

DANIEL H. COLE

curriculum vitæ

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Bloomington, IN 47408

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PROFESSIONAL APPOINTMENTS

Indiana University Maurer School of Law	
Professor of Law	Since August 2011
Harry T. Ice Faculty Fellow	Since Aug. 2017
Indiana University School of Public and Environmental Affairs	
Professor of Public and Environmental Affairs	Since August 2011
Indiana University Department of Political Science	2013-2017
Adjunct Professor of Political Science	
Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis (IU)	
Affiliated Faculty	Nov. 2007-2016
Member, Workshop Advisory Council	Sept. 2010 – Feb. 2015
Chair, Workshop Advisory Council	Nov. 2011 – Jul. 2014
Indiana University School of Law at Indianapolis	
R. Bruce Townsend Professor of Law	July 2003-July 2011
M. Dale Palmer Professor of Law	July 1999-June 2003
Professor of Law	July 1997-August 1999
Associate Professor of Law	July 1994-June 1997
Assistant Professor of Law	August 1991-June 1994
Butler University, College of Business Administration	
Adjunct Professor	August-December 2003
Washington University School of Law	
John S. Lehmann Distinguished	
Visiting Professor of Law	August-December 2001
University of Cambridge	
Clare Hall (College of Advanced Studies)	
Life Member	Since January 2001
Visiting Fellow	June-December 2000
Faculty of Law and Department of Land Economy	
Visiting Scholar	June-December 2000
Department of Land Economy	
Visiting Lecturer	March 2002
Stanford Law School	
Instructor-in-Law	1989-1991
Santa Clara University School of Law	
Director, Legal Research and Writing	1988-1989
Legal Research and Writing Instructor	1987-1988

COURSES TAUGHT

Property, Climate Law & Policy, Law & Economics, Seminar in Institutional Analysis & Development, Environmental Law, Natural Resources Law, Seminar in Property Theory, Law & Public Affairs (undergrad), Legal History of Environmental Protection (undergrad)

EDUCATION

Stanford Law School, J.S.D. 1996; J.S.M. 1991

Northwestern School of Law, Lewis and Clark College, J.D., *cum laude*, with Certificate in Environmental and Natural Resources Law, 1986

University of Chicago, A.M., Philosophy, 1981

Occidental College, A.B., Philosophy, *cum laude*, 1980

PUBLICATIONS

Books

12. INTERNATIONAL HANDBOOK OF THE COMMONS (co-edited with Blake Hudson and Jonathan Rosenberg) (Edward Elgar 2019).

11. ELINOR OSTROM AND THE BLOOMINGTON SCHOOL OF POLITICAL ECONOMY, VOLUME 4: APPLICATIONS AND EXTENSIONS (co-edited with Michael D. McGinnis) (Lexington Books 2018)

10. ELINOR OSTROM AND THE BLOOMINGTON SCHOOL OF POLITICAL ECONOMY, VOLUME 3: A FRAMEWORK FOR POLICY ANALYSIS (co-edited with Michael D. McGinnis) (Lexington Books 2017).

9. ELINOR OSTROM AND THE BLOOMINGTON SCHOOL OF POLITICAL ECONOMY, VOLUME 2: NATURAL RESOURCES (co-edited with Michael D. McGinnis) (Lexington Books, 2015)

8. ELINOR OSTROM AND THE BLOOMINGTON SCHOOL OF POLITICAL ECONOMY, VOLUME 1: POLYCENTRICITY IN PUBLIC ADMINISTRATION AND POLITICAL SCIENCE (co-edited with Michael D. McGinnis) (Lexington Books 2015).

7. PROPERTY IN LAND AND OTHER RESOURCES (co-edited with Elinor Ostrom) (Lincoln Institute, 2012)

6. NATURAL RESOURCES LAW (casebook, with Jan Laitos, Sandra Zellmer and Mary Wood) (West 2006)

5. PRINCIPLES OF LAW & ECONOMICS (co-authored with Peter Z. Grossman) (Prentice-Hall 2004)

Second edition (Kluwer/Aspen 2011).

4. THE END OF A NATURAL MONOPOLY: DEREGULATION AND COMPETITION IN THE ELECTRIC POWER INDUSTRY (co-edited with Peter Z. Grossman) (JAI Press 2003) (now published by Routledge)

3. POLLUTION AND PROPERTY: COMPARING OWNERSHIP INSTITUTIONS FOR ENVIRONMENTAL PROTECTION (Cambridge University Press, 2002)

Chinese translation (Cambridge University Press and Peking University Press, 2010)

2. INSTITUTING ENVIRONMENTAL PROTECTION: FROM RED TO GREEN IN POLAND (Macmillan and St. Martin's 1998)

Republished, 2015, under Creative Commons license, at
<http://www.repository.law.indiana.edu/facbooks/153/>.

1. ENVIRONMENTAL PROTECTION IN TRANSITION: ECONOMIC, LEGAL, AND SOCIO-POLITICAL PERSPECTIVES ON POLAND (co-edited with John Clark) (Ashgate, 1998)

Articles, Essays, and Book Chapters

61. *Institutional Analysis for New Governance Scholars*, 21 *Public Management Review* 890 (2019) (with Elizabeth Baldwin and Tingjia Chen).

60. *Environmental Instrument Choice in a Non-linear World*, 8 *Journal of Environmental Economics and Policy* 65 (article with Kathy Gjerde and Peter Grossman) (2019).

59. *Grandfathering*, 13 *Review of Environmental Economics and Policy* 23 (article with Maria Damon, Elinor Ostrom, and Thomas Sterner under FORMAS grant) (forthcoming 2019).

58. *Law and social norms in the Institutional Analysis and Development Framework*, 13 *Journal of Institutional Economics* 829-847 (2017).

Selected as one of five finalists for Elinor Ostrom Award from the World Interdisciplinary Network for Institutional Research for the "best article" published in the Journal of Institutional Economics in 2017.

57. *A Brief History of U.S. Energy Policy* (with Peter Z. Grossman), in *DELIVERING ENERGY LAW AND POLICY IN THE EU AND THE US: A READER* (R.J. Heffron and G.F.M. Little, eds, Edinburgh University Press 2016)

56. *The Polycentric Turn: A Case Study of Kenya's Evolving Legal Regime for Irrigation Waters* (with Stefan Carpenter and Elizabeth Baldwin), 57 *NATURAL RESOURCES JOURNAL* 101-137 (2017)

55. *Origins and Early Practice of Emissions Trading*, in *RESEARCH HANDBOOK ON EMISSIONS TRADING* (S. Weishaar, ed., Edward Elgar, 2016), pp. 9-26.

54. *The Evolution of Polycentric Governance of Irrigation Water in Kenya* (with Elizabeth Baldwin, Camille Washington-Ottembre, Jampel Dell'Angelo, and Tom Evans), 29 *GOVERNANCE* 207-225 (2016)

53. *'Economic Property Rights' as 'Nonsense upon Stilts': A Comment on Hodgson*, 11 *J. INST'L ECON.* 725-730 (2015)

52. *The Problem of Shared Irresponsibility in International Climate Law*, in DISTRIBUTION OF RESPONSIBILITIES IN INTERNATIONAL LAW (André Nollkaemper and Dov Jacobs, eds, Cambridge University Press 2015), pp. 290-320.

51. *Advantages of a polycentric approach to climate change policy*, 5 NAT. CLIMATE CHANGE 114-118 (2015).

50. *Contextualizing the Influence of Social Norms, Collective Action on Social-Ecological Systems*, 6 J. NAT. RES. POLICY RES. 259-264 (2014) (co-authored with Tom Evans).

49. *The Law and Economics Approach to Property*, 3 PROPERTY L.REV. 212-221 (2014) (symposium issue on Research Methods in Property Law).

Reprinted in S. Bright and S. Blandy, eds, RESEARCHING PROPERTY LAW (Palgrave, forthcoming 2015).

48. *Digging Deeper into Hardin's Pasture: The Complex Institutional Structure of 'The Tragedy of the Commons'*, 10 J. INST. ECON. 353-369 (2014) (co-authored with Graham Epstein and Michael McGinnis).

Recipient of Elinor Ostrom Award from the World Interdisciplinary Network for Institutional Research for the "best article" published in the Journal of Institutional Economics in 2014.

47. *Learning from Lin: Lessons and Cautions from the Natural Commons for the Knowledge Commons*, in GOVERNING THE KNOWLEDGE COMMONS 45-68 (B. Frischmann, M. Madison & K. Strandberg, eds, Oxford University Press 2014).

46. *The Varieties of Comparative Institutional Analysis*, 2013 WISC. L.REV. 383-409 (2013).

45. *Law, Politics, and Cost-Benefit Analysis*, 64 ALA. L. REV. 55-89 (2012).

44. *Introduction*, in PROPERTY IN LAND AND OTHER RESOURCES 1-10 (D.H. Cole & E. Ostrom, eds, 2012) (with Elinor Ostrom)

43. *The Variety of Property Systems and Rights in Natural Resources*, in PROPERTY IN LAND AND OTHER RESOURCES 37-64 (D.H. Cole & E. Ostrom, eds, 2012) (with Elinor Ostrom)

42. *Property Creation by Regulation: Rights to Clean Air and Rights to Pollute*, in PROPERTY IN LAND AND OTHER RESOURCES 125-154 (D.H. Cole & E. Ostrom, eds, 2012)

41. *From Global to Polycentric Climate Governance*, 2 CLIMATE L. 395 (2011).

40. *Institutions Matter! Why the Herder Problem Is Not a Prisoners' Dilemma*, 69 THEORY & DECISION 219-231 (2010) (with Peter Z. Grossman) (peer reviewed)

39. *Protecting Private Property with Constitutional Judicial Review: A Social Welfare Approach*, 5 REVIEW OF LAW AND ECONOMICS 233-250(2009)(with Peter Z. Grossman) (peer reviewed)

38. *Climate Change and Collective Action*, 61 CURRENT LEGAL PROBLEMS 229-264(2009)(invited paper; peer reviewed)

37. *The Stern Review and Its Critics: Implications for the Theory and Practice of Benefit-Cost Analysis*, 48 NAT. RESOURCES J. 53-90 (2008) (peer reviewed)

Italian translation in, 4/2007 *QA–Revista dell’Associazione Rossi-Doria* 11-48(2007)

36. *La complexité choix d’un régime de appropriation en matière de protection environnementale*, in LES RESSOURCES FONCIÈRES - DROIT DE PROPRIÉTÉ, ÉCONOMIE ET ENVIRONNEMENT; VI^E CONFÉRENCE INTERNATIONALE AIX-EN-PROVENCE UNIVERSITÉ PAUL CÉZANNE 26, 27, 28 JUIN 2006, 75 -88 (Max Falque, Henri Lamotte, and Jean-François Saglio, eds, 2007).

35. *Climate Change, Adaptation, and Development*, 26 UCLA JOURNAL OF ENVIRONMENTAL LAW & POLICY 1-19 (2007 Evan Frankel Program Symposium Issue: Coping with Global Warming)

34. *‘Best Practice’ Standards for Regulatory Benefit-Cost Analysis*, 23 RESEARCH IN LAW & ECONOMICS 1-47 (2007) (peer reviewed)

Reprinted in *Applied Benefit-Cost Analysis* (Andrew Schmitz and Richard O. Zerbe, eds, 2008)

33. *Kelo’s Legacy*, 37 ENVIRONMENTAL LAW REPORTER 10540-10546 (June 2007)

32. *Political Institutions, Judicial Review, and Private Property: A Comparative Institutional Analysis*, 15 SUPREME COURT ECONOMIC REVIEW 141-182 (2007) (peer reviewed)

31. *Uncertainty, Insurance and the Learned Hand Formula*, 5 LAW, PROBABILITY & RISK 1-18 (2006)(with Peter Z. Grossman and Reed Cearley)(peer reviewed)

Published electronically at <http://lpr.oxfordjournals.org/cgi/content/full/mgl012?ijkey=eoGcyGxF2PL8ncK&keytype=ref>

30. *Why Kelo is not Good News for Local Planners and Developers*, 22 GEORGIA STATE UNIVERSITY LAW REVIEW 803-856 (2006) (symposium contribution)

29. *Institutional and Technological Constraints on Environmental Instrument Choice: A Case Study of the US Clean Air Act*, in ENVIRONMENTAL POLICYMAKING 225-44 (M.T. Hatch, ed., 2005) (with Peter Z. Grossman) (peer reviewed)

28. *Taking Coase Seriously: Neil Komesar on “Law’s Limits,”* 28 LAW & SOCIAL INQUIRY 261-289 (2004) (peer reviewed)

27. *Introduction*, in THE END OF A NATURAL MONOPOLY: DEREGULATION AND COMPETITION IN THE ELECTRIC POWER INDUSTRY, 1-9 (P.Z. Grossman and D.H. Cole, eds, 2003) (with Peter Z. Grossman)

26. *The Regulatory Contract*, in THE END OF A NATURAL MONOPOLY: DEREGULATION AND COMPETITION IN THE ELECTRIC POWER INDUSTRY 77-88 (P.Z. Grossman and D.H. Cole, eds,2003) (peer reviewed)

25. *Stranded Costs vs. Stranded Benefits in Utility Deregulation*, in *THE END OF A NATURAL MONOPOLY: DEREGULATION AND COMPETITION IN THE ELECTRIC POWER INDUSTRY* 169-190 (P.Z. Grossman and D.H. Cole, eds, 2003) (with Reed Cearley)(peer reviewed)

24. *The Meaning of Property Rights: Law vs. Economics?*, 78 *LAND ECONOMICS* 317-330 (2002) (with Peter Z. Grossman) (peer reviewed)

23. *Toward a Total-Cost Approach to Environmental Instrument Choice*, in T. Swanson & R. Zerbe (eds), *An Introduction to the Law and Economics of Environmental Policy: Issues in Institutional Design*, 20 *RESEARCH IN LAW & ECONOMICS* 225-243 (2002) (with Peter Z. Grossman) (peer reviewed)

22. *'An Unqualified Human Good': E.P. Thompson and the Rule of Law*, 28(2) *JOURNAL OF LAW & SOCIETY* 177-203 (2001) (peer reviewed)

21. *Environmental Instrument Choice in a Second-Best World: A Comment on Professor Richards*, 10 *DUKE ENVIRONMENTAL LAW & POLICY FORUM* 287-295 (2000) (solicited contribution)

20. *The Importance of Being Comparative: The M. Dale Palmer Professorship Inaugural Lecture*, 33 *INDIANA LAW REVIEW* 921-936 (2000)

19. *New Forms of Private Property: Property Rights in Environmental Goods*, II *ENCYCLOPEDIA OF LAW AND ECONOMICS* 274-314 (B. Bouckaert and G. DeGeest, eds, 2000) (peer reviewed)

Published electronically at <http://users.ugent.be/~gdegeest/1910book.pdf>

Revised and updated for *PROPERTY LAW AND ECONOMICS, VOLUME 5: ENCYCLOPEDIA OF LAW AND ECONOMICS* (B. Bouckaert ed., 2d ed., 2010)

18. *Clearing the Air: Four Propositions about Property Rights and Environmental Protection*, 10 *DUKE ENVIRONMENTAL LAW & POLICY FORUM* 103-130 (1999) (1998 Cummings Colloquium contribution)

17. *When is Command-and-Control Efficient? Institutions, Technology, and the Comparative Efficiency of Alternative Regulatory Regimes for Environmental Protection*, 1999 *WISCONSIN LAW REVIEW* 887-938 (1999) (with Peter Z. Grossman)

Reprinted in 32 *Land Use & Envt. L.Rev.* 509-560 (2001);

Reprinted in *THE THEORY AND PRACTICE OF COMMAND AND CONTROL IN ENVIRONMENTAL POLICY* 115-166 (G.E. Helfand and P. Berck eds., 2004)

Reprinted in *ECONOMICS OF ENVIRONMENTAL LAW* (R. Brooks, N.O. Keohane, & D.A. Kysar eds., 2009)

16. *From Renaissance Poland to Poland's Renaissance*, 97(6) *MICHIGAN LAW REVIEW* 2062-2102 (Spring 1999)

15. *Poland's 1997 Constitution in Its Historical Context*, 1998 SAINT LOUIS-WARSAW TRANSATLANTIC LAW JOURNAL 1-43 (symposium contribution)
14. *Poland's Environmental Transformation: An Introduction*, in ENVIRONMENTAL PROTECTION IN TRANSITION: ECONOMIC, LEGAL, AND SOCIO-POLITICAL PERSPECTIVES ON POLAND 1-18 (J. Clark & D.H. Cole, eds, 1998) (with John Clark)
13. *Rhetoric, Reality, and the Law of Unfunded Federal Mandates*, 8 STANFORD LAW & POLICY REVIEW 103-125 (1997) (with Carol Comer)
12. *Accounting for Sustainable Development*, 8 FORDHAM ENVIRONMENTAL LAW JOURNAL 123-132 (1997)
11. *Poland's Progress: Environmental Protection in a Period of Transition*, 2 PARKER SCHOOL JOURNAL OF EAST EUROPEAN LAW 279-319 (1995)
10. *An Outline History of Environmental Law and Administration in Poland*, 18 HASTINGS INTERNATIONAL & COMPARATIVE LAW REVIEW 297-358 (1995)
9. *Environmental Protection and Economic Growth: Lessons from Socialist Europe*, in LAW AND ECONOMICS: NEW AND CRITICAL PERSPECTIVES 295-329 (R.P. Malloy and C. Braun, eds, 1995) (peer reviewed)
8. *Marxism and the Failure of Environmental Protection in Eastern Europe and the U.S.S.R.*, 17 LEGAL STUDIES FORUM 35-72 (1993) (peer reviewed)
7. *Debt-Equity Conversions, Debt-for-Nature Swaps, and the Continuing World Debt Crisis*, 30 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 57-88 (1992)
6. *Cleaning Up Kraków: Poland's Ecological Crisis and the Political Economy of International Environmental Assistance*, 2 COLORADO JOURNAL OF INTERNATIONAL ENVIRONMENTAL LAW & POLICY 205-245 (1991)
5. *Liability Rules for Surface Water Drainage: A Simple Economic Analysis*, 12 GEORGE MASON UNIVERSITY LAW REVIEW 35-55 (1990)
4. *The Federal Power Act's Municipal Preference: The Merwin Dam Dispute and Legislative Proposals to Amend Federal Hydro-Licensing Procedures*, 7 ENERGY LAW JOURNAL 373-390 (1986) (peer reviewed)
3. *Reviving the Federal Power Act's Comprehensive Plan Requirement: A History of Neglect and Prospects for the Future*, 16 ENVIRONMENTAL LAW 639-671 (1986) (symposium contribution)
2. *United States v. Pend Oreille County P.U.D. No. 1: A Signal Conflict Between Equal Footing and Aboriginal Indian Title*, 16 ENVIRONMENTAL LAW 163-174 (1986)
1. *Tribal Bedlands Claims Since Montana v. United States*, 6 PUBLIC LAND LAW REVIEW 119-140 (1985)

Book Reviews

Review of Richard Barnes, *Property Rights in Natural Resources* (Hart 2009), 19(11) LAW AND POLITICS BOOK REVIEW 806-813 (Nov. 2009)

Review of Richard R. Stroup's *Eco-nomics: What Everyone Should Know About Economics and the Environment*, in 4 THE YEARBOOK OF EUROPEAN ENVIRONMENTAL LAW 708-711 (2005)

Reviews of Magnus Andersson, *Change and Continuity in Poland's Environmental Policy* and Halina Szejnwald Brown, David Angel, and Patrick G. Derr, *Effective Environmental Regulation: Learning from Poland's Experience*, 43(9) ENVIRONMENT 44-45 (2001).

Roger Manser's Failed Transitions: The Eastern European Economy and Environment Since the Fall of Communism, 34(4) EUROPE-ASIA STUDIES 713-14 (1995)

Crosscurrents of Economic Transformation: Andrzej Rychard's Reforms, Adaptation and Breakthrough, 17(1) Polish Stud. Center Newsletter 3-4 (Nov. 1994)

Newspaper, Magazine, and Occasional Articles

The Many Deaths of Liberalism, AEON, Aug, 2018 (with Aurelian Craiutu)

Elinor Ostrom Obituary, The Guardian, June 13, 2012

Keep goal in focus: Reduce emissions, Indianapolis Star, March 17, 2009 (with Gabriel Filippelli)

How Political Institutions Protect Private Property Rights, 3 Const. L.Comm. Newsletter 3-5 (Jan. 2007)

Kelo's Impact (So Far), 3 Const. L.Comm. Newsletter 2-6 (Oct. 2006)

An Invisible Hand for Poland's Environment, The Wall Street Journal Europe, Sept. 27, 1995 at 10

Wishes and Realities of Mandate Limits, Indianapolis Star, Jan. 24, 1995 at A7

Getting in on the Biodiversity Action, Indianapolis Star, Oct. 12, 1994 at A9

Miscellaneous Publications

Dr. Milton Freewater, 76(1) *The Owl* 94-97 (Fall 1988) (short story)

Works in Progress

Structural Impediments to Effective Environmental Protection in China (with Shuang Zhao)

Toward a New Institutional Analysis of Social-Ecological Systems (NIASES): Combining Elinor Ostrom's IAD and SES Frameworks (with Graham Epstein and Michael McGinnis)

Institutional Analysis as a Tool of Analytical Jurisprudence

The 'Goldilocks' Principle in Judicial Review of EPA Regulations: An Empirical Analysis of Whether EPA Wins By Default When Sued By Both Regulated Industries and Environmental Groups (with Elizabeth Baldwin)

PRIZES, AWARDS, FELLOWSHIPS AND GRANTS

Book Prizes and Other Writing Awards

1999 American Association for the Advancement of Slavic Studies/Orbis Polish Book Prize for Instituting Environmental Protection: From Red to Green in Poland (Macmillan and St. Martin's Press 1998)

2001, "When is Command-and-Control Efficient: Institutions, Technology, and the Comparative Efficiency of Alternative Regulatory Regimes for Environmental Protection," 1999 Wis. L.Rev. 887, one of 10 articles selected from 400 candidates for inclusion in 32 Land Use & Env't. L.Rev. (2001)

Teaching Awards

1996 & 1999 "Black Cane Outstanding Professor Award"
Student Bar Association, Indiana University School of Law

1993 "Best New Professor Award"

Student Bar Association, Indiana University School of Law

1997, 1999 & 2003 Teaching Excellence Recognition Awards, Indiana University

Fellowships, Grants, and Honors

2011-2014 Co-Principal Investigator, NSF Coupled Natural and Human Systems Grant

2010-2013 Co-Principal Investigator, FORMAS Grant, Swedish Government, under contract with Gothenburg University

2002 Distinguished Alumnus Award
Northwestern School of Law, Lewis & Clark College

1997-98 Paul E. Beam Research Fellowship
Indiana University School of Law at Indianapolis

1995 Travel Grant
International Research and Exchanges Council (IREX)

1992-2007 Summer Research Fellowships
Indiana University Foundation

1993 Paul E. Beam Research Fellowship
Indiana University School of Law at Indianapolis

1991 Professional Development Fellowship
Institute for International Education

1990 Andrew W. Mellon Pre-dissertation Fellowship
Stanford University Center for European Studies

1986 Bernard F. O'Rourke Writing Award
Northwestern School of Law, Lewis & Clark College

SELECT PRESENTATIONS

"Systemic Impediments to Environmental Protection in China," invited presentation, Peking University School of Law, June 2018.

"The Place of Formal Legal Rules in Elinor Ostrom's IAD Framework," Annual Meeting of the World Interdisciplinary Network for Institutional Research, Boston, MA. Sept. 2-4, 2016.

"The Spurious Notion of 'Economic Property Rights,'" Eight Annual Meeting of the Society for Environmental Law & Economics, University of Texas, Austen, May 27-28, 2016.

"Inserting a Reasonable Precautionary Principle into Regulatory Cost-Benefit Analysis via the Ramsey Discounting Formula," Second Annual Sustainability Conference of American Legal Educators, Arizona State University, Tempe, Arizona, May 13, 2016.

Public lecture on "Common-Pool Resource Problems as Assurance Games with Complex Institutional Structures," Australian National University, Canberra, Australia, March 16, 2016.

Led workshop on the Bloomington School's Systematic Approach to Institutional Analysis, Crawford School of Public Policy, Australian National University, Canberra, Australia, March 11, 2016. (More than 60 registrants.)

"Toward a New Institutional Analysis of Social-Ecological Systems," annual meeting of the Society for Environmental Law & Economics, University of Groningen, The Netherlands, May 21, 2015.

"Formal Institutions and the IAD Framework: Bringing the Law Back In," Inception Conference of the Workshop in Institutional Analysis, Humboldt University, Berlin, Germany, July 15, 2014

"Systemic Impediments to Market-Based Environmental Protection in China," Sixth Annual Meeting of the Society for Environmental Law & Economics, Chicago, May 23, 2014

"Trust, Cooperation, and Polycentric Climate Negotiations," NYU School of Law, New York, Dec. 13, 2013.

"Property 2.0: Beyond the 'Naïve' Theory of Property Rights," Diego Portales University School of Law, Santiago, Chile, Nov. 22, 2013.

“Digging Deeper into Hardin’s Pasture: The Complex Institutional Structure of the Tragedy of the Commons,” at the Midwest Law & Economics Association Annual Meeting, University of Illinois College of Law, Champaign-Urbana, Oct. 12, 2013.

“Program in Institutional Analysis of Social-Ecological Systems (PIASES): An Introduction,” plenary session presentation, Annual Meeting of the International Society for New Institutional Economics, Florence, Italy, June 20-23, 2013.

“The Problem of Shared Irresponsibility in International Climate Law,” SHARES Program Conference on Shared Responsibility in International Law, University of Amsterdam, May 30-31, 2013.

“The Kyoto Protocol *Is* Polycentric,” Conference on “Thinking Globally, Acting Locally?” Arizona State University School of Law, Nov. 2-3, 2012.

“The Varieties of Comparative Institutional Analysis,” *Festschrift* Conference for Neil Komesar, University of Wisconsin School of Law, Oct. 19-20, 2012.

“Elinor Ostrom and her Workshop,” plenary session presentation, Eco-Summit, Columbus, OH, Oct. 4, 2012.

“Discounting 101,” AALS Mid-Year Workshop on Torts, Environment & Disaster, Berkeley, CA, June 9, 2012.

“On Reconciling the Precautionary Principle with Benefit-Cost Analysis,” AALS Mid-Year Workshop on Torts, Environment & Disaster, Berkeley, CA, June 9, 2012.

“Property 2.0,” University of Groningen Faculty of Law, Groningen, The Netherlands, May 14, 2012.

“Can Tipping Sets Change the Climate Game? A Comment on Heal and Kunreuther,” Emory Law School Roundtable on Climate Policy in a Time of Dissensus, Atlanta, GA, Oct. 28, 2011.

“On the US Government’s Estimation of the Social Cost of Carbon,” ABA Section on Environment, Energy, and Resources Annual Meeting, Indianapolis, IN, Oct. 13, 2011.

“From Global to Polycentric Climate Governance,” European University Institute Workshop on Comparative Institutional Analysis and Global Governance,” May 9, 2011, Florence, Italy.

Organized and chaired panel of legal scholars on “Distributional Issues in Benefit-Cost Analysis,” MacArthur Foundation/Society for Benefit-Cost Analysis Conference on Benefit-Cost Analysis, Washington, D.C., Oct. 19, 2010.

“The Variety of Property Rights and Systems and Rights in Natural Resources,” with Elinor Ostrom, Conference on the Evolution of Property Rights in Land and Natural Resources,” Lincoln Institute, Cambridge, Mass., Sept. 20, 2010.

"Property Creation by Regulation: Rights to Clean Air and Rights to Pollute," Conference on the Evolution of Property Rights in Land and Natural Resources," Lincoln Institute, Cambridge, Mass., Sept. 20, 2010.

"Regulation in a Hyper-Partisan Era," Roundtable discussion with Richard Revesz, Jonathan Cannon and E. Donald Elliott, Annual Workshop on Cost-Benefit Analysis and Issue Advocacy, Institute for Policy Integrity, New York University School of Law, New York, Sept. 15, 2010.

"Perspectives on Cost Benefit Analysis," Institute for Policy Integrity Fall 2009 Workshop on Cost-Benefit Analysis and Issue Advocacy, NYU Law School, Nov. 10, 2009.

"Statutory, Methodological, and Political Obstacles to More and Better Regulatory Benefit-Cost Analyses," MacArthur Foundation Conference on "Unleashing the Power of Social Benefit-Cost Analysis: Removing Barriers," Washington DC, Oct. 20, 2009.

"Combined Issues of Climate Policy and Energy Policy," Searle Center Research Roundtable on Energy, Technology, and Institutions, Northwestern University, Chicago, June 1-2, 2009.

"Regulatory Cost-Benefit Analysis and Collective Action," Gruter Institute "Workshop on the Context and Evolution of Mechanisms for Resolving Collective Action Problems," Workshop in Political Theory and Policy Analysis, Indiana University-Bloomington, May 1-2, 2009.

"Economics in Environmental Law: Preliminary Results from a Survey of Law Professors," inaugural meeting of the Society for Environmental Law & Economics, University of British Columbia Faculty of Law, Vancouver, BC, March 27, 2009.

"Benefit-Cost Analysis and Collective Action: The Case of Climate Change," Annual Meeting of the Society for Benefit-Cost Analysis, Washington, DC, June 24, 2008.

"Climate Change and Collective Action," Annual Meeting of the International Society for New Institutional Analysis, Toronto, June 21, 2008.

"Developments in Climate Change Policy and Implications for Indiana," Indianapolis Chamber of Commerce Conference on Energy Policy, Indianapolis, June 19, 2008.

"Climate Change and Collective Action," Faculty of Law, University of Oxford, May 12, 2008.

"The Road from Kyoto: Toward a More Realistic International Climate Change Regime," Lauterpacht Centre for International Law, University of Cambridge, November 16, 2007.

"The Road from Kyoto: Toward a More Realistic International Climate Change Regime," Current Legal Problems Lecture, University College London, November 15, 2007.

"The Stern Review and Its Critics," Canadian Law and Economics Association Annual Meeting, Toronto, Ontario, Sept. 29, 2007

“Climate Change and the Energy Industry,” Program on Energy, Economics and the Environment, Foundation for Research in Economics and the Environment, Bozeman, Montana, July 23, 2007.

What the “Stern Report” Can Teach Us About “Best Practices” in Regulatory Benefit-Cost Analysis, 2007 Benefit-Cost Analysis Conference, University of Washington, Seattle, Washington, May 19, 2007.

“Climate Change, Adaptation, and Adaptive Efficiency,” 2007 Frankel Symposium: Coping with Global Warming, UCLA Law School, Los Angeles, California, March 3, 2007.

“The Road from Kyoto: Toward a More Effective International Climate Change Regime,” Distinguished Visitor Lecture, Dr. Andrew R. Thompson Program for Natural Resources Law and Policy, University of British Columbia Faculty of Law, Vancouver, BC, October 3, 2006.

“Political Institutions, Judicial Review, and Private Property: A Comparative Institutional Analysis,” Annual Meeting of the International Society for New Institutional Economics, Boulder, Colorado, September 22, 2006.

“Toward ‘Best Practice’ Standards for Benefit-Cost Analysis,” Conference on “What We Can Do to Improve the Use of Benefit-Cost Analysis,” University of Washington School of Law and Department of Economics, Seattle, Washington, May 18, 2006.

“Why *Kelo* is Not Good News for Local Planners and Developers,” conference on “What Kind of Metropolitan Areas Do We Want? Challenges, Promises and Pitfalls in Redevelopment,” Georgia State University College of Law, February 3, 2006.

“Economic Growth and Environmental Protection in China: Moving Along the Environmental Kuznets Curve,” ESADE Business School, Barcelona, Spain, October 29, 2005.

“Property Systems and Environmental Protection,” Michigan State University School of Law, East Lansing, Michigan, October 17, 2005.

“Political Institutions, Judicial Review, and Private Property: A Comparative Institutional Analysis,” Law and Society Association Annual Meeting, Las Vegas, Nevada, June 2, 2005.

“The Variety of Property Regimes for Environmental Protection,” joint plenary presentation at AALS mid-year conferences on Environmental Law and Property Law, Portland, Oregon, June 17, 2004.

“Resolving Property Regime Conflicts,” Florida State University School of Law, Tallahassee, Florida, Nov. 4, 2003.

“The In Rem/In Personam Distinction in Law and Economics,” Annual Meeting of the Midwest Law & Economics Association, Urbana-Champaign, IL, Oct. 11, 2002.

“The Meaning of Property Rights: Law vs. Economics?,” Law & Society Association Annual Meeting, Vancouver, B.C., Canada, May 29, 2002.

“The Complexities of Property-Regime Choice for Environmental Protection,” Cambridge University, Department of Land Economy, March 6, 2002.

“Toward a Total-Cost Approach to Environmental Instrument Choice,” Workshop on the Law & Economics of Environmental Policy, University College, London, Sept. 6, 2001.

“Hohfeld for Economists: How to Distinguish Property Rights from Lesser Entitlements,” “Invited Lecture” to plenary session of 17th Annual Meeting of the European Association of Law and Economics, Gent, Belgium, Sept. 14, 2000.

“When is Command-and-Control an Efficient Regulatory Regime for Environmental Protection?,” Resources for the Future, Washington, D.C., March 15, 2000.

“Environmental Protection in Post-Communist Poland,” presented at the First Annual Harvard Colloquium on International Affairs: “Ten Years after the Fall of the Wall: Transition and Transformation in Eastern Europe and the Former Soviet Union,” Harvard University, Cambridge, Mass, March 11, 2000.

“Cost-Dependent Environmental Instrument Choice: Determining the Relative Efficiency of Regulatory Regimes,” 69th Annual Conference of the Southern Economics Association, New Orleans, Nov. 22, 1999.

“The Importance of Being Comparative,” Inaugural M. Dale Palmer Professorship lecture, Indiana University School of Law at Indianapolis, Oct. 28, 1999.

“The Limited Utility of Property Rights for Environmental Protection,” 4th Annual Cummings Colloquium on Environmental Law: Global Markets for Global Commons: Will Property Rights Save the Planet?, Duke University, Durham, North Carolina, Apr. 30, 1999.

“When is Command-and-Control Efficient? Institutions, Technology, and the Comparative Efficiency of Alternative Regulatory Regimes for Environmental Protection” (with Peter Z. Grossman), 2d annual conference of the International Society for New Institutional Economics, Paris, France, Sept. 19, 1998

“Environmental Protection in Post-Communist Poland: A Legal and Economic Analysis,” 6th Annual Meeting of the American Law and Economics Association, Chicago, Illinois, May 10, 1996.

“Structural Improvements for Environmental Protection in Post-Communist Poland,” Vth World Congress of Central and East European Studies, Warsaw, Poland, August 9, 1995.

“The 1791 Constitution and Polish Democratic Ideals,” a commentary on papers delivered by Professors Andrzej Walicki, W.J. Wagner, and Marek Wierzbowski at the Conference on the Bicentennial of the Polish Constitution of 3 May 1791 and the Tradition of Polish Democracy, sponsored by the Indiana University Polish Studies Center, Bloomington, Indiana, October 7, 1991.

“Poland’s Environmental Crisis: International Legal Policy Implications,” Annual Convention of the American Association for the Advancement of Slavic Studies, Washington D.C., October 21, 1990.

SELECT PROFESSIONAL ACTIVITIES

February 2016. Served on three-day Proposal Review Panel for National Science Foundation, Coupled Natural and Human Systems (CNH) Program, Arlington, VA.

June 1-2, 2012. Organized the Annual Meeting of the Society for Environmental Law & Economics.

Sept. 15, 2010. Participated in roundtable discussion on “Regulation in a Hyper-Partisan Era,” with Richard Revesz, Jonathan Cannon, and E. Donald Elliott, Annual Workshop on Cost-Benefit Analysis and Issue Advocacy, Institute for Policy Integrity, New York University School of Law, New York.

May 2010. Appointed to “Scientific Committee,” MacArthur Foundation/Society for Benefit-Cost Analysis Project on Developing Principles and Standards for Benefit-Cost Analysis. (Subsequently resigned over disagreements about failure of authors to subject aspects of final report relating to discount rates prior to publication.)

Sept. 12, 2007, Discussant, Panel on Cost-Benefit Analysis of Climate Change, Conference on OIRA, the OMB, and Cost-Benefit Analysis, Searle Center, Northwestern University School of Law.

June 13, 2007. Senior Discussant, First Boalt-Harvard-UCLA Workshop for Young Environmental Law Scholars, Harvard Law School, Cambridge, Massachusetts (other Senior Discussants were Dan Farber, Jody Freeman, Ann Carlson, Jonathan Wiener, Richard Lazarus, and Doug Kysar).

October 2003 to March 2005. Member, Board of Electors, Professorship of Land Economy, Cambridge University (appointed by Cambridge University Council).

October 2003. Co-organized (with Nicholas Georgakopoulos) 3d annual meeting of the Midwest Law & Economics Association, Indiana University School of Law, Indianapolis, Indiana.

1999–2000. University Representative to the Indiana Water Quality Advisory Group (appointed by Governor Frank O’Bannon).

August 1997-August 1998. University Representative to the Hoosier Farmland Preservation Task Force (appointed by Governor Frank O’Bannon).

August 1996. Reported to the American Bar Association Central and East European Law Initiative on draft Russian Federation law “On Protection of Ambient Air.”

April 19, 1996. Co-organized and chaired a conference on regulatory takings law, sponsored by the Indiana Civil Liberties Union, the Indiana University School of Law at Indianapolis, and the Eli Lilly Co., Indianapolis, Indiana.

March 31-April 2, 1996. Co-organized (with Tim Wiles) an international conference on environmental protection in post-communist Poland, sponsored by the Indiana University Polish Studies Center and School of Public and Environmental Affairs, Bloomington and Indianapolis, Indiana.

Sept. 13, 1995. Participated in a private conference, sponsored by the Polish Ministry of Environmental Protection and the European PHARE program, on drafting a new basic environmental protection law for Poland. The conference was held in Wrocław, Poland, and was organized by the Polish Environmental Law Association.

Feb. 22 & 27 1995. Testified before the Senate and House Committees of the Indiana General Assembly against, respectively, Senate Bill 509 and amendments to House Bill 1385, which would have prevented the Indiana Department of Environmental Management from adopting regulatory standards more stringent than, or entailing compliance costs greater than, the minimum federal standards. Both measures were defeated in Committee.

SELECTED PROFESSIONAL AFFILIATIONS

American Bar Association (since 1991); Member, International Environmental Law Committee

Public International Law & Policy Group, Washington, D.C. (founding member, since 1994)

Midwest Law & Economics Association (founding member, since 2001)

Society for Environmental Law & Economics (founding member, since 2007)

Board of Advisors, Institute for Policy Integrity, New York University School of Law (2009-2017)

Member, Advisory Committee, Workshop in Political Theory and Policy Analysis, Indiana University, Bloomington (2011-2015); Chair (2012-2014)

Member, Executive Board, Polish Students Center, Indiana University, Bloomington (since 2011).

References, reprints, and book reviews are available upon request.