

VITA

JOHN ARTHUR FERREJOHN

October 2008

EDUCATION

B.A., San Fernando Valley State College, 1966
Ph.D., Stanford University, 1972

DISSERTATION

"Congressional Influence on Water Resource Politics,"
Stanford University, 1972

EMPLOYMENT EXPERIENCE

Assistant Professor of Political Science, California Institute of
Technology, 1972-74; Associate Professor, 1974-77; Professor, 1977-83.
Professor of Political Science, Stanford University, 1983-1986.
Senior Research Fellow, Hoover Institution, Stanford Univ., 1983-1987.
Professor (by courtesy), Graduate School of Business, 1986-
Professor (by courtesy), Economics Department, 1986-
William Bennett Munro Professor of Political Science, 1986-1990.
Senior Fellow, Hoover Institution, Stanford University, 1987-
Patrick Suppes Family Professor in Humanities and Sciences, 1990-93.
Chairman, Department of Political Science, Stanford Univ., 1991-93.
Carolyn S. G. Munro Professor of Political Science, June 1993-

Visits and Lectures

Olin Visiting Senior Research Scholar in Law and Economics,
Columbia University, Fall 1990.
Visiting Professor of Law, Columbia University, Fall 1991.
Visiting Professor of Law, Columbia University, September 1992.
Meyer Visiting Professor of Law, New York University, Fall 1993.
Sherman Fairchild Scholar, CalTech, Spring 1994.
Visiting Professor at Research School of Social Sciences,
Australian National University, Summer 1994, 1999-2004, 2006
Visiting Professor of Law, New York University, Fall 1995--
Newman Lectures in American Civilization, Cornell University, Fall 1996.
Keynote Lecture: Program on Expectations and Institutions, Waseda University,
Tokyo, January 2009

AWARDS AND HONORS

Marble Fellowship, 1967-68.
National Defense Education Act, 1968-69.
Social Science Research Council Pre-Doctoral Fellowship, 1969-70.
Brookings Fellowship, 1970-71.
Fellow, Center for Advanced Study, University of Illinois, 1971-72.
Fellow, Center for the Advanced Study of the Behavioral Sciences,
Stanford University, 1981-82.
Guggenheim Fellowship, 1981-82.
National Fellow, Hoover Institution, 1982-83.
Member, American Academy of Arts and Sciences, 1985-.
Member, National Academy of Sciences, 1988-.
Richard Fenno Prize for the best book in legislative politics
during 1987.
Honorary Doctor of Social Sciences, Yale University 2007.

TEACHING AND RESEARCH INTERESTS

Political Institutions, Political Behavior, Theory of Social Choice,
Formal Theories of Politics, Public Law. Comparative Constitutions

PROFESSIONAL SERVICE

Referee for American Political Science Review (1973-); Journal of
Politics (1972-); Econometrica (1973-); Public Choice (1973-); etc.
Editorial Board, The American Journal of Political Science, 1974-84,
1987-90.
Associate Editor, Journal of the American Statistical Association,
Applications Section, 1976-79.
Advisory Panel for the Social Science Program at the University of
California, Irvine, 1977-79.
Member of the Political Science Review Board for the National Science
Foundation, 1977-79.
Editorial Board, Journal of Politics, 1978-84.
Editorial Board, Ethics, 1979-89.
Editorial Board, MIT Press, 1979-82.
Member of the Assembly of Behavioral and Social Sciences of the National
Research Council, 1979-82.
Member of the Executive Council of American Political Science
Association, 1980-81.
Consultant, KNBC Election Unit (Burbank, California), 1980.
Member of the Committee on Congressional Elections Research, National
Election Study, 1980-83, 1985-89.
Gladys Kammerer Award Committee to select the best book in American

Political Science for the year 1982.
Program Committee, American Political Science Association, 1983.
Associate Editor, *Social Choice and Welfare*, 1983-
Editor of Political Science Volume in the *Encyclopedia of Economics*,
1983-, and *Fundamentals of Pure and Applied Economics*
Editorial Board, *American Political Science Review*, 1983-85.
Member, Committee on Basic Research in the Behavioral and Social
Sciences, National Academy of Sciences, 1984-87.
Director of the Public Policy Program, Stanford University, 1985-86.
Visiting Committee, U.C. Santa Barbara, Political Science Dept., 1985.
Visiting Committee for Graduate Programs in Political Science, State
of Texas, 1986.
Visiting Committee, Univ. of Nebraska, Political Science Dept., 1986.
Visiting Committee, NSF Program Information Sciences, 1986.
Program Co-Chairman, 1988 APSA meetings.
Associate Editor, *Political Analysis*, 1988--
Member, Committee on Foreign Policy Studies, Social Science Research
Council, 1989-92.
Visiting Committee, UC Riverside, *Political Science Review*, 1989.
Visiting Committee, MIT, Political Science Dept., 1989-2000.
Visiting Committee, UC Berkeley, Political Science Dept., 1990.
Visiting Committee, Yale University, Social Sciences, 1990-94.
President, Public Choice Society, March 1990-92.
Chair, Committee on Foreign Policy Studies, Social Science Research
Council, 1991-92.
Editorial Board, *The Supreme Court Economic Review*, 1992-
Editorial Board, *Democratization*, 1993-
Chair of Section 53, Social and Political Sciences, of the National
Academy of Sciences, April 1993-1996.
Member, Alan T. Waterman Award Committee, NSF, 1993-95.
Editorial Board, *Cambridge Series in Philosophy and Law*, Cambridge
University Press, 1994-
Editorial Board, *Economics and Philosophy*, 1995
Vice President, American Political Science Association, 1995-96
Secretary of Class V, National Academy of Sciences, 1996-1998.
Visiting Committee, Department of Government, Harvard University, February 1997
Visiting Committee, Department of Political Science, University of Iowa, April 1997.
Board of Directors, American Law and Economics Association, 1997-2000.
Nominating Committee, American Academy of Arts and Sciences, 1998-2000.
Member, NRC Committee on Criminal Justice.
Board of Directors, Brennan Center for Social Justice, 2001--
Board of Trustees, Russell Sage Foundation, 2003—2008.
Visiting Committee, School of Social Science, Institute for Advanced Study,
Princeton, New Jersey.

BOOKS

Pork Barrel Politics: Rivers and Harbors Legislation, 1947-1968.
Stanford, CA: Stanford University Press, 1974.

The Personal Vote: Constituency Service and Electoral Independence (with
Bruce Cain and Morris Fiorina), Cambridge, MA: Harvard University
Press, 1987.

Information and Democratic Processes, John Ferejohn and James Kuklinski
(eds.), Chicago: University of Illinois Press, 1990.

The New Federalism: Can the States be Trusted John Ferejohn and Barry Weingast
(eds.), Stanford: Hoover Institution Press, 1997.

Constitutional Culture and Democratic Rule, John Ferejohn, Jack Rakove and
Jonathan Riley (eds), Cambridge University Press, 2001

OTHER PUBLICATIONS

"Voting, or a Price System in a Competitive Market Structure" (with
Talbot Page), American Political Science Review, March 1973.

"Externalities as Commodities: Comment" (with Talbot Page), The American
Economic Review, 1974.

"The Paradox of Not Voting: A Decision Theoretic Analysis" (with Morris
P. Fiorina), American Political Science Review, 1974.

"On a Class of Rational Social Decision Procedures" (with David M.
Grether), Journal of Economic Theory, 1974.

"Observations on a Distributive Theory of Policy Making: Two American
Expenditure Programs Compared" (with Barry S. Rundquist), in
Comparative Public Policy: Theories, Methods and Issues, 1974.

"Resource Efficiency in the Public Sector," Political Science Annual 6,
Cornelius P. Cotter (ed.), Indianapolis: Bobbs-Merrill, 1975.

"Closeness Counts Only in Horseshoes and Dancing" (with Morris P.
Fiorina), American Political Science Review 49, September 1975.

"Who Wins in Conference Committee," Journal of Politics 37, 1975.

"Purposive Models of Legislative Behavior" (with Morris P. Fiorina),
American Economic Association Papers And Proceedings 65, May 1975.

"On the Effects of Aid to Nations in Arms Races," in *Mathematical Models in International Relations*, Praeger, 1976.

"An Experimental Market for Public Goods: The PBS Station Program Cooperative" (with Roger G. Noll), *American Economic Review Papers and Proceedings*, May 1976.

"Weak Path Independence" (with David M. Grether), *Journal of Economic Theory* 14, no. 1, February 1977.

"On the Decline of Competition in Congressional Elections," *American Political Science Review* 71, no. 1, March 1977.

"Some New Impossibility Theorems" (with David M. Grether), *Public Choice* 29, Summer 1977.

"Decisive Coalitions in the Theory of Social Choice," *Journal of Economic Theory* 15, no. 2, August 1977.

"Uncertainty and the Formal Theory of Political Campaigns" (with Roger G. Noll), *American Political Science Review*, 1978.

"On the Distribution of Rights in Society," *Decision Theory and Social Ethics*, Hans Gottinger (ed.), Reiden, 1978.

"On the Foundations of Intertemporal Choice" (with Talbot Page), *The Journal of Agricultural Economics*, May 1978; reprinted in *Materials and Society*, 1978; reprinted in a *Resources for the Future* conference volume, Emery Castle (ed.).

"Practical Aspects of the Construction of Decentralized Decisionmaking Systems for Public Goods" (with Robert Forsythe and Roger G. Noll), *Application of Social Choice Theory*, Clifford Russell (ed.), Washington, D.C.: *Resources for the Future*, 1979.

"An Experimental Analysis of Decision-making Procedures for Discrete Public Goods: A Case Study of a Problem in Institutional Design," *Research in Experimental Economics* 1, Vernon Smith (ed.), Greenwich, Connecticut: J.A.I. Press, 1979, pp. 1-58.

"Toward a Theory of Legislative Decision" (with Morris P. Fiorina and Herbert F. Weisberg), *Game Theory and Politics*, Peter Ordeshook (ed.), New York University Press, 1979.

"The House is Not a Home: MP's and Their Constituents" (with Bruce E.

- Cain and Morris P. Fiorina), in *Legislative Studies Quarterly*, November, 1979.
- "Characterization of Some Binary Decision Procedures" (with Peter Fishburn), in *Journal of Economic Theory*, 1980.
- "Continuous-Valued Binary Decision Procedures" (with David M. Grether, Steven A. Matthews, and Edward W. Packel), *Review of Economic Studies*, 1980.
- "A Nonequilibrium Approach to Legislative Decision Theory" (with Morris P. Fiorina and Edward W. Packel), in *Behavioral Science*, March 1980.
- "A Comparison of Party Identification in Great Britain and the U.S." (with Bruce E. Cain), *Comparative Political Studies* 14, no. 1, April 1981.
- "On the Properties of Stable Decision Procedures" (with David M. Grether), in *Political Equilibrium*, Ken Shepsle and Peter Ordeshook (eds.); *Studies in Public Choice*, Gordon Tullock (ed.), The Hague: Martinus Nijhoff, 1982.
- "An Experimental Examination of Auction Mechanisms for Discrete Public Goods" (with Robert Forsythe, Roger G. Noll, and Thomas R. Palfrey), in *Research in Experimental Economics* 2, Vernon Smith (ed.), 1982.
- "An Impossibility Theorem for von Neumann-Morgenstern Solutions" (with Richard D. McKelvey), in *The Journal of Economic Theory*, February 1983.
- "The Constituency Component: A comparison of Service in Great Britain and the United States" (with Morris Fiorina and Bruce E. Cain), in *Comparative Political Studies*, April 1983.
- "Implementation of Democratic Social Choice Functions" (with Richard D. McKelvey and David M. Grether), in *The Review of Economic Studies*, 1983.
- "Coattail Voting in Recent Presidential Elections" (with Randall L. Calvert), in *American Political Science Review*, 1984.
- "Congress and Redistribution," in *Making Economic Policy in Congress*, Allen Schick (ed.), Washington, D.C.: American Enterprise Institute, 1984.
- "Limiting Distributions for Continuous State Markov Models," (with Edward W. Packel and Richard D. McKelvey) in *Social Choice and Welfare*, vol. 1, May 1984, pp. 45-68.
- "Continuous Social Decision Procedures" (with Edward Packel), in *Mathematical*

Social Science, 1984.

"Presidential Coattails in Historical Perspective" (with Randall Calvert), in *The American Journal of Political Science*, 1984.

"The Constituency Service Basis of the Personal Vote for U.S. Representative and British MP's" (with Bruce Cain and Morris Fiorina), in *American Political Science Review*, 1984. Reprinted in *Controversies in American Voting Behavior*, Richard Niemi and Herbert Weisberg (eds.), New York, NY: W.H. Freeman & Co., 1984.

"Constituency Service in the United States and Great Britain" (with Bruce Cain and Morris Fiorina), in *Congress Reconsidered* (revised edition), Larry Dodd and Bruce Oppenheimer (eds.), Washington, D.C.: Congressional Quarterly Press, 1985.

"Comment on Lowi's 'The State in Politics,'" in *Regulatory Policy and the Social Sciences*, Roger Noll (ed.), Berkeley: University of California Press, 1985.

"Incumbency and Realignment in Congressional Elections" (with Morris Fiorina), *The New Direction in American Politics*, John Chubb and Paul Peterson (eds.), 1985, pp. 91-116.

"Incumbent Performance and Electoral Control," *Public Choice*, vol. 30, Fall 1986.

"Logrolling in an Institutional Context: A Case Study of Food Stamps Legislation," in *Congress and Policy Change*, Gerald Wright, Leroy Rieselbach and Lawrence Dodd (eds.), New York City: Agathon Press, 1986.

"Sophisticated Voting and Agenda Independence in the Distributive Politics Setting" (with Morris Fiorina and Richard McKelvey), *American Journal of Political Science*, vol. 31, no. 1, Feb. 1987.

"Reconciliation and the Size of the Budget" (with Keith Krehbiel) in *The American Journal of Political Science*, 1987.

"Bargaining and Agenda Formation in Legislatures" (with David Baron), *The American Economic Review*, vol. 77, no. 2, May 1987, pp. 303-309.

"The Structure of Agency Decision Processes," *Congress: Structure and Policy*, Mathew McCubbins and Terry Sullivan (eds.), Cambridge University Press, 1987.

"Democracy and Social Choice" (with Jules Coleman), *Ethics*, vol. 97, no. 1,

October 1986, pp. 6-25. Reprinted in Jules Coleman (ed.), *Markets, Morals and the Law*, Cambridge Univ. Press, 1988.

"Congressional Influence on Administrative Agencies: A Case Study of Telecommunications Policy" (with Charles Shipan), *Congress Reconsidered* (4th edition) Larry Dodd and Bruce Oppenheimer (eds.), Congressional Quarterly Press, 1989.

"Congress and Telecommunications Policy: The Role of Committees" (with Charles Shipan) in *New Directions in Telecommunications Policy*, Paula Newberg (ed.), Duke University Press, 1989.

"The Power to Propose" (with David Baron) in *Models of Strategic Choice in Politics*, Peter Ordeshook (ed.), University of Michigan Press, 1989.

"Bargaining in Legislatures" (with David Baron), *American Political Science Review*, Dec. 1989.

Review of Peter Temin with Louis Galambos, *The Fall of the Bell System*, Cambridge: Cambridge University Press, 1987, in *Information, Economics and Policy*, vol. 4, No. 1, 1989/90, pp. 88-92.

"Information and the Electoral Process," in *Information and Democratic Processes*, John Ferejohn and James Kuklinski (eds.), Chicago: University of Illinois Press, 1990.

"Congressional Influence on Bureaucracy" (with Charles Shipan), *Journal of Law, Economics and Organization*, vol. 6, 1990.

"Linking Constituency Opinion and Senate Voting Scores: A Hybrid Explanation" (with Catherine Shapiro, David Brady, and Richard Brody), *Legislative Studies Quarterly*, Nov. 1990.

"Rationality and Interpretation: Parliamentary Elections in Early Stuart England" in *The Economic Approach to Politics*, Kristen Monroe (ed.), New York: Harper Collins, 1991. Reprinted (in Japanese) in *Leviathan: The Japanese Journal of Political Science*, vol. 9, 1991, pp. 154-185, and (in Spanish) in *Foro Internacional*, vol. 31, no. 4, 1991, El Colegio de Mexico.

"Welfare Policy in the 1980s," in *Politics and Economics of Public Policy in the 1980s*, Alberto Alesina (ed.), NBER Publications, Chicago: University of Chicago Press, November 1991.

"The Personal Vote in Canada" (with Brian Gaines), *Representation, Integration and Political Parties in Canada*, Herman Bakvis (ed.), Toronto: Dundurn Press, 1991.

- "The Article I, Section 7 Game" (with William Eskridge, Jr.), *Georgetown Law Journal*, vol. 80, no. 3, Feb. 1992.
- "The Limitation of Statutes: Strategic Statutory Interpretation" (with Barry Weingast), *Georgetown Law Journal*, vol. 80, no. 3, Feb. 1992.
- "Making the Deal Stick" (with William Eskridge), *Journal of Law, Economics and Organization*, vol. 8, no. 1, March 1992.
- "The Economics and Politics of Administrative Law and Procedures: An Introduction" (with Pablo Spiller), *Journal of Law, Economics, & Organization*, vol. 8, no. 1, March 1992.
- "Positive Theory of Statutory Interpretation" (with Barry Weingast) *International Review of Law and Economics*, vol. 12, 1992, pp. 263-279.
- "Structure and Ideology: Change in Parliament in Early Stuart England," in *Ideas and Foreign Policy*, Judith Goldstein and Robert Keohane (eds.), Ithaca, NY: Cornell University Press, 1993.
- "Must Preferences be Respected in a Democracy?" in *The Idea of Democracy*, David Copp, Jean Hampton, & John Roemer (eds.), New York, NY: Cambridge University Press, 1993.
- "The Spatial Model and Elections," in *Information, Participation, and Choice*, Bernard Grofman (ed.), Ann Arbor, MI: University of Michigan Press, 1993.
- "Politics, Interpretation and Rule of Law" (with William Eskridge), *NOMOS*, vol. 36, New York University Press, 1994, pp. 265-296.
- "Rational Choice and Social Theory" (with Debra Satz), *Journal of Philosophy*, vol. 91, no. 2, Feb. 1994, pp. 71-87.
- "La theorie du choix rationnel est-elle une theorie psychologique?" (with Debra Satz), *Iconomie*, Andri Orlean (ed.), Paris: Presse Universitaires de France, April 1994.
- "The Development of the Spatial Theory of Elections," James Farr and John Dryzek (eds.), *Political Science and History*, Cambridge University Press, 1995.
- "Law, Legislation and Positive Political Theory," Jeffrey Banks and Erik Hanushek (eds.), *Modern Political Economy*, Cambridge University Press, 1995.

- "The Elastic Commerce Clause: A Political Theory of American Federalism" (with William Eskridge), *Vanderbilt Law Review*, vol. 47, 1994, pp. 1355-1400.
- "Reforming the Initiative Process," Bruce E. Cain and Roger G. Noll (eds.), *Constitutional Reform in California: Making State Government More Effective and Responsive*, Institute of Governmental Studies Press, 1995
- "Virtual Logrolling: How the Court, Congress, and the States Multiply Rights," (with William Eskridge), *Southern California Law Review*, 1996.
- "Politics of European Federalism," (with Geoffrey Garrett and Jenna Bednar), *International Review of Law and Economics*, 1996. Reprinted in The Economics of European Union Law, (Paul Strehan, ed.) Northampton, MA: Edward Elgar, 2007.
- "Unification, Universalism and Rational Choice Theory" (with Debra Satz), *Critical Review*, 1995.
- A *Choix Rationnel et Psychologie Ordinaire*,@ (with Debra Satz), *Les Limites de la Rationalité*, Tome 1: Rationalité, Ethique et Cognition, Paris: Editions La Decouverte, 1997.
- "Rational Choice and Folk Psychology," (with Debra Satz), in progress.
- "A Political Theory of Federalism" (with Jenna Bednar and William Eskridge), forthcoming in *Constitutions and Constitutionalism*, (Ferejohn, Rakove, Riley, eds.), 2001
- "The Politics of Imperfection: The Amendment of Constitutions," *Law and Social Inquiry*, vol 22(2), 501-30, 1997.
- "Economic Theories of Politics and Statutory Interpretation," (with William Eskridge) forthcoming in the *New Palgrave Encyclopedia of Economics and Law*, 1998.
- "A Tale of Two Congresses: Social Policy in the Clinton Years," *The Social Divide: Political Parties and the Future of Activist Government*, Margaret Weir (ed), The Brookings Institution Press, 1998.
- A *Accountability and Authority: Toward a Political Theory of Electoral Accountability*,@ in *Democracy, Accountability, and Representation*, Adam Przeworski, Susan Stokes and Bernard Manin (eds), Cambridge University Press, 1999.
- A *Cooperation and Time*,@ in *Self-Deception and Paradoxes of Rationality*, (J.P. Dupuy, ed.), Center for the Study of Language and Information

Publications, 1998.

A Institutions and Deliberative Democracy, @ *Designing Democratic Institutions*
Edited by Ian Shapiro & Stephen Macedo, New York University Press, New York
and London, 2000, pp 75-104.

A Pettit's Republic @ *The Monist* (Philip Pettit, ed.), 2000.

A Independent Judges, Dependent Judiciary: Explaining Judicial Independence, @
Southern California Law Review, vol 72 (1999) 353-384.

A Cautionary Notes (on Proportional Representation) @, in *Reflecting All of Us: The
Case for Proportional Representation*, Robert Richie and Steven Hill (eds). 40-
48.

A It's Not Just Talk, @ *Virginia Law Review*, vol 85, (November), 1999, pp 1725-43..

A Conceptions of Rationality in Normative Political Theory @ (with Pasquale Pasquino),
forthcoming in a conference volume on international approaches to political
Science, Ercolano, Italy, 1999, to be published in *Note della Fondazione Adriano
Olivetti*, 2001

A The Political Economy of Pollution Control in a Federal System @ in *Environmental
Law, the Economy, and Sustainable Development: The United States, The
European Union, and the International Community*, Richard Revesz and Richard
Stewart (eds), Cambridge University Press, 2000.

A Democracy and Heterogeneity, @ *The Australian Journal of Legal Philosophy*,
Vol 25 (2000)

A Rational Choice Theory and Social Explanation @ *Economics and
Philosophy*, 18 (2002) 211-234.

A Constitutional Courts as Deliberative Institutions: Toward an Institutional Theory of
Constitutional Justice, @ (with Pasquale Pasquino), (Wojciech Sadurski, ed.),
The Hague: Kluwer Law International, 2002, 21-36.

A Democracy and Rule of Law, @ Presented at conference in Madrid, June 2000, to be
published in a book edited by Jose Maria Maravall and Adam Przeworski, 2002.

A INDEPENDENT JUDGES, DEPENDENT JUDICIARY: Institutionalizing
Judicial Restraint @ (with Larry Kramer), *New York University Law
Review*, v. 77 October, 2002., 962-1038.

A Superstatutes @ (with William Eskridge), *Duke Law Journal*, Fall 2001, 1215-1276.

- A Structuring Lawmaking to Reduce Cognitive Bias: A Critical View,@ (with William Eskridge), *Cornell Law Review*, v. 87(January 2002).
- A Rational Choice Theory in Political Science: Conceptions of Rationality in Political Theory@ keynote address at the annual meeting of the Brazilian Social Science Association, Petropolis, October 2000. Published as AA Teoria Da Escolha Racional Na Ciencia Politica: Conceitos de racionalidade Em teoria politica@ (with Pasquale Pasquino), *Revista Brasileira de Ciencias Sociais*, vol 16 (Feb. 2001), 5-24.
- A Judicializing Politics, Politicizing Law,@ in *Law and Contemporary Problems*, v. 65 Summer 2002, 41-68.
- A Commitment and Constitutionalism,@ (with Lawrence Sager), *University of Texas Law Review*, vol 81 (June 2003).
- A Playing with House Money: Patriot Dollars Considered,@ *California Law Review*, 2003.
- A Constitutional Review in the Global Context,@ *Journal of Legislation and Public Policy*, Vol. 6 (2002-3), 49-59.
- A Madisonian Separation of Powers,@ Chapter 6 in *The Theory and Practice of Republican Government*, Sam Kernell (ed.), Stanford University Press, 2003
- A Democracy and Equality@ in *Theory and Inquiry in American Politics: An Introduction* (Edward Mansfield and Richard Sisson, eds.) , Ohio State University Press, 2004.
- A External and Internal Explanation,@ forthcoming in a volume on Social Science Methodology, edited by Ian Shapiro and Rogers Smith, 2004.
- A Constitutional Adjudication: Lessons From Europe,@ (with Pasquale Pasquino) *University of Texas Law Review*, 2004, vol 82 (June 2004), 1671-1704.
- AA Theory of the Politically Independent Judiciary@ (with Rebecca Bill Chavez and Barry Weingast), draft under submission 2005.
- “Congress and Civil Rights Policy: An Examination of Endogenous Preferences”(with David Brady and Jeremy C. Pope), in *Preferences and Situations: Points of Intersection Between Historical and Rational Choice Institutionalism*, Ira Katznelson, and Barry Weingast, eds Russell Sage Foundation Press, August 2005
- A Superstatutes: The New American Constitutionalism@ (with William Eskridge)

forthcoming In a Volume on comparative constitutional law (Tsvi Kahana, ed.)
2005.

A Conversability and Deliberation in Common Minds: Themes from the Philosophy of Philip Pettit, (Geoffrey Brennan, Robert Goodin, Michael Smith),
Cambridge University Press, 2007.

A The Law of the Exception: a Typology of Emergency Powers (with Pasquale Pasquino) *International Journal of Constitutional Law*, vol 2 (April, 2004).

A Comparative Judicial Politics, (with Frances Rosenbluth and Charles Shipan)
forthcoming *Handbook of Comparative Politics*, (Carles Boix and Susan Stokes, eds.), Oxford

A Why the People: A Reflection on Democratic Constitutionalism, APSA, 2004.

“Practical Institutionalism,” Rethinking Political Institutions: the Art of the State, Stephen Skowronek, Daniel Galvin, Ian Shapiro, (eds). NYU Press, 2006

A Quasi-Constitutional Law: The Rise of Superstatutes, (with William Eskridge) in *Congress And the Constitution*, (Neal Devins and Keith Whittington, eds.)
2005.

“The Citizens’ Assembly Model,” forthcoming in Designing Deliberative Democracy
Eds. Mark Warren and Hilary Pearce, Cambridge University Press, 2008

“Kelsen, Schumpeter and Democracy” (with Pasquale Pasquino)
presented at conferences in Rome (June 8-11, 2005) and
Turin (June 22-24, 2005).

“Participation and Democracy” presented at University of Southern California
Law School (February 2005) and a conference at San Andreas University
(Buenos Aires) November 2005.

“Republican Liberalism” (with Frances Rosenbluth) presented in
Rome (June 8-11)

“Tolerant Institutions” in Toleration on Trial, edited by
Ingrid Creppell, Russell Hardin, and Stephen Macedo in 2008.

“Warlike Democracies” (with Frances Rosenbluth) Journal of Conflict Resolution, Feb 2008; vol. 52: pp. 3 - 38.

“Judicial Independence in a Democracy: Institutionalizing Judicial Restraint”
(with Larry Kramer) Norms and the Law edited by John

Drobak, Cambridge University Press 2006.

“Polarization and its Consequences” presented the Hoover-Brookings conference on polarization, January 2007 (with David Brady and Laurel Harbridge), in Red and Blue Nation volume II, Washington: Brookings Press, 2008.

“Toward a Political Theory of Constitutional Default Rules,” Florida State University Law Review, Vol 33 (2006) 825-860. (with Barry Friedman)

“The Aristocratic Thesis: Electoral Representation and Representative Government” Presented at a Yale Conference on Political Representation. October 2006, (with Frances Rosenbluth); to appear in a volume edited by Ian Shapiro, 2009.

“A Planning Theory of Legislation,” presented as the John Dewey Lecture at The University of Minnesota Law School, April 2005.

“Positive Political Theory and the Internal View of Law”, Journal of Constitutional Law, Volume 10 (2008).

“War and State Building in Medieval Japan” (with Frances Rosenbluth) under submission. (and a summarization of this article will serve as an introduction to an edited volume on the same topic, co-edited with Frances Rosenbluth)

“Fin de la Guerra, Logo de la Paz,” in Argumentacion, Negociacion y acuerdo (Freddy Cante, ed.), Bogata: Centro de Estudios Politics e Internacionales, Universidad del Rosario, 2008.

“Is Extreme Inequality a Threat to Democracy” forthcoming in a volume on Inequality and the American State edited by Desmond King and Larry Jabobs, Oxford University Press 2009.