How Law Changes What You Want
POSITIVE & NORMATIVE EFFECTS OF LAW ON VALUES & PREFERENCES

A CONFERENCE IN HONOR OF PROFESSOR
Bob Cooter

FEBRUARY 28-29, 2020
BERKELEY LAW
Robert Cooter, a pioneer in the field of law and economics, was educated at Swarthmore College, Oxford University, and Harvard University. After receiving his Ph. D. in economics in 1975, he joined the economics faculty at Berkeley. In 1980 he joined Berkeley’s law faculty, where he is currently the Herman F. Selvin Professor. Bob regularly teaches the economic analysis of law, and he has taught a variety of courses jointly with lawyers, including contracts, torts, corporations, financial services, the theory of adjudication, and law and anthropology.

Bob has received various awards and fellowships, including Institute for Advanced Study, National Science Foundation, Guggenheim, Max Planck, American Academy of Arts and Sciences, Humboldt Research Prize, and the European Law and Economics Association Distinction Award for 2011. He was a founding director of the American Law and Economics Association and its President in 1994-1995. He co-founded the Berkeley Electronic Press (BEPress) in 1999. In 1999 he was elected to the American Academy of Arts and Sciences. He received an honorary doctorate from Hamburg University in 2002 and Universidad de San Martin de Porres, Lima, Peru, in 2012. He co-founded the Latin American and Caribbean Law and Economics Association (ALACDE), and he served as its president in 2005.

Besides numerous articles, he is co-author of Law and Economics (6th edition, 2011, with Tom Ulen; also translated into Spanish, Portuguese, Italian, Hungarian, Japanese, Chinese, Korean, and Farsi), The Strategic Constitution (Princeton, 2000), and Solomon’s Knot: How Law Can End the Poverty of Nations (Princeton UP, 2012, with Hans Bernd Schäfer). Cooter has published a wide variety of articles applying economic analysis to private law, constitutional law, and law in developing countries.
FRIDAY, FEBRUARY 28, 2020

8:45 a.m.

Welcome

9-10:30 a.m.

Session I

ADDICTIVE LAW

Presenter
SAUL LEVMORE, WILLIAM B. GRAHAM DISTINGUISHED SERVICE PROFESSOR OF LAW, UNIVERSITY OF CHICAGO LAW SCHOOL

Discussant
KAREN TANI, PROFESSOR OF LAW, BERKELEY LAW

FRAMED BY THE LAW: EXPERIMENTAL EVIDENCE FOR THE EFFECTS OF THE SALIENCE OF THE LAW ON PREFERENCES

Presenter
TAMAR KRICHELI-KATZ, ASSOCIATE PROFESSOR OF LAW, TEL AVIV UNIVERSITY

Discussant
CATHERINE ALBISTON, JACKSON H. RALSTON PROFESSORSHIP OF LAW, BERKELEY LAW; PROFESSOR OF SOCIOLOGY, UNIVERSITY OF CALIFORNIA, BERKELEY

10:30-11 a.m.

Break
11 a.m.-12:30 p.m.
Session II

MORAL NORMS, ADAPTIVE PREFERENCES, & HEDONIC PSYCHOLOGY

Presenter
JONATHAN MASUR, WILSON PROFESSOR OF LAW, UNIVERSITY OF CHICAGO LAW SCHOOL

Discussant
REBECCA WEXLER, PROFESSOR OF LAW, BERKELEY LAW

VERDICT FORMAT IN CRIMINAL CASES

Presenter
AVANI MEHTA SOOD, PROFESSOR OF LAW, BERKELEY LAW

Discussant
PRASAD KRISHNAMURTHY, PROFESSOR OF LAW, BERKELEY LAW

12:30-2 p.m.
Lunch

2-3:30 p.m.
Session III

LAW & PREFERENCES: A BEHAVIORAL ETHICS PERSPECTIVE

Presenter
YUVAL FELDMAN, THE MORY LAZAROF PROFESSOR OF LAW, FACULTY OF LAW, BAR-ILAN UNIVERSITY

Discussant
KATHY ABRAMS, HERMA HILL KAY DISTINGUISHED PROFESSOR OF LAW, BERKELEY LAW
THE DATA PRIVACY LAW OF BREXIT: PREFERENCES, PATH DEPENDENCIES, & TRANSACTION COSTS

Presenter
PAUL SCHWARTZ, JEFFERSON E. PEYSER PROFESSOR OF LAW, BERKELEY LAW
Discussant
REBECCA S. GOLDSTEIN, ASSISTANT PROFESSOR OF LAW, BERKELEY LAW

3:30-4 p.m.
Break

4-5:30 p.m.
Session IV

DO GOOD PEOPLE NEED GOOD LAWS?
ECONOMICS & THE EXPRESSIVE FUNCTION

Presenter
MICHAEL GILBERT, MARTHA LUBIN KARSH AND BRUCE A. KARSH BICENTENNIAL PROFESSOR OF LAW, UNIVERSITY OF VIRGINIA SCHOOL OF LAW
Discussant
JONAH GELBACH, PROFESSOR OF LAW, BERKELEY LAW

BATTLE FOR OUR SOULS: CAN THE CRIMINAL LAW SHAPE PREFERENCES IF CORPORATIONS PUSH BACK

Presenter
JENNIFER ARLEN, NORMA Z. PAIGE PROFESSOR OF LAW, NEW YORK UNIVERSITY SCHOOL OF LAW
Discussant
AARON EDLIN, RICHARD W. JENNINGS PROFESSOR OF LAW, BERKELEY LAW; PROFESSOR OF ECONOMICS, UNIVERSITY OF CALIFORNIA, BERKELEY
SATURDAY, FEBRUARY 29, 2020
8:30-10 a.m.

Session V

CHANGING PEOPLE’S PREFERENCES BY THE STATE & THE LAW

Presenter
ARIEL PORAT, ALAIN POHER PROFESSOR OF LAW AND PRESIDENT, TEL AVIV UNIVERSITY

Discussant
MANISHA PADI, ASSISTANT PROFESSOR OF LAW, BERKELEY LAW

CONSTITUTIONAL PROCESS & CONSTITUTIONAL PREFERENCES

Presenter
TOM GINSBURG, LEO SPITZ PROFESSOR OF INTERNATIONAL LAW, UNIVERSITY OF CHICAGO LAW SCHOOL

Discussant
ALON KLEMENT, PROFESSOR OF LAW, TEL AVIV UNIVERSITY

10-10:30 a.m.
Break

10:30 a.m.-12 p.m.

Session VI

PUBLIC OPINION & COMPLIANCE WITH INTERNATIONAL LAW

Presenters
KATERINA LINOS, PROFESSOR OF LAW, BERKELEY LAW
ADAM CHILTON, PROFESSOR OF LAW, UNIVERSITY OF CHICAGO LAW SCHOOL

Discussant
ABHAY ANEJA, ASSISTANT PROFESSOR OF LAW, BERKELEY LAW; JUNIOR FELLOW AT BERKELEY CENTER FOR LAW, ECONOMICS, AND POLITICS
ANTI-PREFERENCES

Presenter
ROY KREITNER, PROFESSOR OF LAW, TEL AVIV UNIVERSITY

Discussant
DAVID SINGH GREWAL, PROFESSOR OF LAW, BERKELEY LAW

12-1:30 p.m.
Lunch

1:30-2:15 p.m.
Session VII
INFLUENCING THE PREFERENCES OF CHILDREN THROUGH LEGAL IMPACTS ON PARENTING STYLE

Presenter
STEVE SUGARMAN, ROGER J. TRAYNOR PROFESSOR OF LAW, BERKELEY LAW

Discussant
PETER SCHUCK, DARLING FOUNDATION VISITING PROFESSOR, BERKELEY LAW

2:15-2:30 p.m.
Break

2:30-4:30 p.m.
Session VIII
Overview
BOB COOTER, HERMAN F. SELVIN PROFESSOR OF LAW, BERKELEY LAW