

MARK SIDEL

Professor

BIBLIOGRAPHY

This bibliography was prepared by the Reference Staff of the University of Iowa Law Library and contains all published works within the following categories: Books and Monographs; Chapters in Books; Articles in Law Reviews and Other Scholarly Journals; Book Reviews; Statutory Drafting; Reports to Governmental Bodies and Professional Associations. Insofar as possible an effort has been made to consolidate all works that have been reprinted or substantially reprinted under the first published appearance of that work. This bibliography does not contain works in progress or works that have been accepted for publication but have not yet been published. This bibliography is intended to be current as of October 1, 2009.

BOOKS AND MONOGRAPHS

Old Hanoi. Kuala Lumpur, Malaysia: Oxford University Press, 1998, vii, 96 pages.

Editor of *Philanthropy and Law in South Asia*, with Iftekhar Zaman. Quezon City, Philippines: Asia Pacific Philanthropy Consortium, 2004, xiii, 385 pages; Supplement, *Philanthropy and Law in South Asia: Recent Developments in Bangladesh, India, Nepal, Pakistan and Sri Lanka*, with others (eds.), 2007, 60 pages.

More Secure, Less Free? Antiterrorism Policy and Civil Liberties After September 11. Ann Arbor, MI: University of Michigan Press, 2004, 218 pages; revised ed., 2007, 238 pages.

Editor of *Cinema, Law, and the State in Asia*, with Corey K. Creekmur. New York: Palgrave Macmillan, 2007, xii, 238 pages.

Editor of *Vietnam's New Order: International Perspectives on the State and Reform in Vietnam*, with Stéphanie Balme. New York: Palgrave Macmillan, 2007, x, 262 pages.

Law and Society in Vietnam. New York: Cambridge University Press, 2008, 268 pages.

The Constitution of Vietnam: A Contextual Analysis. Oxford: Hart Publishing, 2009, 228 pages.

Regulation of the Voluntary Sector: Freedom and Security in an Era of Uncertainty. New York: Routledge, 2009, 144 pages.

CHAPTERS IN BOOKS

“Enterprise Bankruptcy and the Development of Bankruptcy Law,” in *Advances in Chinese Industrial Studies: Reform Policy and the Chinese Enterprise*, edited by Nigel Campbell, John Child, and Martin Lockett. Greenwich, CT: JAI Press, 1990, at 97, 11 pages.

“Dissident Legal Scholars in China's Cities, Their Organizations, and the Chinese State in the 1980s,” in *Urban Spaces in Contemporary China: The Potential for Autonomy and Community in Post-Mao China*, edited by Deborah S. Davis, *et al.* Washington, DC: Woodrow Wilson Center Press; Cambridge: Cambridge University Press, 1995, at 326, 21 pages.

“The Emergence of a Nonprofit Sector and Philanthropy in the Socialist Republic of Vietnam,” in *Emerging Civil Society in the Asia Pacific Community*, edited by Tadashi Yamamoto. Singapore, China: Institute of Southeast Asian Studies; Tokyo, Japan: Japan Center for International Exchange in Cooperation with the Asia Pacific Philanthropy Consortium (APPC), 1995 and 1996 rev. ed., at 293, 12 pages.

“Research Institutions in the Socialist Republic of Vietnam Focusing on the Asia-Pacific Region,” in *Emerging Civil Society in the Asia Pacific Community*, edited by Tadashi Yamamoto. Singapore, China: Institute of Southeast Asian Studies; Tokyo, Japan: Japan Center for International Exchange in Cooperation with the Asia Pacific Philanthropy Consortium (APPC), 1995 and 1996 rev. ed., at 477, 14 pages.

“Corporate Philanthropy in Vietnam: Initial Data and Initial Problems,” in *North Viet Nam Now: Fiction and Essays from Hanoi*, edited by Dan Duffy. New Haven, CT: Yale University Council on Southeast Asia Studies: Yale Center for International and Area Studies, 1996, at 246, 15 pages. (*Viet Nam Forum 15*)

Translation of “Those Fifty Years” and “The America I Know,” essays by the Vietnamese scholar Nguyen Khac Vien, in *North Viet Nam Now: Fiction and Essays from Hanoi*, edited by Dan Duffy. New Haven, CT: Yale University Council on Southeast Asia Studies: Yale Center for International and Area Studies, 1996, at 191, 6 pages. (*Viet Nam Forum 15*)

“Vietnam: The Ambiguities of State-Directed Legal Reform,” in *Asian Legal Systems: Law, Society and Pluralism in East Asia*, edited by Poh-Ling Tan. Sydney, Australia: Butterworths, 1997, at 356, 34 pages.

“Law, the Press, and Police Murder in Vietnam: Media and the Trial of Nguyen Tung Duong,” in *The Mass Media in Vietnam*, edited by David Marr. Canberra, Australia: Australian National University, 1998, at 97, 23 pages.

“The Translation of Foreign Social Science Literature in Vietnam,” with David Marr, in *The Mass Media in Vietnam*, edited by David Marr. Canberra, Australia: Australian National University, 1998, at 120, 26 pages.

“Diaspora Philanthropy to India: A Perspective from the United States,” in *Diaspora Philanthropy and Equitable Development in China and India*, edited by Peter F. Geithner, Lincoln C. Chen, and Paula D. Johnson. Cambridge, MA: Global Equity Initiative, Asia Center, Harvard University, 2004, at 215, 43 pages.

“Philanthropy and Law in South Asia: Key Themes and Key Choices,” with Iftekhar Zaman, in *Philanthropy and Law in South Asia*, edited by Mark Sidel and Iftekhar Zaman. Asia Pacific Philanthropy Consortium, 2004, at 15, 33 pages.

“Focusing on the State: Government Responses to Diaspora Philanthropy and Implications for Equity,” in *Diasporas and Development*, edited by Barbara J. Merz, Lincoln C. Chen, and Peter F. Geithner. Cambridge, MA: Global Equity Initiative, Harvard University, 2007, at 25, 30 pages.

“Vietnamese-American Diaspora Philanthropy to Vietnam,” in *Diaspora Philanthropy: New Roles and Emerging Models*, edited by Paula Johnson. Cambridge, MA: The Philanthropic Initiative and Global Equity Initiative, Harvard University, 2007, 22 pages. <http://www.tpi.org>.

ARTICLES IN LAW REVIEWS AND OTHER SCHOLARLY JOURNALS

“The Legal Protection of Copyright and Authors' Rights in the People's Republic of China, 1949-1981: Prelude to a Chinese Copyright Law,” 9 *Columbia Journal of Art and the Law* 477 (1985), 32 pages.

“Copyright, Trademark, and Patent Law in the People's Republic of China,” 21 *Texas International Law Journal* 259 (1986), 31 pages.

“The Acceptance of Emerging American Law Abroad: Could ‘Maritime RICO’ Work in the People’s Republic of China?” 12 *Tulane Maritime Law Journal* 99 (1987), 12 pages.

“The Maritime Arbitration Commission of the People's Republic of China: Options and Strategies,” with Curtis E. Pew and Robert M. Jarvis, 18 *Journal of Maritime Law and Commerce* 351 (1987), 28 pages.

“Maritime Courts in the Middle Kingdom: China's Great Leap Seaward,” with Curtis E. Pew and Robert M. Jarvis, 11 *The Maritime Lawyer* 237 (1987), 35 pages.

“Recent and Noteworthy Legal Works Published in China,” 1 *Journal of Chinese Law* 251 (1987), 19 pages.

“[China] Recognition and Enforcement of Foreign Arbitral Awards under the New York Convention,” with Mao Tong, 10 *East Asian Executive Reports* no. 5, at 14 (May 15, 1988), 3 pages.

“Law Reform in Vietnam: The Complex Transition from Socialism and Soviet Models in Legal Scholarship and Training,” 11 *UCLA Pacific Basin Law Journal* 221 (1993), 39 pages.

“The Reemergence of Legal Discourse in Vietnam,” 43 *International and Comparative Law Quarterly* 163 (1994), 12 pages.

“The Reemergence of China Studies in Vietnam,” 142 *China Quarterly* 521 (1995), 20 pages.

“Vietnam’s America Watchers in a New Era,” 16 *SAIS Review* 43 (Summer/Fall 1996), 27 pages.

“The Emergence of a Voluntary Sector and Philanthropy in Vietnam: Functions, Legal Regulation and Prospects for the Future,” 8 *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 283 (1997), 20 pages.

“Generational and Institutional Transition in the Vietnamese Communist Party – The 1986 Congress and Beyond,” 37 *Asian Survey* 481 (1997), 15 pages.

“The New Corporate Philanthropy in Vietnam,” 2 *Alliance* 77 (May 1997), 8 pages.

“Introduction to and Translation of Le Thi, *Changing My Life: How I Came to the Vietnamese Revolution*,” 23 *Signs: Journal of Women in Culture and Society* 1017 (1998), 13 pages.

“Vietnam in 1997: A Year of Challenges,” 38 *Asian Survey* 80 (January-February 1998), 11 pages.

“Vietnam in 1998: Reform Confronts the Regional Crisis,” 39 *Asian Survey* 89 (January-February 1999), 10 pages.

“Philanthropy in India’s High Technology Communities and the Complex Search for Social Innovation,” 5 *Harvard Asia Quarterly* 40 (Summer 2001), 7 pages; adaptation of “New Economy Philanthropy in the High Technology Communities of Bangalore and Hyderabad, India: Partnership with the State and the Ambiguous Search for Social Innovation,” delivered at the conference on Philanthropy and the City convened by the Center for the Study of Philanthropy at the Graduate College, City University of New York and the Rockefeller Archive Center, 2000. <http://archive.rockefeller.edu/publications/conferences/sidel.pdf>.

“Recent Research on Philanthropy and the Nonprofit Sector in India and South Asia,” 12 *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 171 (2001), 10 pages.

“Analytical Models for Understanding Constitutions and Constitutional Dialogue in Socialist Transitional States: Re-Interpreting Constitutional Dialogue in Vietnam,” 6 *Singapore Journal of International and Comparative Law* 42 (2002), 48 pages.

“Law, Philanthropy and Social Class: Variance Power and the Battle for American Giving,” 36 *U.C. Davis Law Review* 1145 (2003), 67 pages.

“The Struggle for Hershey: Community Accountability and the Law in Modern American Philanthropy,” 65 *University of Pittsburgh Law Review* 1 (2003), 61 pages.

“States, Markets and the Nonprofit Sector in South Asia: Judiciaries and the Struggle for Capital in Comparative Perspective,” 78 *Tulane Law Review* 1611 (2004), 59 pages.

“The Guardians Guarding Themselves: A Comparative Perspective on Nonprofit Self-Regulation. (Symposium: Who Guards the Guardians? Monitoring and Enforcement of Charity Governance),” 80 *Chicago-Kent Law Review* 803 (2005), 33 pages.

“Philanthropy and Law in South Asia: Key Themes and Key Choices,” with Iftekhar Zaman, 7 *International Journal of Not-for-Profit Law* no. 2, at 38 (February 2005), 24 pages. http://www.icnl.org/JOURNAL/vol7iss2/ar_sidel.htm.

“Après le Patriot Act: la seconde vague de l’antiterrorisme aux États-Unis,” *Critique Internationale* (Institut d’Études Politiques de Paris) no. 32, at 23 (Juillet-Septembre 2006), 15 pages.

“The Third Sector, Human Security, and Anti-Terrorism: The United States and Beyond,” 17 *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 199 (2006), 12 pages.

“Counter-Terrorism and the Enabling Legal and Political Environment for Civil Society: A Comparative Analysis of ‘War on Terror’ States,” 10 *International Journal of Not-for-Profit Law* no. 3, at 7 (June 2008), 43 pages. http://www.icnl.org/knowledge/ijnl/vol10iss3/special_2.htm.

“Richard B. Lillich Memorial Lecture: New Directions in the Struggle against Human Trafficking,” 17 *Journal of Transnational Law & Policy* 187 (2008), 30 pages.

BOOK REVIEWS

“New Directions in the Study of Vietnamese Law,” review of *Vietnam and the Rule of Law*, edited by Carlyle A. Thayer and David Marr. 17 *Michigan Journal of International Law* 705 (1996), 15 pages.

“An Eye Single for Righteousness,” review of *American Dreamer: The Life and Times of Henry A. Wallace*, by John Culver and John Hyde. 99 *Michigan Law Review* 1637 (2001), 13 pages.

“The Nonprofit Sector and the New State Activism,” review of *A Corporate Form of Freedom: The Emergence of the Nonprofit Sector*, by Norman I. Silber. 100 *Michigan Law Review* 1312 (2002), 24 pages.

REPORTS TO GOVERNMENTAL BODIES AND PROFESSIONAL ASSOCIATIONS

“Legal Education and Research in China,” Report prepared for the Ford Foundation (1987), 75 pages.

“Ford Foundation China Program Activities in Human Rights and Governance (Law and Legal Reform),” Report prepared for the Ford Foundation (1991), 40 pages.

“Law Reform and Legal Education and Research in the Socialist Republic of Vietnam,” Report prepared for the Ford Foundation (1992), 45 pages.

“Strengthening Judicial Capacity in Vietnam; Strengthening Legislative Capacity in Vietnam; Strengthening Public Procuratorial Capacity in Vietnam,” Report prepared for the United Nations Development Programme, Hanoi (1996), 75 pages.

“The United States and Vietnam: The Road Ahead,” *Asian Update* monograph for the Asia Society, April 1996, 16 pages.

“Giving Home: Diaspora Giving from the United States as a Funding Source for Indigenous Philanthropic and Nonprofit Institutions,” Report and Background Paper prepared for the Ford Foundation Worldwide Philanthropy Meeting, London (1997), 20 pages.

“Law and Development: Seminar Proceedings,” Proceedings of the Roundtable Meeting of Chief Justices and Ministers of Justice, Manila, Philippines (August 1997). Asian Development Bank, 1997, 71 pages.

“Organizational and Resource Development for Oxfam International,” Report prepared for Oxfam International (1998), 45 pages.

“Philanthropy and the Nonprofit Sector in Asia,” with Michael Edwards. Report prepared for the Asia Pacific Philanthropy Consortium International Conference on Philanthropy (1998), 60 pages.

“Public Funding and Private Voluntary Organizations,” Report prepared for Oxfam America (1998), 70 pages.

A Research Guide to Law in the Democratic Republic of Vietnam (1945-1976) and Early Socialist Republic of Vietnam (1976-1986). Cambridge, MA: Harvard Law School, East Asian Legal Studies, 1999, 41 pages.

“Social Justice and Poverty Programming in Vietnam,” Report prepared for Oxfam Hong Kong/Vietnam (1999), 20 pages.

“Diaspora Philanthropy to India: A Perspective From the United States,” Diaspora Philanthropy Workshop, John F. Kennedy School of Government, Harvard University, May 2003, 32 pages.

“Trends in Nonprofit Self-regulation in the Asia Pacific Region: Initiatives, Experiments and Models in Seventeen Countries,” Asia Pacific Philanthropy Consortium, Conference on Governance and Accountability of the Nonprofit Sector, September 2003, 35 pages.

“Understanding Foreign Donor Support for Legal Reform in Socialist Transitional States: The Changing Nature and Continuing Dilemmas of Legal Reform Assistance in Vietnam,” delivered as the W.G. Hart Lecture at the School of Oriental and African Studies in the University of London, March 2003, 24 pages.

Books for Understanding: Bibliography on the Nonprofit Sector and Philanthropy. New York: Association of American University Presses, 2004
<http://aaupnet.org/news/bfu/nonprofit/list.html>; revised ed., 2007.

“Fallout from the War on Terror –Part I,” *Yale Global*, June 14, 2005, <http://yaleglobal.yale.edu>

“New Directions in the Struggle against Human Trafficking,” Richard B. Lillich Memorial Lecture, Florida State University, November 2007, 30 pages.

“Strategic Issues and Priorities in Vietnamese Legal Reform,” Prepared for U.S. Agency for International Development/Management Sciences International, September 2007, 20 pages.

“The Struggle for Associational Rights and Freedom of Expression in Vietnam,” Conference on the Protection of Constitutional Rights in Modern Democracies, University of Pescara, December 2007, 20 pages.

“Terrorist Financing and the Charitable Sector: Law and Policy in the United Kingdom, the United States, and Australia,” Testimony to the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 (Major commission), Government of Canada, November 2007, 34 pages.

“Civil Society Participation in Lawmaking: A Comparative Perspective,” United Nations Development Programme and Ministry of Justice (Vietnam), 2008, 30 pages.

“A Decade of Research and Practice of Diaspora Philanthropy in the Asia Pacific Region: The State of the Field,” Asia Pacific Philanthropy Consortium Conference, Hanoi, Diaspora Giving: An Agent of Change in Asia Pacific Communities? (May 2008), 32 pages.
<http://www.asiapacificphilanthropy.org/conference#papers>.