

# School of Law

*Emeriti: (Professors)* Wayne G. Barnett, Mauro Cappelletti, William Cohen, Marc A. Franklin, Jack H. Friedenthal, Robert A. Girard, Gerald Gunther, J. Myron Jacobstein, William T. Keogh, J. Keith Mann, John Henry Merryman, David Rosenhan, Kenneth E. Scott, Byron D. Sher, Howard R. Williams

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*Vice Dean:* Barton H. Thompson, Jr.

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*Associate Professors:* R. Richard Banks (on leave Autumn), G. Marcus Cole (on leave)

*Assistant Professors:* Mariano-Florentino Cuéllar, Michele Landis Dauber

*Professor (Teaching):* William C. Lazier

*Associate Professor (Teaching):* William S. Koski

*Courtesy Professor:* Abraham D. Sofaer

*Senior Lecturers:* David M. Mills, Maude H. Pervere

*Lecturers:* Michelle Alexander, Alvin Attles, Simao Avila, Marilyn Bautista, Karen Biestman, James E. Boddy, Margaret R. Caldwell, Eduardo Capulong, Mervin N. Cherrin, JoAnn Covington, Dana L. Curtis, Josh Eagle, Robin C. Feldman, Randee G. Fenner, Jennifer Granick, Jonathan D. Greenberg, Timothy H. Hallahan, Shirley Hochhausen, Jeffrey Kobrick, Leonard Koppett, Susan Liautaud, Michael R. Lozeau, John J. Lyons, Steven C. Neustadter, Thomas J. Nolan, B. Howard Pearson, Lisa M. Pearson, Jenik Radon, Deborah A. Sivas, Marta Vides, Katherine C. Wright

*Visiting Professors:* Brian Bercusson, Michael J. Klarman, Rogelio Pérez-Perdomo, Richard H. Steinberg, Eric W. Wright, Nancy A. Wright

*Fellow:* Alan B. Morrison

The School of Law was established as a department of the University in 1893. Its purpose is to provide a thorough legal education for students who are fitted by their maturity and their previous academic training to pursue professional study under university methods of instruction. The curriculum leading to the first professional degree in law (J.D.) constitutes an adequate preparation for the practice of law in any English-speaking jurisdiction. Graduate work leading to the degrees of Master of the Science of Law and Doctor of the Science of Law are also offered. (For the full curriculum, see the Stanford University bulletin *School of Law*.) The school is on a two-term academic calendar. Autumn term classes begin on September 6, 2001. Spring term classes begin on January 22, 2002, and the term ends on May 17, 2002.

## COURSES

### GRADUATE

The following courses are open to qualified graduate students in other departments of the University with the consent of the instructor:

**236. Art and the Law**—The range of problems that arise at the intersection of law and the visual arts (painting, sculpture, and graphic art): the protection of works of art in time of war, occupation, and civil strife; international traffic in stolen and smuggled cultural treasures; censorship, criticism, selection, and artistic freedom; copyright, moral right, and the proceeds right; art forgery, fakes, and consumer protection in the visual arts; legal relations between artists, dealers, museums, collectors, and auction houses; tax and estate problems of artists and collectors; legal services for artists; artnapping and insurance; legal problems of art museums, etc.

*3 term units, Spr semester (Merryman)*

**256. Rule of Law Workshop**—Study, analysis, and research aimed at practical applications in developing countries. Seminar based on background readings, presentations by outside experts, and original individual or group projects by participants. Focus is on legal, judicial, and administrative reform in contemporary Mexico. The new political regime, the development of NAFTA, and the increasing weight of narcotics trafficking are all sources of pressure on a Mexican legal system that has never been a model of the Rule of Law. Collaborative association with Mexican law schools and legal institutions explores how programs in research, education, and policy can be designed to the mutual benefit of the U.S., Mexico, and Stanford. Students prepare and present analyses and work collectively to organize reports.

*3 term units, Spr semester (Heller)*

**274. Developing Country Patent Law**—Seminar. Explores the special needs of developing nations patent law. The role of the patent system in developing nations, the international agreements governing intellectual property law in developing nations, both the TRIPS agreement and bilateral agreements between the U.S. and developing nations, the areas of special dispute, the patent protection of pharmaceuticals, and biotechnological innovations. Students deal with the actual needs of specific developing nations, and have contact with officials from those nations.

*2 term units, Spr semester (Barton, Lessing)*

**303. Theories of International Law**—Seminar on international legal argumentation or scholarly debates. Explores competing theories of international law, approaches based on natural law, positivism, the Grotian tradition, realism, rational institutionalism, liberalism, social construction, and critical theory. Students read/discuss primary and secondary materials by leading international law theorists, consider how international legal arguments would be made through each theoretical perspective, and evaluate each approach according to several criteria, including explanatory power, parsimony, falsifiability, and prescriptive implications. Students research and prepare a short paper on one theory and a term paper in consultation with the instructor.

*2 term units, Aut semester (Steinberg)*

**307. Gender, Law, and Public Policy**—Open to second- and third-year law students and other qualified students with consent of instructor. Topics: equal protection standards, employment, reproductive rights, sexual harassment, rape, domestic violence, pornography, sexual orientation, feminist legal theory, and the family.

*3 term units, Spr semester (Rhode)*

**313. Health Law and Policy**—(Same as Health Research and Policy 210.) Open to all law or medical students and to qualified undergraduates by consent of instructor. Introduction to the American health care system and its legal and policy problems. Topics: the special characteristics of medical care as compared with other goods and services, the difficulties of assuring quality care, the complex patchwork of the financing system, and the ethical problems the system raises.

*3 term units, Aut semester (Greely)*

**429. Transnational Law**—The development of law generated by the wide array of transnational issues and conflicts. Transnational law is international law, consisting of treaties, resolutions of the UN Security Council, and decisions of international tribunals. Individual states play

a large part, in fashioning responses to transnational developments, by prescribing, applying, and enforcing both international dimensions of significance, principally from the U.S. perspective. Issues: transnational litigation, the act of state doctrine, foreign immunities, extraterritorial jurisdiction, international discovery, foreign enforcement of judgments, and the nature and work of international institutions responsible for the resolution of transnational disputes. The role of non-sovereign entities in formulating, adjudicating, and enforcing rules and practices related to transnational issues. Recommended building block for other courses in either public (diplomatic) or private (commercial) aspects of international law. Topics in public international law.

*3 term units, Aut semester (Sofaer)*

**533. Jewish Law and Religion: Between Tradition and Innovation**—(Same as Religious Studies 333.) The connection between religion and law, as reflected in Jewish legal sources, especially Talmud, medieval and early modern codes, and medieval and modern responsa literature. Tension between tradition and innovation: What are the legal strategies and principles of adaptation to a changing cultural and political environment? Issues: capital punishment, status of non-Jews, public space (the Eruv controversy), and reproductive ethical issues. Focus is on readings from the mishnaic and talmudic sources, and the post-talmudic responsa literature, supplemented by secondary literature. Texts in translation, but students with Hebrew knowledge can form extra section. Class begins on January 9, 2002 and ends March 6, 2002.

*2 term units, Spr semester (Fonrobert)*

**534. International Non-Governmental Organizations, Practice in**—How international non-governmental organizations influence major international human rights issues. Examples of topics and organizations covered: children's rights, Save the Children and UNICEF; education, Global Education Program; famine relief, Oxfam and the World Food Programme; international medical relief and the AIDS crisis, Doctors Without Borders; land mines, International Committee to Ban Land Mines; micro-lending, Grameen. Case studies and strategic planning sessions, structuring exercises, oral presentations, and negotiations. Guest speakers. Business, legal, and human rights issues. Addresses: risk in human rights work; key legal strategies; the relationship between international non-profit organizations and governments/the UN; the sources of human rights regulation and law crucial to human rights work, e.g., intellectual property law; structural issues fundamental to successful humanitarian organizations. Course materials and discussions to consider alternatives in structuring international NGOs and solving human issues.

*3 term units, Spr semester (Liautaud)*

**570. War: Policy Dilemmas, Legal Constraints**—Under what circumstances can war be justly and lawfully pursued? At what point, if ever, do diplomatic efforts to resolve international conflict without force represent a morally unacceptable policy of appeasement? How can we avoid the traps and failures of past military interventions? How should we address new legal, political, and ethical challenges presented by increasing demands for humanitarian intervention and radical transformations in war fighting technology? The evolving law of war in the context of competing doctrines and lessons of military intervention since WWII. Focus is on supporting rigorous study and critical thinking about how civilian policymakers and diplomats can identify and pursue effective alternatives to military intervention under circumstances of international crisis, and make better decisions regarding the use of force, the conduct of war, and the negotiation of war's end.

*3 term units, Aut semester (Greenberg)*

**594. International Institutions**—The role and operation of international organizations in today's world. The implications of the institutions for national sovereignty. Emphasis is on those institutions that affect relations between developed and developing nations. The UN, the International Monetary Fund and World Bank, and the World Trade Organization. One example each of a human rights organization, e.g., the Europe-

an Convention on Human Rights; of a functional organization, e.g., the International Telecommunications Union, of a development organization, e.g., the Consultative Group on International Agricultural Research, of a regional organization, e.g., the European Union, and of a non-governmental organization, e.g., Amnesty International.

*3 term units, Spr semester (Barton)*

**604. Environmental Workshop**—Seminar. Current research and work in the environmental and natural resources field. Current and cutting-edge issues, work, and ideas. Academics from various disciplines, practitioners, and policy makers discuss their current research or work. Students are responsible for collaborating with each other to prepare for and lead two or three-in-class discussions, entailing background research, and reading and discussion question preparation. Each leadership team works with the instructor to enhance the in-class discussion. Short reflection/discussion papers required. Up to five students may elect to write on an environmental or natural resource law or policy topic of their choice reviewed and approved by the instructor and receive either research or writing credit. If more than five students wish to elect this option, the instructor will hold a lottery on the first day of class.

*2 term units, Spr semester (Caldwell)*

**611. Interdisciplinary Seminar on Conflict Resolution**—(Same as Economics 386, Management Science and Engineering 459, Psychology 283.) Addresses problems of conflict resolution and negotiation from an interdisciplinary perspective. Presentations by faculty and scholars from other universities.

*1-2 term units, Win, Spr semester (Alexander, Arrow, Hensler, Ross, Wilson)*

**642. Privatization of State Owned Enterprise**—Many countries recently privatized formerly state-owned enterprises. Mass privatization has been a principal element in the transition from central planning to a market economy by Russia, other parts of the Soviet Union, and the Baltic and E. European countries. Countries with mixed economies have privatized state-owned enterprises as a way to raise funds and improve the efficiency of these enterprises. Seminar studies the political, economic, and social factors underlying the worldwide trend toward privatization, the types of privatization that have been successful and unsuccessful, and what we can learn from the privatization experiment about the institutions that support a securities market and a complex market economy. Examples: Estonia, Russia, and the Czech Republic. Required research paper discussing privatization outcomes in a particular country, or some aspect of the manner in which privatization is conducted. 468 or a college-level statistics course recommended.

*3 term units, Spr semester (Black, Radon)*

**649. Advanced Issues in Health Law and Policy: Genetics and Law**—(Same as Health Research and Policy 211.) Open to 20 students from any Stanford graduate or professional program. Writing seminar on the ethical, legal, and social issues raised by the revolution in human genetics. Topics: DNA fingerprinting, genetic privacy, property rights in genes, genetic testing, genetic discrimination, transgenics, and eugenics.

*2 term units (Greely)*

## NONPROFESSIONAL

The following course is open to undergraduates and graduate students in other departments, and may be counted toward the B.A. degree, but not toward professional degrees in law.

**106. Introduction to American Law**—(Same as American Studies 179, Political Science 182F.) American law for undergraduates. The structure of the American legal system, including the courts; American legal culture; the legal profession and its social role, the scope and reach of the legal system, the background and impact of legal regulation, the relationship between the American legal system and American society in general. GER:3b

*5 units, Aut (Friedman)*

This file has been excerpted from the *Stanford Bulletin*, 2001-02, pages 649-650. Every effort has been made to ensure accuracy; late changes (after print publication of the bulletin) may have been made here. Contact the editor of the *Stanford Bulletin* via email at [arod@stanford.edu](mailto:arod@stanford.edu) with changes, corrections, updates, etc.