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LAURA S. UNDERKUFFLER
Curriculum Vitae

Cornell University Law School • 316 Myron Taylor Hall, Ithaca, NY 14853
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HONORS AND AWARDS:

J. DuPratt White Professor, Cornell University, 2009
Arthur Larson Professor, Duke University, 2006
Duke Dean's Prize for Faculty Scholarship, 2003
Duke Distinguished Teaching Award, 2003

ACADEMIC APPOINTMENTS:

CORNELL UNIVERSITY LAW SCHOOL
Associate Dean for Academic Affairs, 2011- present
Professor, January, 2009 - present

DUKE UNIVERSITY SCHOOL OF LAW
Professor, July, 1990 - January, 2009

HARVARD LAW SCHOOL
Visiting Professor, Spring 2005

UNIVERSITY OF PENNSYLVANIA LAW SCHOOL
Visiting Professor, 2000-2001

GEORGETOWN UNIVERSITY LAW CENTER
Visiting Professor, Spring 2000

UNIVERSITY OF MAINE LAW SCHOOL
Godfrey Visiting Professor, Fall 1999
Libra Visiting Professor, Fall 2007
Godfrey Visiting Professor, Fall 2010

PUBLICATIONS:

BOOKS:

CAPTURED BY EVIL: THE IDEA OF CORRUPTION IN LAW (Yale University Press - 2013)

THE IDEA OF PROPERTY: ITS MEANING AND POWER (Oxford University Press - U.K. 2003)

ARTICLES:

Religious Exceptionalism and Human Rights, in *THE ROLE OF RELIGION IN HUMAN RIGHTS DISCOURSE* (Hanoch Dagan, Yedidia Z. Stern, & Shahan Lifshitz eds.) (Tel Aviv: Israeli Democracy Institute, 2014)

Property and Change: The Constitutional Conundrum, 91 *TEXAS LAW REVIEW* 2015 (2013)

Odious Discrimination and the Religious Exemption Question, 32 *Cardozo Law Review* 101 (2011)

The Establishment Clause: Political Metaphor, or Guarantor of Rights?, 89 *Texas Law Review* [See Also] (2011)

Judicial Takings: A Medley of Misconceptions, 61 *Syracuse Law Review* 999 (2011) (symposium issue)

Book Review, *JUDICIAL REVIEW IN THE AGE OF MORAL PLURALISM*, by Ronald C. Den Otter, Cambridge University Press, in [2011] *Public Law* 200 (London School of Economics)

Book Review, *AMERICAN PROPERTY: A HISTORY OF HOW, WHY, AND WHAT WE OWN*, by Stuart Banner, Harvard University Press, in 61 *Journal of Legal Education* 231 (2011)

Open, Notorious, and Continuously Occupied: A Claim for Adverse Possession, *Cornell Journal of Law and Public Policy On-line* (November 16, 2011)

The Politics of Property and Need, 20 *Cornell Journal of Law and Public Policy* 363 (2010)

Takings and the Problem of Value: Grappling with Truth in Land-Restriction Cases, 11 *Vermont Journal of Environmental Law* (forthcoming 2010) (symposium issue)

The Idea of Corruption: Implications for Action, in *CORRUPTION, GLOBAL SECURITY, AND WORLD ORDER* (Harvard Kennedy School Program on Interstate Conflict & American Academy of Arts & Sciences, Robert I. Rotberg ed., 2009)

Property as Constitutional Myth: Utilities and Dangers, 92 *Cornell Law Review* 1239 (2007)

Human Genetics Studies: The Case for Group Rights, 35 *Journal of Law, Medicine & Ethics* 383 (2007) (reprinted, India)

Lessons from Outlaws, 156 *University of Pennsylvania Law Review* (Penumbra) 262 (2007)

Review of Robert M. Fogelson, Bourgeois Nightmares: Suburbia, 1870-1930, 25 *Law and History Review* 426 (2007)

Religious Exemptions and the Common Good: A Reply to Professor Carmella, 110 *West Virginia Law Review* 449 (2007)

Kelo's Moral Failure, 15 *William and Mary Bill of Rights Journal* 377 (2006)

Through a Glass Darkly: Van Orden, McCreary, and the Dangers of Transparency in Establishment Clause Jurisprudence, 5 *First Amendment Law Review* 59 (2006)

The Just and the Wild, 18 *Yale Journal of Law & the Humanities* 171 (2006)

Tahoe's Requiem: The Death of the Scalian View of Property and Justice, 21 *Constitutional Commentary* 727 (2004) [2006]

School Vouchers, THE ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES (Routledge, 2006)

Telling Property Stories, 55 Journal of Legal Education 152 (2005) (reviewing PROPERTY STORIES, Gerald Korngold & Andrew P. Morriss, eds., 2004)

Davie and the Limits of Equality, 40 Tulsa Law Review 101 (2004) (symposium)

Thoughts on Smith and Religious-Group Autonomy, 5 Brigham Young University Law Review 1773 (2004) (symposium)

The “Blaine” Debate: Must States Fund Religious Schools?, 2 First Amendment Law Review 179 (2003)

Moral Rights, Judicial Review, and Democracy: A Response to Horacio Spector, 22 Law and Philosophy 335 (2003)

Public Funding for Religious Schools: Difficulties and Dangers in A Pluralistic Society, 27 Oxford Review of Education 577 (2001) (symposium - issues of government funding of religious schools in the United Kingdom, Europe, and the United States)

Religion, History, and the Constitution, 16 Journal of Law and Religion 559 (2001) (reviewing RELIGION AND THE CONTINENTAL CONGRESS, 1774-1879: CONTRIBUTIONS TO ORIGINAL INTENT, by Derek H. Davis (2000))

The Price of Vouchers for Religious Freedom, 78 University of Detroit Mercy Law Review 463 (2001) (symposium)

When Should Rights Trump? An Examination of Speech and Property (adapted from Edward S. Godfrey Endowed Lecture), 52 Maine Law Review 2 (2000)

Vouchers and Beyond: The Individual as Causative Agent in Establishment Clause Jurisprudence, 75 Indiana Law Journal 155 (2000) (symposium)

Agentive and Conscientious Decisions in Law: Death and Other Cases, 74 Notre Dame Law Review 101 (1999)

El Concepto de Corrupción (The Nature of Corruption), in FRATURAS EN LA GOBERNABILIDAD DEMOCRÁTICA (Raúl Urzúa and Felipe Agüero eds.) (Santiago: Universidad de Chile, Centro de Análisis de Políticas Públicas, 1998)

Religious Guarantees in a Pluralistic Society: Values, Problems, and Limits, 12 South African Public Law 32 (1997)

Takings and the Nature of Property, 1X Canadian Journal of Law and Jurisprudence 161 (1996)

Property: A Special Right, 71 Notre Dame Law Review 1033 (1996)

Yoder and the Question of Equality, 25 Capital University Law Review 789 (1996) (symposium)

The Separation of the Religious and the Secular: A Foundational Challenge to First Amendment Theory, 36 William and Mary Law Review 837 (1995)

The Perfidy of Property, 70 Texas Law Review 293 (1991)

Individual Conscience and the Law, 42 De Paul Law Review 93 (1992) (symposium)

On Property: An Essay, 100 Yale Law Journal 127 (1990), reprinted in II PROPERTY LAW - THE INTERNATIONAL LIBRARY OF ESSAYS IN LAW AND LEGAL THEORY (Elizabeth Mensch and Alan Freeman eds.) (New York: New York University Press 1992)

Discrimination on the Basis of Religion: An Examination of Attempted Value Neutrality in Employment, 30 William and Mary Law Review 581 (1989)

SELECTED ADDRESSES AND PROFESSIONAL ACTIVITIES:

Presentation and Debate, *Can Religious Freedom and Progressive Politics Co-Exist?*, Hot Topics: Cool Talk, Murphy Institute University of St. Thomas Law School (March 14, 2014)

Presentation and Debate, Legal Treatment of Common-Law Resource Pools (with Katrina Wyman and Peter M. Gerhart). Case Western Reserve University Law School Podcast (June 19, 2013)

Paper Presentation, *Property from a Theoretical Point of View: The Idea of Progressive Property*, Plenary Session - Annual Meeting of the Association for Law, Property, and Society, Minneapolis, Minnesota (April 26, 2013)

Paper Presentation, *Property and Constitutional Interpretation*, Symposium on Constitutional Interpretation, University of Texas Law School (February 15, 2013)

Chair and Discussant, Conference: *Religious Revival in a Post-Multicultural Age*, co-sponsored by the McGill Centre for Human Rights and Legal Pluralism & the Minerva Center for Human Rights, Tel Aviv University, in Montreal, Canada (January 28, 2011)

Paper Presentation, *Property and Poverty*, SEALS Conference (July 26, 2011)

Issue Brief, *An Evolving Landscape: The Ibanez Case and Beyond* (with Peter Pitegoff), American Constitution Society (September, 2011)

Paper Presentation, *Smith, Religious Exemptions, and Civil Rights Laws*, at Symposium: *Twenty Years After Employment Division v. Smith: Assessing the Twentieth Century's Landmark Case on the Free Exercise of Religion*, sponsored by Cardozo Law School & the Floerscheimer Center for Constitutional Democracy, New York, New York (Oct. 7, 2010)

Paper Presentation, *The Question of the Commons: Is There Too Much Property?*, Brigham-Kanner Property Rights Conference, College of William & Mary Law School (October '1, 2010)

Paper Presentation, *The Role of Illusion in Establishment Clause Jurisprudence*, Annual Law & Religion Conference, New York, NY (June 25, 2010)

Lunch Speaker, *The Norms of the Mortgage Crisis: Property and Contract*, AALS Mid-Year Property Conference, New York, New York (June 11, 2010)

Paper Presentation, *Evil and Corruption*, Faculty Workshop, DePaul University Law School (March 8, 2010)

Plenary Speaker, *Progressive Property*, Annual Meeting of the Association for Law, Property, and Society (March 5, 2010)

Invited Lecture, *The Role of Property Theory in Law*, University of Oslo, Norway (May, 2009)

Invited Lecture, *The Troubled History of Church and State in the United States*, University of Oslo (May, 2009)

Paper Presentation, *Funding Faith*, Princeton University (May 29, 2008)

Paper Presentation, *The Idea of Corruption in Law*, Queen's University, Ontario, Canada (March 17, 2008)

Paper Presentation, *A Question of Distributive Justice*, Conference - Comparative Property Law, University of Durham, England (July 18, 2007)

Paper Presentation, *The Myth of Constitutional Property*, Conference - Techniques of Ownership, London School of Economics (July 21, 2007)

Paper Presentation, *Takings and the Legacy of Margaret Jane Radin*, Fourth Annual Brigham-Kanner Property Rights Conference, William & Mary Law School (October 6, 2007)

Paper Presentation, *Religious Exemptions and the Common Good*, Symposium - The Religion Clauses in the 21st Century, West Virginia University College of Law (April 13, 2007)

Commentator, Power and Property Rights: 21st Century Land Reforms Conference, Andrew W. Mellon

Foundation Seminar on the Changing Nature of Land, University of North Carolina - Chapel Hill (October 26, 2007)

Paper Presentation, *A Theory of Corruption*, Boston University Law School (November, 2006)

Invited Address, *The Establishment Clause: Van Orden, McCreary, and a Reconstituted Court*, University of North Carolina Law School (February, 2006)

Invited Address, *Teaching Property from Transnational Perspectives*, AALS Conference, Washington, D.C. (January, 2006)

Paper Presentation, *The Just and the Wild in Property*, Yale Law School (November, 2005)

Paper Presentation, *The Idea of Corruption*, Annual Meeting of the European Society of Criminology, Cracow, Poland (August 2005), and Corruption Conference, Hebrew University, Jerusalem (June, 2005)

Paper Presentation, *Captured by Evil: The Idea of Corruption in Law*, Faculty Workshop at Harvard Law School (May, 2005), Faculty Workshop at University of California - Davis School of Law (October, 2005), and Legal Studies Workshop at the University of Virginia School of Law (November, 2005)

Invited Address, *Van Orden v. Perry and McCreary v. ACLU: Ten Commandments and Government*, Princeton University (May, 2005)

Invited Address, *Property and Human Dignity*, First Annual Brigham-Kanner Property Rights Conference, William & Mary College Law School (in honor of Prof. Frank Michelman) (November, 2004)

Paper Presentation, *Property, Privacy, and Genetic Information*, Conference in Bioethics, Genetics, and Group Rights, Arizona State University (October, 2004)

Paper Presentation, *Tahoe's Requiem*, 2nd Annual Constitutional Theory Conference, NYU Law School (October, 2004)

Paper Presentation, *Tahoe's Requiem*, Faculty Workshops at the University of Connecticut Law School (February, 2005), Seton Hall University Law School (October, 2004) and University of Indiana-Indianapolis School of Law (September, 2004)

Paper Presentation, *Comparative Law and Takings*, plenary session of the AALS Conference on Environmental and Property Law, University of Oregon (June, 2004)

Paper Presentation, *Church Autonomy and Free Exercise*, Conference on Church Autonomy, Brigham Young University Law School (February, 2004)

Paper Presentation, *The Idea of Property*, Faculty Workshop, University of North Carolina Law School (January, 2004)

Point/Counterpoint on Takings and Property, with Prof. Carol Rose, University of Maine Law School (September, 2003)

Paper Presentation, *The Post-Zellman Landscape: State Funding of Religious Schools*, University of Maine School of Law (September, 2003)

Paper Presentation, *State "Blaine" Amendments: Are They Constitutional?*, University of North Carolina Law School and Pew Forum on Religion and Public Life (March, 2003)

Paper Presentation, *Visions of Property in Takings Cases: A Question of Justice*, Fourth Annual Duke Public Law Conference (December, 2002)

Radio Address, *The Political and Social Idea of Property*, with Prof. James Ely, Chicago Public Radio (December, 2002)

Paper Presentation, *A Reply to Horacio Spector*, Workshop in Law and Philosophy, University of North Carolina (October, 2002)

Presentation, *The Meaning of Property*, ITT Chicago-Kent School of Law (October, 2002)

Commencement Address, *Law and Conscience*, University of Maine School of Law (May, 2002)

Paper Presentation, *Vouchers, Individual Choice, and State Neutrality: Hidden Dangers for Religious Freedom*, University of Detroit Mercy School of Law (October, 2000)

Member of Study Team, *Workshop on Corruption and International Law*, Duke University School of Law (November, 2000)

Edward S. Godfrey Fund Lecture, *Property: A Special Right?*, University of Maine School of Law (November, 1999)

Paper Presentation, *Vouchers and Beyond: The Individual as Causative Agent in Establishment Clause Jurisprudence*, Indiana University School of Law - Bloomington (April, 1999)

Panelist, *Roundtable on Legal Theory: History, Philosophy, Aesthetics, and Post - Modernism in Property Law and Rhetoric*, Working Group on Law, Culture, and the Humanities, Georgetown University Law Center (March, 1998)

Paper Presentation, *Property Rights and Religious Freedom Issues Under the New South African Constitution*, University of South Africa, Pretoria (October, 1996)

Paper Presentation, *Theories of Corruption*, Conference on Issues in Democratic Governance, Universidad de Chile, Santiago, Chile (July, 1996)

Paper Presentation, *Property Theory and Chinese Rights in Property*, Workshop on Chinese Rights in Property, Columbia University (May, 1996)

Member of Study Team, *Environmental Reform: The Next Generation Project*, Yale Law School and Yale Center for Environmental Law and Policy (May, 1996)

Chair, Section on Constitutional Protection of Property, *International Colloquium: Property Law on the Threshold of the 21st Century*, Rijksuniversiteit Limburg, Maastricht, the Netherlands (August, 1995)

Member of Study Team, Corruption and Democratic Governance Issues, Office of the Attorney General, Caracas, Venezuela (May, 1993)

Paper Presentation, *What Is Corruption?*, Overseas Development Council, Washington, DC (March, 1993)

Paper Presentation, *The Separation of the Religious and the Secular: An Inquiry*, Faculty Workshop of New York University School of Law (January, 1992)

Paper Presentation, *Conscience and the Law*, Center for Law and Religion, De Paul University (symposium) (December, 1991)

Paper Presentation, *The Justice Content of Property*, Cleveland-Marshall School of Law (symposium) (October, 1991)

PROFESSIONAL EXPERIENCE:

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Fellow, 1993

South America - study of the concept of corruption

UNITED STATES SENATE

Special Counsel, 1991 - 1992

Legal advisor for Senator Paul Wellstone

YALE LAW SCHOOL

Tutor in Law, 1988 - 1990

Research Fellow, 1987 - 1988

ADVISORY COMMITTEE TO THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

Member, 1984 - 1986

MINNESOTA STATE PUBLIC DEFENDER (APPELLATE DIVISION)

Attorney, 1985 - 1986

Representation of indigent persons convicted of felonies on appeal in federal and state courts

MEAGHER, GEER, MARKHAM, ANDERSON, ADAMSON, FLASKAMP, & BRENNAN

Attorney, 1979 - 1985

Partner, 1985

Head of appellate department; briefed and argued more than 30 appeals in federal and state courts

HONORABLE GERALD W. HEANEY
UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT
Law Clerk, 1978 - 1979

ACADEMIC PREPARATION:

YALE LAW SCHOOL
Doctor of the Science of Law, 1994
Master of Laws, 1987

- Honors in 20 of 24 credit hours

WILLIAM MITCHELL COLLEGE OF LAW
Juris Doctor, 1978

- Magna Cum Laude

CARLETON COLLEGE
Bachelor of Arts, 1974

- Degree conferred “with Distinction” in major fields of study (urban studies, political science)
- Magna Cum Laude
- Phi Beta Kappa and Mortar Board (National Women’s Honor Society)