

Martha L. Minow

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Current Academic Appointments:

300th Anniversary University Professor, Harvard University
Harvard University Distinguished Service Professor
Faculty, Harvard Graduate School of Education
Faculty Associate, Carr Center for Human Rights, Harvard Kennedy School of Government

Current Activities:

Advantage Testing Foundation, Vice-Chair and Trustee
American Academy of Arts and Sciences, Access to Justice Project
American Bar Association Center for Innovation, Advisory Council
American Law Institute, Member
Berkman Klein Center for Internet and Society, Harvard University, Director
Campaign Legal Center, Board of Trustees
Carnegie Corporation, Board of Trustees
Committee to Visit the Harvard Business School, Harvard University Board of Overseers
Facing History and Ourselves, Board of Scholars
Harvard Data Science Review, Associate Editor
Initiative on Harvard and the Legacy of Slavery
Law, Violence, and Meaning Series, Univ. of Michigan Press, Co-Editor
MacArthur Foundation, Director
MIT Media Lab, Advisory Council
MIT Schwarzman College of Computing, Co-Chair, External Advisory Council
National Academy of Sciences' Committee on Science, Technology, and Law
Profiles in Courage Award Selection Committee, JFK Library, Chair
Russell Sage Foundation, Trustee
Skadden Fellowship Foundation, Selection Trustee
Susan Crown Exchange Foundation, Trustee
WGBH Board of Trustees, Trustee

Education:

Yale Law School, J.D. 1979
Articles and Book Review Editor, Yale Law Journal, 1978-1979
Editor, Yale Law Journal, 1977-1978
Harvard Graduate School of Education, Ed.M. 1976
University of Michigan, A.B. 1975
Phi Beta Kappa, Magna Cum Laude
James B. Angell Scholar, Branstrom Prize
New Trier East High School, Winnetka, Illinois, 1968-1972

Honors and Fellowships:

Leo Baeck Medal, Nov. 19, 2019
Radcliffe Fellowship, 2017-2018
Theodore Roosevelt Fellow, American Academy of Political and Social Science, 2017

Sargent Shriver Equal Justice Award, 2016
 Joseph B. and Toby Gittler Prize, Brandeis University, 2016
 Doctor of Laws (honorary) University of Michigan, 2015
 Lawdragon 500 Leading Lawyers in America, 2013-2016
 Doctor of Laws (honorary), University of Buenos Aires, 2014
 Gold Medal for Outstanding Contribution to Public Discourse, College Historical Society of Trinity
 College, Dublin, 2012
 Top Women of Law, Massachusetts Lawyers Weekly, 2012
 Doctor of Laws (honorary), Northwestern University, 2012
 Doctor of Laws (honorary), Jewish Theological Seminary, 2012
 Doctor of Humane Letters (honorary), Dominican University, 2012
 New Trier Township High School Alumni Achievement Award, 2012
 Stephen S. Goldberg Award for Distinguished Scholarship in Education Law, Education Law Association, 2011
 Scribes Book Award 2011—Honorable Mention
 Doctorate in Law (doctorem uris utriusque) (honorary), McGill University, 2011
 Doctor of Humane Letters (honorary), Hebrew College, 2011
 Fellow, American Philosophical Society, elected 2010
 Doctor of Law (honorary), University of Toronto Faculty of Law, 2006
 Holocaust Center Award, Peabody, Massachusetts, 2006
 Sacks-Freund Award for Excellence in Teaching, Harvard Law School, 2005
 Radcliffe Graduate Society Medal, 2003
 Doctor of Education (honorary), Wheelock College, 1998 (now part of Boston University)
 Fellow, American Academy of Arts & Sciences, 1992
 Fellow, Legal History Program, University of Wisconsin, 1984 & 1985 Mellon
 Fellow, Aspen Institute for Humanistic Studies, 1982

Publications: Books

Saving the News: Why the Constitution Calls for the Government to Act to Preserve the Freedom of Speech (Oxford University Press, forthcoming)

When Should Law Forgive? (Norton Press, 2019).

The First Global Prosecutor: Promise and Constraints, co-edited with Cora True-Frost and Alex Whiting (University of Michigan Press, 2015).

In Brown's Wake: Legacies of America's Educational Landmark (Oxford University Press, 2010)
 (Stephen S. Goldberg Award for Distinguished Scholarship in Education Law 2011, Education Law Association; Scribes Book Award 2011—Honorable Mention, The Green Bag Almanac & Reader Exemplary Legal Writing Honoree, 2010.)

Government by Contract: Outsourcing and American Democracy, co-edited with Jody Freeman (Harvard University Press, 2009).

Just Schools: Pursuing Equality in Societies of Difference, co-edited with Richard Shweder and Hazel Markus (Russell Sage Foundation, 2008).

Imagine Coexistence: Restoring Humanity after Violent Ethnic Conflict, co-edited with Antonia Chayes (Jossey-Bass, 2003).

Breaking the Cycles of Hatred: Memory, Law and Repair, introduced and with commentaries edited by Nancy Rosenblum (Princeton University Press, 2002).

Partners, Not Rivals: Privatization and the Public Good (Beacon Press, 2002).

Engaging Cultural Differences, co-edited with Richard Shweder and Hazel Markus (Russell Sage Foundation, 2002).

Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence (Beacon Press, 1998).

(Awarded the American Society of International Law Certificate of Merit, 2000; excerpted in Ronald P. Salzberger and Mary C. Tuck, *Reparations for Slavery: A Reader*, 303–327 (2004).)

Not Only for Myself: Identity, Politics and Law (The New Press, 1997).

(Gustavus Meyers Award for Outstanding Book on Human Rights).

Law Stories, co-edited with Gary Bellow (University of Michigan Press, 1996).

Narrative, Violence and the Law: The Essays of Robert M. Cover, co-edited with Michael Ryan and Austin Sarat (University of Michigan Press, 1992).

Making All the Difference: Inclusion, Exclusion, and American Law (Cornell University Press, 1990).

Text Books

Civil Procedure: Doctrine, Practice, and Context, co-edited with Stephen N. Subrin, Mark S. Brodin, Thomas O. Main, Alexandra D. Lahav. (Wolters Kluwer Law & Business 5th Edition, 2016; Aspen 2000, 2004, 2008, 2012).

Federal Rules of Civil Procedure, co-edited with Stephen N. Subrin, Mark S. Brodin, Thomas O. Main, Alexandra D. Lahav. (Wolters Kluwer Law & Business, 2014).

Teacher's Manual, Civil Procedure: Doctrine, Practice, and Context, co-authored with Mark Brodin, Thomas Main, and Stephen Subrin (Aspen, 2000; 2004; 2008; 2012).

Mary Joe Frug's Women and the Law, revised edition, co-edited with Judith Greenberg and Dorothy Roberts (Foundation Press 1998; 1999), co-edited with Judith Greenberg, Dorothy Roberts, Lisa Crooms, and Libby S. Adler (Foundation Press 4th edition, 2007).

Family Matters: Readings on Family Lives and the Law, editor (The New Press, 1993).

Book Chapters and Contributions

“Preface,” in Jonathan Todres and Shani M. King, *The Oxford Handbook of Children's Rights Law* (2020).

“Privatizing Social Services,” in Alon Harel and Avihay Dorfman, eds., *Cambridge Handbook on Privatization* (forthcoming).

“Preface: ‘The Whole People Must Take Upon Themselves the Education of the Whole People,’” in Kimberly Robinson, ed., *Thoughts on a Federal Right to Education* (2019).

“Could Mass Detentions Without Process Happen Here?,” in Cass Sunstein, ed., *Can It Happen Here?: Authoritarianism in America* (HarperCollins, 2018).

“Foreword,” in *Beyond Elite Law: Access to Civil Justice in America*, Samuel Estreicher and Joy Radice (Cambridge University Press, 2016).

Contributor to *Discrimination at Work: Comparing European, French, and American Law*, Marie Mercat-Bruns. ed. (University of California Press, 2016).

“Foreword,” in *Feminist Legal Theory, Primed for Action*, Nancy Levit and Robert Verchick (2nd ed. January 2016).

“Preface: The Enduring Burdens of the Universal and the Different in the Insular Cases,” in *Reconsidering the Insular Cases: The Past and Future of the American Empire* (Harvard University Press, 2015).

“A Family Tradition: Clerking at the U.S. Supreme Court,” with Newton Minow, in *Of Courtiers and Kings: More Stories by Law Clerks about Their Justices* (University of Virginia Press, 2015).

“Preface” in *Common Bridges: A Narrative of Father and Son*, Alexander Z. Guiora and Amos N. Guiora (2015).

“The Controversial Status of International and Comparative Law in the United States,” in *Courts and Comparative Law*, Mads Andenas, Duncan Fairgrieve, eds. (Oxford University Press, 2015).

“La session 1986 de la Cour Suprême. Préface: La Justice Engendrée,” in *Le Mouvement des Critical Legal Studies: De la modernité à la postmodernité en théorie du droit*, Françoise Michaut (Les Presses de l’Université Laval, 2014).

“Universal Design in Education: Remaking ‘All the Difference,’” in *Righting Educational Wrongs: Disability Studies in Law & Education*, Arlene Kanter and Beth Ferri, eds. (Syracuse University Press, 2013).

“Principles or Compromises: Accommodating Gender Equality and Religious Freedom in Multicultural Societies,” in *Gender, Religion, and Family Law: Theorizing Conflicts between Women’s Rights and Cultural Traditions*, Lisa Fishbayn Joffe and Sylvia Neil, eds. (Brandeis University Press, 2013).

“Minow, Martha, Interview with Marie Mercat-Bruns,” in *Discriminations en Droit du Travail: Dialogue avec la doctrine américaine*, Marie Mercat-Bruns (Daloz, 2013).

“Seeing, Bearing, and Sharing Risk,” in *Shared Responsibility, Shared Risk*, Jacob S. Hacker & Ann O’Leary eds. (Oxford University Press, 2012).

“Foreword: Making Economic and Social Rights Real,” in *Constituting Economic and Social Rights*, Katharine Young (Oxford University Press, 2012).

“Reading the World: Law and Social Science,” in *Transformations in American Legal History: Essays in Honor of Morton J. Horwitz*, Volume II, Daniel Hamilton and Alfred Brophy, eds. (Harvard University Press, 2011).

“Foreword: Medical-Legal Partnerships Raise the Bar for Health and Justice,” in Elizabeth Tobin Tyler, Ellen Lawton, Kathleen N. Conroy, Megan Sandel, and Barry Zuckerman, eds., *Poverty, Health and Law: Readings and Cases for Medical-Legal Partnership* (Carolina Academic Press 2011).

“Single-Sex Public Schools Before and After *Vorchheimer v. School District of Philadelphia*,” in *Gender Stories*, Elizabeth Schneider and Stephanie Waldman, eds. (Foundation Press, 2010).

“Foreword,” in *A Policy Reader in Universal Design for Learning*, David T. Gordon, Jenna W. Gravel, and Laura A. Shifter, eds. (Harvard Education Press, 2009).

“Historical Justice,” in Vol. II, *A Companion to Contemporary Political Philosophy* 621, Robert E. Goodin, Philip Pettit, and Thomas Pogge, eds. (2008).

“Why Educate?” in *Why Do We Educate? Voices from the Conversation*, Mark A. Smylie, ed. (107th Yearbook of the National Society for the Study of Education, 2008).

“The Persistence of Falsehood and the Protocols of Elders of Zion,” in *From the Protocols of the Elders of Zion to Holocaust Denial Trials: Challenging the Media, The Law, and the Academy*, Debra Kaufman, Gerald Herman, and David Philips (Valentine Mitchell, 2006).

“Our Privacy, Ourselves in the Age of Technological Intrusions,” with Peter Galison, in *Human Rights in the “War on Terror,”* Richard Wilson, ed. (Cambridge University Press, 2005).

“Fragments or Ties? The Defense of Difference,” in *The Fractious Nation? Unity and Division in Contemporary American Life*, Jonathan Rieder and Stephen Steinlight, eds. (University of California Press, 2003).

“Commentary: Engendering Difference,” in *The Jewish Political Tradition*, Michael Walzer, Menachem Lorberbaum, and Noam J. Zohar, eds. (Yale University Press, 2003).

“Innovating Responses to the Past: Human Rights Institutions,” in *Burying the Past: Making Peace and Doing Justice after Civil Conflict*, Nigel Biggar, ed. (Georgetown University Press, 2000; expanded and updated edition, 2003).

“Parents, Partners, and Choice: Constitutional Dimensions of School Options,” in *School Choice: The Moral Debate*, Alan Wolfe, ed. (Princeton University Press, 2003).

“Instituting Universal Human Rights Law: The Invention of Tradition in the Twentieth Century,” in *Looking Back at Law’s Century*, Austin Sarat, Bryant Garth and Robert A. Kagan, eds. (Cornell University Press, 2002).

“Why Try,” in *Kosovo: Contending Voices on Balkan Interventions*, William Joseph Buckley, ed. (Wm. B. Eerdmans Publishing Co., 2000).

“About Women, About Culture: About Them, About Us,” in *Daedalus: Journal of the American Academy of Arts and Sciences* (MIT Press, Fall 2000); and in *Engaging Cultural Differences: The Multicultural Challenge in Liberal Democracies*, Richard Shweder, Martha Minow, and Hazel Rose Markus, eds. (Russell Sage Foundation, 2002).

“The Hope for Healing: What Can Truth Commissions Do?” in *Truth v. Justice*, Robert I. Rotberg and Dennis Thompson, eds. (Princeton University Press, 2000).

“Foreword: Thinking and Hitting at the Same Time,” in *Transforming Social Inquiries, Transforming Social Action: New Paradigms for Crossing the Theory/Practice Divide in Universities and Communities*, Francine T. Sherman and William R. Torbert, eds. (Klumer Academic Publishers, 2000).

“Choice or Commonality: Welfare and Schooling After the End of Welfare as We Knew It,” (Duke L.J. 493, 1999); republished in a slightly different form in *Who Will Provide?: The Changing Role of Religion in American Social Welfare*, Mary Jo Bane, Brent Coffin, and Ronald Thiemann, eds. (Westview Press, 2000).

“Afterword: Reform Law and Schools,” in *Law & School Reform*, Jay P. Heubert, ed. (Yale University Press, 1999).

“All in the Family and In All Families: Membership, Loving, and Owing,” in *Sex, Preference, and Family*, David M. Estlund and Martha C. Nussbaum, eds. (Oxford University Press, 1998).

“How Should We Think about Child Support Obligations,” in *Fathers Under Fire: The Revolution in Child Support Enforcement*, Irwin Garfinkel, Sara S. McLanahan, Daniel R. Meyer, and Judith A. Seltzer, eds. (Russell Sage Foundation, 1998).

"Between Vengeance and Forgiveness: Feminist Responses to Violent Injustice" (New England Law Review 967-981, Summer 1998); excerpted in *Feminist Legal Theory: An Anti-Essentialist Reader*, Nancy E. Dowd and Michelle S. Jacobs eds. (New York University Press, 2003).

"Institutions and Emotions: Redressing Mass Violence," in *The Passions of Law*, Susan Bandes, ed. (NYU Press, 1999), pp. 265-281.

"Politics and Procedure," in *The Politics of Law: A Progressive Critique*, 3rd edition, David Kairys, ed. (Basic Books, 1998).

Reflections on the Scholarship of Elizabeth B. Clark, with Kristin Olbertson, Carol Weisbrod, and Christine Stansell, in *Women, Church, and State: Religion and the Culture of Individual Rights in Nineteenth-Century America* (Hendrik Hartog & Thomas A. Green, eds. 1998), https://scholarship.law.bu.edu/clark_book/8/.

"Is the 'Reasonable Person' a Reasonable Standard in a Multicultural World?" *Everyday Practices and Trouble Cases*, co-authored with Todd Rakoff, in Austin Sarat, Marianne Constable, David Engel, Valerie Hans, Susan Lawrence, eds. (Northwestern University Press and The American Bar Foundation, 1997).

"Child Endangerment, Parental Sacrifice: A Reading of the Binding of Isaac," *Beginning Anew*, in Judith Cates and Gail Reimer, eds. (Touchstone, 1997); reprinted in *Mother Troubles: Rethinking Contemporary Maternal Dilemmas*, Julia E. Hanigsberg and Sara Ruddick, eds. (Beacon Press, 1999) pp. 50-57.

"Introduction: Seeking Justice," in *Outside the Law*, Susan Richards Shreve and Porter Shreve, eds. (Beacon Press, 1997).

"Afterword: Governing Children, Imagining Childhood," in *Governing Childhood*, Anne McGillivray, ed. (Dartmouth Publishing Co., 1997), pp. 250-259.

"Whatever Happened to Children's Rights," in *Reassessing the Sixties*, Stephen Macedo, ed. (W. W. Norton & Company, 1997) pp. 102-126.

"Comments on 'Suffering, Justice and the Politics of Becoming' by William E. Connolly," the Roger Allan Moore Lecture, May 11, 1995, in *20 Culture, Medicine and Psychiatry* (Kluwer Academic Publications, 1996) pp. 279-286.

"Telling Stories, Telling Law," in *Fieldwork: Sites in Literary and Cultural Studies*, Marjorie Garber, Rebecca L. Walkowitz, and Paul B. Franklin, eds. (Routledge, 1996), pp. 237-243.

"Stories in Law," in *Law's Stories*, Peter Brooks and Paul Gewirtz, eds. (Yale University Press, 1996), reprinted in *Telling Stories to Change the World: voices from Around the World on the Power of Narrative to Build Community and Make Social Justice Claims*, Rickie Solinger, ed. (Routledge, 2008).

"Relational Rights and Responsibilities: Revisioning the Family in Liberal Political Theory and Law," coauthored with Mary Lyndon Shanley (*Hypatia* vol 11, Winter 1996), pp. 4-26; reprinted as chapter 5 in *Reconstructing Political Theory: Feminist Perspectives*, Mary Lyndon Shanley and Uma Narayan, eds. (The Pennsylvania State University Press, 1997), pp. 84-108.

"All in the Family; In All Families," (*West VA L.R.* 275, Winter 1992-93) p. 95; reprinted in *Sex, Preference, and Family*, David M. Estlund and Martha C. Nussbaum, eds. (Oxford University Press, 1997).

"Rights and Cultural Difference," paper given at the Amherst College conference, "Paradoxes of Rights," (Nov. 6-8, 1992); in *Identities, Politics, and Rights*, Austin Sarat and Thomas R. Kearns, eds. (University of Michigan Press, 1995).

"Partial Justice" in *The Fate of Law*, A. Sarat, ed. (Univ. Michigan Press, 1991).

"Questioning the Questions, Reforming the Reformers: A Feminist Perspective in Divorce Reform" with Deborah Rhodes in *Divorce Reform at the Crossroads*, Sugarman and Haye, eds. (Yale University Press, 1990).

"Adjudicating Differences: Conflicts Among Feminist Lawyers" in *Conflicts in Feminism* 149, M. Hirsh and E. Keller, eds. (Routledge, 1990).

"The Judgment of Solomon and the Experience of Justice" in *The Structure of Procedure* R. Cover & O. Fiss (1979).

Articles and Essays:

"Remarks before the Commission on Unalienable Rights, U.S. Department of State," (Feb. 21, 2020): <https://www.state.gov/commission-on-unalienable-rights>; Carr Center for Human Rights White Paper (Spring 2020), https://carrcenter.hks.harvard.edu/files/cchr/files/CCDP_2020-003; Harvard Online Human Rights Journal (June 2020), <https://harvardhrj.com/2020/06/minow-remarks-commission-on-unalienable-rights/>.

"Do Alternative Justice Mechanisms Deserve Recognition in International Criminal Law?: Truth Commissions, Amnesties, and Complementarity at the International Criminal Court," 60 *Harv. Int'l L.J.* 1 (2019).

"The Changing Ecosystem of News and Challenges for Freedom of Press," 64 *Loyola L.Rev.*(New Orleans) 499 (2018).

"Civil Discourse," with Joseph W. Singer, in *18 Sight Line 4* (Covenant Foundation, 2018).

"Marking 200 Years of Legal Education: Traditions of Change, Reasoned Debate, and Finding Differences and Commonalities," 130 *Harv. L. Rev.* 2279 (2017).

"The New State Action Mess: Internet Privacy, Private Police, and Privatized Justice," 52 *Harv. C.R.-C.L. L. Rev.* 145 (2017).

"Continually Re-Thinking: What Would Mary Joe Frug Do?" *New England Law Review* 50 (2016).

"Exploratory Project: Access to Justice," *Bulletin of the American Academy of Arts and Sciences*, Winter 2016.

"Primary Colors," Book Review of *Let the People Rule* Theodore Roosevelt and the Birth of the Presidential Primary, Geoffrey Cowan, *The New Rambler*, <http://newramblerreview.com/component/content/article?id=151:primary-colors> (2016).

"Questions Lawyers Must Answer," 1 *Legal Education for the Future* 5, (July 2015) <https://thepractice.law.harvard.edu/article/questions-lawyers-must-answer/>.

"Forgiveness, Law, and Justice," 103 *California Law Review* 6 (December 2015) (Brennan Center for Justice, Jorde Symposium).

"Religious Exemptions, Stating Culture: Forward to Religious Accommodation in the Age of Civil Rights," 88 *University of Southern California Law Review* 453 (March 2015).

"Altruistic Evil: Review of *Not In God's Name: Confronting Religious Violence*," Jonathan Sacks, *The New Rambler*, <http://newramblerreview.com/book-reviews/religion/altruistic-evil> (2015).

“Unlikely Alliances from Woodstock to Wounded Knee,” Book Review of Hippiess, Indians, and the Fight for Red Power, Sherry L. Smith, *The New Rambler*, <http://newramblerreview.com/bookreviews/history/unlikely-alliances-from-woodstock-to-wounded-knee> (2015).

“Upstanders, Whistle-blowers, and Rescuers,” Faculty of Law, Utrecht, (Koningsberger Lecture series) http://www.uu.nl/sites/default/files/rebo_rgl_minow_koningsberger_lecture_01202015.pdf (December 2014), reprinted and updated in 2017 *Utah L.Rev.* 815 (2017).

“Introduction” and “‘So great a Commitment to the Process’: Justice Kennedy and the Flag Burning Case, Symposium in Honor of Justice Anthony Kennedy, Harvard Law School Publication (2015).

“Welcome to America: Get Used to Disagreements!,” in *Facing History and Ourselves, Give Bigotry No Sanction* (2014).

“Essay on *Brown v. Board of Education*,” in *Brown at 60 and Milliken at 40*, Harvard Ed. Magazine (Summer 2014).

“The Big Picture: Justice Breyer’s Dissent in *Brown v. Entertainment Merchants Association*,” in *The Supreme Court 2013 Term: Essays in Honor of Justice Stephen G. Breyer*, 128 *Harvard Law Review* 1 (November 2014).

“Introduction and Essays on M.L.B in honor of Ruth Bader Ginsburg,” 127 *Harvard Law Review* 1 (2013).

“Archetypal Legal Scholarship: A Field Guild,” 63 *Journal of Legal Education* 1 (August 2013).

“*Brown v. Board* in the World: How the Global Turn Matters for School Reform, Human Rights, and Legal Knowledge,” *San Diego Law Review* (2013).

“Challenging Boundaries in Legal Education, A Symposium Honoring Clare Dalton’s Contributions as a Scholar and Advocate.” *Journal of Law and Policy*, Brooklyn Law School, Volume XX, No. 2 (2012).

“Storytelling and Political Resistance: Remembering Derrick Bell (with a story about Dalton Trumbo,” 28 *Journal on Racial and Ethnic Justice* 1 (2012).

“Affordable Convergence: ‘Reasonable Interpretation’ and the Affordable Care Act,” 126 *Harvard Law Review* 117 (2012).

“Preface: Meaningful Reciprocity—In Honor of Clare Dalton,” 20 *J.L. & Pol’y* 297 (2012).

“A Proper Objective: Constitutional Commitment and Educational Opportunity after *Bolling v. Sharpe* and *Parents Involved in Community Schools*,” 55 *Howard Law* 575 (2012).

“Taking up the Challenge of Gender and International Criminal Justice: In Honour of Judge Patricia Wald,” 11 *Int. Crim. L. Rev.* 365 (2011).

“Confronting the Seduction of Choice: Law, Education and American Pluralism,” 120 *Yale L.J.* 814 (2011).

“The Controversial Status of International and Comparative Law in the United States,” 52 *Harv. Int’l L.J. Online* (August 27, 2010) http://www.harvardilj.org/site/wp-content/uploads/2010/08/HILJ-Online_52_Minow.pdf.

“In Favor of Foxes: Pluralism As Fact and Aid to the Pursuit of Justice,” with Joseph Singer, 90 *Boston University Law Review* 903 (2010).

“Dialogue, Discourse, and Debate: Introducing the Harvard National Security Journal” 1 Harvard National Security Journal (2010) <http://www.harvardnsj.com/2010/01/minow/>.

“Accommodating Integration” 157 PENNumbra 1 (2008). In response to Integrating Accommodation, Elizabeth F. Emens (156 University of Pennsylvania Law Review 4, 2008) <http://www.pennumbra.com/responses/response.php?rid=49>.

"Review of 'Taking Wrongs Seriously: Acknowledgement, Reconciliation, and the Politics of Sustainable Peace' by Trudy Govier," 2 International Journal of Transitional Justice 116 (2008).

“After Brown: What Would Martin Luther King Say?” 12 Lewis & Clark Law Review 599 (2008).

“Is Pluralism an Ideal or a Compromise: An Essay for Carol Weisbrod,” 40 Conn. L. Rev. 1287 (2008), excerpted at <http://www.brandeis.edu/hbi/614/article4a.html>, and edited and updated version reprinted in Untying the Knots: Theorizing Conflicts between Women’s Rights and Religious Laws, Lisa Fishbayne and Sylvia Neil, eds. (2013).

“We’re All for Equality in U.S. School Reforms: But What Does it Mean?” in Just Schools, co-edited Richard Shweder and Hazel Markus (Russell Sage Foundation, 2008).

“Making History or Making Peace: When Prosecutions Should Give Way to Truth Commissions and Peace Negotiations,” 7 J. Human Rights 174 (2008).

“The Government Can’t, May, or Must Fund Religious Schools: Three Riddles of Constitutional Change for Laurence Tribe,” 42 Tulsa L. Rev. 911 (2007).

"Should Religious Groups Ever Be Exempt From Civil Rights Laws?" 48 Boston College L. Rev. 781 (2007).

"Tolerance in an Age of Terror," 16 University Southern California Interdisciplinary Law Journal 453 (2007), reprinted in Top Ten Global Justice Law Review Articles 2007 Annual Review, Amos Guiora, ed. (Oxford University Press, 2008).

"A Case for Another Method," with Todd Rakoff, 60 Vanderbilt L. Rev. 597 (2007).

“Dynamism, Not Just Diversity,” with Lani Guinier, 30 Harvard Journal of Law and Gender 269 (2007).

“Naming Horror: Legal and Political Words for Mass Atrocities,” 2 Genocide Studies and Prevention 37 (April 2007).

"Living Up to Rules: Holding Soldiers Responsible for Abusive Conduct and the Dilemma of the Superior Orders Defense," 52 McGill L. Rev. 3 (2007) (Raoul Wallenberg Human Rights Lecture).

"Religion and the Burden of Proof: Posner’s Economics and Pragmatism in Metz v. Leininger," 120 Harv. L. Rev. 1175 (2007).

“National Objectives in the Hands of Junior Leaders,” with Amos N. Guiora in Countering Terrorism and Insurgency in the 21st Century: International Perspectives Vol. 1, James J.F. Forest (Prager Security International, 2007)

“Constituting our Constitution, Constituting Ourselves: Comments on Reva Siegel's Constitutional Culture, Social Movement Conflict and Constitutional Change,” 94 Cal. L. Rev. 1455-1463 (2006).

"Mobilizing Against the Military Commissions Act of 2006," with Stephanie Brewer, James Cavallaro, Fernando Delgado, Yukyan Lam, Martha Minow, & Deborah Popowski, 1 Harvard Law & Pol’y rev. (Nov.

6, 2006) <https://www.law.stanford.edu/publications/mobilizing-against-the-military-commissions-act-of-2006>. "The Constitution as Black Box During Times of National Emergencies: Comment on Bruce Ackerman's Before the Next Attack: Preserving Civil Liberties in an Age of Terrorism," 75 *Fordham L. Rev* 593 (2006).

"What the Rule of Law Should Mean for Civics Education: From the 'Following Orders' Defence to the Classroom", 35 *J. Moral Educ.* 137-162 (June 2006).

Foreword: Feminist Legal Theory, Primed for Action, in *Feminist Legal Theory*, Nancy Levit and Robert Verchick eds. (2006).

"Outsourcing Power: How Privatizing Military Efforts Challenges Accountability, Professionalism and Democracy," 46 *Boston College Law Rev.* 989 (2005), revised and updated version in *Government by Contract*, co-edited with Jody Freeman 110 (Harvard University Press, 2008).

"What is The Greatest Evil?" Book Review of *The Lesser Evil*, Michael Ignatieff, 118 *Harv. L. Rev.* (2005).

"Fostering Capacity, Equality, and Responsibility (and Single-Sex Education): in Honor of Linda McClain," 33 *Hofstra Law Review* 815 (Spring 2005).

Introductory Essay: "Surprising Legacies of *Brown v. Board*," in 16 *Washington. U. J. of Law and Policy* 11 (2004); printed also in *Legacies of Brown: Multiracial Equity in American Education* 9, Dorinda J. Carter, Stella M. Flores and Richard J. Reddick, eds. (2004).

"Just Education: An Essay for Frank Michelman," 39 *U. Tulsa L. Rev.* 547 (2004).

"Foreword: Why Retry? Reviving Dormant Racial Justice Claims," 101 *Mich. L. Rev.* 1133 (2003).

"School Reform Outside Laboratory Conditions," 28 *N.Y.U. Rev. of Law & Soc. Change* 333 (2003).

"Public and Private Partnerships: Accounting for the New Religion," 116 *Harv. L. Rev.* 1229 (2003).

"Isaac Marks Memorial Lecture: Education for Co-Existence," 44 *Arizona Law Review* 1-29 (2002), reprinted condensed version in *Imagine Co-Existence: Restoring Humanity After Violent Ethnic Conflict*, Antonia Chayes and Martha Minow, eds. (Jossey-Bass, 2003).

"Lawyering for Human Dignity," 11 *American Univ. Journal of Gender, Social Policy & the Law* 143 (2003).

"On Being a Religious Professional: The Religious Turn in Professional Ethics," 150 *University of Pennsylvania Law Review* 2 (December 2001) pp. 661-688.

"The Law of Forgiving," FindLaw's Writ - Legal Commentary, http://writ.corporate.findlaw.com/commentary/20000501_minow.html.

Symposium: "Constitutional Lawyering in the 21st Century, Panel IV: Knowledge Production in the Legal Academy," Carrie J. Menkel-Meadow and Martha L. Minow, 9 *Journal of Law and Policy* 335 (2001).

"Keynote: Before and After *Pierce*," 78 *University of Detroit Mercy Law Review* 407 (2001).

"Partners, Not Rivals: Redrawing the Lines Between Public and Private, Non-Profit and Profit, and Secular and Religious," 80 *Boston University Law Review* 4 (October 2000) pp. 1061-1094.

Co-editor Fall 2000 issue of *Daedalus: Journal of the American Academy of Arts and Sciences*.

"Regulating Hatred: Whose Speech, Whose Crimes, Whose Power?--An Essay for Kenneth Karst," 47 *UCLA Law Review* 5 (June 2000) pp. 1253-1277.

"Between Intimates and Between Nations: Can Law Stop the Violence?" 50 *Case Western Reserve Law Review* 4 (2000) pp. 851-868.

"Domestic Violence: Reply," 342 *The New England Journal of Medicine* 19, (2000) pp. 1452-1453.

"The Work of Re-Membering: After Genocide and Mass Atrocity," 23 *Fordham International Law Journal* 2 (1999) pp. 429-439.

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Previous Employment:

<u>Positions</u>	<u>Dates</u>
Frank Boas Visiting Professor William S. Richardson School of Law, University of Hawai’i	January 2018
Carter Professor of General Jurisprudence, Harvard Law School	2017-2018
Dean, Harvard Law School, and Morgan Chu Dean and Professor	2009, 2013-2017
Jeremiah Smith Professor of Law, Harvard	2005-2013
Visiting James Marsh Professor-at-Large, University of Vermont	2007-2009
William Henry Bloomberg Professor of Law, Harvard	2003-5
Acting Director, Harvard Program in Ethics and the Professions	2000-2001, 1993-1994
Distinguished Visiting Professor, Boston College Law School	1998
Distinguished Visiting Professor, University of Toronto Law School	1990
Professor of Law, Harvard	1986-2003
Assistant Professor, Harvard	1981-1986
Law Clerk to Justice Thurgood Marshall, United States Supreme Court	1980-1981
Law Clerk to Judge David Bazelon, United States Court of Appeals, District of Columbia	1979-1980
Summer Associate, Covington & Burling, Washington, D.C. Washington, D.C.	Summer 1978
Project Analyst, Community Foundation Grants Program for For Children, Chicago Community Trust	Summer 1977

Project Director, Study of Boston School Desegregation, Massachusetts Research Center, Boston, Massachusetts	Jan.-Sept. 1976
Teacher and Counselor, Summer Institute, Medill School of Journalism, Northwestern University, Evanston, Illinois	Summer 1975
Summer Intern, Congressman John Brademas, House Select Subcommittee on Education	Summer 1974
Summer Intern, Chicago Daily News	Summer 1973

Previous Pro Bono, Public Board, and Community Service Activities:

Testimony, Commission on Unalienable Rights, U.S. Department of State, February 21, 2020 (Mary Ann Glendon, chair).

Individual Amici, Brief of Legal Scholars and Nongovernmental Organizations as *Amicus Curiae* in Support of Appellees, Jenny Lisette Flores v. William Barr, In the United States Court of Appeals for the Ninth Circuit, No. 19-56326

Consultation with Republic of Indonesia leaders regarding responses to past human rights violations, Nov. 16, 2019 (consultation with Dr. Moeldoko, Chief of Staff to the President of the Republic of Indonesia; Jaleswari Pramodhawardani, Deputy Chief of Staff to the President of the Republic of Indonesia for Politics, Law, Defense, Security, and Human Rights Affairs; and Political and Legal Advisors Team from the Executive Office of the President of the Republic of Indonesia).

CBS Corporation, Board Member, 2017-2019.

Legal Services Corporation, Vice-Chair and Director, 2009-2019 (nominated twice by President Obama, confirmed twice by the Senate); co-chair, Pro Bono Task Force; co-chair, Disaster Relief Task Force.

Testimony, Creating Opportunities for Youth to Serve Means Valuing Our Future Submitted to the National Commission on Military, National, and Public Service, June 20, 2018.

Facing History and Ourselves, Board of Trustees, 2000-2017; chair, Board of Scholars.

Mentor, Aspen Institute-Rodel Public Leadership Fellows, Fall 2017.

Commissioner, Center for Strategic and International Studies Commission on Countering Violent Extremism, 2016-2017.

Commissioner, American Bar Association Diversity and Inclusion 360 Commission, August 2015-August 2016, co-chair, pipeline project.

American Association of Law Schools, Deans Steering Committee, Inaugural Chair, 2013-2015.

Equal Justice Works, Steering Committee, 2015-2017.

The Covenant Foundation, Director, 1990-2015.

Brief of Dean Robert Post and Dean Martha Minow as Amici Curiae in Support of Respondents, *Abigail Noel Fisher v. University of Texas at Austin*, No. 14-981 (U.S. Supreme Court).
http://www.scotusblog.com/wp-content/uploads/2015/11/14981_amicus_resp_DeanRobertPost.authcheckdam.pdf.

Amici Professor, Brief of Amici Curiae Family Law Scholars in Support of Petitioners, Supreme Court of the United States, NOS. 14-556, 14-562, 14-571 and 14-574, March 20, 2015.

Boston Bar Association, Statewide Task Force to Advance Civil Legal Aid in Massachusetts, 2013-2014.

Brief of Dean Robert Post and Dean Martha Minow as Amici Curiae in Support of Respondents, *Abigail Noel Fisher v. University of Texas at Austin*, No. 11-345 (U.S. Supreme Court).

Judge David L. Bazelon Center for Mental Health Law, Trustee, 1992-2012.

Revson Foundation, Chair of the Board, 2007-2012, Member of the Board, 1999-2012.

MacArthur Foundation, Consultant, 2001-2008.

Iranian Human Rights Documentation Center, Director, 2004-2009.

Facilitator, Divided Cities—Forum for Cities in Transition, convened by Moakley Chair Professor Padraig O'Malley, University of Massachusetts—Boston, April 14-16, 2009 (producing agreement to form alliance of divided cities with charter members from Derry/Londonderry, Northern Ireland; Kirkuk, Iraq; Mitrovica, Kosovo and Mitrovica, Serbia; Nicosia, Cypress).

25th Anniversary Mentor to Staff, Center for Applied Special Technology (nonprofit research and development organization that works to expand learning opportunities for all individuals, especially those with disabilities), Spring 2009.

Consultation and editorial review, Legal Memorandum--Development of Nepal's Truth and Reconciliation Commission Bill: The Relationship Between TRCs and Prosecutions (Nov. 26, 2008)(prepared by Jeff Seul at Holland and Knight).

Board of Syndics, Harvard University Press, 1998-2007.

Facilitator, Truth and Reconciliation Commissions: Do They Do Justice to Justice?, convened by Moakley Chair Professor Padraig O'Malley, University of Massachusetts, October 23-25, 2007 (participants from El Salvador, Chile, Guatemala, and South Africa, involved in the truth and reconciliation processes in their countries, consulted with participants from Northern Ireland to consider options in dealing with their violent past).

Law Professors Against the Military Commissions Act, Co-organizer, Fall 2006.

Belmont Day School, Board of Trustees, 2002-2006; co-chair, Community Service; co-chair, Education Committee.

Organizer, Amicus Brief of Harvard Law School Faculty members, *Rumsfeld v. FAIR*, No. 04-1115 (U.S. Supreme Court), 2005-2006.

National Center for Accessing the General Curriculum, a Partnership among the federal Department of Education, the Center for Applied Special Technology (CAST), and Harvard Initiatives for Children, Policy Director, 1999-2005.

Jewish Women's Archive, Board of Directors, 1998-2004.

National File Format Expert Panel, funded by Department of Education, Panel Member, 2002-2004.

Harvard-Radcliffe Hillel, Board of Trustees, 1995-2004.

Judge Baker Children's Center, Member of the Corporation/Trustee, 1983-2004.

Research Chair, Imagine Coexistence, U.N. High Commission for Refugees, 1999-2003.

Princeton Conference on Universal Jurisdiction, Princeton University Woodrow Wilson School of Public and International Affairs, November 9-11, 2000.

Commissioner, Independent International Commission on Kosovo (chaired by Justice Richard Goldstone and Carl Tham), 1999-2001.

Amicus Brief of the Colorado Bar Association, et al., in Support of Respondents, with Frank Michelman, Frances Koncilja, Stephen Bomse, Teri Little, Tracey Merwise, and Roger Doughty, *Romer and the State of Colorado v. Evans, et al.*, No. 94-1039 (U.S. Supreme Court).

Amicus Brief for Interested Academics, *Alison D. v. Virginia M.*, No. 90-0221 (N.Y. Court of Appeals).

Amicus Brief for 37 religious organizations in *Webster v. Reproductive Health Services*, No. 88-605 (U.S. Supreme Court).

Amicus Brief for ACLU and Massachusetts Civil Liberties Union and Rhode Island Civil Liberties Union, *United States v. Providence Journal Co. and Charles Hauser*, No. 87-65 (U.S. Supreme Court).

Amicus Brief for NOW Legal Defense Fund, and other organizations, with Sarah Burns, *Hazelwood School District v. Kuhlmeier*, No. 86-836 (U.S. Supreme Court).

Amicus Brief for Senator Bob Packwood and other members of Congress, with Laurence Tribe, Susan Estrich, and Kathleen Sullivan, *Thornburgh v. American College of Obstetrics and Gynecologists*, No. 84495 (U.S. Supreme Court).

Amicus Brief for ACLU and Minnesota CLU, with Laurence Tribe and Kathleen Sullivan, *Gomez v. United States Jaycees*, No. 83-724 (U.S. Supreme Court).

Amicus Brief for the ACLU, *Federal Communications Commission v. League of Women Voters of California*, No. 82-912 (U.S. Supreme Court).

Radcliffe Public Policy Center, Chair of the Board, 2000-2001.

Saguaro Seminar (convened by Professor Robert Putnam), 1997-2000;
<http://www.bettertogether.org/pressrelease.htm>.

Board of Directors, The Family Center, 1990-1992.

Transition Team for Attorney General James Shannon, 1986-1987.

Board of Trustees, William T. Grant Foundation, 1985-1999.

Congressional Forum on Training Staff for Infant and Toddler Day Care, Coordinator, 1985.

Board of Directors, American Bar Foundation, 1984-1994.

Faculty Member, Doing Justice Program, Brandeis University, 1983-1994.

Yale Legal Services, student attorney, 1976-1978.

President Carter's Commission on Mental Health, Justice System Task Group, 1976-1977.

Eleanor Roosevelt Institute's National Youth Service Council, 1975-1977.

Children's Television Workshop Colloquium, 1975-1976.

Community Mental Health Volunteer, North Cambridge, 1975-1976.

Ann Arbor Legal Aid Society Volunteer, 1973-1975.

Major Lectures:

"Constitution Day Speaker: Changing Ecosystem of News," Smith College, Sept. 17, 2018

"Induction Speaker," Williams College, Sept. 8, 2018 (induction of President Maude Mandel)

"Forecast of Tyranny," and "Strengthening Democracies," Facing History and Ourselves International Program (Holtzmann Family Scholar in Residence), Belfast and Ballycastle, Northern Ireland, July 1-4, 2018.

"The Changing Ecosystem of News and Challenges for the Freedom of the Press," Alexander Meiklejohn Lecture, Brown University, March 6, 2018.

"Inaugural Symposium: Democracy and Education," Sarah Lawrence College, Oct. 6, 2017 (Inauguration of President Cristle Collins Judd)

"Dialogue, Respect, and Inclusion: What Moses Seixas and George Washington Can Teach Us Today," Keynote Address, Touro Synagogue George Washington Letter Annual Reading, Aug. 20, 2017.

"Religion, Medicine, and Law: How to Heal When Values Conflict," George W. Gay Lecture in Medical Ethics, Harvard Medical School, November 3, 2016.

"Bystanders, Upstanders, and Justice," Joseph B. and Toby Gittler Prize 2015-2016 Ceremony, February 26, 2016.

"Privatization, State Action, and Public Values," Judge Irving L. Goldberg Lecture, SMU Dedman School of Law, February 23, 2016.

"Upstanding," Deerfield Commencement Address, Deerfield Academy, May 24, 2015.
<https://deerfield.edu/dpn/commencement-2015/>.

Keynote Address: "The New State Action Mess," Loyola Law School Constitutional Law Symposium, November 7, 2015

Keynote Address: "Learning from History," Facing History and Ourselves, Day of Learning 2015, Microsoft at One Cambridge Center, March 13, 2015.

"Justice and Archives: We Count What We Care About," Keynote Address, Archive, History, and Law Conference: The Politic of Re-membling, Truth-seeking and Re-making History, Harvard University, March 12, 2015.

"Forgiveness Law and Justice," 2014-15 Brennan Center for Justice, Jorde Symposium, University of Chicago Law School, University of Chicago, January 8, 2015.

"Upstanders, Whistleblowers, and Rescuers: Who are They and Who are We?" Koningsberger Lecture, Utrecht University, Netherlands, December 15, 2014.

“Justice and Debt Forgiveness,” Navin Narayan Memorial Lecture, John Adams House, Harvard University, October 29, 2014.

“Should Law Promote Forgiveness?” 2014-15 Brennan Center for Justice Jorde Symposium, Berkeley Law School, University of California Berkeley, October 20, 2014.

“Rededication,” Solel Congregation: March 23, 2014.

“Forgiveness, Law and Justice,” Annual Reconciliation Lecture, University of the Free State, South Africa, February 24, 2014.

“Facing History after Mass Violence,” Democracy and Memory in Latin America, Harvard University David Rockefeller Center for Latin American Studies, October 10, 2013.

Keynote Address: “Remarks to Lex Mundi.” 2013 Lex Mundi North America Regional Conference, Westin Copley, October 4, 2013.

“Law and Forgiveness,” Grand Forum of the Most Honorable Jurist, Renmin Law School, June 29, 2013.

“Should Child Soldiers Be Forgiven?” College Historical Society of Trinity College, Dublin, November 13, 2012.

Keynote Address: “Law Firms and Law Schools in the 21st Century: Two Institutions, Three Crises,” K&L Gates Partner Retreat, October 12, 2012.

Keynote Address: “Expanding Access to Justice in Challenging Times,” Access to Justice Conference, University of Hawaii, Richardson School of Law, June 12, 2012.

“Brown v. Board and the World: A Global Lens on America’s Racial Justice Landmark,” Thurgood Marshall Memorial Lecture, Roger Williams University School of Law, April 3, 2012.

Keynote Address: “Herding Cats and Other Leadership Challenges.” Central Conference of American Rabbis Convention, March 20, 2012.

Constitution Day Speaker, Howard University College of Law, September 19, 2011.

Commencement Speaker, Hebrew College, June 5, 2011.

Convocation Speaker, McGill Faculty of Law, June 3, 2011.

Law Day Keynote Speaker, Boston Bar Association, June 2, 2011.

“In Brown’s Wake: Reassessing the School Equality Landmark,” Chicago-Kent Centennial Speaker, Chicago-Kent School of Law, April 12, 2011.

“Gender and the Law Stories: Learning from the Longstanding Debate,” The Ruth Bader Ginsburg Lecture, New York City Bar Association, February 7, 2011.

Keynote Address: “Making Global Lawyers for the 21st Century,” FutureEd2 Conference, Harvard Law School, October 15, 2010.

“Confronting the Seduction of Choice: Law, Education, and American Pluralism,” Cover Lecture, Yale Law School, March 22, 2010.

“Education as a Tool in Preventing Violent Conflict: Suggestions for the Prosecutor of the International Criminal Court,” Hesburgh Lecture, Notre Dame University, March 16, 2010.

Keynote Address: “Trust and Collaboration in Schooling, Institute for Excellence in Teaching, Belmont Day School,” June 29, 2009.

Keynote Address: “Universal Design in Education: Remaking All the Difference,” 9th Annual Second City Conference on Disability Studies in Education, May 2, 2009, Syracuse University.

Keynote Address: “Integration, Equality, and Social Justice,” March 27, 2009, Presented as Key-Note Address, Blackboard Jungle II, University of Vermont.

Keynote Address: "Just Following Orders: Limits of the Old Excuse" March 6, 2009, Association of Practical and Professional Ethics Annual Conference, Cincinnati, Ohio.

Keynote Address: “Is Pluralism an Ideal or a Compromise?,” at Untying the Knots: Theorizing Conflicts Between Gender Equality and Religious Laws, Hadassah-Brandeis Institute Project on Gender, Culture, Religion and the Law, Brandeis University April 15, 2008 (speech excerpted here: <http://www.brandeis.edu/hbi/614/article4a.html>).

“Just Schools: Pursuing Equality in Societies of Difference,” The William S. Richardson School of Law, The Center on Disability Studies and the College of Education at the University of Hawaii at Manoa, Feb. 20, 2008.

Opening Speech, "Making the Difference: Inclusion, Exclusion and Law," Colloque: Faire La Difference- Un Autre Regard Sur Le Handicap et L'Age, Sciences Po, Paris, France, Feb. 1, 2008 (by DVD).

“After Brown: What Would Martin Luther King Say?,” The First Martin Luther King, Jr. Speaker, Northwestern School of Law of Lewis & Clark College, Jan. 24, 2008.

“Tolerance in an Age of Terror,” The Bernard G. Segal Memorial Lecture in Law and Ethics at The Jewish Theological Seminary (March 27, 2007); Fifth Annual Humanities Distinguished Lecture, USC Center for Law, History and Culture and the USC English Department (Jan. 18, 2007).

“Should Religious Groups Ever Be Exempt From Civil Rights Laws?” Moffett Lecture, Princeton Center for Human Values, and inaugural lecture on Religion and Ethics, Princeton Center for the Study of Religion, May 4, 2006.

“Living Up to Rules: When Should Soldiers (and Others?) Disobey orders?” Raul Wallenberg Human Rights Lecture, McGill Law School, March 9, 2006, and Jeremiah Smith, Jr. Chair Lecture, Harvard Law School, Feb. 22, 2006.

“What the Rule of Law Should Mean for Civics Education: From the ‘Following Orders’ Defense to the Classroom,” Laurence Kohlberg Memorial Lecture, Association of Moral Education, and Keynote, Pursuing Human Dignity Conference, Facing History and Ourselves/Facing History at Harvard Law School, Nov. 4, 2005.

Keynote Speaker, “A Call to Action: Preventing Genocide in Our Time,” The Holocaust Center, Boston North and Salem State College, March 18, 2005.

Keynote Speaker, On the Occasion of Professor McClain’s Installation as the Rivkin Radler Distinguished Professor of Law, Hofstra Law School, March 3, 2005.

“Outsourcing Force.” Cecil A. Wright Lecture, University of Toronto Faculty of Law, January 19, 2005.

“Surprising Legacies of Brown v. Board of Education,” Washington University School of Law Public Interest Law Speaker, Feb. 26, 2004.

“Surprising Lessons of Brown v. Board of Education,” Maine Law School Dean’s Distinguished Scholar Lecture, Feb. 23, 2004.

“Privatization and the Public Good: How To Think About Faith-Based Initiatives,” 2003 Brauer Lecture, University of Chicago Divinity School.

“Privatization and the Public Good.” Kenan Institute for Ethics Distinguished Lecture, Duke University, January 24, 2003.

Special Lecture, “Breaking the Cycles of Violence: Living After Genocide,” Notre Dame University, September 19, 2002 (sponsored by the Notre Dame Holocaust Project in cooperation with the Department of Theology, the Nanovic Institute for European Studies, and the Center for Civil and Human Rights of the Notre Dame Law School).

Keynote Speaker, “Lawyering at the Margins,” Washington College of Law, American University, April 18, 2002.

Marks Lecture, “Education for Co-Existence,” University of Arizona, James E. Rogers College of Law, March 21, 2002.

“Access to Justice and Health: The Roles of For-Profits and Religious Organizations,” Ralph E. Kharas Visiting Scholar Lecture, Syracuse University Law School, March 28, 2001.

Roberts Lecture, University of Pennsylvania Law School, February 8, 2001, "On Being a Religious Professional: The Religious Turn in Professional Ethics."

Keynote Speaker, Justine Wise Polier Memorial Lecture, Citizens' Committee for Children of New York, NYU Medical Center, January 10, 2001.

Keynote Speaker, “After Pierce,” 75 years after Pierce v. Society of Sisters Colloquium, University of Detroit Mercy School of Law. October 6, 2000.

“Partners, Not Rivals: Redefining the Public/Private, Profit/Nonprofit, Religious/Secular Divides in Meeting Human Needs,” Boston University Distinguished Lecture, March 23, 2000.

“Between Nations and Between Intimates: Can Law Stop the Violence?,” Arthur Fiske Memorial Lecture, Case Western Reserve University School of Law, February 8, 2000.

Gilbane Lectures, Brown University Law School, October 19 & 26 and November 6 & 19, 1999.
The Thomas F. Ryan Lecture, Georgetown University Law Center, September 29, 1999,
"Between Vengeance and Forgiveness."

Phi Beta Kappa Address, Harvard College, June 8, 1999, "Remembering to Remember."

Robert L. Levine Lecture, Fordham Law School, April 22, 1999, "Reforming School Reform."

32nd Annual Brainerd Currie Memorial Lecture, Duke University School of Law, February 18, 1999,
"Choice or Commonality: Welfare and Schooling After the End of the Welfare State."

Plenary Speaker, Foundations of Political Theory Division, American Political Science Association, September 4, 1998, "Identities to Communities: Not Only for Myself."

Frank Irvine Lecture, Cornell University, April 23, 1998.

Keynote Speaker, Conference on Law, Feminism and the Twenty-First Century, Portland Maine, April 4, 1998.

Anna Hirsch Lecture, New England Law School, "Between Vengeance and Forgiveness," January 30, 1998.

Meredith Miller Memorial Lecture, Princeton University Program in Women's Studies, April 24, 1997.

Keynote Speech at Looking Back, Looking Ahead: The Evolution of Children's Rights, Temple University School of Law, 1995.

Lockhart Lecture, University of Minnesota, March 16, 1995.

Harris Lecture, Nov. 18, 1994, Indiana University School of Law-Bloomington.

"The Constitution and the Jewish Question," presented October 7, 1994, at K.A.M. Isaiah Israel Congregation, Chicago, IL, under the auspices of The Beatrice K. Schneiderman Fund of the K.A.M. Isaiah Israel Social Action Committee.

William Pyle Philips Distinguished Scholar, Haverford College, April 28, 1994.

Stuart Rome Lecture, University of Maryland Law School, March 23, 1994.

Day, Berry & Howard Visiting Scholar, University of Connecticut School of Law, Oct. 14, 1993.

University of Kansas City Trustees Visiting Professor, Univ. of Missouri-Kansas City School of Law, April 14-16, 1993.

Melville B. Nimmer Memorial Lecture, UCLA Law School, Jan. 14, 1993.

Edward G. Donley Lecture, West Virginia College of Law, Feb. 19 & 20, 1992.

James Gould Cutler Lecture, College of William & Mary, Marshall-Wythe School of Law, Oct. 21, 1991.

Guest lecturer at the Smithsonian Institute Washington D.C., March 25, 1991.

Visiting scholar, Cleveland-Marshall College of Law, March, 1991.

Coen Lecture, University of Colorado at Boulder, March 7, 1991.

David C. Baum Memorial Lecture, University of Illinois, October 4, 1990.

Mellon Lecture, University of Pittsburgh, October 1990.

Leary Lecture, University of Utah, November 1990.

Or Emet Lecture, Osgoode Hall Law School, April 1989.

Edith House Lecture, University of Georgia Law School, March 1989.

Catriona Gibson Lecture, Queen's University, March 1989.

DePaul University College of Law Distinguished Scholar-in-Residence 1988-1989.

Amherst College, Lecturer in Fate of Law Series, April 1988.

Joshua Guberman Lecturer, Brandeis University, April 1986.

“Deinstitutionalization: Professional Prescriptions and Ideologies,” with Phillip Kraft, “Conference on Chronic Mental Patients in the Community,” Stanford Medical School (Dec. 1982).

Institutional Reviews:

Chair, Review Committee for the Carr Center for Human Rights, JFK School of Government, Harvard University, 2004.

Member, Provostial Committee for the Review of the Faculty of Law, University of Toronto, 1995.

Member, University Council Committee on The Law School, Yale University, 1991-1994.

Chair, President’s Committee to Review Program in Law, Jurisprudence, and Social Thought, Amherst College, 1992.

Sponsored Research and Conferences Chair Activities:

Legal Lens: 5 short videos on law, co-executive producer (with Joseph Tovares), grant from the Hewlett Foundation.

Co-chair with Margot Strom, Hope, Critique & Possibility: Universal Rights in Societies of Difference, Nov. 20, 2008 (sponsored by the Seevak Fund for Facing History, Harvard Law School and Facing History and Ourselves).

Co-chair with Margot Strom, Pursuing Human Dignity: The Legacies of the Nuremberg Tribunal for Law and Education, Nov. 3-4, 2005 (sponsored by the Seevak Fund for Facing History, Harvard Law School; Facing History and Ourselves; in collaboration with the Association of Moral Educators).

Chair, Conference on Policy, Property and Permissions, Oct. 17-18, 2002 (sponsored by National Center on Accessing the General Curriculum, Berkman Center for Internet and Society, Harvard Law School, and the Association of American Publishers).

U.S. Institute of Peace, 2002-3 (supporting research and conference, Oct. 26-27, 2001 at Fletcher School of Law and Diplomacy, and Imagine Co-existence: Restoring Humanity After Violent Ethnic Conflict (Jossey-Bass: San Francisco 2003)).

Russell Sage Foundation, Engaging Cultural Differences (co-principal investigator with Richard Shweder and Hazel Markus) (funding the Social Science Research Council working group on Ethnic Customs, Assimilation and American Law, 1998-2008) (supporting 129 (4) *Daedalus: Journal of American Academy of Arts and Sciences* (fall 2000) (“The End of Tolerance: Engaging Cultural Differences”), *Engaging Cultural Differences: The Multicultural Challenge in Liberal Democracies* (Russell Sage Foundation: New York 2002), and *Justice Schools: Pursuing Equality in Societies of Difference* (Russell Sage Foundation: New York 2008).

Carnegie Corporation (co-director with Dr. Stuart Hauser, Interfaculty Initiative on Schooling and Children, 1996-1998) (supporting research networks and conferences on children’s resilience, literacy, and identities).

Andrew Mellon Foundation (co-principal investigator with Jay Heubert on project (1991-1999), supporting *Law and School Reform: Six Strategies for Promoting Education Equity* (Jay P. Heubert, ed.) (Yale University Press: New Haven 1999).

Courses and Supervision at Harvard Law School:

Children and the Law; Civil Procedure; Constitutional Law; Constitutional Law: Digital Power, Digital Interpretation, Digital Making (co-taught with Professor Jonathan Zittrain & Professor Peter Galison); First Amendment; Constitutional Law: Structure and 14th Amendment; Family Law; Fairness and Privacy: Perspectives from Law and Probability (co-taught with Cynthia Dwork, SEAS); International Criminal Prosecution; Jurisprudence: Knowing, Reasoning, and Judging; Jurisprudence of Privacy; Law and Education; Law and Society: Law and Social Change; Law for Algorithms (co-offered, Harvard SEAS, University of California, Berkeley; Boston University); Legal and Scientific Doubt (co-listed, Harvard History of Science Department); Legal Profession; Nonprofit Organizations; Public Law Workshop; Seminar: Prosecution Policies and Strategy at the International Criminal Court; Technoprivacy (co-listed, Harvard History of Science Department); Thinking About Law Teaching.

Student reading groups: Legal Rhetoric, Crimes Against Humanity, Rule of Law, International Justice?, Law and Education, Law and Literature, Privacy, Classics in Legal Theory, Feminist Legal Theory, Law and Forgiveness, Resistance, Supreme Court Decisions: Comparative Law.

Supervision of students working for Massachusetts Special Commission on Violence Against Children, 1983-1984 (research and legislative projects on child abuse, foster care, and latch-key children).

Supervision of students working for Harvard Legal Aid Bureau, WilmerHale Legal Services Center, and Human Rights Program, 1983-2008 (advocacy for people with problems in family law, education law, and human rights); supervision of independent clinical placements, 1986-present.

Courses Taught Elsewhere:

Between Vengeance and Forgiveness (Boston College Law School); Children and Their Social Worlds (Harvard College, Core Course); Inclusionary Education (Harvard Graduate School of Education); Jurisprudence (University of Toronto, Faculty of Law); Law, Justice, and Forgiveness (William S. Richardson School of Law, University of Hawai'i).

Past Academic and University Appointments:

Senior Fellow, Harvard Society of Fellows, 1998-2018

Chair, Curricular Committee, Harvard Law School, 2003-2007 (launching reform of 1L curriculum and creating upper-level programs of study).

Co-Chair with Thomas Scanlon, Harvard University Program in Justice, Welfare and Economics, 2001-2003.

Faculty Fellow, Harvard-Radcliffe Hillel, 2002-2003.

Acting Director, Harvard Program in Ethics and the Professions (now Edmond J. Safra Center), 2000-2001, 1993-1994.

Bar Admissions and Legal Associations:

Massachusetts Bar, Admitted 1981

U.S. Supreme Court Bar, Admitted 1987

American Bar Association, Member

American Bar Foundation, Board Member

Massachusetts Bar Association, Member

American Association of Law Schools (past member of Nomination Committee; Executive Board; past member of Committee on Curricular Reform; past member of Committee on Curriculum and Research; past member of Special Committee on Tenure and the Tenuring Process; past head of Section on Law and Humanities; past head of Section on Law and Community; past member of editorial board, Journal of Legal Education).

Law and Society Association (former trustee)