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Newsletter
of the Law
& Courts
Section
of the
American
Political
Science
Association

Volume 23, Number 3
Fall 2013

Somebody Loves You When You're Down and Out: Reflections on the Law-Courts Subfield During My Academic Lifetime

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2013 Lifetime Achievement Award Winner

In his 1993 essay on “the state of the discipline,” Martin Shapiro argued that the predominant focus of law-courts scholars on constitutional adjudication in the U.S. Supreme Court had tended to marginalize “public law and judicial politics” in American political science. He urged law-courts scholars to turn their focus “outward” (toward comparative courts) and “downward” (toward the study of broader bodies of law, lower courts, administrative agencies, and the impact of law in society). In fact, Shapiro observed, that expansion of focus was already happening – a point that was emphasized by the commentators on his essay in the *Law and Courts Newsletter* (Spring, 1996). Indeed, I think movement along those “out and down” dimensions has been the most prominent development in the subfield during my career.

I had never needed prodding in those directions, partly because I didn't start my academic career in political science. After practicing law for several years, in 1969 I received a Russell Sage Foundation Fellowship to study sociology of law at Yale. There I was drawn to the study of legal institutions other than courts. To my mind, the growth of the activist regulatory and administrative state had been the most ambitious, far-reaching legal development of the 20th Century, as democratic governments were pushed to enact socially and economically transformative laws and to enforce them proactively. Yet this administrative elephant in the legal and political room, it seemed to me, had mostly been neglected by public law scholars in political science and by socio-legal scholars. I saw it as scholarly *terra incognita*, ripe for empirical exploration. I was particularly interested in the consequences of statutory enactments, that is, in how governments' efforts to project their power and policies through law actually played out, in the norms and political constraints that guided administrative officials in the implementation process, and in how regulated entities responded to regulatory demands.

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We will be glad to consider articles and notes concerning matters of interest to readers of **Law and Courts**. Research findings, teaching innovations, release of original data, or commentary on developments in the field are encouraged.

Footnote and reference style should follow that of the *American Political Science Review*. Please submit your manuscript electronically in MS Word (.doc) or compatible software. Graphics are best submitted as separate files. In addition to bibliography and notes, a listing of website addresses cited in the article with the accompanying page number should be included.

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Collections of related articles or notes are especially welcome. Please contact the Editor if you have ideas for symposia or if you are interested in editing a collection of common articles. Symposia submissions should follow the guidelines for other manuscripts.

Announcements

Announcements and section news will be included in **Law and Courts**, as well as information regarding upcoming conferences. Organizers of panels are encouraged to inform the Editor so that papers and participants may be reported. Developments in the field such as fellowships, grants, and awards will be announced when possible. Finally, authors should notify **BOOKS TO WATCH FOR EDITOR**: *Drew Lanier*, of publication of manuscripts or works soon to be completed.

Law and Courts Newsletter

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Not surprisingly, therefore, a great deal of my empirical work has reflected that “downward” focus. My PhD dissertation and first book (*Regulatory Justice: Implementing A Wage-Price Freeze*, 1978) was a participant-observation study of legal decision-making by officials in a Washington bureaucracy. Then, with Eugene Bardach, I wrote *Going by the Book* (1982), a field research study of patterns of regulatory enforcement. In the last few decades, in keeping with Shapiro’s injunction to look “outward,” I have conducted collaborative comparative studies of regulatory law, implementation, and compliance (e.g., *Regulatory Encounters*, 2000, and *Shades of Green*, 2003, with Neil Gunningham and Dorothy Thornton), and I have tried to synthesize cross-national empirical studies of legal institutions in my *Adversarial Legalism: The American Way of Law* (2001).

In working on these lines of scholarship, I have not found my primary scholarly community in the Law-Courts Section in political science, which has remained primarily court-centered, even as it has grown more diverse in subject matter and methods. I have found more of a support system in the Law and Society Association, which has included a lively, interdisciplinary “collaborative research network” of regulation scholars from the US and abroad. Law-and-society journals, rather than political science journals, have been my principal venues for finding and publishing articles on regulation, as has been the more recent *Regulation & Governance* (which I co-edited 2009-2012).

More generally, for political scientists (as well as other types of scholars) interested in the empirical study of law and legal processes “below” the level of appellate courts, the “law and society” movement has been a major scholarly home. The growth of that association is one indicator of the extent to which Shapiro’s hopes in that regard have been fulfilled. Many members of the Law-Courts Section attend both LSA meetings and APSA (and regional) meetings, so that in recent years, these two streams of public law have converged.

A related development has been the penetration of American law school scholarship by socio-legal and law-and-economics scholarship. In the last two dec-

ades, a joint degree in law and a social science discipline has become a significant pathway to a faculty position at leading law schools. Quite a few prominent senior Law-Courts Section scholars have law school appointments or joint appointments. The law-school-based Empirical Legal Studies Association and its journal have become prominent. In my experience, many law faculty members without social science training themselves have become avid consumers of public law and socio-legal scholarship. These changes in the legal academy, I think, have made the gap between the political science Law-Courts community and law school faculties significantly narrower than they were when I began my scholarly career and even than in 1993, when Shapiro wrote the assessment I cited above.

In fact, when I was working on *Adversarial Legalism*, as I searched for empirical evidence concerning the consequences of American adjudicatory practices and judicial decisions, I found many more relevant articles in law reviews than in political science journals. That reflects the tendency of public law scholars still to be more interested in the initial exercise of power by high courts and legislatures than in how those decisions actually work out in the social, economic, and political worlds.

Notwithstanding my initial sociology training, I have spent my entire post-PhD academic career on the Political Science faculty at UC Berkeley, learning to think more like a political scientist. For over 30 years, I taught undergraduate courses on U.S. constitutional law, a course called The American Legal System, and a graduate seminar on “legal institutions.” Over time, I have populated my syllabi with more books and articles from the mainstream law-courts/public law literature, as that field has been enriched by historical and institutional analyses of the Supreme Court and its role in American politics, by studies of the relationships between courts and other branches in particular policy areas (e.g. Melnick’s *Between the Lines*, Feeley & Rubin’s *Judicial Policy Making and the Modern State*, Epp’s *Making Rights Real*, Silverstein’s *Law’s Allure*), and by more insightful studies of courts in other countries.

In one respect, however, I remain a bit disappointed. In 1994, I published a short article that

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suggested that the study of law, politics and society could be mapped in terms of three broad research agendas. In the first, law and legal institutions are the phenomena to be explained, the 'dependent variables.' The idea is to discover and analyze the social, political, and economic forces and structural arrangements that shape the formulation of law and the design of legal institutions. In the second agenda, the focus is on legal processes and decisionmaking in courts and other legal institutions. The third research agenda treats law and legal decisions not as dependent but as 'independent variables,' describing and explaining what effect laws and legal processes, in all their variations, actually have on social life. Scholars working on this agenda explore, for example, the limits of the 19th Century sociologist William Graham Sumner's dictum "Law ways cannot change folkways," Gerald Rosenberg's *The Hollow Hope*, Michael McCann's *Rights at Work*, and Matthew Hall's *The Nature of Supreme Court Power*, analyses of the consequences of policy-oriented litigation and court decisions, also fall within this agenda.

In that 1994 article, I asserted that socio-legal scholars and political scientists had been more pre-occupied with explaining the provenance of legal institutions and legal decisions than with the third agenda – examining their social consequences. I think that is still true. When I was working on *Adversarial Legalism*, as I searched for empirical evidence concerning the consequences of American adjudicatory practices and judicial decisions, I found many more relevant articles in law reviews than in political science journals. That reflects the tendency of public law scholars still to be

more interested in the initial exercise of power by high courts and legislatures than in how those decisions actually work out in the social, economic, and political worlds.

Of course, it is easier to study legal decision-makers and recorded decisions than to study the responses of the far-flung, diverse individuals and organizations who are the "targets" of laws and judicial precedents. Yet in my view, the study of law and politics is a bit impoverished if we fail to explore the factors that explain when political power, exercised through laws and legal procedures, is most effective in advancing the interests and values of lawmakers, judges and executive branch officials – as well as the costs and unanticipated adverse consequences of such legal successes.

One final observation: most of my projects, including *Adversarial Legalism*, have basically been exploratory ventures into new empirical and theoretical territory. Hence they rarely have tested theories or hypotheses drawn from prior studies. Consequently, the findings, concepts, and explanatory propositions are far from definitive. Nowadays, however, political science seems less tolerant of that kind of exploratory, descriptively rich, qualitative, small-N research. I think it's worth remembering, however, that close observation, description, and theoretical conjecture are crucial first steps in the development of scientific theories. Before he could formulate his theory of natural selection, Darwin first took a long voyage on *The Beagle*, sketching variation in the beaks of finches and ecosystems. I hope, therefore, there will continue be a place in political science and its public law subfield for that kind of exploratory research, which I think remains essential, especially in its less-explored "downward" and "outward" domains.

APSA 2013 Recap and Thoughts For the Future

Sara C. Benesh

University of Wisconsin-Milwaukee

A sitting judge bemoaning the waning attention to writing and originality by judges on a panel of political scientists testing the degree to which judges plagiarize attorney briefs in their opinions. Profes-

sor David Danelski declaring a panel to be the best he's been part of in 50 years in the discipline.

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Standing room only for a couple of panels. (Okay, the rooms were really small, but still!) And, did you know that Bolivia recently held its first nation judicial election and over 60 judicial candidates (along with their photos) were on the ballot? All of this and more was on display in Chicago this September, at panels sponsored by the Law & Courts section of the APSA. Amidst a flurry of discussion over the extent to which APSA is a “dinosaur” (see *The Monkey Cage* posts on the subject) and a Law & Courts Listserv discussion over how to get greater levels of participation in poster sessions, I’d like to offer some reflections on what went well, what could have gone better, and how we, as a section, might think about innovations directed toward making the APSA a more engaging, exciting, and encouraging conference.

As you might know, I put the panels together this year for Law & Courts, and so of course I think the quality was higher than usual! However, even with quality, the constraints imposed by the conference format can detract from the conference experience. *The Monkey Cage* discussion points to some of the problems: under-attended panels, lack of real feedback received, variation in paper/presentation quality, and the unsatisfactory nature of the traditional panel format, among others.

In partial reaction to that discussion (and as part of it) I suggested that the poster sessions could be a real opportunity to address some major concerns with the format. First, a poster session fosters a more casual and individualized interaction, wherein the paper author and a scholar can focus on points of mutual interest in a way that’s impossible in a panel setting. The potential for give-and-take during the presentation is something not offered in the traditional format.

Second, if we assign discussants to the posters (as I did this year and I know other section heads have in other years), poster presenters get potentially better, and at least as *much* feedback as they would at a traditional panel. Indeed, I would hope that discussants could give poster presenters written comments (and, to facilitate that, I asked poster

presenters to send a full paper to the discussant around the same time discussants on panels were seeking papers) and then spend a little time at each of their assigned posters to chat. This seems to have happened with the posters presented this year, and I received universally positive feedback from all of the participants. (It would have gone even better had it not been scheduled against two strong Law & Courts panels and in the opposite hotel!) Prominent people – both those assigned as discussants and others who chose to attend the posters – engaged many of these graduate students and early scholars and they benefitted enormously, especially given the potential for back-and-forth between the paper giver and the discussant/scholar. Many of them noted that, even were this collection of well-known scholars in attendance at one of their panels, it is unlikely they would have had the opportunity to chat with them specifically about their research in the way afforded by the poster format.

This, then, is a paper presentation, in all senses of the word, and should be listed on the CV as such. (APSA should be able to facilitate the upload of these papers as well, so that they could be read in advance by interested scholars. Or, as one poster presenter suggested, Law & Courts could put them on our website. Of course, not everyone (many?) follow through with uploading their papers for traditional panel presentations either. Indeed, requiring uploads of the papers in a timely fashion could potentially cure some of APSA’s earlier-noted ills.)

Third, the job of distilling one’s research into a poster board format is an exercise that may well strengthen and streamline the paper itself and, while we ought to provide more information on expectations about and logistics for creating these posters, they have the potential to be a great way to communicate lots of information in a short time, enabling passersby to quickly see what the question is and what the findings are and then engage the author in issues either raise in a way that would be impossible for someone wandering into a panel session.

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Of course, as noted on the Listserv, many departments/colleges/universities are not currently equipped to fund travel to present a poster, reserving their funding for papers presented in the traditional panel format. I would hope that we could try to change that general perception of the poster presentations as second-class presentations, perhaps transitioning into a world where an APSA poster is a mark of distinction, especially for advanced graduate students. We spent some time discussing this issue at the Executive Committee luncheon in Chicago, brainstorming ways in which the poster sessions might be afforded more prominence. My suggestion was to follow the lead of other organizations (Polmeth, CELS) and hold a poster session for advanced graduate students at the Law & Courts reception. What could be better than a room full of Law & Courts section members, wine in hand, perusing the research efforts of our best and brightest graduate students? And, as noted above, the casual but intimate interaction and ability to discuss one's specific research with top scholars affords a mentoring opportunity we do not get via the traditional panel format. (One of the poster givers talked about the general fear that graduate students have about even attending the Law & Courts reception, much less approaching their "heroes;" having the poster session at the reception makes that interaction much more organic, giving students a chance to meet, interact with, get feedback from, and sell their research to people who will be important to their careers.) David Klein, editor of the *Journal of Law and Courts*, suggested an award for best poster, accompanied by a money

prize, which could potentially offset the institutional difficulties of getting funding for poster presentations and would surely raise the caché of the poster presentations.

But, anyone who attended the panel featuring Judge Richard Posner can argue that one needn't rely completely on the poster session as a savior for APSA. Rather, creativity in panel format can also make for a really engaging, exciting and fun panel session as well. Lee Epstein chaired this panel, which included four great papers on legal argumentation, and she set it up such that each paper's (short) presentation would be followed directly by comments by the discussants (Judge Posner and Tim Johnson). This small change in the standard operating procedures made the discussants' comments much more memorable and relevant and provided the opportunity for give-and-take between the discussant and the author as well as immediate engagement by the audience that made the panel session much more enjoyable. Rather than waiting for all the papers to be presented AND the discussant to give comments before you can raise the issue you're DYING to raise, you can do it right away, while everyone is still thinking about that paper, that research question, that design. Even better would be a world in which we don't necessarily even wait for the author's presentation and discussant's comments to end, but rather interrupt with questions organically, and really make the panel session a vibrant, interactive discussion of research. I am

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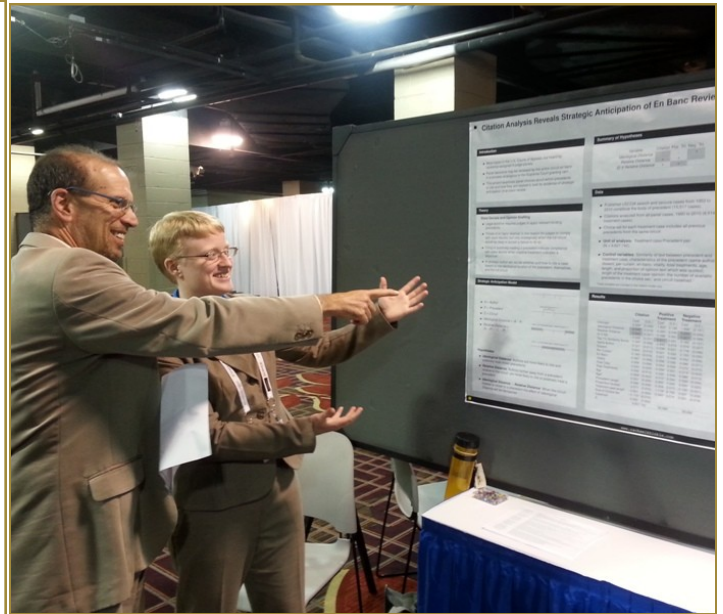
Judge Richard Posner (second from right), shares his thoughts during a panel with (pictured from left to right) Ryan Krog, Shane Gleason, Tim Johnson, (Posner), and Paul Collins



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certain paper givers would both have more fun and get more quality feedback this way, so long as the Chair is very attentive to time, given that extended discussion of one paper could totally preclude another paper-giver's opportunity to present. But this change doesn't take APSA or even the section as a whole to make a policy change. It just happened because of the creativity of one panel chair. I'm sure there are other simple changes that would also make for more energetic sessions. (I recall Harold Spaeth using what he called the "Charlie Johnson" method in the past, where the discussant does all the presenting and discussing and the paper-givers engage in discussion with him or her, and that can also work well, provided one has a dynamic discussant.) The bottom line is, when nearly everyone complains about the current format, it is time to be brave enough to step outside our comfort zones and try something new! My two-cents: move posters to the reception and shake up those panel presentations.

Our panels this year were really well-attended, and I thank each and every one of you for engaging with the research I thought sounded exciting from those paragraph-long proposals! Our average attendance was 26.2 in the 12 panels we were allotted this year, compared to the overall conference attendance average of 19.7. In 2011, our average panel attendance was 22.5 and we were allotted 11 panels for the 2012 conference, although APSA was cancelled due to the hurricane in New Orleans. Due to our higher attendance, it would appear we are due another increase in panel allocation for 2014. Our strong attendance from 2013 may help get the number of panel sessions back to earlier years, as in 2010 we had 14, 13 panels in 2009, and 15 panels in 2008. I know that I attended more panels than I usually do, and I left APSA feeling recharged and excited, just like I used to when I was a graduate student. And that's even with the current, less-than-great format. Imagine how exciting an even better conference could be!



Jeff Segal (above) and Larry Baum (below) served as discussants for this year's poster sessions at APSA, providing a new and perhaps more useful format to these sessions. We were lucky to capture them in these (clearly spontaneous) photos.



NATIONAL SCIENCE FOUNDATION UPDATES

Two Former Visiting Directors of NSF's Law and Social Science Program Share Their Thoughts on Recent and Proposed Changes

Taking the NSF's Broader Impacts Criterion Seriously

Wendy L. Martinek,
Binghamton University,

The National Science Foundation (NSF) relies upon two merit review criteria to evaluate proposals submitted to it for funding consideration.ⁱ The first is the intellectual merit criterion and the second is the broader impacts criterion. Broadly speaking, the former is about the likely scientific contribution of the proposed research while the latter is about the likely contribution of the proposed research to society more generally. As outlined in the most recent version of NSF's Grant Proposal Guide (GPG), which was made effective January 14, 2013, evaluation of a proposal in accordance with these two review criteria requires a consideration of five review elements. In particular:

1. What is the potential for the proposed activity to:
 - a. Advance knowledge and understanding within its own field or across different fields (Intellectual Merit); and
 - b. Benefit society or advance desired societal outcomes (Broader Impacts)?
2. To what extent do the proposed activities suggest and explore creative, original, or potentially transformative concepts?
3. Is the plan for carrying out the proposed activities well-reasoned, well-organized, and based on a sound rationale? Does the plan incorporate a mechanism to assess success?
4. How well qualified is the individual, team, or organization to conduct the proposed activities?

5. Are there adequate resources available to the PI (either at the home organization or through collaborations) to carry out the proposed activities? (NSF 2013: III-2)

Note that the NSF requires that each of these five review elements be considered when evaluating a proposal with relation to each merit review criteria.

Most researchers submitting proposals to the NSF have a comfortable grasp on what intellectual merit entails, and most reviewers feel comfortable in assessing a proposal on the basis of intellectual merit. Where both proposers and reviewers experience more discomfort is with regard to the broader impacts criterion.ⁱⁱ For some, the discomfort stems from the perceived ambiguity of the criterion (Lok 2010). For others, the discomfort comes from the "tension between science and society, internal autonomy and external evaluation" (Holbrook 2005: 438). In other words, for some proposers and reviewers the value of the proposed research rests entirely on its scientific merit, and evaluating it on the basis of contributions beyond the immediate scientific contribution seems inappropriate.

However, regardless of how one feels about the broader impacts review criterion, it has been part of the NSF's review criteria in one incarnation or another since the agency's inception (Rothenberg 2010) and it is not going away any time soon.ⁱⁱⁱ NSF is governed by the National Science Board (NSB) and it is the NSB that mandates the review criteria (including broader impacts). The NSB has insisted on a consideration of larger societal impacts largely in response to increased demand (primarily but not exclusively from Congress) "for an account of the societal benefits achieved by NSF funded projects" (Holbrook 2005: 439). In particular, the

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Government Performance and Results Act (GPRA) (Public Law 103-62) required federal agencies (including NSF) to develop strategic plans to articulate their missions and long-term goals as well as identify how those goals are to be met.^{iv} In the NSF's case, the broader impacts criterion is directed at advancing the agency's mission: "To promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes" (NSF Act of 1950, Public Law 81-507). The GPRA further requires agencies to engage in assessment and develop performance measures to evaluate how well those goals are met. Further, Congress specifically required the retention of the broader impacts criterion in the America COMPETES Reauthorization Act of 2010 (Public Law 111-358). In short, addressing the broader impacts criterion in a proposal is considered essential and doing so is nonnegotiable. Proposers and reviewers may chafe at this criterion but its importance in guiding the review of proposals reflects the fact that NSF funds are public funds and Congress wants there to be public benefits from their expenditure.

NSF has not been deaf to criticisms of the broader impact criterion as being ambiguous or vague. For example, NSF previously made available on its website a document that included examples of activities that were likely to fall within the ambit of broader impacts.^v As another example, the NSF Mathematical and Physical Sciences Advisory Committee and the Division of Chemistry sponsored a Broader Impacts Showcase in the Fall of 2005 specifically to provide additional education regarding the broader impacts criterion for the mathematical and physical sciences community. NSF also disseminates information intended to flesh out the substantive meaning of both criteria via "Dear Colleague" letters and, most recently, through the creation of webpage dedicated to the merit review process, including merit review criteria resources for the external community (both proposers and reviewers).^{vi} Despite this guidance, proposers still seem either uncertain about how to incorporate broader impacts into their proposals or, alternatively, incorporate activities that are unlikely to be executed (or, at least, executed well).

While identifying and framing broader impacts might seem perplexing at first, it really is not that difficult. All it requires is a little careful thinking on the part of the proposer. Among the questions that someone putting together an NSF proposal might consider in terms of the broader impacts criterion are the following:

1. Will the proposed activities provide unique educational opportunities for undergraduate or graduate students? For example, will it give undergraduate students training on data collection? Or, will it give graduate students experience with the management of research assistants (e.g., undergraduate research assistants under their supervision)?
2. Are the proposed activities likely to involve women and traditionally underrepresented groups? For example, will it involve undergraduate students from a McNair Scholars Program as research assistants? Or, given the demographics of the student population at the proposer's school, is it likely (even if not guaranteed) that minority or first-generation college students will be involved?
3. Will the proposed activities contribute to the proposer's teaching? For example, will the findings be incorporated into the classes the proposer teaches? Or, will students in a class be given the chance to help conduct the research or analyze the data?
4. Will the proposed activities take place at an institution that is primarily an undergraduate institution? Or, alternatively, will faculty or students from institutions that are primarily undergraduate institutions (e.g., community colleges) be involved?
5. Will the proposed activities take place at an institution that is located in a state that has been designated an EPSCoR state?^{vii}

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6. Will the proposed activities result in a new research protocol that can be profitably used by others?

7. Will the proposed activities result in data that will be useful not only for the proposer but for other researchers?

8. Will the proposed activities help to develop research networks?

9. Will the proposed activities provide opportunities for mentoring junior colleagues, particularly those traditionally underrepresented groups?

If the answer to any of these questions is “yes” then there are, de facto, broader impacts and proposers should include discussion of those items in the narrative of the proposal. That discussion should not, however, be merely pro forma.

Just as there are some obvious (but often overlooked) broader impacts, there are also some often relied upon (but not very compelling) broader impacts. One example is the dissemination of research findings through their presentation at conferences. Certainly, presentation of results at conferences is valuable, both in permitting a researcher to get feedback on work in progress and in disseminating research results to at least some people (though that is generally limited to the audience members at a panel). But the presentation of research results at conferences is a pretty standard expectation for academics and it is, at best, a retail rather than wholesale proposition. Another example is statements about the dissemination of results to public officials or NGOs to inform policymaking. This could, in fact, be a compelling broader impact but not if the proposer is expecting that public officials or NGOs are going to seek out articles in academic journals or read article reprints that are sent to them. That is just not realistic. To be clear, researchers with concrete (and realistic) plans for dissemination to public officials and NGOs can and should incorporate it as a broader impact. The key

is having a credible plan for doing so, the importance of which is highlighted by the third review element noted previously (“Is the plan for carrying out the proposed activities well-reasoned, well-organized, and based on a sound rationale? Does the plan incorporate a mechanism to assess success?”).^{viii} On a related point, some research naturally lends itself to things like contributing to K-12 curriculum, the development of mentoring programs for elementary students, and presentations to lay audiences.

But most of the work in the law and courts community does not, and proposers are not likely to convince reviewers, members of the advisory panel, or program officers (much less themselves) that their research activities will do so. In short, proposers should take the broader impacts criterion seriously (NSF certainly is) and, accordingly, be genuine in the articulation of broader impacts.

There is no question that a proposal with mediocre intellectual merit is not going to be funded. But the supply of meritorious proposals—those who are technically superlative judged on the basis of the intellectual merit criterion—far exceeds the funds any NSF program has to dole out. Carefully considered and meaningful broader impacts can help programs make decisions about how to prioritize funding. Bearing this in mind will substantially enhance the likelihood of a proposal being favorably reviewed.

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iii. And, indeed, NSF requires those submitting proposals to explicitly address each merit review criterion separately in the one-page project summary. Proposals that neglect to do so are returned to the proposer without review.

iv. The current strategic plan includes fiscal years 2011-2016 and is in the process of being updated in fiscal year 2013 consistent with the GPRA Modernization Act of 2010 (Public Law 111-352).

v. That document was removed "to eliminate confusion over the document, which was often viewed as a prescriptive list of additional requirements instead of illustrative examples" (NSF 2013).

vi. To access the webpage, navigate to http://www.nsf.gov/bfa/dias/policy/merit_review/.

vii. EPSCoR is the acronym for Experimental Program to Stimulate Competitive Research (<http://www.nsf.gov/od/iaa/programs/epscor/about.jsp>). EPSCoR is intended to help insure that NSF funds are not concentrated in any given geographic area. Practically speaking, this means that proposals that come from institutions in some states (currently 28 states, plus Puerto Rico, Guam, and the U.S. Virgin Islands) have the chance to be considered for co-funding by a program (e.g., the Law and Social Sciences Program) and EPSCoR. This means that the program to which the proposal has been submitted will only bear a portion of the costs, with EPSCoR sharing the burden. Note that EPSCoR also funds infrastructure improvements and workshops in EPSCoR jurisdictions.

viii. NSF has actually provided support for workshops that are intended to help researchers identify the policy implications of their work and better communicate their research findings to policymakers and the broader public. For example, NSF supported a workshop entitled "Science: Becoming the Messenger" in 2010 (http://www.nsf.gov/events/event_summ.jsp?cntn_id=117845&org=NSF) and, more recently, funded an event entitled "Normative Implication of Empirical Research on Law and Courts Workshop" (<http://nierworkshop.wordpress.com/>).

NOTES

i. See Rothenberg (2010) for a review of the history of the merit review criteria at NSF.

ii. Previously, the GPG indicated that addressing the broader impacts criterion entailed a consideration of the answers to the following kinds of questions: "How well does the activity advance discovery and understanding while promoting teaching, training, and learning? How well does the proposed activity broaden the participation of underrepresented groups (e.g., gender, ethnicity, disability, geographic, etc.)? To what extent will it enhance the infrastructure for research and education, such as facilities, instrumentation, networks, and partnerships? Will the results be disseminated broadly to enhance scientific and technological understanding? What may be the benefits of the proposed activity to society?" (NSF 2011: III-1).

Beyond LSS

Chris Zorn
Pennsylvania State University

The recent Congressionally-mandated changes to the National Science Foundation's (NSF) support for political science research has prompted many in our discipline to be more entrepreneurial in their efforts to secure research funding. As scholars of law and courts, we have something of an advantage over our colleagues, in that for more than four decades we have been able to seek support through the Foundation's Law and Social Science (LSS) program. In fact, many of us view LSS as our natural "home" at NSF, and political scientists working on questions related to law, courts, and legal phenomena have played an important role in LSS's program of funded research since its inception.

But despite its manifest importance, LSS and Political Science house only a fraction of the work on law and courts supported by the NSF. The most substantial amount of non-LSS funding comes from the other programs in the [Division of Social and Economic Sciences](#) (SES), including the programs in sociology; economics; decision, risk and management science; methodology, measurement and statistics; and science, technology and society. But several programs in the [Behavioral and Cognitive Sciences](#) (BCS) division also fund substantial amounts of law-related work. Chief among these is BCS's cultural anthropology program, which has supported research on legal anthropology for decades. But other programs in social psychology, geography, and linguistics have also provided funds for social-scientific work on legal phenomena. Note as well that LSS frequently partners with these other programs to co-fund research of interest to both programs.

Beyond the canonical social and behavioral science programs, a number of other NSF organizations have supported work on legal matters. The relatively new Science of Science Policy program recently funded work on [the impact of copyright policy on innovation](#). Somewhat farther afield, we can find more examples of law-related research with NSF support. Jerry Goldman's [Oyez Project](#) has received significant support for NSF's Directorate for

Computer and Information Science & Engineering (CISE), and for several years its Directorate of Mathematical Sciences (DMS) sponsored an annual research conference on [forensic statistics](#).

Finally, note that research on the law and legal systems and phenomena has found significant support in NSF's various special competitions. For example, a number of studies of legal phenomena were supported under the auspices of the American Recovery and Reinvestment Act of 2009 (ARRA), including work on diverse topics ranging from [property rights in Tanzania](#) to the [integration of Islamic law into western industrialized democracies](#). Some researchers have also made extensive use of NSF's Grants for Rapid Response Research (RAPID) mechanism to investigate (e.g.) how the litigation and eventual settlement relating to BP's *Deepwater Horizon* oil spill [impacted the social and psychological well-being of people](#) living in coastal communities in the Gulf of Mexico. That research was supported by NSF's Arctic Social Sciences program, located in its Directorate for Geosciences. NSF's Early Concept Grants for Exploratory Research (EAGER) mechanism has also been a source of funding on subjects ranging from the [applicability of copyright law to online user-generated content](#) to [corporate digital privacy law](#).

In every case, the willingness of a program to support law-related work turns critically on how that research fits into the larger aims and goals of the program. That means that when seeking such support, it is important to ensure that you are writing for the appropriate audience, and that your theories, approaches, and methods are not too far outside the mainstream for that discipline. Additionally, it is almost always useful to discuss your proposed project with current or former program officers, and/or with others who have received funds from that program.

Introducing *The U.S. Supreme Court Confirmation Hearings Database*

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The confirmation hearings of U.S. Supreme Court nominees held before the Senate Judiciary Committee have been subjected to a substantial amount of criticism. They have been called a “mess” (Carter 1994), a “vapid and hollow charade” (Kagan 1995: 941), an “exercise in obfuscation” (Yalof 2008: 141), and, perhaps most colorfully, a “Kabuki dance” (Brust 2009). While descriptions such as these seem to have reached the status of conventional wisdom, the fact remains that such criticisms are based primarily on anecdotes or the analysis of a small number of confirmation hearings. Indeed, scholars have only recently begun systematically investigating exactly what transpires at Supreme Court confirmation hearings (e.g., Batta et al. 2012; Collins and Ringhand 2013; Czarnezki, Ford, and Ringhand 2007; Farganis and Wedeking 2011; Ringhand and Collins 2011; Wedeking and Farganis 2010; Williams and Baum 2006).

In an effort to improve our understanding of the confirmation hearings, we are pleased to announce the release of *The U.S. Supreme Court Confirmation Hearings Database*, available for download at <http://www.psci.unt.edu/~pmcollins/data.htm> in a variety of formats (Excel, R, SPSS, and Stata). This database, sponsored in part by a grant from the Dirksen Congressional Center and released in conjunction with the publication of our book, *Supreme Court Confirmation Hearings and Constitutional Change*, provides a wealth of information related to the dialogue that takes place at the hearings. Our hope is that this database will motivate scholars to more rigorously question the traditional view of the hearings as largely empty rituals by systematically investigating confirmation hearing discourse. In this article, we briefly describe the data collection process and offer some examples of the types of questions that the database can offer insight into.

Scope of the Database

The U.S. Supreme Court Confirmation Hearings Da-

tabase contains information on the confirmation hearing dialogue of every nominee who took unrestricted questions in an open, transcribed confirmation hearings from 1939-2010. In 1939, Felix Frankfurter became the first nominee to take open questions before the Committee, followed by Robert Jackson in 1941. Nominee testimony became the norm in 1955 and, since this date, all nominees whose nominations were not withdrawn from the process have testified before the Committee. The dataset includes nominees who appeared before the Committee, but were not confirmed, as well as those nominees who were subsequently confirmed. In addition, the data contain separate entries for those nominees who appeared before the Committee for associate justice and chief justice nominations. Note, however, that the database does not contain information on the three days of testimony at the hearing of Clarence Thomas that involved allegations of sexual harassment brought by Anita Hill since that portion of the Thomas hearing did not involve unrestricted questioning. In addition, the database is limited to the dialogue that took place during the question-and-answer sessions between members of the Judiciary Committee and nominees. Consequently, opening statements and the testimony of outside witnesses are not included in the database.

The data collection effort is based on the transcripts of the hearings obtained from Mersky and Jacobstein (1977), the Senate Judiciary Committee, the Library of Congress, the *New York Times*, or the *Washington Post*. The unit of analysis in the database is the change of speaker. Thus, a new observation is coded whenever the transcript indicates that the speaker changes (e.g., from senator to nominee). To illustrate, the following dialogue between Senator Grassley (R-IA) and nominee Elena Kagan constitutes two observations, one for Grassley and one for Kagan:

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GRASSLEY: Will you follow stare decisis and uphold *Heller* and *McDonald*?

KAGAN: I will follow stare decisis with respect to *Heller* and *McDonald* as I would with any case (*Washington Post* 2010: 50).

Taken as a whole, the database contains 31,424 observations corresponding to 32 confirmation hearings.

Variables in the Database

A full description of the variables contained in the dataset appears in the codebook that accompanies the data. Below, we briefly describe the three primary sets of variables contained in the database. The first group of variables provides basic identification information about the dialogue coded in each observation. These variables identify the nominee, the date of the hearing, the citation to the transcript from which the observation is coded, the senator engaging the nominee, the senator's political party affiliation, the chair of the Judiciary Committee, the party of the president who appointed the nominee, and the party in control of the senate at the time of the hearing. The database also contains a variable indicating whether the observation pertains to a statement made by a nominee or senator.

The second set of variables relate to the issue and subissue areas involved in the statement, and the manner in which the nominee answered a senator's question. To code the issue and subissue variables, we relied on the categories in the *Policy Agendas Project* (Baumgartner and Jones 2013), with the addition of several hearing-specific categories, such as nominee background, hearing administration, and judicial philosophy. Utilizing the coding scheme from the *Policy Agendas Project* allows researchers to combine the database with numerous other datasets that are based on this coding rubric, including those involving public opinion and the agendas of congress and the Supreme Court. Each observation is assigned a single issue, although it may contain

up to five subissues within that issue area. For example, an observation involving the broad issue area category of "Civil Rights, Minority Issues, and Civil Liberties" might contain subissues pertaining to "Ethnic Minority and Racial Group Discrimination," "Gender and Sexual Orientation Discrimination," and/or "Age Discrimination." The database also contains variables indicating how the nominee responded to a senator's question, such as whether the nominee gave a firm, current position on a clearly identified legal issue or refused to provide a clear answer citing privilege (e.g., the appearance of bias).

The third group of variables contains information on the discussion of judicial decisions at the hearings. We coded all instances in which a statement made by a nominee or senator related to a named judicial decision as involving the discussion of a case, even if the nominee or senator did not specifically identify the judicial decision in a given comment. For example, if a senator asked a nominee about his or her opinion on a case, and the nominee provided his or her opinion without specifically mentioning the case by name, both observations are coded to indicate the case was discussed. For those observations that involved the discussion of judicial decisions, we coded the name of the judicial decision, the case citation to the judicial decision, the court that rendered the decision, and the date of the decision. While most statements involving judicial decisions reference a single case, we have included variables containing information on each case discussed in a statement.

Using the Database

Our hope in releasing this database is that scholars will employ it to address a wide variety of research inquiries, such as: What issues and cases are discussed at the hearings? How has hearing dialogue changed over time? What influences the issues and cases discussed at the hearings? What explains variation in the length of hearings? Do Democratic and Republican senators ask different types of questions? Do different types of nominees

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receive different types of questions? To what extent do nominees refuse to answer questions? Does the refusal to answer questions influence the nominee's fate in the senate? Have specific events triggered changes in hearing dialogue? To what extent does the leadership style of the chair influence hearing discourse? In addition to these examples, we believe the

data can shed a great deal of light on various proposals to reform the confirmation process by providing an empirical foundation from which to evaluate the claims made by advocates of changing the process. As these examples illustrate, *The U.S. Supreme Court Confirmation Hearings Database* can be used to gain insight into myriad questions that touch on issues of both contemporary and historical relevance to scholars from a diverse array of disciplines.

Section Members Voice Their Opinions Concerning the L&C Newsletter

Todd A. Collins

Western Carolina University

In the modern world of sending texts, blogs, and "tweets," there is an increasing challenge for periodicals to remain relevant. We need only look at the recent examples of once influential news magazines, such as *Time* and *Newsweek*, to see the changes and challenges faced by informational resources. If you aren't streaming or posting in "real time," you lose your audience faster than you can hit the hash tag button. Our society has developed into a culture requiring instant access to information, where even email or (perish the thought) the use of a telephone are viewed as slow and archaic.

When our newsletter began in the "pre-digital" era, *Law & Courts* was an important, if not for many, the primary tool for communication among section members. Given technological advances and our reliance on immediate access to whatever we want to know (for example it just took me three seconds on the web to find that Chief Justice Robert's favorite color is green) how can a newsletter published three times a year remain relevant? We set out this fall to find out.

In an attempt to see what's working and what's not with *Law & Courts*, the official newsletter for the law and courts section of APSA, the editorial board sent out a short survey in September with questions concerning newsletter usage and desired changes. We distributed the link for an on-line survey to all email addresses on the listserv. Respondents were asked a series of open-ended and more direct

questions such as what they liked about the newsletter, which sections or topics they thought were the most useful, and what topics they would like to see emphasized more in future editions. Our hope was that information from our readers would help to continue the newsletter's role as a useful resource. This article highlights some of the trends from the survey and puts forward some suggestions for the future of the *L&C Newsletter*.

We received about 180 responses from listserv members. Most (61%) hailed from research-intensive universities, with 20% from liberal arts/undergraduate institutes and 14% were from regional comprehensive universities. A majority of respondents (53%) were from departments with PhD programs, 12% offered a master's in political science, and 35% did not have graduate students in political science. As to professional rank, 28% of the respondents reported being "professors" with another 35% achieving the rank of "associate" and another 18% listed themselves as "assistant professors." About 10% of the responses were from graduate students, 4% from visiting/adjunct professors and about 6% were "other/non-academic." Of course, there could be selection bias as those that are already readers may have been more included to respond, but 5% of the respondents did say they never read the newsletter and another 30% said they were only occasional readers.

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What Readers Like

As to the specifics, most respondents (73%) said the newsletter was useful/very useful, with about 10% saying it was useless/very useless, and another 17% remaining “neutral.” Comments from open-ended responses ranged from “Concise and a good way to keep me up on developments in the section,” to “Can’t really say [what is good] because I don’t read it. It has nothing to do with the quality of the newsletter or lack of interest, I simply haven’t incorporated it into my professional world.”

We asked a question as to which one of three areas (research; teaching; announcements/news) was most useful to readers. Announcements/news (46%) and research issues (40%) were the clear preferences, with teaching issues (14%) a distant third. To get at this information a different way, we also asked an open-ended question concerning what readers liked most about the newsletter. We were able to categorize these open-ended responses into eight general categories, with the corresponding percentages (see Figure 1).

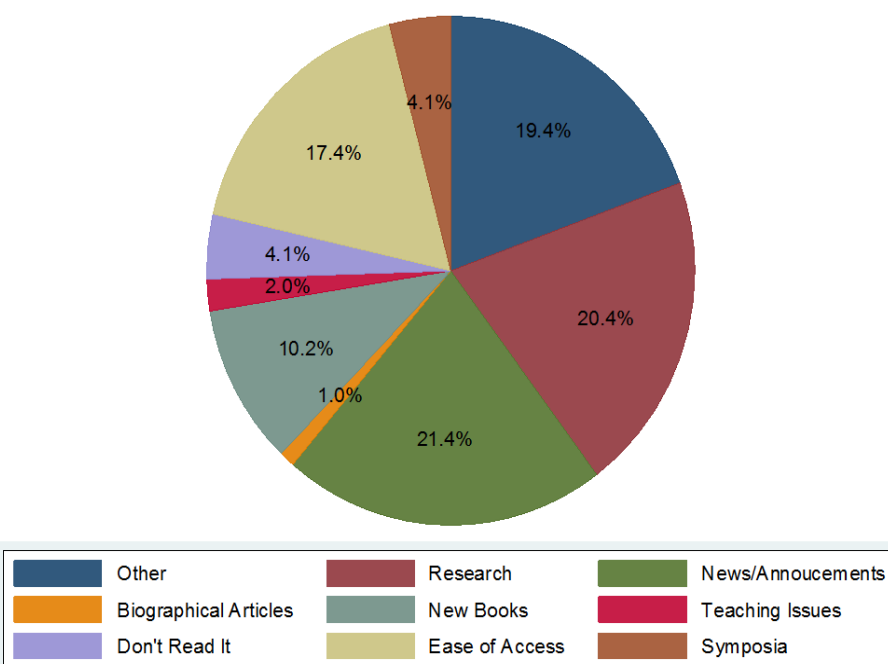
While a large percentage of open-ended responses (19.4%) were not able to be put in a category, announcements/news (21.4%) and research (20.4%) were again the most often “liked” areas. As one respondent commented, “My main reason for reading the newsletter is to keep up on current developments in the fields – what people are studying, how they are studying courts (perspectives, methodology, etc).”

Many respondents (17.4%) also liked the ease of access, such as the PDF format. For example, one respondent stated that he/she “liked the accessi-

bility because I can easily save an electronic copy or go to the archive to retrieve one when I need something. That is much harder to do with things like blogs . . . Frankly, there are so many blogs now that I have blog overload and welcome a respite that comes from an actual newsletter!”

Other respondents mentioned that they liked the shorter, more informal nature of many of the articles. Another sizable group (10.2%) commented

Figure 1: What Do You Like About the Newsletter (N=98)



that they liked the “Books to Watch For” sections in each edition. Others commented on the variety of offerings through each edition, such as one person that commented she/he liked “that I never know what might show up there. (Seriously: Diversity.)”

What Readers Would Like to See

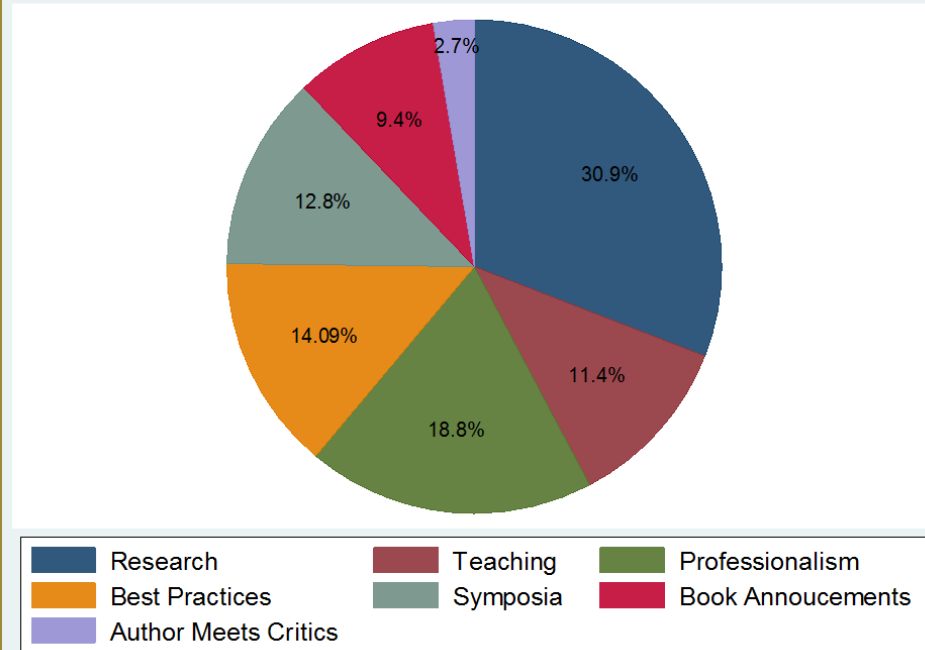
We also asked respondents to rank the topics that they would most like to see emphasized in future issues (see Figure 2). Of our eight categories, more emphasis on research articles appeared important, as nearly a third (31%) of the 150 respondents ranked research as the number one topic to emphasize in the future. Respondents also

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showed an interest in professionalism issues (such as tenure, publishing, or networking) with 19% ranking it as a top issue for future articles. Fourteen percent said more applied, best practices, or “how to” articles should be emphasized, with another 13% suggesting that symposia on a certain topic should be further used in future editions. Not listed in Figure 2, we also asked about “advising/mentoring” issues, but no one indicated it as the number one topic to emphasize. We also asked an open-ended question about what other changes readers would like to see to the newsletter. These varied greatly, but overall fell generally in-line with the responses to our areas of emphasis question.

Figure 2: Future Emphasis of the Newsletter (N=150)



One final question worth noting, we asked respondents how supportive they would be of the current Law and Courts Discussion List (our official listserv) being replaced with a discussion board accessible through the Law and Courts web page. The responses were the definition of “inconclusive.” Of the 159 respondents that answered this question, 35% of respondents indicated that they were supportive of the move to a discussion board, 35% said they were opposed to such a move, and 30% indicated they were “neutral” to such a change.

Looking Ahead – The Future of the Newsletter

We entered this task of surveying section members to make the newsletter the most useful resource it can be. We are indebted to those that took the time to respond. One clear picture emerging from the responses is that most appreciate the research-focused articles. However, a few respondents disagreed, commenting that a newsletter may not be the appropriate place for research. Some commented on the fact that it isn’t peer reviewed and may include incomplete research. As one person commented, “I would never cite a newsletter – the research is always abbreviated, I wouldn’t publish in it because I’m at an R1 and it would mean zero credit for me.”

Others mentioned that this fact is magnified by the existence of the new Journal of Law and Courts for our section. While these are valid points, it appears that most see the research articles as a way to at least stay up with current trends. To this end, we will continue to accept articles on current research projects. We are particularly interested in new data resources (such as the article in this edition from Paul Collins and Lori Ringhand) or commentary on existing or new methodological approaches. The newsletter is a great place to introduce original data collection

projects and we will continue to highlight these in the future.

As mentioned by many respondents, symposia on current topics are also appreciated by many readers. As one respondent mentioned, “I think the Newsletter is most useful when it includes collections of short pieces (almost like a symposium) that give multiple perspective on issues important to the section.” These could be related to research, but in the past we have also included articles on

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teaching and other aspects of the profession. We will continue to include short symposia to allow multiple scholars to share their views on a related topic. We welcome readers' suggestions of topics that they feel may be of interest.

In reaction to the many respondents that mentioned they enjoyed the shorter pieces, we will continue to explore the addition of brief sections that may be useful. For example, in this edition, we are introducing a "Tech Notes" section where we will highlight interesting and useful web pages, apps, data sources, software, or other forms of technology. In this edition, we highlight a potentially useful web page for classroom exercises and one blog

that relates to trends in the legal profession that may be of use in pre-law advising. We hope that readers will submit their short reviews (a paragraph or so) highlighting technology that could be useful to section members.

In sum, it appears that the newsletter remains a helpful mode of communication for many in the section. We will build upon what seems to work for people and try to make tweaks here and there to improve on the newsletter's usefulness. We welcome comments, suggestions, and submissions for future editions so that, unlike the homing pigeon and the phone tree, the *L & S Newsletter* will continue to be a useful resource for scholars in the future.

Tech Notes

Each edition we will highlight an interesting and useful web page, "app" software, or other form of technology that may be helpful in section members' teaching or research. We welcome reviews and suggestions from section members about programs used in the past that were particularly beneficial and may be of interest to section members.

PBS.Org: PBS has several interactive features on the Supreme Court that may be useful supplements for classroom activities. The interactive activities are free, although some require the creation of a log-in. Interesting sections include a game where students must match quotations (often from the justices themselves) to the statements' author or case, Supreme Court timelines, and an interesting "Day in the Life" interactive where students can see how Supreme Court opinions impact daily activities. These are created for multiple knowledge levels, so some features may be too rudimentary for some students, but may be particularly useful for introductory undergraduate classes:

(<http://www.pbs.org/wnet/supremecourt/games/>).

Above The Law: For those interesting in current trends in the legal profession (and want a laugh now and then), Above the Law tracks what is going on in law schools, links to notable news stories, and the legal job market. While many of the stories focus on trends in larger firms, the blog does a good job of blending the latest news from the profession with an often-humorous commentary. This may be of interest particularly to those that advise students thinking about law school:

<http://abovethelaw.com/>

BOOKS TO WATCH FOR

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Judith A. Baer (Texas A&M University) has written *Ironic Freedom: Personal Choice, Public Policy, and the Paradox of Reform* (Palgrave Macmillan 2013, 978-1-1370-3095-5). In this work, Baer argues that freedom from governmental interference may make people vulnerable to other sources of coercion. If we legalize physician-assisted suicide, will people be forced into it? Did allowing abortion make it compulsory for some women? Did abolishing the military draft create a 'poverty draft' for disadvantaged youth? *Ironic Freedom* analyses this familiar problem in feminist and liberal theory. Drawing on both political theory and popular discourse, Baer inquires as to what kinds of evidence would be needed to support, or refute, the existence of these "ironic freedoms."

Mark E. Brandon (Vanderbilt University) has published *States of Union: Family and Change in the American Constitutional Order* (University Press of Kansas 2013, 978-0-7006-1923-8). "Brandon addresses debates currently roiling America—the regulation of procreation, the roles of women, the education of children, divorce, sexuality, and the meanings of marriage. He also takes on claims of scholars who attribute modern change in family law to mid-twentieth-century Supreme Court decisions upholding privacy. He shows that the (so-called) constitutional law of family has much deeper roots. Offering glimpses into American households across time, Brandon examines the legal and constitutional norms that have aimed to govern those households and the lives within them. He argues that, well prior to the 1960s, the nature of families in America had been continually changing—especially during western expansion, but also in the founding era. He further contends that the monogamous nuclear family was codified only at the end of the nineteenth century as a response to Mormon polygamy, communal experiments, and Native American households. More than a historical overview, the book also considers the de-

velopment of same-sex marriage as a political and legal issue in our time. *States of Union* is a groundbreaking volume that explains how family came to be "in" the Constitution, what it has meant for family to be constitutionally significant, and what the implications of that significance are for the constitutional order and for families."

Stephen M. Griffin's (Tulane University) new book, *Long Wars and the Constitution* (Harvard University Press 2013, 978-0-6740-5828-6) was published in June. "In a wide-ranging constitutional history of presidential war decisions from 1945 to the present, Griffin rethinks the long-running debate over the "imperial presidency" and concludes that the eighteenth-century Constitution is inadequate to the challenges of a post-9/11 world. The Constitution requires, (in his view), the consent of Congress before the United States can go to war. Truman's decision to fight in Korea without gaining that consent was unconstitutional, (argues Griffin), but the acquiescence of Congress and the American people (subsequently) created a precedent for presidents to claim autonomy in this arena ever since. The unthinking extension of presidential leadership in foreign affairs to a point where presidents unilaterally decide when to go to war, (he asserts), has destabilized our constitutional order and deranged our foreign policy. *Long Wars and the Constitution* demonstrates the unexpected connections between presidential war power and the constitutional crises that have plagued American politics.

As Griffin notes, contemporary presidents are caught in a dilemma. On the one hand are the responsibilities handed over to them by a dangerous world, and on the other is an incapacity for sound decision-making in the absence of inter-branch deliberation. President Obama's continuation of many

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Bush administration policies in the long war against terrorism is only the latest in a chain of difficulties resulting from the imbalances introduced by the post-1945 constitutional order. Griffin argues for beginning a cycle of accountability in which Congress fulfills a meaningful role in decisions for war, while recognizing the realities of twenty-first century diplomacy.”

Yüksel Sezgin (Syracuse University) has published *Human Rights under State-Enforced Religious Family Laws in Israel, Egypt and India* (Cambridge University Press, 978-1-1070-4140-0). About one-third of the world's population currently lives under pluri-legal systems where governments hold individuals subject to the purview of ethno-religious rather than national norms in respect to family law. Why so many governments around the globe choose to enforce pluri-legal religious family laws—even when those laws clash with their constitutional obligations and commitments under the international law? How does the state-enforcement of religious family laws impact fundamental rights and liberties? What resistance strategies do people employ in order to overcome the disabilities and limitations these religious laws impose upon their rights? Based on archival research, court observations and interviews with individuals from three countries, Sezgin shows that governments have often intervened in religious family laws in order to impress a particular image of subjectivity upon society, while people have constantly challenged the interpretive monopoly of courts and state-sanctioned religious

institutions, re-negotiated their rights and duties under the law, and changed the system from within. Sezgin also identifies key lessons and best practices for the integration of universal human rights principles into religious legal systems. The book will be of interest to area specialists, legal scholars, social scientists who study state-religion relations, and comparative law and courts, as well as human/women's rights specialists and practitioners who are interested in emerging rights talks/discourses in the non-western world.

Rachel Stern's (University of California, Berkeley) new book, *Environmental Litigation in China: A Study in Political Ambivalence* (Cambridge University Press 2013, ISBN 978-1-1070-2002-3), explores the improbable: seeking legal relief for pollution in contemporary China. In a country known for tight political control and ineffectual courts, *Environmental Litigation in China* unravels how everyday justice works: how judges make decisions, why lawyers take cases and how international influence matters. It is a readable account of how the leadership's mixed signals and political ambivalence play out on the ground—propelling some, such as the village doctor who fought a chemical plant for over a decade, even as others back away from risk. Yet this remarkable book shows that even in a country where expectations would be that law wouldn't much matter, environmental litigation provides a sliver of space for legal professionals to explore new roles and, in so doing, probe the boundary of what is politically possible.

ANNOUNCEMENTS

LSAC Research Grants

The Law School Admission Council (LSAC) Research Grant Program funds research on a wide variety of topics related to the mission of LSAC. Specifically included in the program's scope are projects investigating precursors to legal training, selection into law schools, legal education, and the legal profession. To be eligible for funding, a research project must inform either the process of selecting law students or legal education itself in a demonstrable way.

The program welcomes proposals for research proceeding from any of a variety of methodologies, a potentially broad range of topics, and varying time frames. Proposals will be judged on the importance of the questions addressed, their relevance to the mission of LSAC, the quality of the research designs, and the capacity of the researchers to carry out the project.

Application deadlines are February 1 and September 1.

For more details, go to <http://www.lsac.org/lisacresources/grants/lisac-research>

Call for Papers : Upcoming Conferences

- Southwestern Political Science Association:
 Dates: April 17-19, 2014
 Proposal Deadline: November 15, 2013
- New England Political Science Association
 Dates: April 24-26, 2014
 Proposal Deadline: December 13, 2013