economic Freedom a Human Right?” Latin American and Iberian Law and Economics Association (ALACDE), Study Center of the State Attorney General Office of Rio de Janeiro, Brazil, 17 June 2013.
- “Innovation as Property and Culture,” Law Faculty, University of Vienna, Austria, 11 June 2013; Cardozo Law School Annual Distinguished Lecture in Intellectual Property, 4 April 2013; XXV International Conference of the Fondazione Centro nazionale di prevenzione e difesa sociale (CNPDS), Milan University, Milan, Italy, 9 November, 2012.
- “Lapses of Attention in Medical Malpractice and Road Accidents,” with Ariel Porat, Tel Aviv University, conference on “New Approach for a Safer and Healthier Society,” 20-22 May 2013.
- “What Political Philosophers Should Know About Economics,” New York University, 7 April 2013.
- “Solomon’s Knot: How Law Can End the Poverty of Nations,” Yale Law School Alumnae Association, Yale Center on Corporate Law, New York City, 17 January 2013.
- “Indian Culture and Land,” conference on Culture, Institutions, and Economic Development: Applications to American Indians, The Property and Environmental Research Center (PERC), Bozeman, Montana, 10 December 2012.
- “Freedom, Innovation, and Intellectual Property, Hayek Lecture, NYU Law School, 24 Oct 2012; Gruter Institute Workshop on Growth, Stanford University, 12 October 2012.
- “Creativity, Innovation, and Property,” keynote lecture, annual meeting of European Law and Economics Association, University of Stockholm, Stockholm, Sweden, 21 September 2012.
- “Solomon’s Knot: The Legal Basis for Economic Freedom and Development,” Notre Dame Law School, 2012 Annual Lecture, The Program on Law and Human Development, 7 September 2012.
- “Financing Secrets,” Faculty Seminar, Notre Dame Law School, 6 September 2012.
- “Legalize Freedom: Three Lectures on Law and Creativity,” presented to the joint meeting of the Economic Institute for Law Professors and the Legal Institute for Economic Professors, Law & Economics Center of George Mason University, Stanley Hotel, Estes Park, Colorado, 27 July 2012.
- “Legalize Freedom,” G20 Meeting, Cabo Mexico, 16 May 2012. (The panel was chaired by President Calderon of Mexico and the members were President Robert Zoellick of the World Bank, Director General Margaret Chan of the World Health Organization, President Luis Alberto Moreno of the Inter-American Development Bank, President Donald Kaberuka of the African Development Bank, Chairman Muhammad Yunus of the Grameen Bank, and Robert Cooter.) also presented to Latin American and Iberian Law and Economics Association (ALACDE), Universidade de San Martin de Porres, Lima, Peru, 19 June 2012.
- “Introduction to Economic Analysis of Law.” Latin American and Iberian Law and Economics Association (ALACDE), Judges Program: Santo Domingo, Dominican Republic, 15 June 2015;

- Universidad Francisco Marroquín in Guatemala, Guatemala, 28 May 2014; Rio de Janeiro, 19 June 2013; Universidad de San Martín de Porres, Lima, Peru, 20 June 2012; Bogota, Columbia, August 5, 2011; San Salvador, El Salvador, April 2, 8 2010; June 11, 2009, Barcelona, Spain. Public lecture, Krakow University, Krakow, Poland, 15 May 2010, and also public lecture at book signing for Polish translation of Law and Economics (5th edition, with Tom Ulen), EMPiK bookstore, Krakow.
- “Not the Power to Destroy: A Theory of the Tax Power for a Court that Limits the Commerce Power,” Annual Meeting, American Law and Economics Association, May 18, 2012, Stanford Law School.
- “Solomon’s Knot: How Law Can End the Poverty of Nations,” Gruter Institute Conference on “Economic Growth: Costs, Causes, and Effects,” Squaw Valley, May 23-25, 2012; World Bank, 12 April 2012; UCLA Law and Economics Workshop, 5 April 2012.
- “A Day at the Races. Comments on Richard Epstein’s Classical Liberalism,” Baxter Liberty Initiative, University of California at Berkeley, 3 April 2012.
- “Fairness as a Constituent of Efficiency,” Comments on Matt Adler’s *Well-Being and Fair Distribution* (Oxford University Press, 2012) delivered at a symposium to celebrate its publication, University of Pennsylvania Law School, March 19, 2012.
- “Intellectual Property Rights: Should they apply to peasants, professors, and students?,” Institute of Law and Economics, Hamburg 5 October 2011; Bucerius Law School, Hamburg, 5 October 2011.
- “Caution! Rough Road Ahead -- Four Facts About Social Norms,” the Duke Law School Seminar on Law and Custom, September 15, 2011.
- “Clearings and Thickets”, Interdisciplinary Law and Entrepreneurship Association, Law and Entrepreneurship Conference, Indiana Law School, Bloomington; International Conference on Regulatory Competition in Contract Law and Dispute Resolution, Center for Advanced Studies, Munich, Germany, 13 October 2011; annual meeting of European Law and Economic Association, Hamburg, Germany, 22 September 2011; annual meeting of Latin American and Iberian Law and Economics Association (ALACDE), Bogota, Columbia, August 3, 2011; Comparative Law and Economics Forum, Oxford, England, July 2, 2011; The Ratio Research Colloquium on Property Rights, the Conditions for Enterprise and Economic Growth Stockholm, Sweden, June 16-18, 2011.
- “Law and Growth Economics: A Framework for Research,” American Law and Economics Association, annual meeting, Columbia University Law School, May 20, 2011.
- “Law from Order on the Internet,” AALS Annual Meeting, Internet and Computer Law Section San Francisco, 7 January 2011.

CONFERENCES ORGANIZED RECENTLY

- Co-Organizer (with Allen Buchanan), Workshop on Economic Liberties, Human Fulfillment and Human Rights, sponsored by Center for the Philosophy of Freedom Center and the Berkeley Law and Economics Program, El Conquistador Hotel Resort, Tucson, Arizona, 3-18-16
- Chair, Symposium on Cass Sunstein’s “Nonquantifiable” with commentary by Daniel Farber, Richard Revesz, and Lisa Heinzerling (Berkeley Law and Economics Program and the Bennan Center for Justice, Berkeley Law School, September 17, 2013).
- Co-Organizer, “Foundational Principles of Contract Law: A conference on Professor Mel Eisenberg’s book manuscript,” Berkeley Law School, 11-12 January 2013.
- Co-Director, “Culture, Institutions, and Economic Development: Applications to American Indians,” The Property and Environmental Research Center (PERC), Bozeman, Montana, 10-11 December 2012.
- Co-Organizer (with Dan Rubinfeld), Comparative Law and Economics Forum, Berkeley Law School, 15-16 June, 2012.

Participation in Conferences Other Than As Invited Lecturer or Organizer

Edison Senior Fellow, Center for the Protection of Intellectual Property, George Mason Law School, Hotel Loews Coronado Bay, Coronado, California, 3-5, March 2016; Loews Royal Pacific Resort, Orlando, Florida, 21-22 April 2016; George Mason University School of Law in Arlington, VA, 15-16 Sept 2016; location to be determined, January 26-27, 2017.

Commentator, Law and Economic Theory Conference, Berkeley, 14-15 November 2014.

Session Chair, annual meeting, Comparative Law and Economics Forum (CLEF), Getulio Vargas Foundation / Law School, Rio de Janeiro, Brazil, 14-15 June 2013.

Chairman, Panel on Tort Law (Theory), American Law and Economics Association, Annual Meeting, Columbia University Law School, May 21, 2011.

Chairman, Panel on Law and Development, American Law and Economics Association, Annual Meeting, University of San Diego School of Law, May 15-16, 2009.

Chairman, Panel on Law and Development, American Law and Economics Association, Annual Meeting, University of San Diego School of Law, May 15-16, 2009.

Session Chair, annual meeting, Comparative Law and Economics Forum (CLEF), Yale University, June 3-4, 2010; Singapore Management School, May 22-23, 2009.

Participant, "Evolution, Complexity and the Law," Santa Fe Institute, March 19 – 20, 2009.

Commentator on Merritt Fox's "Promoting Innovation: The Law of Publicly Traded Corporations," Business Law and Innovation Conference, Columbia University Law School, 1 November 2008.

Commentator on Guido Calabresi's "Toward a Unified Theory of Torts," Berkeley Endowed Lecture in Law and Economics, Berkeley Law School, 28 April 2008.

Commentator, "Islam and Economic Underdevelopment: Legal Roots of Organizational Stagnation in the Middle East," April 10-13, 2008, Mercatus Center at George Mason University.

"Philosophy and Economics Roundtable," Law School, University of Illinois, 2-3 March 2007.

OTHER CONFERENCE PARTICIPATION

"The Rabbit and the Platypus: Law and Economics in Europe", speech on receiving honorary PhD, Sorbonne (Université Panthéon-Assas –Paris II), 29 January 2016.

"Sitting in the Professor's Chair," installation of Gerrit De Geest as university professor, Washington University, Saint Louis, 7 November 2014.

"American Phoenix: Legal & Policy Changes to Facilitate the Financing of America's Entrepreneurial Resurgence," Kauffman Summer Legal Institute, July 22–26, 2012, Dana Point, California.

Panel Member at G20 meeting. Panel Chair was the President of Mexico, Felipe Calderon; other panelists were Robert Zoellich (President of World Bank), Muhammed Yunus (Founder of Grameen Bank), Donald Kaberuka (President of African Development Bank), Margaret Chan (Director-General of World Health Organization), and Luis Carlos Moreno (President of Inter-American Development Bank), 16 June 2012, Cabo, Mexico.

Commentator, "The Constitutionality of the Affordable Care Act: Ideas from the Academy," Duke Law School, 16 September 2011.

PUBLISHED ARTICLES

"Optimal Income Taxation for Transfer Payments Under Different Social Welfare Criteria" (with E. Helpman), 88 Quarterly Journal of Economics 656-670 (1974).

"Optimal Tax Schedules and Rates," 68 American Economic Review 756-768 (1978).

"Liability Rules, Limited Information, and the Role of Precedent" (with L. Kornhauser and D. Lane), 10 Bell Journal of Economics 366-373 (1979).

"A Closed Model of Careers in a Simple Hierarchy" (with R. Restrepo), 10 Bell Journal of Economics 526-548 (1979).

"A New Expenditure Function," 2 Economic Letters 103-110 (1979).

- "Can Litigation Improve the Law without the Help of Judges?" (with L. Kornhauser), 9 Journal of Legal Studies, 139-163 (1980); reprinted in Jules Coleman and Jeffrey Lange, editors, Law and Economics, Volume 2 (The International Library of Essays in Law and Legal Theory, New York University Press, 1992).
- "Political Economy of a Public Corporation: Pricing Objectives of BART" (with G. Topakian), 13 Journal of Public Economics 504 (1980); reprinted in Transport And Public Policy (Edward Elgar: Cheltenham, U.K.; Northampton, MA. 1998), editor Kenneth Button and Roger Stough.
- "How the Law Circumvents Starrett's Nonconvexity," 22 Journal of Economic Theory 499-318 (1980).
- "Passing on the Monopoly Overcharge: A Further Comment on Economic Theory," 129 University of Pennsylvania Law Review 1516 (1981); reprinted in "Antitrust Injury and Standing," 25 Journal of Reprints for Antitrust Law and Economics 861-872 (1995), editors Roger D. Blair and Amanda K. Esquibel.
- "The Cost of Coase," 11 Journal of Legal Studies 1 (1982); reprinted in part in Charles Donahue, Jr., Thomas E. Kauper, Peter W. Martin, editors, Property: An Introduction to the Concept and the Institution (3rd edition, Fall 1992); reprinted in Bruce Ackerman, Robert Ellickson, and Carol Rose, editors, Perspectives on Property Law (2d edition, Boston, Little Brown & Co. 1995) pgs 209-214; reprinted in The Legacy of Ronald Coase in Economic Analysis (editor Steven G. Medema, Edward Elgar Publishing Co., 1995); reprinted in Foundations of the Economic Approach to Law (edited by Avery Katz, Oxford University Press, 1997, pages 153-157; reprinted by LexisNexis, 2006, pages 165-169); Japanese translation in The Way of Thinking in Law and Economics: Legal Studies as a Policy Science (Bokutaskusha, Tokyo, 1997), edited and translated by Shozo Ota; reprinted in Richard A Posner and Francesco Parisi, editors, The Coase Theorem (Edward Elgar, 2013).
- "Bargaining in the Shadow of the Law: A Testable Model of Strategic Behavior", 11 Journal of Legal Studies 225 (1982; with Stephen Marks and Robert Mnooken); reprinted in Jules Coleman and Jeffrey Lange, editors, Law and Economics, Volume 2 (The International Library of Essays in Law and Legal Theory, New York University Press, 1992) and reprinted in Foundations of the Economic Approach to Law (edited by Avery Katz, Oxford University Press, 1997, pages 158-162; republished by LexisNexis, 2006, pages 165-169).
- "Law and the Imperialism of Economics: An Introduction to the Economic Analysis of Law by Reviewing Some Major Books," 29 UCLA Law Review 1260 (1982).
- "Economic Analysis of Punitive Damages," 56 University of Southern California Law Review 79 (1982); reprinted in Law and Economics (Cheltenham, Glos; Lyme, NH: Edward Elgar, 1997) pgs 402-424, editors Richard A. Posner and Francesco Parisi; also reprinted in the abridged edition entitled Economic Foundations of Private Law (Edward Elgar, 2002).
- "Justice and Mathematics: Two Simple Ideas," in Roger B. Skurski, editor, New Directions in Economic Justice (Notre Dame Press, 1983).
- "The Objectives of Private and Public Judges," 41 Public Choice 107 (1983).
- "Personal v. Impersonal Trade: The Size of Trading Groups and Contract Law" (with Janet Landa), 4 International Review of Law and Economics 15 (1984).
- "Were the Ordinalists Wrong About Welfare Economics?" (with Peter Rappoport), 22 Journal of Economic Literature 507 (1984); reprinted in Mark Blaug, editor, Pioneers in Economics Vol 37 (Aldershot, UK: Edward Elgar Publishing Ltd. 1992); comment by I.M.D. Little and reply by Cooter and Rappoport, 23 Journal of Economic Literature 1186, 1189 (1985); brief version reprinted in Human Wellbeing and Economic Goals, editors Frank Ackerman, David Kiron, Jonathan Harris, Neva Goodwin, and Kevin Gallagher (Washington: Island Press, 1997), pages 93-96.
- "Prices and Sanctions", 84 Columbia Law Review 1523 (1984); summarized in Regulation: AEI Journal on Government and Society 150 (1985); reprinted in Jules Coleman and Jeffrey Lange, editors, Law and Economics, Volume 1 (The International Library of Essays in Law and Legal Theory, New York University Press, 1992); reprinted in Law and Economics (Cheltenham, Glos.; Lyme NH: Edward Elgar, 1997,) pgs. 579-616 , editors Richard A. Posner and Francesco Parisi; Japanese translation in The Way of Thinking in Law and Economics: Legal Studies as a Policy Science (Bokutaskusha, Tokyo, 1997), edited and translated by Shozo Ota.

- "Unity in Tort, Contract and Property: The Model of Precaution," 73 California Law Review 1 (1985); reprinted in Victor Goldberg, editor, Readings in the Economics of Contract Law (Cambridge University Press, 1989), and in Richard Craswell and Alan Schwartz, editors, Readings in Contract Law (Oxford University Press, 1993); reprinted in The Legacy of Ronald Coase in Economic Analysis (editor Steven G. Medema, Edward Elgar Publishing Co., 1995); reprinted in Foundations of the Economic Approach to Law (edited by Avery Katz Oxford University Press, 1997, pages 52-60; republished by LexisNexis, 2006, pages 165-169); Japanese translation in The Way of Thinking in Law and Economics: Legal Studies as a Policy Science (Bokutaskusha, Tokyo, 1997), edited and translated by Shozo Ota. Reprinted in Readings in the Economic Analysis of Law (Blackwell, forthcoming 2002), ed. Donald Wittman. Translated into Spanish and published in 50 Themis—Law Review, forthcoming.,
- "Defective Warnings, Remote Causes, and Bankruptcy: Comment on Schwartz", 14 Journal of Legal Studies 737 (1985).
- "Damages for Breach of Contract" (with Melvin A. Eisenberg), 73 California Law Review 1432 (1985); reprinted in part in Peter Linzer, A Contracts Anthology (1989), pp. 422-432.
- "The Coase Theorem," in John Eatwell, Murray Milgate, Peter Newman, editors, The New Palgrave (Stockton Press, New York, 1987), pp. 457-460. Reprinted in Richard A Posner and Francesco Parisi, editors, The Coase Theorem (Edward Elgar, 2013).
- "Justice At the Confluence of Law and Economics," 1 Social Justice Research 67 (1987). Reprinted in Francesco Parisi and Charles K. Rowley, The Origins of Law and Economics: Essays by the Founding Fathers (Edward Elgar, 2005), pages 222-240.
- "Liability Rules and Risk Sharing in Environmental and Resource Policy: Discussion," American Journal of Agricultural Economics (1987).
- "An Economic Case for Comparative Negligence" (with Tom Ulen), 61 New York University Law Review 1067 (1987); reprinted in A Law and Economics Anthology (Anderson Publishing Company, 1997), editors Kenneth G. Dau-Schmidt and Thomas S. Ulen, pages 376-381.
- "A Theory of Loss Allocation for Consumer Payments" (with Ed Rubin), 66 University of Texas Law Review 63 (1987); partially reprinted in E. Allan Farnsworth, Cases and Materials on Negotiable Instruments (Foundation Press, 4th edition, Westbury, NY: Foundation Press, 1993), and Cases and Materials on Commercial Law (Westbury, NY: Foundation Press, 5th edition, 1993).
- "Torts As the Union of Liberty and Efficiency: An Essay on Causation," in Mario Rizzo, editor, Symposium on Causation in Tort Law, 63 Chicago Kent Law Review 523 (1987).
- "Why Litigants Disagree: A Comment on George Priest's 'Measuring Legal Change,'" 3 Journal of Law, Economics, and Organization 85 (1987).
- "Liberty, Efficiency, and Law," 50 Law and Contemporary Problems 141 (1987), in symposium entitled, "Economists on the Bench," Jerome M. Culp, editor; reprinted in Efficiency in Law and Economics (Edward Elgar, forthcoming 2013), edited by Richard O. Zerbe and Daniel J. Evans.
- "A Regulated Market For Unmatured Tort Claims: Tort Reform by Contract" (with Steve Sugarman), in W. Olsen, editor, New Direction in Liability Law (Academy of Political Science, 1988), pp. 174-185.
- "Orders and Incentives as Regulatory Methods: The Expedited Funds Availability Act of 1987," (with Edward Rubin), 35 UCLA Law Review 1115 (1988); to be reprinted in Allison Zabriskie, editor, The Banking Law Anthology (International Library).
- "Towards A Market in Unmatured Tort Claims," 75 University of Virginia Law Review 383 (1989), with comments by Schwartz and Goetz. Under translation into Spanish in 2007 for publication in Jus et Veritas, a law journal of the Pontificia Universidad Catolica del Peru Law School.
- "Kin Groups and the Common Law Process," in Peter Larmour, editor, Customary Land Tenure: Registration and Decentralisation in Papua New Guinea (Monograph XXIX, Papua New Guinea Institute of Applied Social and Economic Research, 1989), pp. 33-50.
- "Rawls's Lexical Orderings Are Good Economics," 5 Economics and Philosophy 47 (1989).
- "Economic Analysis of Legal Disputes and Their Resolution" (with Daniel Rubinfeld), 27 Journal of Economic Literature 1067 (1989); reprinted in Game Theory and the Law, edited by Eric B. Rasmusen, Dan and Katherine Dalton, Elgar, 2007).

- "Punitive Damages for Deterrence: When and How Much?," 40 Alabama Law Review 1143 (1989), in symposium on punitive damages.
- "The Best Right Laws: Value Foundations of the Economic Analysis of Law," 64 Notre Dame Law Review 817 (1989), in symposium entitled "The Moral Lawyer: An Examination of the Ethical Underpinnings of Legal Thought"; Italian translation: "Le Migliori Leggi Giuste: I Valori Fondamentali Nell'Analisi Economica Del Diritto", 2 Quadrimestre 526 (1991), by Elena Corso; partially reprinted in Nancy Levit and Robert Hayman, editors, Jurisprudence: Contemporary Readings, Problems, and Narratives (West, 1994); Japanese translation in The Way of Thinking in Law and Economics: Legal Studies as a Policy Science (Bokutaskusha, Tokyo, 1997), edited and translated by Shozo Ota; Spanish translation, Derecho y Economía: una revisión de la literatura (El Fondo de Cultura Económica, 2000 forthcoming), edited by Andres Roemer.
- "Merit Goods: Some Thoughts on the Unthinkable," in Geoffrey Brennan and Cliff Walsh, editors, Rationality, Individualism, and Public Policy (Centre for Research in Federal Financial Relations, Canberra, 1990), pp. 186-192.
- "Trial Courts: An Economic Perspective" (with Daniel Rubinfeld), 24 Law and Society Review 533 (1990).
- "Justice and Economic Decision Making: A Model of Akrasia," 4 Social Justice Research 273 (1990).
- "Economic Theories of Legal Liability," 5 Journal of Economic Perspectives 11 (1991); reprinted in Steven G. Medema, editor, The Legacy of Ronald Coase in Economic Analysis (Aldershot, UK; Brookfield, VT: Edward Elgar Publishing, 1995); Italian translation: "Le Teorie Economiche Della Risponsabilità Legale", published in Gianandrea Goisis, editor, Efficienza Produttiva: Alcuni Contributi Su Noti (E Meno Noti) Argomenti (CEDAM, Padova, 1994), pp. 379-409; also Italian translation.
- "Lapses, Conflict, and Akrasia in Torts and Crimes: Towards An Economic Theory of the Will," 11 International Review of Law and Economics 149 (1991).
- "An Economic Model of the Fiduciary's Duty of Loyalty" (with Bradley J. Freedman), 10 Tel Aviv Studies in Law 297 (1991).
- "Comment on Robert Frank's 'A Theory of Moral Sentiments'", in Roger D. Masters, editor, The Sense of Justice: An Inquiry into the Biological Foundations of Law (Sage Publications, 1991), pp. 296-298.
- "The Fiduciary Relationship: Its Economic Character and Legal Consequences" (with Bradley J. Freedman), 66 New York University Law Review 1045 (1991); reprinted in Roberto Pardolesi and Roger Van den Bergh, editors, Law and Economics, Some Further Insights: 7th European Law and Economics Association Conference, Rome, Sept. 3-5, 1990 (Milano; Sutte, 1991), pp. 17-50.
- "Economic Analysis in Civil Law Countries: Past, Present, Future" (with J. Gordley), 11 International Review of Law and Economics 261 (1991); introduction to a symposium.
- "Inventing Market Property: The Land Courts of Papua New Guinea," 25 Law and Society Review 759 (1991).
- "Editor's Introduction: Constitutional Law and Economics" (with Barry Weingast), 12 International Review of Law and Economics (1992); special issue.
- "The Minimax Constitution as Democracy," 12 International Review of Law and Economics 292 (1992).
- "Organization as Property: Economic Analysis of Property Law and Privatization," in Christopher Clague and Gordon Rausser, editors, The Emergence of Market Economies in Eastern Europe (Blackwells, 1992), pages 77-97. Shorter versions of this paper appear in German and English in: Michael McGuire and G. de Botton, editors, Human Nature and the New Europe (1993) (entitled "Organizational Property and Privatization"); Bruce L. R. Smith and Gennady M. Danilenko, editors, Law and Democracy in the New Russia (Brookings Institution, Washington, D.C., 1993) (entitled "Organizational Property and Privatization in Russia"), pp. 53-73; and 2 Journal of Legal Economics 77 (1992) (entitled "Organization as Property: Economic Analysis of Property Law Applied to Privatization").
- "Diritto e Economia (Law and Economics) ," Instituto Dell'Enciclopedia Italiana (Fondata Da Giovanni Treccani, 1993), pages 98-106.

- "Against Legal Centrism: Review of Robert C. Ellickson's Order Without Law," 81 California Law Review 417-429 (1993).
- "California's Credit Card Industry: More Jobs and Cheaper Credit Through Better Law" (Visa U.S.A., May 5, 1993).
- "An Economic Model of Legal Discovery" (with Daniel Rubinfeld), 23 Journal of Legal Studies 435-463 (1994).
- "Market Affirmative Action, 31 San Diego Law Review 133-168 (1994); reprinted in John Donohue, Foundations of Employment Discrimination Law (Oxford University Press, Oxford, 1997).
- "Structural Adjudication and the New Law Merchant: A Model of," 14 International Review of Law and Economics 215-231 (1994); reprinted in Lisa Bernstein and Francesco Parisi, Customary Law (Edward Elgar, forthcoming); a shorter version of this paper published under the title, "The Structural Approach to Decentralizing Law: A Theory of Games and Norms," in Richard M. Buxbaum, Gerard Hertig, Alain Hirsch, and Klaus J. Hopt, editors, European Economic and Business Law (Walter de Gruyter, Berlin and New York, 1996), pages 341-364.
- "Decentralized Law For A Complex Economy," Hayek Symposium, 23 Southwestern Law Review 443-451 (1994).
- "The Logic of Power in the Emerging European Constitution: Game Theory and the Division of Powers" (with Josef Drexl), 14 International Review of Law and Economics 307-326 (1994).
- "The Cultural Justification of Unearned Income: An Economic Model of Merit Goods based on Aristotelian Ideas of Akrasia and Distributive Justice," (with James Gordley), in Robin Cowan and Mario J. Rizzo, editors, Profits and Morality (University of Chicago Press, 1994), pages 150-175.
- "Void for Vagueness: Introduction to a Symposium," 82 California Law Review 487-490 (1994).
- "Laws and Prices: How Economics Contributed to Law By Misunderstanding Morality," 3 Juris: Quderns De Politica Juridica 35-56 (1994; Generalitat de Catalunya, Departament de Justícia, Direccio General de Dret i d'Entitats Juridiques i Formacio Especialitzada).
- "Law and Unified Social Theory," 22 J. Law and Society 50-67 (1995); reprinted in Socio-Legal Studies in Context: The Oxford Centre Past and Future (Blackwell Publishers, Oxford, 1995), edited by D. J. Galligan, pages 50-67. A version of this paper entitled "Thicker Selves in Law and Economics: Towards Unified Social Theory," Festschrift fur Wolfgang Fikentscher zum 70. Geburtstag (Mohr Siebeck, Tübingen, 1998), edited by Bernhard Grossfeld, Rolf Sack, Thomas Mollers, Josef Drexl, and Andreas Heinemann, 43-69.
- "Reforming the New Discovery Rules," (with Daniel Rubinfeld) 84 Georgetown Law Rev. 61-89 (1995).
- "Decentralized Law for a Complex Economy: The Structural Approach to Adjudicating the New Law Merchant," 144 University of Pennsylvania Law Review 1643-1696 (1996). A shorter version of this paper appeared as "Decentralized Law," 4 New Zealand Business Law Quarterly 239-246 (1998).
- "The Theory of Market Modernization of Law," 16 International Review of Law and Economics 141-172 (1996); a version of this paper was reprinted as "Market Modernization of Law: Economic Development Through Decentralized Law," Economic Dimensions in International Law (Cambridge University Press, 1997), edited by Jagdeep S. Bhandari and Alan O. Sykes, pages 275-317; with comment by William Kovacic, pages 317-323.
- "Book Review: Barriers to Conflict Resolution (Kenneth J. Arrow, Robert H. Mnookin, Lee Ross, Amos Tversky, Robert Wilson, editors; New York and London: Norton, 1995), 34 J. Economic Literature 1953-1995 (1996).
- "Comparative Judicial Discretion: An Empirical Test of Econometric Models," 16 International Review of Law and Economics (1996; with Tom Ginsburg), 295-314; reprinted in Constitutional Law and Economics in the European Union (Edward Elgar: Cheltenham, UK and Lyme, US, 1997, editors Dieter Schmidtchen and Robert Cooter), pages 108-131; forthcoming in Stefan Voigt, Constitutional Political Economy (Edward Elgar, 2003).
- "Introduction: Conference on the Constitutional Law and Economics of the European Union," 16 International Review of Law and Economics (1996, with Dieter Schmidtchen), 277-278.
- "The Rule of State Law Versus the Rule-of-Law State: Economic Analysis of the Legal Foundations of Development," Annual World Bank Conference on Development Economics, 1996 (editors

- Michael Bruno and Boris Pleskovic, The World Bank, Washington, D.C., 1997), pages 191-218. Reprinted in The Law and Economics of Development, edited by E. Buscaglia, W. Ratliff and R. Cooter (Greenwich, Connecticut, and London, England: JAI Press Inc., 1997,) pages 101-148.
- “The Normative Failure Theory of Law,” 82 Cornell Law Review 947-979 (1997).
- “Comments on *Law and Biology: Foundations of Integration*” by Owen Jones,”8 Journal of Contemporary Legal Issues 209-210 (1997).
- “Punitive Damages, Social Norms, and Economic Analysis,” 60 Law and Contemporary Problems 73-92 (1997).
- “Liability Rights As Contingent Claims,” The New Palgrave (2nd edition, London: Macmillan Reference; New York: Stockton Press 1998), editor Peter Newman.
- “Division of Powers In the European Constitution,” The New Palgrave (with Tom Ginsburg, 2nd edition, London: Macmillan Reference; New York: Stockton Press 1998), editor Peter Newman.
- “Self-control and Self-improvement for the ‘Bad Man’ of Holmes” (O. W. Holmes Centenary Lecture Conference),78 Boston University Law Review 903-930 (1998).
- “Indian Common Law: The Role of Custom in American Indian Tribal Courts (Part I and II),” 46 American Journal of Comparative Law 287-330 and 509-580 (1999; with Wolfgang Fikentscher).
- “Individuals and Relatives,” A Good Cherokee, A Good Anthropologist: Papers in Honor of Robert K. Thomas (American Indian Studies Center, University of California at Los Angeles, 1998), edited by S. Pavlik, pages 57-92.
- “Expressive Law and Economics,”27 J. Legal Studies 585-608 (1998).
- “The Law and Economics of Anthropology: A Review,” Encyclopedia of Law and Economics (Edward Elgar, Ltd, Cheltenham, 2000), editors Boudewijn Bouckaert and Gerrit De Geest. (Also viewable online at <http://encyclo.findlaw.com/0640book.pdf>.)
- “Commodifying Liability,” The Fall and Rise of Freedom of Contract (Durham, NC: Duke University Press, 1999), edited by Frank Buckley, pages 139-156.
- “Punitive Damages,” in Christopher B. Gray, editor, Philosophy of Law: An Encyclopedia (New York, Garland Inc., forthcoming, 1999), pages 709-711.
- “Mongolia: Avoiding Tragedy in the World’s Largest Common,” Law and Evolutionary Biology: Selected Essays in Honor of Margaret Gruter (Gruter Institute for Law and Behavioral Research, 1999) Lawrence A. Frolik, Editor, pages 87-110; reprinted in Richard Posner and Francesco Parisi, editors, Economic Approaches to Law (Edward Elgar, forthcoming).
- “Law From Order: Economic Development and the Jurisprudence of Social Norms,” A Not-so-Dismal Science: A Broader, Brighter Approach to Economics and Societies (New York: Oxford University Press, 2000) editors J. Mancur Olson and S. Kahkonen, pages 338-244; republished in India by Vistaar Publications, New Delhi, under the title A New Institutional Approach to Economics Development.
- “Does Risk to Oneself Increase the Care Owed to Others? Law and Economics in Conflict,” 29 Journal of Legal Studies 19 (2000, with Ariel Porat). Reprinted partially in Sharkey and Levmore, Foundations of Tort Law (2009, 2nd edition), 49-55.
- “Do Good Laws Make Good Citizens? An Economic Analysis of Internalized Norms,” 86 Virginia Law Review 1577-1601 (2000).
- “Three Effects of Social Norms on law: Expression, Deterrence, and Internalization,” 79 Oregon Law Review pages 1-22 (2000); Portuguese translation, Bruno Meyerhof Salama, Tres Efeitos das Normas Sociais Sobre o Direito Expressao, Eissuasao e internalizacao, Direito E Economia (Saraiva, 2010), pages 279-304.
- “Should Courts Deduct Nonlegal Sanctions from Damages?,” 30 Journal of Legal Studies (2001, with Ariel Porat), pp. 401-422; reprinted in Posner, E. A., Ed. (forthcoming 2006). Social Norms, Nonlegal Sanctions, and the Law, Edward Elgar Publishing Ltd.
- “Fairness, Character, and Efficiency in Firms,” 149 University of Pennsylvania Law Review 1717-1733 (2001; with Melvin Eisenberg).
- “Constitutional Consequentialism: Bargain Democracy v. Median Democracy,” 3 Theoretical Inquiries in Law (2002), pp. 1-20.
- “Anti-insurance,” 31 J. Legal Studies 203-232 (2002; with Ariel Porat).

- “Can Lawyers Say Anything About Economic Growth? Comment on Frank Cross’s *Law and Economic Growth*, Texas Law Review 2002.
- “Who Gets on top in Democracy? Elections as Filters,” 10 Supreme Court Economic Review 127 (2003).
- “Truth-Revealing Mechanisms for Courts,” 159 J. Institutional and Theoretical Economics 259-279 (2003; with Winand Emons).
- “The Optimal Number of Governments for Economic Development,” Market Augmenting Government (2003, University of Michigan Press, edited by Omar Azfar and Charles A. Cadwell), pages 297-332; comment by Martin C. McGuire, page 333.
- “Hand Rule Damages for Incompensable Losses,” 40 San Diego Law Review 1097-1121 (2004).
- “Charity, Publicity, and the Donation Registry,” 72 Fordham Law Review 1981 (2204).
- “Decreasing-Liability Contracts,” 33 J. Legal Studies 157 (2004; with Ariel Porat).
- “Charity, Publicity, and the Donation Registry”, *The Economists' Voice*: Vol. 2: No. 3, Article 4., 2005; ^L_{SEP}<http://www.bepress.com/ev/vol2/iss3/art4> (with Brian J. Broughman).
- “Treating Yourself Instrumentally Internalization, Rationality, and the Law,” The Law and Economics of Irrational Behavior (Stanford University Press, 2005), edited by Francesco Parisi and Vernon L. Smith, pages 95-110.
- “The Confluence of Justice and Efficiency in the Economic Analysis of Law,” The Origins of Law and Economics: Essays by the Founding Fathers (Edward Elgar Publishing Inc., 2005), edited by Francesco Parisi and Charles K. Rowley.
- “Innovation, Information, and the Poverty of Nations: The 2005 Ladd Lecture,” 33 Intellectual Property and Innovation Law Review 373-394; adapted and reprinted as Occasional paper Number 15, the Free Market Foundation of Southern Africa, October 2006, Johannesburg and Cape Town, South Africa. Adapted for reprinting in N. Sudarshan, editor, *Poverty – A Human Rights Approach* (Amicus Books, The Icfai University Press, Hyderabad, India, 2006, pages 87-113) under the title “Law, Information, and the Poverty of Nations”; reprint forthcoming in *Intellectual Property and Innovation*, editor Shuba Goetsch, professor of law, Initiatives for Studies in Transformational Entrepreneurship, University of Wisconsin Law School.
- “Escaping Poverty: Law and Growth – keynote address,” 12 Southwestern Journal of Law and Trade in the Americas 101 (2006), 181-187.
- “Total Liability for Excessive Harm,” 36 Journal of Legal Studies 63-79 (2007); with Ariel Porat).
- “Adapt or Optimize: Psychology and Economics of Evidence Law,” Heuristics and the Law (MIT Press, 2006), pages 379-390, edited by Gerd Gigerenzer and Christoph Engel.
- “The Intrinsic Value of Obeying a Law: Economic Analysis of the Internal Viewpoint,” 75 Fordham Law Review 1275-1285 (December 2006).
- “Liability Externalities and Mandatory Choices: Should Doctors Pay Less?”, *Journal of Tort Law*, Volume 1 issue 1 (2006; with Ariel Porat). Available at: <http://www.bepress.com/jtl/vol1/iss1/art2>.
- “American Indian Law Codes: Pragmatic Law and Tribal Identity,” 56 American Journal of Comparative Law (forthcoming 2007; with Wolfgang Fikentscher).
- “Bargaining with the State: Offsets and Mitigation in Developing Land,” in Internationalization of the Law and its Economic Analysis, *Festschrift for Hans Bernd Schaefer*, edited by Thomas Eger, Jochen Bigus, Calus Ott, and Georg von Wangenheim, Gabler Edition Wissenschaft, 2008, pages 423-429.
- “The Misperception of Norms: The Psychology of Bias and the Economics of Equilibrium,” *Review of Law & Economics* (Vol. 4 : Iss. 3, Article 7, 2008; with Michal Feldman and Yuval Feldman).
- “Doing What You Say: Contracts and Economic Development,” Meador Lecture Series, 59 Alabama Law Review 1107-1133 (2008).
- “Academic Scribblers and Defunct Economists,” 60 University of Toronto Law Journal 467 (2010; with Hans Bernd Schaefer).
- “Charity and Information: Correcting the Failure of a Disjunctive Social Norm,” 43 Michigan Journal of Law Reform 871 (2010;with Brian Broughman).
- “A Theory of Direct Democracy and the Single Subject Rule,” 110 Columbia Law Review 687 (2010, with Michael Gilbert).

- “Collective Action Federalism: A General Theory of Article I, Section 8,” 63 Stanford Law Review 115-185 (2010; with Neil Siegel).
- “The Importance of Law in Promoting Innovation and Growth,” in *Rules for Growth: Promoting Innovation and Growth Through Legal Reform*, by The Kauffman Task Force on Law, and Growth (Kauffman Foundation, 2011), 1-22 (with Aaron Edlin, Robert Litan, and George Priest).
- “Overtaking,” in *The American Illness: Essays on the Rule of Law*, ed. Frank Buckley (Yale University Press, 2013, pages 472-486; with Aaron Edlin).
- “Maturing into Normal Science: The Effect of Empirical Legal Studies on Law and Economics,” *University of Illinois Law Review*, October 2011, Number 5, page 1475.
- “The Secret of Growth Is Financing Secrets: Corporate Law and Growth Economics,” 54 Journal of Law and Economics (2011; with Hans Bernd Schaefer), pages S105-S123.
- “Growth-Oriented Legal Reforms,” in Production of Legal Rules (Francesco Parisi, editor; Edward Elgar, 2011, pages 400-417 (with Hans-Bernd Schaefer).
- “El Análisis Económico de la Propiedad” with Ugo Acciarri, *Análisis Económico Del Derecho* (editors Hugo Acciarri et al, Thomson Reuters, 2012), pages 13-44.
- “Not the Power to Destroy: An Effects Theory of the Tax Power,” 98 Virginia Law Review 1195-1253 (2012; with Neil Siegel), with “Foreward: Academic Influence on the Court” by Neil Kuman Katyal, 1189-1194.
- “Damages for Incompensable Harms,” in Jennifer Arlen, editor, Research Handbook on the Economics Analysis of Torts (with David DePianto; Edward Elgar 2013, pages 439-459).
- “Freedom, Creativity, and Intellectual Property,” 8 New York University Journal of Law & Liberty 1-14 (2013).
- “Giving Credit to Credit”, *Die ökonomische Analyse des Rechts: Festschrift für Michael Adams* (PL Acadmeic Research, 2013, pages 33-62; with Hans-Bernd Schäfer).
- “Clearings and Thickets,” Regulatory Competition in Contract Law and Dispute Resolution (with Aaron Edlin, C.H. Beck, 2013), edited by Horst Eidenmüller.
- “Lapses of Attention in Medical Malpractice and Road Accidents,” 15 Theoretical Inquiries in Law 329-358 (2014, with Ariel Porat).
- “Keeping Secrets”, Festschrift zu Ehren von Christian Kirchner (Mohr Siebeck, 2014, pages 682-695; with Richard Buxbaum).
- “Getting Incentives Right—Responding to Critics,” 12 *Jerusalem Review of Legal Studies* 237-249 (2015; with Ariel Porat).

BOOKS

- The Falcon’s Gyre: Legal Foundations of Economic Innovation and Growth, progressively updated online beginning 2013 (Berkeley Law Books, n.d.), google “Cooter Falcon’s Gyre” or go to <http://scholarship.law.berkeley.edu/books/1/>.
- Getting Incentives Right: Improving Torts, Contracts, and Restitution (Princeton University Press, 2014; with Ariel Porat).
- Solomon’s Knot: How Law Can End the Poverty of Nations (Princeton University Press, 2012; with Hans Bernd Schäfer). Chinese translation by Zhang Wei and Xu Ke, Peking University Press, 2014.
- The Strategic Constitution (Princeton University Press, 2000; <http://www.pupress.princeton.edu/titles/6849.html>). (Chinese translation by Law Press, 2012.)
- Law and Economics (Scott Foresman, 1988; Addison Wesley Longman, 2nd edition, 1996; Addison Wesley Longman, 3rd edition, 1999; 4th edition 2003; 5th edition 2008; 6th edition, Prentice Hall, 2011; with Tom Ulen). 1st edition translation into Japanese by Prof. Shozo Ota, introduction by Prof. Koji Shimdo, published by Shoji-Homu in 1989; 2nd edition translation in Korean by Lee Jong; 2nd edition translation into Spanish by Eduardo L. Suarez, Derecho y Economia (Fondo De

Cultura Economica, Mexico, 1998); 4th edition translation into Spanish by Eduardo L. Suarez, Derecho y Economia (Fondo De Cultura Economica, Mexico, 2009); Chinese translation of 3rd edition by Shanghai University of Finance & Economics Press; Chinese translation of 5th edition in 2008 by Pearson Education Taiwan. International version of 4th edition to be published in Indian subcontinent in January 2004 by Pearson Education, Indian Branch. 4th edition translated into Hungarian and published 2005 by Nemzeti Tankonyvkiado T., Budapest, and also into Slovenian by Prvod Cetrte Izdaje, Ljubljana, 2005; 5th edition translated and into Polish by Jaroslaw Beldowski and Katarzyna Metelska-Szaniawska, Wydawnictwo C.H. Beck, Warszawa 2011; Persian translation, 2009. 5th edition translated into Portuguese by Luis Marcos Sander and Francisco Araujo Da Cost, Direito & Economia (Bookman, 20120); 6th edition translations forthcoming in Chinese and Korean.

Il Mercato Delle Regole: Analisis Economica Del Diritto Civile (il Mulino, Bologna, Italy, 1999; with Ugo Mattei, P.G. Monateri, R. Padoleski, and T. Ulen); adaptation of Cooter and Ulen's Law and Economics for Italy.

The Way of Thinking in Law and Economics: Legal Studies as a Policy Science (Bokutaskusha, Tokyo, 1997), edited and translated by Shozo Ota.

The Payment System: Cases, Materials, and Issues (1989, West Publishing Company, St. Paul, Minnesota; 2nd edition, 1994), with Edward Rubin as first author.

EDITED BOOKS

Theory and Measurement of Demand for Public Services: Proceedings of International Seminar on Public Economics, Sienna, Italy, 1973; limited publication, Harvard 1974.

Constitutional Law and Economics in the European Union (Edward Elgar: Cheltenham, UK and Lyme, US, 1997, with Dieter Schmidtchen).

The Law and Economics of Development (Greenwich, Connecticut, and London, England: JAI Press Inc., 1997, with Edgardo Buscaglia, and William Ratliff).

Foundations of Law and Economics (Edward Elgar Publishing Limited, 2009; with Francesco Parisi).

Legal Institutions and Economics of Development (Edward Elgar Publishing Limited, 2009; with Francesco Parisi).

Recent Developments in Law and Economics, volumes I, II, and III (Edward Elgar Publishing Limited, 2009; with Francesco Parisi).

Análisis Económico Del Derecho (Thomson Reuters, 2012; with Hugo Acciarri, Edgardo Buscaglia, Alfredo Bullard, Rafael Mery Nieto, Francisco Reyes Villamizar, Flavia Santinoni Vera).

OTHER PUBLICATIONS

Monograph: Issues in Customary Land Law (Institute of National Affairs, Port Moresby, Papua New Guinea, August 1989); contains 16 case studies from local land courts and five essays entitled "Who Owns the Land in Papua New Guinea?" "How To Make Customary Law into the Common Law in Papua New Guinea," "Making Squatters into Tenants and Owners," "The Case Against Government Monopoly in Customary Land Deals," and "Government Liability for Errors in Customary Land Registration."

Newspaper Article: "UC System: Layoffs, Not Pay Cuts" (with Aaron Edlin, Los Angeles Times, 16 July 2009).