

Thomas F. Burke

Jane Bishop '51 Associate Professor, Political Science
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Academic Positions

Associate Professor, Wellesley College, 2002-
Visiting Scholar, Center for the Study of Law and Society, UC-Berkeley, 2007
Visiting Professor, Harvard University, 2006
Research Fellow, Robert Wood Johnson Scholars in Health Policy Research Program,
UC-Berkeley, 2001-2003
Assistant Professor, Wellesley College, 1996-2002
Research Fellow, The Brookings Institution, 1993-4

**Publications
(Volumes)**

Lawyers, Lawsuits and Legal Rights: The Struggle Over Litigation in American Society,
(Berkeley: University of California Press, 2002).

Reason in Law, updated 7th ed., with Lief Carter (New York: Pearson, 2007); 6th and 7th
eds. with Lief Carter (New York: Longman, 2002, 2005).

**Publications
(Articles)**

"Is There an Empirical Literature on Rights?" with Jeb Barnes; forthcoming, *Studies in
Law, Politics and Society*.

"Political Regimes and the Future of the First Amendment," *Studies in Law, Politics and
Society* 44 (2008) 107-139.

"The Diffusion of Rights: From Rights on the Books to Organizational Rights Practices,"
with Jeb Barnes, *Law and Society Review* 40, no.3 (Fall 2006), 493-524.

"The European Union and the Diffusion of Disability Rights," in eds. Martin Levin and
Martin Shapiro, *Transatlantic Policymaking in an Age of Austerity* (Washington
D.C: Georgetown University Press, 2004).

"Judicial Implementation of Statutes: Three Stories About Courts and the Americans with

Disabilities Act,” in eds. Mark Miller and Jeb Barnes, *Making Policy, Making Law: An Interbranch Perspective* (Washington D.C.: Georgetown University Press, 2004), 123-138.

“Corruption Concepts and Federal Campaign Finance Law,” (Revised and updated version of “Concept of Corruption” article) in eds. Arnold Heidenheimer and Michael Johnston, *Political Corruption: A Handbook*, 3rd ed. (New Brunswick: Transaction Press, 2002), 645-664.

"The Rights Revolution Continues: Why New Rights are Born (and Old Rights Rarely Die)," *University of Connecticut Law Review* 33, no.4 (Summer 2001): 1259-1274.

"On the Resilience of Rights," in eds. Martin Levin, Marc Landy and Martin Shapiro, *Seeking the Center: Politics and Policymaking at the New Century* (Washington DC: Georgetown University Press, 2001), 172-190.

"The Concept of Corruption in Campaign Finance Law," *Constitutional Commentary* 14, no. 1 (Spring 1997):127-149. Reprinted in ed. Frederick G. Slabach, *The Constitution and Campaign Finance Reform: An Anthology* (Durham, North Carolina: Carolina Academic Press, 1998), 201-214.

"The Americans With Disabilities Act: On the Rights Track," in ed. Pietro Nivola, *Comparative Disadvantage? Domestic Social Regulations and the Global Economy* (Washington DC: The Brookings Institution, 1997), 242-318.

Publications (Book reviews)

Review of *Dying Right: The Death with Dignity Movement* by Daniel Hillyard and John Dombink, in *Law and Politics Book Review* 12:1 (January 2002) 34-37.

Review of *Crippled Justice: The History of Modern Disability Policy in the Workplace* by Ruth O'Brien, in *Perspectives on Politics* 1:1 (March 2003) 192-193.

Works in Progress (Volumes)

Law in Action, with Douglas Reed (contract with Pearson Longman publishers).

Reason in Law, 8th edition, with Lief Carter

(Papers)

“The Mobilization and Diffusion of Rights: Organizational Responses to Accessibility Laws” (with Jeb Barnes; revise and resubmit, *Law and Society Review*)

“The Bush Administration and the Uses of Judicial Politics” (with Nancy Scherer; paper for upcoming Gordon Center for Public Policy book)

“The Politics of Adversarial Legalism, a Preliminary Inquiry” (working paper with Jeb Barnes for celebration of Bob Kagan scholarship)

“The Globalization of Disability Rights” (working paper)

Papers Given

“The Politics of Adversarial Legalism,” with Jeb Barnes, conference to celebrate the Scholarship of Bob Kagan, Center for the Study of Law and Society, UC-Berkeley, September 2008, Berkeley, California.

“Making Way: The Mobilization and Diffusion of Disability Access Rules,” with Jeb Barnes, Law and Society Annual Meeting, May 2008, Montreal, Canada.

“The Bush Administration and the Uses of Judicial Politics,” with Nancy Scherer, Gordon Center for Public Policy Conference, Brandeis University, Waltham, Massachusetts, May 2008.

“The Path of the Law: The Mobilization and Diffusion of Disability Access Rules,” with Jeb Barnes, Robert Wood Johnson Scholars in Health Policy Seminar, Berkeley California, October 2007; Bag Lunch Speaker Series, Center for the Study of Law and Society, Berkeley California, October 2007

“How Organizations Translate Rights into Practices” with Jeb Barnes, Law and Society Association Annual Meeting, Berlin, Germany, July 2007

“Three Politics of Injury,” Journal of Policy History Annual Conference, Charlottesville, Virginia, June 2006; American Politics Seminar, Brigham Young University, March 2006

“The Bush Administration and the Uses of Judicial Politics,” Gordon Center for Public Policy Seminar, Brandeis University, April 2006

“The Diffusion of Rights.” American Political Science Association, Washington DC, September 2005; Western Political Science Association, Oakland, California, March 2005

“What Do (Disability) Rights Do?” American Political Science Association, Boston,

Massachusetts, September 2002, and Law and Society Association, Vancouver, British Columbia, May 2002.

"Anti-Litigation Politics," Law and Society Association, Vancouver, British Columbia, May 2002

"Rights Abounding: The Global Diffusion of Disability Rights," Western Political Science Association, Long Beach, California, March 2002; and Comparative Politics of Public Policy Seminar, Brandeis University, Boston, Massachusetts, December 2001.

"On the Birth and Death of Rights: The Case of the ADA Entitlement," Symposium on Social Security: Privatization and Reform, University of Connecticut Insurance Law Center, Hartford, Connecticut, April 2001.

"The Rights Revolution Continues," Symposium on Regulation by Litigation, University of Connecticut Law School, Hartford, Connecticut, March 2001.

"Regulation by Litigation," Seminar on Regulation, Kennedy School of Public Policy, Harvard University, Boston, Massachusetts, December 2000.

"On the Resilience of Rights," Political Science Department, University of California-Berkeley, November 2000.

"Rights At Work? Rights and Comparative Disability Policy," Law and Society Association, Chicago, Illinois, May 1999.

"On the Resilience of Rights," Law and Society Association, Aspen, Colorado, June 1998, and U.S. Politics Workshop, Harvard University Government Department, Cambridge, Massachusetts, May 1998.

"Rights Reconsidered," New Politics of Public Policy Conference, Boston College, Boston, Massachusetts, November 1997.

"Thinking Like a Lawyer: Effects of Law School on Social, Political and Professional Attitudes," Law and Society Association, St. Louis, Missouri, May 1997.

"Causes and Consequences of the Turn to Rights in Disability Policy," University of Massachusetts-Amherst Political Science Department Seminar, Amherst, Massachusetts, November 1997; Society for Disability Studies, Minneapolis, Minnesota, May 1997.

"Assessing the Power of 'Rights Talk,'" New Politics of Public Policy Seminar, Brandeis University, Waltham, Massachusetts, March 1997.

"Litigation and Social Change: The Case of Disability Rights," Northeastern Political Science Association, Boston, Massachusetts, November 1996, and the Harvard Seminar on Courts, Cambridge, Massachusetts, February 1997.

"The Concept of Corruption in Campaign Finance Law," Western Political Science

Association, San Francisco, California, March 1996.

"The Americans With Disabilities Act," Brookings Institution Conference on Social Policy, Washington, D.C., January 1996.

"On The Rights Track: The Americans With Disabilities Act and the Litigious Turn In Disability Policy," American Political Science Association, Chicago, Illinois, September 1995.

"What Do Lawyers Want? Attorney Interest Groups and the Case of No-Fault Auto Insurance," Law and Society Association, Toronto, Ontario, June 1995.

"The Roots of American Litigiousness: A Case Study of the Vaccine Injury Compensation Fund," Midwestern Political Science Association, Chicago, Illinois, April 1995.

"What Makes America Sue? The Case of No-Fault Auto Insurance," Research in Progress Seminar, Brookings Institution, Washington DC, December 1993.

"Legalism and American Politics," UC-Berkeley Summer Institute for Social Science Theory, July 1992.

"Toasters, Television and Regulatory Theory: The Politics of the Fairness Doctrine," Institute of Governmental Studies Seminar, March 1991.

Education

Ph.D., Department of Political Science, University of California, Berkeley, 1996
(Dissertation Committee: Robert A. Kagan, Nelson Polsby, Martin Shapiro, Hanna Pitkin)

M.A., Department of Political Science, University of California, Berkeley, 1991

B.A., *summa cum laude*, School of Journalism and Mass Communication, University of Minnesota, Minneapolis, 1988

Honors and Awards

Jane Bishop '51 Associate Professor Chair, Wellesley College
Edwin S. Corwin Award, best dissertation in the subfield of public law, American Political Science Association, 1996-97
Best Dissertation, Western Political Science Association, 1996
Mildred McAfee Horton Faculty Research Award, Wellesley College, 1996, 1998, 1999, 2000, 2001, 2003, 2006
Outstanding Teacher Award, UC-Berkeley, 1991
Elected Phi Beta Kappa, 1987

Professional Activities

Co-Organizer, Northeast Law and Society Association Annual Meeting, 2007 and 2008

Reviewer, Cambridge University Press, Oxford University Press, Cornell University Press, University of Virginia Press, *Law and Society Review*, *Law and Social Inquiry*

Editorial Board, *Law and Society Review*, 2003-2006; *Law and Social Inquiry*, 2001-2004

Herbert Jacob Prize Committee, Law and Society Association; Article Prize Committee, Law and Society Association, 2002

Coordinator, Public Law Section, New England Political Science Association 2001 annual meeting

Member, American Political Science Association, Law and Courts Section, Law and Society Association, Society for Disability Studies