

# SYMPOSIUM: FESTSCHRIFT IN HONOR OF RICHARD CRASWELL

## FOREWORD

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Each year, the *Stanford Law Review* is faced with the task of deciding what to highlight in our annual symposium issue. We try, as much as possible, to select topics that resonate—with contemporary legal and political debates, with history and notable anniversaries, or with doctrinal debates we see brewing on the horizon. It is a real pleasure when we are able to select a topic that checks one or more of these boxes, and that also resonates personally.

Celebrating Professor Richard Craswell is one such topic. It allows us not only to pay homage to the tremendous academic contributions Professor Craswell has made in a number of areas of law, but also to celebrate the remarkable contributions that he has made to those who know him in the Stanford community. He has been a valued colleague, professor, and mentor to the faculty and students here since 1998. Indeed, many of the editors of this Volume were privileged to have Professor Craswell as their first-year contracts professor. In the proud tradition of dedicating particular symposiums to notable members of our Stanford community,<sup>1</sup> we are very pleased to publish this festschrift in honor of Professor Craswell.

The articles in this symposium were initially presented on campus during a two-day conference on February 6 and 7, 2015, titled “Who Knows?: Law in an Information Society.” In addition to the authors of the articles printed here, Matthew L. Spitzer and Richard R.W. Brooks generously gave engaging presentations to the conference on their current works. Many thanks as well to the exceptional group of scholars who participated as discussants in the proceedings: Oren Bar-Gill, Ryan Calo, Zev Eigen, Victor P. Goldberg, Avery W. Katz, Gregory Keating, Mark G. Kelman, Lewis A. Kornhauser, Yair Listokin, Ariel Porat, Margaret Jane Radin, Robert E. Scott, Seana Shiffrin, Eric L. Talley, and Lauren E. Willis.

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1. See, e.g., Michelle Skinner, *Introduction*, 58 STAN. L. REV. 1661 (2006) (opening symposium in honor of Chief Justice Rehnquist and Justice O'Connor).

The conference would not have been possible without the time and effort of many other individuals who deserve recognition—in particular, Alison D. Morantz, Barbara Fried, and Michelle Pualuan. Additional thanks must go out to the speakers at our evening gala in celebration of Professor Craswell's personal and professional contributions: George Triantis, Margaret Jane Radin, Alison D. Morantz, former dean Larry Kramer, and Dean Mary Elizabeth Magill. Finally, we are very grateful for the logistical support of Jillian Del Pozo and for financial support from Stanford Law School as well as our law firm sponsors: Cleary Gottlieb, Sullivan & Cromwell, Morrison & Foerster, Debevoise & Plimpton, and Munger, Tolles & Olson.

Commenters at the conference unanimously described Professor Craswell's generosity in providing detailed feedback, thoughtful peer reviews, and a particularly keen sounding board when presented with a draft paper or an article idea. Over and over, we discussed his uncommonly good grasp of ideas to which he was only recently exposed, an ability he employed to offer sharp insights and suggestions that never failed to make the project stronger. We believe that the articles here demonstrate the exceptional impact that Professor Craswell's work has had in a variety of areas of law: there is no better way to celebrate his work than to publish a small sliver of the scholarship his work has inspired.<sup>2</sup>

In addition, it is our pleasure to present an article by Professor Craswell himself: *When Nicknames Were Crowdsourced: Or, How to Change a Team's Mascot*.<sup>3</sup> The style of the article is profoundly reminiscent of its author: it is witty and precise, entertaining and informative. We have no doubt that it will quickly become a classic in the (surprisingly voluminous) canon of witty, sports-related law review articles.<sup>4</sup>

The articles included in this symposium serve a dual purpose: first, to celebrate Professor Craswell and his enormous contributions to the many fields represented here, and second, to inspire professors and students to further work in these areas. It is our hope that you find the following articles as entertaining, engaging, and provocative as we do.

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2. For the benefit of readers who are accessing this symposium online without a copy of the printed issue, the articles by participants in this symposium are Tess Wilkinson-Ryan & David A. Hoffman, *The Common Sense of Contract Formation*, 67 STAN. L. REV. 1296 (2015), Louis Kaplow, *Information and the Aim of Adjudication: Truth or Consequences?*, 67 STAN. L. REV. 1303 (2015), Alan Schwartz, *Regulating for Rationality*, 67 STAN. L. REV. 1373 (2015), Christine Jolls, *Debiasing Through Law and the First Amendment*, 67 STAN. L. REV. 1411 (2015), and Ian Ayres & Barry Nalebuff, *The Rule of Probabilities: A Practical Approach for Applying Bayes' Rule to the Analysis of DNA Evidence*, 67 STAN. L. REV. 1447 (2015).

3. Richard Craswell, *When Nicknames Were Crowdsourced: Or, How to Change a Team's Mascot*, 67 STAN. L. REV. 1221 (2015).

4. Consider, for example, William S. Stevens's seminal article, known for its dry wit and tongue-in-cheek approach to baseball's infield fly rule. Aside, *The Common Law Origins of the Infield Fly Rule*, 123 U. PA. L. REV. 1474 (1975).