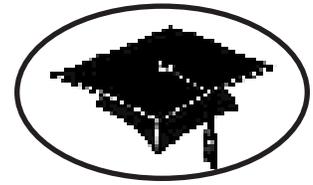

Berkeley Emeriti

TIMES



January 2008

Professor John Yoo

Boalt School of Law

“Presidential Power in Emergencies”

Saturday, January 26, 2008

Born in Korea, John Yoo moved to the U.S. as an infant. As a teenager in Philadelphia, he went to a school modeled on the English public school system which included six years of Latin and four of Ancient Greek.

Professor Yoo received his B.A., *summa cum laude*, in American History from Harvard University and received his J.D. from Yale Law School where he was an articles editor of the *Yale Law Journal*. He then clerked for Judge Laurence H. Silberman of the U.S. Court of Appeals of the D.C. Circuit.

Professor Yoo joined the Boalt faculty in 1993. From 1994-96 he clerked for Supreme Court Justice Clarence Thomas and served as general counsel of the U.S. Senate Judiciary Committee. Returning to Washington in 2001, he served as a Deputy Assistant Attorney General in the Office of Legal Counsel at the U.S. Department of Justice, where he worked on issues involving foreign affairs, national security and the separation of powers.

Professor Yoo has been a visiting professor at the University of Chicago and the Free University of Amsterdam and held the Fulbright Distinguished Chair in Law at the University of Trento, Italy, in 2006. He has received research fellowships from the University of California, Berkeley, the Olin and Rockefeller Foundations, and is a visiting scholar at the American Enterprise Institute. Professor Yoo also has received the Paul M. Bator Award for excellence in legal scholarship and teaching from the Federalist Society for Law and Public Policy. He has testified before the judiciary committees of the U.S. Senate and House of Representatives, and has advised the State of California on constitutional issues.

Regarded as one of the nation’s outstanding instructors, his regular courses cover constitutional and international law. Professor Yoo has published articles about foreign affairs, international law and constitutional law in a number of the nation’s leading law journals. He is the author of *The Powers of War and Peace: The Constitution and Foreign Affairs after 9/11* (University of Chicago Press, 2005), and *War by Other Means: An Insider’s Account of the War on Terrorism* (Grove/Atlantic 2006).

Although often traveling, John and his wife Elsa, a former journalist, enjoy roaming the nooks and crannies of Berkeley from Cesar Chavez in the marina to Tilden in the hills.

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ADVOCATING THE DEMOCRATIZATION OF SCIENCE

On November 17, 2007, Professor Louise Fortmann of the Department of Environmental Science Policy and Management, Division of Society and Environment, presented a talk with the ponderous title “Doing Science Together: Why Professional Science Alone Won’t Save the Planet and How to do Participatory Research That Just Might Do So.” Her eleven-year experience in Africa doing research focused on property, gender and poverty in agricultural and natural resource management has convinced her of the value of participatory research in which indigenous people share in scientific investigations.

A basic concept of her call for democratization of science is that all people possess and produce knowledge and that conventional scientists will benefit the future of the planet if they respect this knowledge, much of which is local, or as she characterized it “embedded.” It is this local, contextual knowledge that, partnered with conventional science, offers promise for developing healthy ecosystems and people.

Her critique that conventional science is influenced by power relationships may have some validity, but is contrary to the long term experience of western science and its professed ethos that facts, not persons, rule. Also it was not clear what group of scientists she sees as rejecting practical knowledge. For example, plant science texts give great credit to the domestication of food plants by indigenous people in the Americas, an achievement Professor Fortmann surprisingly did not mention.

She challenged her listeners by having them submit definitions of science. Some were insightful, some amusing (also insightful), such as “Science is the discipline with the best salaries and largest grants!” It seems that there is confusion. One questioner made a distinction between knowledge derived from long experience and scientific knowledge, stating that the former is not scientific knowledge.

Professor Fortmann’s vehement criticism of Garrett Hardin’s 1968 *Science* article, “The Tragedy of the Commons” was interesting and provocative. Since Hardin presented no data, Fortmann asserts that it did not deserve publication in *Science*, and she believes it has been very harmful because it seems to suggest only privatization or government regulation as solutions. There were lively responses, one stating that the article was a metaphor, an editorial comment, and another describing the essay as a thought experiment, a respected practice in science. This reviewer looked again at the 1968 article. Hardin argues there that there are certain problems not susceptible to technical solutions. We may know that our atmosphere and the San Francisco Bay are in trouble because of our technical prowess, but the cause of their pollution lies in our treatment of them as a common. Hardin sees his thesis as a counter to Adam Smith’s invisible hand. Did Adam Smith present data?

Larry Waldron

...Grew in Brooklyn

If your rented Santa has suddenly come down with the flu and you are standing there with a Santa suit, put in a hurried phone call to George Goldman, First Vice President of the Emeriti Association Executive Committee. He hasn't the girth, but the twinkle in his eyes should charm your party, and he comes with a real beard.

George was born and raised in Brooklyn, which to a native Californian has the siren calls of Flatbush, the Dodgers and playing stickball in the street. The most important early influence in his life was the local public library. In retirement he volunteers at the Friends of the Berkeley Library bookstore and probably has eight or so books at home waiting to be read.

As one of those precocious New York City kids, he passed the entrance examination to Brooklyn Tech High School. Later he attended NYU Engineering School where 2000 boys attended, divided up between pre-med and engineering. He chose engineering and later went to the Sloan School at MIT in business and engineering and came Berkeley for graduate work in Mathematical Statistics. Eventually, he became an economist for Cooperative (Agricultural) Extension. To me Extension is a brochure on savories, with a killer recipe for chutney. However, Extension also does projects for California cities, counties and regions on the economic impacts of specific changes, real or hypothetical, using the Leontief Input-Output Model. An interesting example on which George worked was the closing of the state mental hospital in Talmadge, which had provided about a thousand jobs in the Ukiah area. It is now the City of 10,000 Buddhas, and you may have a very good vegetarian lunch there if you're traveling up Highway 101.

All of us have an *almost* moment. George's was on Pyramid Peak in Desolation Valley where a weather change left him alone overnight.

After retirement George has ventured into areas distant from his professional life including lawn bowling, learning to play the violin and, last summer, attending the Valley of the Moon music camp near Santa Cruz which focuses on Scots folk music. In addition George and his wife, Ann, are frequent renters at Netflix following a genre, actor or recapturing an era through period flicks.

Holiday Enjoyment for Yourself or Others

Time and Materials: Poems, 1997 - 2005 by Robert Hass (Ecco Press, \$22.95). Winner of the 2007 National Book Award for Poetry, this is a beautiful collection by former U.S. Poet Laureate, his first book in ten years. These immediate, personal, and perfectly constructed poems explore themes of art, the natural world, memory, and biography. Hass also commemorates his friendship and collaboration with fellow poet, the late Polish Nobel Laureate, Czeslaw Milosz.

Dues Due

Your membership is important to us and we hope you will continue your involvement with the UCBEA. Dues are only \$15/year. Please mail your dues (payable to UCBEA) to the UCB Retirement Center, 2 Boalt Hall #7200, Berkeley, CA 94720. Remember to indicate the years to be covered by your dues in the memo area of your check.

Just do it.

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**From George Washington to George W. -- Presidents Getting Verse
Woodcuts and Rhymes by Joe Ellick, Professor of History, San Francisco State University**

Thomas Jefferson, 1801-1809

Thomas Jefferson, a liberal intellectual
Believed in freedom, political and sexual.
He declared our nation's independence,
Then populated it with white and black
descendents.

He had friends in France, played the fiddle;
His politics ranged from left to middle.
He planned his estate, called Monticello;
He must be called a Renaissance Fellow.

To unite the nation he did insist:
"We are all Republicans and Federalists."
The Supreme Court, championing judicial review,
Added its voice to stability, too.
Jefferson favored farmers and free trade--
Factories and mercantilism he expected to fade.
Land would open through Louisiana's sale,
While Lewis and Clark tramped the Oregon Trail.
But western expansion disturbed the East,
And religions movements stirred up the peace.

Exhibit: November 1 - December 20, 2007
January 22 - March 24, 2008

George Washington to Theodore Roosevelt
William Taft to George W. Bush

Institute of Governmental Studies Library 109 Moses Hall University of California, Berkeley