

Barbara H. Fried
Stanford Law School
Stanford, CA 94305
(650) 723-2499
bfried@stanford.edu

EMPLOYMENT

1987-present William W. and Gertrude H. Saunders Professor of Law, Stanford Law School (2003-); Professor of Law and Deane Johnson Faculty Scholar (1993-2003); Associate Professor (1991-93); Assistant Professor (1987-91).

Subjects taught: contracts, federal income taxation, legal theory, tax policy, distributive justice, property, property theory.

Fall 2002 Visiting Professor, NYU Law School.

1998-1999 Visiting Professor, NYU Law School.

1984-1987 Associate, Paul Weiss Rifkind Wharton and Garrison, New York City (tax department).

1983-1984 Law clerk, The Hon. J. Edward Lumbard, U.S. Court of Appeals, Second Circuit.

EDUCATION

1980-1983 HARVARD LAW SCHOOL Cambridge, Mass.
J.D. magna cum laude.

1978-1980 HARVARD UNIVERSITY Cambridge, Mass.
M.A., English and American Literature.

1974-1977 HARVARD UNIVERSITY Cambridge, Mass.
B.A. magna cum laude, English and American Literature.

HONORS
and AWARDS
(legal)

John Bingham Hurlbut Award for Excellence in Teaching,
Stanford Law School, 1991, 2000, 2006
Deane Johnson Award for Excellence in Teaching and
Research, 1996

HONORS
and AWARDS
(nonlegal)

Phi Beta Kappa, Radcliffe College.
George B. Sohler Prize, Harvard University, for best
thesis in English or Modern Literature.
LeBaron Russell Briggs Prize, Harvard University, for best thesis
in English or American Literature.

PUBLICATIONS

The Progressive Assault on Laissez Faire: Robert Hale and the
First Law and Economics Movement (Harvard University Press,
1998).

“Begging the Question with Style: Anarchy, State and
Utopia at Thirty Years” (Social Philosophy and Policy, 22:1,
Winter 2005), reprinted in Natural Rights Liberalism from Locke
to Nozick (E. F. Paul, F. Miller, J. Paul, eds., Cambridge
University Press, 2005).

“Left-Libertarianism, Once More: A Rejoinder to Vallentyne,
Steiner and Otsuka,” Philosophy & Public Affairs, 33:2, 216-22
(Spring 2005).

“Moral Heuristics and the Ends/Mean Distinction: A Reply to
Sunstein” (forthcoming, Brain and Behavioral Sciences, spring
2005).

“Left-Libertarianism: A Review Essay,” Philosophy and Public
Affairs, 32:1, 66-92 (winter 2004).

“Ex Ante/Ex Post,” Journal of Law and Contemporary Issues,
13:1, 123-160 (2003).

“Proportionate Taxation as a Fair Division of the Social Surplus:
The Strange Career of an Idea” (Economics and Philosophy, 19:2,
211-239 (2003).

“‘If You Don’t Like It, Leave It’: the construction of exit options
in social contractarian arguments,” Philosophy and Public Affairs,
31:1, 40-70 (Winter 2003).

"Why Proportionate Taxation?," in Tax Justice Reconsidered: The Moral and Ethical Bases of Taxation (ed. Joseph J. Thorndike and Dennis J. Ventry, Jr. (Urban Institute Press, 2002).

"Robert Hale," Routledge Encyclopedia of Philosophy (2001).

"As Compared to What? Taxing Brute Luck and Other Second-Best Problems," 53 *Tax Law Review* 377 (1999).

"The Puzzling Case for Proportionate Taxation," 2 *Chapman Law Review* 157 (1999).

"Who Gets Utility from Bequests? The Distributive and Welfare Implications for a Consumption Tax," 51 *Stanford Law Review* 641 (1999).

"Winners and Losers in the Shift to a Consumption Tax," 86 *Georgetown Law Journal* 539 (January 1998) (with Joseph Bankman).

"Why Not a Flat Tax?," Boston Review (Summer 1996) (with Joseph Bankman).

"Wilt Chamberlain Revisited: Nozick's 'Justice in Transfer' and the Problem of Market-Based Distribution," Philosophy and Public Affairs 24:3 (Summer 1995).

"Fairness and the Consumption Tax," 44 *Stanford Law Review* 961 (May, 1992), reprinted in Tax Law, Vol. II, International Essays in Law and Legal Theory (Dartmouth Publishing, 1996).

Domestic Partner Benefits: A Case Study (monograph published by College and University Personnel Association, 1993).

WORKING PAPERS

"Risks and Rights" (with Mark Kelman).

"Reclaiming the Game: A Review Essay"

PUBLICATIONS (nonlegal)

The Spider in the Cup: Yoknapatawpha County's Fall Into the Unknowable (Harvard University Press, 1978).

Biological Woman (Schenkman Publishing/G.K. Hall, 1982),
editor and contributing author (a collection of essays on biology
and women's issues).

Academic
Presentations

Tobias Simon Distinguished Lecturer, Florida State Law School
(April 2006)

University of Michigan Faculty Workshop (March 2006)

University of Pennsylvania Faculty Workshop (February 2006)

University of San Diego Faculty Workshop (January 2006)

University of Chicago, Law and Philosophy Workshop (May
2004)

Philosophy Talk (KALW Radio) (April 2004)

UCLA Law and Philosophy Workshop (January 2004)

Berkeley GALA (December 2003)

Conference on Natural Rights Liberalism: From Locke to Nozick
(Bowling Green, Sept. 2003)

Symposium on Human Rights and Welfare Economics, Harvard
University (March 2003)

University of San Diego, Institute on Law and Philosophy,
Conference on Legal Transitions (October 2002)

NYU Law School Faculty Workshop (November 2002)

Michigan Law School Faculty Workshop (November 2002)

Boston University Law School Faculty Workshop (March 2002)

Columbia Legal Theory Workshop (December 2001)

Harvard Legal Theory Workshop (October 2001)

NYU Colloquium in Law, Philosophy and Political Theory
(October 2001)

Commentator, Stanford-Yale Junior Faculty Forum (June 2001)

Panelist, Yale Law School Tercentennial Conference (April 2001)

Commentator, Wesson Lectures by Amartya Sen (on Democracy
and Social Justice) (Stanford, January 2001)

Conference on First Principles in Collective Decision-Making,”
SUNY-Buffalo Baldy Center (August 2000)

American Law and Economics Association, Annual Meeting, May
2000 (chair of tax panel)

Vanderbilt Law School Faculty Workshop (February 2000)

NYU Law School Faculty Workshop (November 1999)

University of Virginia Faculty Workshop (October 1999)

Quinnipiac College School of Law, Conference on Law and
Philosophy (October 1999)

Harvard Law School Tax Policy Conference (August
1999)(commentator)

Yale Legal History Workshop (April 1999)

Columbia Law School, Faculty Workshop (March 1999)

Federalist Society Conference (March 1999)(panelist)

NYU Tax Policy Colloquium (January 1999)

Chapman Law School, Tax Policy Conference (November 1998)

ABA Tax Section (Washington DC)(October 1998)

NYU Tax Law Review Symposium on Wealth Taxation (October
1998) (commentator)

SUNY-Buffalo Tax Conference (fall 1997)

Miami Law School, faculty workshop (spring 1997)

Yale Law School, Legal Theory Workshop (spring 1995)

U.C. Davis, Program in Ethics and Philosophy (spring 1995)

UCLA/Lake Arrowhead Tax Conference (May, 1994)(commentator)

SUNY-Buffalo Law School, Legal Theory Workshop (October, 1993)

Columbia Law School, Legal Theory Workshop (March 1993)

ABA Section of Taxation, February 1993 meeting (commentator)

Harvard Law School Tax Policy Conference (summer 1992)

Speaker, Faculty Panel on Legal Biography, Stanford Centennial (fall, 1992)

USC Faculty Workshop (fall 1991)

OTHER

Review Editor, Philosophy and Public Affairs (December 2003-).

Member, Editorial Board, Stanford University Press (2001-2004).

Member, Ethics in Society Steering Committee, Stanford University (2003-).

Board of Advisors, Jurists Series, Stanford University Press.

Member, University Committee on Faculty and Staff Benefits (1991-1994).

Chair, Subcommittee on Domestic Partners' Benefits, University Committee on Faculty and Staff Benefits (1991-1992).