PUBLICATIONS

Books


7. Retained by the People: The ‘Silent’ Ninth Amendment and the Constitutional Rights Americans Don’t Know They Have (Basic Books 2007).


16. LAW AND PUBLIC CHOICE: A CRITICAL INTRODUCTION (University of Chicago Press, 1991) [with P. Frickey].


ARTICLES, ESSAYS, AND BOOK CHAPTERS


2. Introduction (p.1) and Concluding Chapter: The Emergence of Global Climate Law (p. 687), in Daniel Farber & Marjan Peters, Climate Change Law (2016) (with Peters).


15. Lessons from the BP Oil Spill, 6 Revista de Estudos Constitucionais Hermenaneutica e Teoria de Direito (RECHTD) (Brazil) 232 (2014).


42. The UNCC as a Model for Climate Compensation, in Cymie Payne & Peter Sand (eds.), GULF WAR REPARATIONS AND THE UN COMPENSATION COMMISSION (2011).

43. Introduction (with M. Faure), in D. Farber and M. Faure (eds.), DISASTER LAW (Elgar 2010).


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47. Adaptation and Climate Justice, in T. Bonhady, A. Macintosh and J. McDonald (eds.), ADAPTATION TO CLIMATE CHANGE: LAW AND POLICY (Federation Press 2010).


51. Justice Stevens, Habeas Jurisdiction, and the War on Terror, 43 U. Davis L. Rev. 945 (2010).


64. A Place-Based Theory of Standing, 55 UCLA L. Rev. 1505 (2008).


69. El ‘Rule of Law’ y el Derecho de los Precedents, 3 Palestra del Tribunal Constitution l (Peru) 77 (2008)


85. The “War Against Terrorism” and the Rule of Law, Transcript, Summer 2005, at 28.


87. Controlling Pollution by Individuals and Other Dispersed Sources, 35 Env. L. Rep. 10745 (2005).


89. Supreme Court Selection and Measures of Past Judicial Performance, 32 FSU L. Rev. 1175 (2005).


139. Missing the “Play of Intelligence,” 36 Wm. & Mary L. Rev. 147 (1994).


169. The Case Against Brilliance, 70 Minn. L. Rev. 917 (1986).


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35. Mark My Words, 3 The Green Bag 121 (2000) (with Jim Chen) (under the name of “Gil Grantmore”).


45. The Legal 100, 35-May Trial 90.


64. Wayne LaFave in the Classroom, U. Ill. L. Rev. 177 (1983).


96. Comment, Executive Privilege at the State Level, 1974 U. Ill. L. F. 631.
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10. The “War Against Terrorism” and the Rule of Law, *Boalt Hall Transcript* 28 (Summer 2005).


**SELECTED PRESENTATIONS**


2. “Judicial Humility and *Chevron*,” Public Policy Conference on Revising Judicial Deference: History, Structure, and Accountability, George Mason University (June 1, 2016).


6. “Climate Change and International Disaster Law,” UNSINOS (Brazil) (at two different campuses, Porto Alegre on April 26 and Sao Leopoldo on April 27).

7. “Agencies as Adversaries,” George Mason University (March 16, 2016)

8. The Implementation Gap in U.S. Law, University of Chicago (March 4, 2016).


10. Disaster Law and Climate Change, Meigun Gaijun University (Tokyo) (Jan. 23, 2016)

11. Master Class for Graduate Students, Tskuba University (Tokyo) (Jan. 21, 2016)


28. “Key Note Address: Climate Change as an Extreme Sport,” University of Sydney, Dec. 10, 2012.


44. “Habeas, the War on Terror and the Constitution,” UC Davis Law School, Conference on the Honorable John Paul Stevens, March 6, 2009.


54. “Constitutional Limits on State Climate Regulation,” University of Arizona Rehnquist Center, Feb. 11, 2008


60. “Rebuilding after Disasters,” KGU University, Kobe, Japan Oct. 27, 2007


77. “Another View of the Quagmire: An Economic Perspective on the Unconstitutional Conditions Doctrine,” Florida State University, March 15, 2005.


84. Visiting Lecturer: Catholic University, Lisbon (2007-2008); Bocconi University, Milan. (2005-2013)