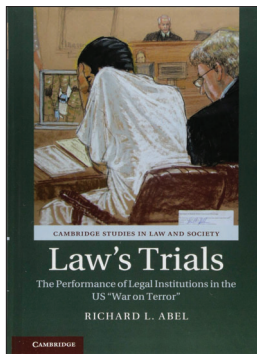


# UCLA LAW FACULTY BOOKS, 2018-2020



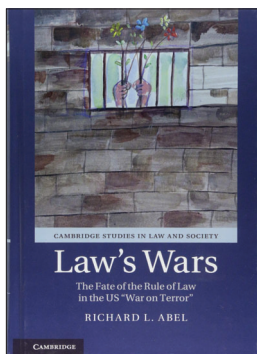
Richard L. Abel

*Law's Trials: The Performance of Legal Institutions in the US "War on Terror"* | Cambridge University Press (2018)

When the executive and legislative branches commit egregious wrongs, courts provide the forum where justice is restored. This book offers the first comprehensive account of judicial performance during the 16 years of the Bush and Obama administrations. It examines criminal prosecutions of alleged terrorists, courts martial of military personnel accused of law of war violations, habeas corpus petitions by Guantánamo detainees, civil damage actions by victims of both the "war on terror" and terrorism, and civil liberties violations by government officials and Islamophobic campaigners. In doing so, it identifies successful defenses of the rule of law through qualitative and quantitative analyses, comparing the behavior of judges within and between each category of cases and locating those actions in a comparative history of efforts to redress fundamental injustices.

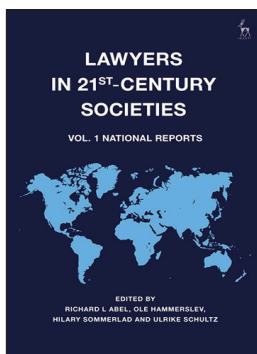
*Law's Wars: The Fate of the Rule of Law in the US "War on Terror"* | Cambridge University Press (2018)

The "War on Terror" under Presidents George W. Bush and Barack Obama repeatedly violated fundamental rule-of-law values. This first comprehensive account of efforts to resist and correct those violations focuses on responses to abuses in Abu Ghraib; efforts by Guantánamo Bay detainees to improve conditions of confinement and win release; exposés of and efforts to end torture and electronic surveillance; and civilian casualties on the battlefield, including targeted killings. It deploys a law-and-society perspective to construct and analyze detailed narratives of the roles of victims, whistleblowers, the media, NGOs, lawyers, doctors, politicians, military personnel, foreign governments and international organizations in defending the rule of law.



*Lawyers in 21st-Century Societies: Vol. 1: National Reports* / (with Ole Hammerslev, Hilary Sommerlad and Ulrike Schultz) | Hart Publishing (2020)

In this first of two volumes, scholars from a wide range of disciplines, countries and cultures document and analyze dramatic changes to the world's legal professions in the 30 years since publication of the landmark three-volume *Lawyers in Society*, which launched comparative sociological studies of lawyers. National reports from 46 countries address the impact of globalization and neoliberalism on national legal professions; changes in lawyer demography; legal education; the regulation of lawyers; structures of production; the distribution of lawyers across roles; and access to justice.

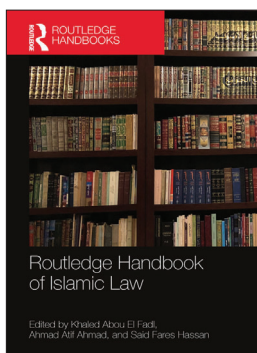


Abel is the Michael J. Connell Distinguished Professor of Law Emeritus and a distinguished research professor who teaches torts, legal profession and law and social change.

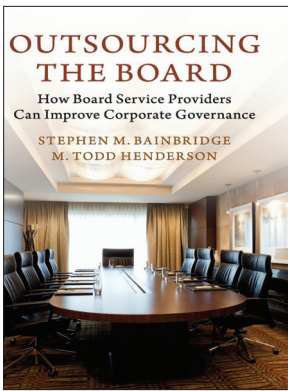
Khaled Abou El Fadl

*Routledge Handbook of Islamic Law* / (with Ahmad Atif Ahmad and Said Fares Hassan) | Routledge (2019)

A detailed reference source comprising original articles on the origins, history, theory and practice of Islamic law, the handbook includes a critical analysis of the pedagogical approaches to studying and analyzing Islamic law as a discipline. Other issues include the role of ethics in Islamic jurisprudence; the purposes and objectives of Islamic law, constitutional law and secularism; gender; bioethics; Muslim minorities in the West; and jihad and terrorism. With contributions from highly regarded scholars, the handbook addresses Islamic law as a legal discipline by taking into account the historical functions and processes of legal cultures and patterns of legal thought.



Abou El Fadl is the Omar and Azmeralda Alfi Professor of Law and teaches courses in international human rights, Islamic jurisprudence, national security law, law and terrorism, and political asylum.



Stephen M. Bainbridge

*Outsourcing the Board: How Board Service Providers Can Improve Corporate Governance*

(with M. Todd Henderson) | Cambridge University Press (2018)

This book changes the conversation about corporate governance by examining the origins, roles and performance of boards with a simple question in mind: Why does the law require governance to be delivered through individual board members? While tracing the development of boards from quasi-political bodies through the current ‘monitoring’ role, the authors find the reasons for this requirement to be wanting. Instead, they propose that corporations be permitted to hire other business associations – known as Board Service Providers, or BSPs – to provide governance services. Just as corporations hire law firms, accounting firms and consulting firms, so, too, should they be permitted to hire governance firms, a small change that will dramatically increase board accountability and enable governance to be delivered more efficiently.



Stephen M. Bainbridge is the William D. Warren Distinguished Professor of Law and has taught courses in corporate finance and Catholic social thought and the law.



Stephen M. Bainbridge, Iman Anabtawi, Sung Hui Kim and James Park

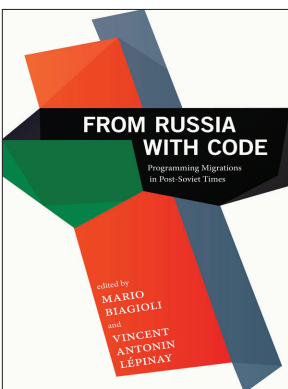
*Can Delaware Be Dethroned? Evaluating Delaware's Dominance of Corporate Law* | Cambridge University Press (2018)

Delaware is the state of incorporation for almost two-thirds of the Fortune 500 companies and more than half of all companies listed on the New York Stock Exchange, NASDAQ and other major stock exchanges. This gives Delaware a seemingly unchallengeable position as the dominant producer of U.S. corporate law. In recent years, however, some observers have suggested that Delaware's competitive position is eroding: recent legal developments may have strengthened the case for incorporating in other states and, more importantly, the federal government is increasingly preempting corporate governance law. The contributors to this volume — which arose from a 2017 summit at UCLA School of Law — bring together a variety of perspectives that give a broad understanding of how Delaware achieved its dominant position and the threats it faces.



Stephen M. Bainbridge is the William D. Warren Distinguished Professor of Law and has taught courses in corporate finance and Catholic social thought and the law. Iman Anabtawi is a professor of law who focuses her teaching and scholarship in corporate law, with an emphasis on educating students in transactional skills. Sung Hui Kim is a professor of law and authority on in-house counsels who teaches business associations, contracts,

professional responsibility and securities regulation. James Park is a professor of law and faculty co-director of the Lowell Milken Institute for Business Law and Policy who teaches business associations and securities regulation.

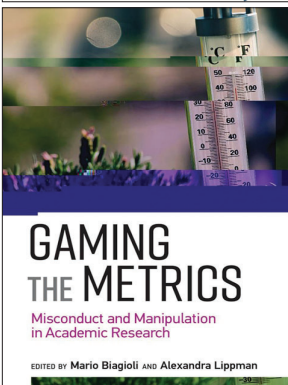


Mario Biagioli

*From Russia with Code: Programming Migrations in Post-Soviet Times* / (with Vincent Antonin Lépinay) | Duke University Press (2019)

While Russian computer scientists are notorious for their interference in the 2016 U.S. presidential election, they are ubiquitous on Wall Street, coveted by international IT firms, and often perceive themselves as the present manifestation of the past glory of Soviet scientific prowess. Drawing on over 300 in-depth interviews, the contributors to *From Russia with Code* trace the practices, education, careers, networks, migrations, and lives of Russian IT professionals at home and abroad, showing how they function as key figures in the tense political and ideological environment of technological innovation in post-Soviet Russia.

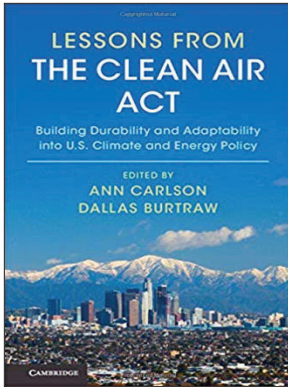
*Gaming the Metrics: Misconduct and Manipulation in Academic Research* / (with Alexandra Lippman) | MIT Press (2020)



The traditional academic imperative to “publish or perish” is increasingly coupled with the newer necessity of “impact or perish” — the requirement that a publication have “impact,” as measured by a variety of metrics, including citations, views and downloads. This book examines how this increasing reliance on metrics has produced radically new forms of academic fraud and misconduct. Contributors show that the metrics-based “audit culture” has changed the ecology of research, fostering the gaming and manipulation of quantitative indicators, and leading to the invention of such forms of misconduct as citation rings and variously rigged peer reviews.



Biagioli is a distinguished professor of law and communication who works at the intersection of intellectual property and science and technology.



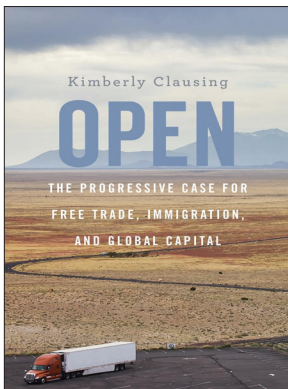
Ann Carlson

*Lessons from the Clean Air Act: Building Durability and Adaptability into U.S. Climate and Energy Policy* / (with Dallas Burtraw) | Cambridge University Press (2019)

Climate and energy policy needs to be durable and flexible to be successful, but these two concepts often seem to be in opposition. One venerable institution where both ideas are apparent is the Clean Air Act, first passed by the U.S. Congress in 1963, with amendments in 1970 and 1990. The act has been hugely successful in improving the environment. It has programs that reach across the entire economy, regulating various sectors and pollutants in different ways. This illuminating book examines the act's successes and failures, with the aim of offering lessons for future climate and energy policymaking in the United States. It provides critical information to legislators, regulators and scholars interested in understanding environmental policymaking.



Carlson is the Shirley Shapiro Professor of Environmental Law and faculty co-director of the Emmett Institute on Climate Change and the Environment at UCLA Law.



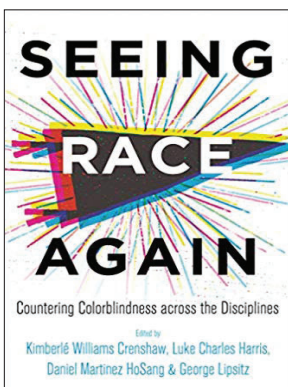
Kimberly Clausing

*Open: The Progressive Case for Free Trade, Immigration, and Global Capital* | Harvard University Press (2019)

Countering arguments by critics on both sides of the political spectrum, this vivid and compelling book shows that globalization and open economies are a force for good, not least in helping the most vulnerable. While those with middle and lower incomes face stark economic challenges, these problems do not require us to retreat from the global economy. On the contrary, Clausing shows, an open economy overwhelmingly helps, and she outlines a progressive agenda to manage globalization more effectively, presenting strategies to equip workers for a modern economy, improve tax policy, and establish a better partnership between labor and the business community.



Clausing is an authority in taxation who joins UCLA Law in January 2021 after serving as the Thormund A. Miller and Walter Mintz Professor of Economics at Reed College.



Kimberlé Crenshaw

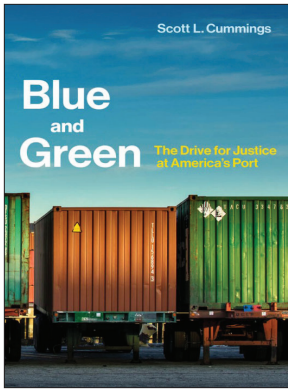
*Seeing Race Again: Countering Colorblindness Across the Disciplines* / (with Luke Charles Harris, Daniel Martinez HoSang and George Lipsitz) | University of California Press (2019)

Racial hierarchy and colonialism structured the very foundations of most academic disciplines. By the mid-20th century, education became a center in the struggle for social justice, when scholars mounted insurgent efforts to discredit some of the most odious intellectual defenses of white supremacy. But the disciplines and their keepers remained unwilling to interrogate many of the racist foundations of their fields, instead embracing a framework of racial colorblindness as their default position. By examining the racial histories and colorblindness in fields as diverse as social psychology, the law, musicology, literary studies, sociology, and gender studies, this book challenges scholars and students to see race again and shows how colorblindness compromises the capacity of disciplines to effectively respond to contemporary political, economic and social crises.



Crenshaw is a distinguished professor of law who holds the Promise Institute Chair in Human Rights and has been a leader in critical race theory and civil rights law for more than three decades.





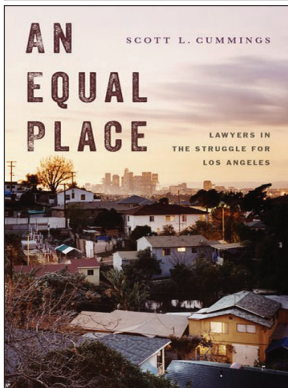
## Scott L. Cummings

*Blue and Green: The Drive for Justice at America's Port* | MIT University Press (2018)

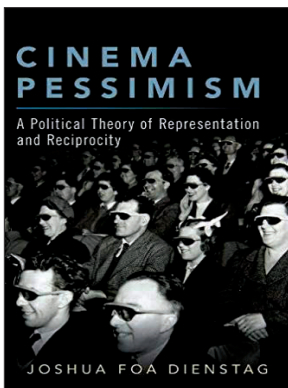
This book examines a campaign by the labor and environmental movements to transform trucking at America's largest port, in Los Angeles. Tracing the history of struggle in an industry at the epicenter of the global supply chain, Cummings shows how federal deregulation created interrelated economic and environmental problems at the port and how the campaign fought back by mobilizing law at the local level. He analyzes the use of alternate legal frameworks to promote labor organizing, and explores lessons for building movements to regulate low-wage work in the gig economy.

*An Equal Place: Lawyers in the Struggle for Los Angeles* | Oxford University Press (2020)

This monumental study of the role of lawyers in the movement to challenge economic inequality in one of America's most unequal cities focuses on the stories of contemporary lawyers who use law to reshape the meaning of low-wage work in the local economy. Covering a transformative period of L.A. history, from the 1992 riots to the 2008 recession, the book presents an unflinching account of five pivotal campaigns in which lawyers ally with local movements to challenge the abuses of garment sweatshops, the criminalization of day labor, the gentrification of downtown retail, the incursion of Wal-Mart groceries, and the misclassification of port truck drivers.



Cummings is the Robert Henigson Professor of Legal Ethics and the faculty director of Legal Ethics and the Profession (LEAP).



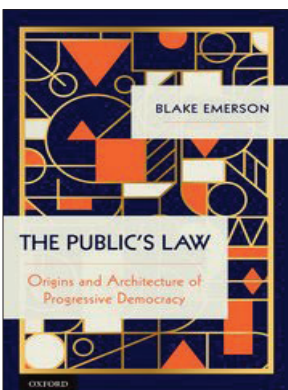
## Joshua Foa Dienstag

*Cinema Pessimism: A Political Theory of Representation and Reciprocity* | Oxford University Press (2019)

The potential problems of representative democracy have long been debated. Does it cultivate apathy and discourage citizen participation? What does it mean to be faithfully or well represented in a democracy? And how can appropriate, meaningful representation be achieved? By looking at motion pictures that directly confront issues of representation — including *Her*, *Blade Runner*, *The Man Who Shot Liberty Valance*, *Melancholia* and the *Up* documentary series — this book argues that film offers a unique perspective through which to understand the dangers to equality and freedom that lurk in representative politics, and it considers how best to respond to them.



Dienstag is a professor of law and political science who holds the Shapiro Family Endowed Chair in Modern Political Theory at UCLA and focuses on the intersection of law, politics and philosophy.



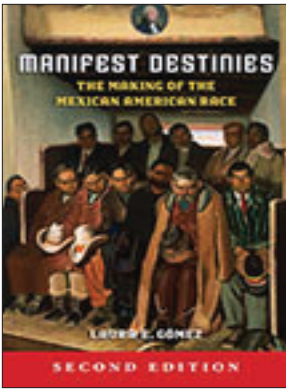
## Blake Emerson

*The Public's Law: Origins and Architecture of Progressive Democracy* | Oxford University Press (2019)

*The Public's Law* describes how American progressive thinkers developed a democratic understanding of the state from their study of Hegelian political thought. G.W.F. Hegel understood the state as an institution that regulated society in the interest of freedom, and progressives including John Dewey, W.E.B. Du Bois and Woodrow Wilson embraced this view but sought to democratize Hegel's concept, stressing that the people should participate deeply in administrative policymaking. This book develops a normative theory of the state on the basis of this intellectual and institutional history, with implications for deliberative democratic theory, constitutional theory and administrative law.



Emerson is an assistant professor of law who teaches administrative law, torts and an examination of the executive power from legal, theoretical and historical perspectives.



Laura E. Gómez

*Manifest Destinies: The Making of the Mexican American Race* | NYU Press (Second Edition, 2018)

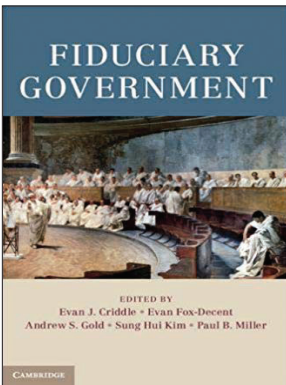
Updated in 2018 to reflect the most recent evidence regarding the ways in which Latinos were racialized in both the 20th and early 21st centuries, Gómez's book begins its focus on the original Mexican Americans — people living in northern Mexico in 1846 during the onset of the Mexican American War. They became citizens when the war ended two years later, but their status as full-fledged Americans was tenuous at best. Due to a variety of legal and political maneuvers, they were largely confined to a second-class status. How did this categorization occur, and what are the implications for modern Mexican Americans? Steeped in conversations and debates surrounding the social construction of race, the book reveals how certain groups become racialized, how racial categories can change instantly, and how those categories can also change over time.

*Inventing Latinos: A New Story of American Racism* | The New Press (2020)

Latinos have long influenced everything from electoral politics to popular culture, yet many people instinctively regard them as recent immigrants rather than a longstanding racial group. This book illuminates the fascinating race-making, unmaking and re-making of Latino identity that has spanned centuries, leaving a permanent imprint on how race operates in the United States today. As the country approaches an unprecedented demographic shift where Latinos will constitute a third of the American population in a matter of decades, the book also reveals the nefarious roles the United States has played in Latin America — from military interventions and economic exploitation to political interference — that have destabilized national economies to send migrants northward over the course of more than a century.



Gómez holds the Rachel F. Moran Endowed Chair in Law and is the faculty director of the Critical Race Studies program, which she co-founded 20 years ago.



Sung Hui Kim

*Fiduciary Government* / (with Evan J. Criddle, Evan Fox-Decent, Andrew S. Gold and Paul B. Miller)  
Cambridge University Press (2018)

The idea that the state is a fiduciary to its citizens has a long pedigree, ultimately reaching back to the ancient Greeks and including Hobbes and Locke among its proponents. Public fiduciary theory is now experiencing a resurgence, with applications that range from international law and election law to insider trading by members of Congress. This book is the first of its kind: a collection of chapters by leading writers on public fiduciary subject areas. Aiming to pique the interest of political theorists and scholars of public law and private fiduciary law, the authors develop new accounts of how fiduciary principles apply to representation, officials and judges, problems of legitimacy and political obligation, positive rights, the state itself and the history of ideas.



Sung Hui Kim is a professor of law and authority on in-house counsels who teaches business associations, contracts, professional responsibility and securities regulation.



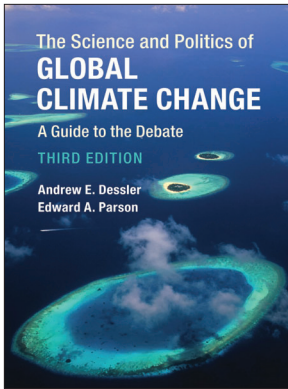
Neil Weinstock Netanel

*Copyright: What Everyone Needs to Know* | Oxford University Press (2018)

Copyright law was once an esoteric backwater, the special province of professional authors, publishers and media companies, but this is no longer the case. In the age of social media and cloud storage, we have become a copying and sharing culture: much of our everyday communication, work and entertainment now directly involves copyright law; copyright law and policy are ferociously contested; and record labels, movie studios, book publishers, newspapers and many authors regularly confront challenges presented by the sharing of music, video, text and images over the internet. This book explains the concepts needed to understand the heated debates about copyright law and policy, identifying the combatants, unpacking their arguments, and illuminating what is at stake in the debates over copyright's present and future.



Netanel is the Pete Kameron Professor of Law and teaches copyright, free speech, international intellectual property and telecommunications law and policy.



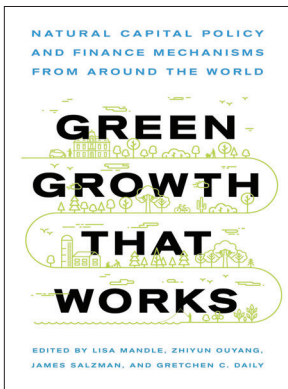
Edward A. Parson

*The Science and Politics of Global Climate Change: A Guide to the Debate* / (with Andrew E. Dessler) | Cambridge University Press (Third Edition, 2019)

Comprehensively updated to reflect the large changes in scientific knowledge and policy debates on climate change since the previous edition in 2009, this book provides a concise but thorough overview of the science, technology, economics, policy, and politics of climate change in a single volume. It explains how scientific and policy debates work, outlines the scientific evidence for the reality and seriousness of climate change and the basic atmospheric science that supports it, and discusses policy options and the current state of the policy debate. By pulling these elements together, the book explains why the issue can be so confusing and provides guidance on practical routes forward.



Parson is the Dan and Rae Emmett Professor of Environmental Law and faculty co-director of the Emmett Institute on Climate Change and the Environment at UCLA Law.



James Salzman

*Green Growth That Works: Natural Capital Policy and Finance Mechanisms Around the World* / (with Lisa Mandle, Zhiyun Ouyang and Gretchen C. Daily) | Island Press (2019)

Rapid economic development has been a boon to human well-being, but it comes at a significant cost to natural capital — the fertile soils, forests, coastal marshes and farmland that support all life on earth. The dilemma of our times is to figure out how to improve the human condition without destroying nature. One answer is inclusive green growth — the efficient use of natural resources that minimizes pollution and strengthens communities against natural disasters while reducing poverty through improved access to health, education and services. This innovative guide brings together pragmatic finance and policy tools that can make investment in natural capital both attractive and commonplace, guiding agencies and organizations eager to make green growth work anywhere in the world.



Salzman is the Donald Bren Distinguished Professor of Environmental Law who teaches water law and ranks among the most-cited environmental law professors in the world.



Richard H. Sander and Jonathan M. Zasloff

*Moving Toward Integration: The Past and Future of Fair Housing* / (with Yana A. Kucheva) | Harvard University Press (2018)

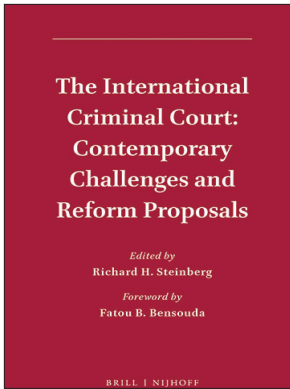
Reducing residential segregation is the best way to reduce racial inequality in the United States, but far too many participants in our policy and political conversations have come to believe that the battle to integrate America's cities cannot be won. Using fresh evidence and analytic tools, this book provides the most definitive account to date of how fair housing laws were shaped and implemented, and why they had a much larger impact in some parts of the country than in others. Through its interdisciplinary approach and use of rich new data sources, the book offers the first comprehensive analysis of American housing segregation. It explains why racial segregation has been resilient even in an increasingly diverse and tolerant society, and it demonstrates how public policy can align with demographic trends to achieve broad housing integration within a generation.



Sander is the Jesse Dukeminier Professor of Law and teaches property, quantitative methods, urban housing, and policy analysis.

Zasloff is a professor of law who teaches torts, land use, environmental law, urban planning law and legal history.





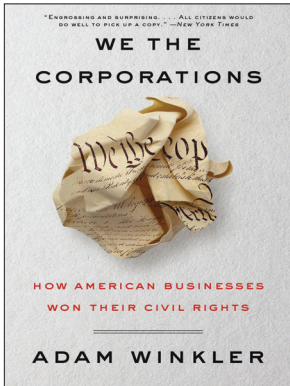
Richard H. Steinberg

*The International Criminal Court: Contemporary Challenges and Reform Proposals* | Brill (2020)

In this collection of essays, prominent international criminal law commentators respond to questions of interest to the Office of the Prosecutor of the International Criminal Court on topics that include obtaining evidence of sexual and gender-based violence; challenges communicating with victims, witnesses and others; ICC state party withdrawals; measuring the ICC's performance; the scope and anticipated difficulties of the crime of aggression; and reform proposals for the Rome Statute at 20.



Steinberg is a professor of law and professor of political science who holds the Jonathan D. Varat Endowed Chair in Law and teaches international economic law, international criminal law, and human rights.



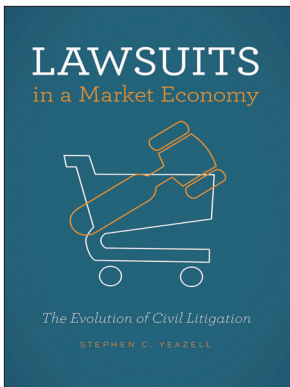
Adam Winkler

*We the Corporations: How American Businesses Won Their Civil Rights* | Liveright/W.W. Norton (2018)

*We the Corporations* sheds light on one of the most successful, yet least known, civil rights movements in American history: how corporations, like minorities and women, have fought for decades to win equal rights under the Constitution and gained nearly all the same rights as ordinary people. Winkler's most recent landmark book – after *Gunfight: The Battle Over the Right to Bear Arms in America* (W.W. Norton, 2011) – won the 2019 Scribes Book Award as the year's best work of legal scholarship and was a finalist for the National Book Award for nonfiction and a nominee for the National Book Critics Circle nonfiction award. It also appeared on several critics' lists of the most notable books of the year.



Winkler is the Michael J. Connell Professor of Law and focuses his teaching and scholarship on American constitutional law and the Supreme Court.



Stephen C. Yeazell

*Lawsuits in a Market Economy: The Evolution of Civil Litigation* | University of Chicago Press (2018)

Deeply embedded in our political and economic systems, civil litigation is both a system for resolving disputes and a successful business model, a fact that both its opponents and its fans do their best to conceal. *Lawsuits in a Market Economy* explains how contemporary civil litigation in the United States works and how it has changed over the past century. Yeazell argues that today's system has in some ways overcome disparities between the rich and poor in access to civil justice, even though we continue to witness enormous disparities in wealth and power.



Yeazell is the David G. Price and Dallas P. Price Distinguished Professor of Law Emeritus and teaches the history, theory and dynamics of civil litigation.