

MARTHA F. DAVIS
Northeastern School of Law
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EMPLOYMENT HISTORY

Academic Appointments:

- 7/02-Present **University Distinguished Professor, Northeastern University School of Law**, 2020 - present; Professor, 2006-2020; Associate Professor, 2002-2006; Associate Dean, 2009-2011, 2016-2020. Courses: Constitutional Law, Human Rights, Legal Ethics.
- **Co-Director, Program on Human Rights and the Global Economy, 2007 – present**
 - **Faculty Director, NuLawLab, 2014 – present**
 - **Affiliated Faculty, Women's, Gender, and Sexuality Studies, Northeastern University**
 - **Affiliated Professor, Raoul Wallenberg Institute, Lund University, 2016-present**
- 9/22-6/24 **Visiting Fellow, Carr Center for Human Rights, Kennedy School, Harvard University**
- 8/15 – 7/16 **Fulbright Distinguished Chair of Public International Law**, Raoul Wallenberg Institute, Lund, Sweden.
- 9/08 – 6/09 **Fellow, Harvard Law School Human Rights Program; Fellow, Women and Public Policy Program, Kennedy School of Government**, Cambridge, MA.
- 7/00-12/00 **Kate Stoneman Visiting Professor on Law and Democracy, Albany Law School**. Inaugural recipient of endowed visiting chair.
- 1/95-6/02 **Adjunct Assistant Professor, New York University School of Law**. Course: Government Benefits.
- 1/91-8/94 **Adjunct Lecturer, Hunter School of Social Work**. Courses: masters-level courses on social policy, law, and women's issues.

Legal Practice:

- 10/90-6/02: **NOW Legal Defense and Education Fund**, New York, NY. **Vice President and Legal Director**, 6/96-6/02. Supervised 20-person legal staff. Responsible for litigation, legislative drafting, writing and public speaking on women's rights. Counsel in six U.S. Supreme Court cases; argued Nguyen v. INS, 533 U.S. 53 (2001). **Senior Staff Attorney**, 1/94-6/96; **Staff Attorney**, 10/90-12/93.
- 1/86-8/90: **Associate, Cleary, Gottlieb, Steen & Hamilton**, New York, NY.
- 5/87-10/87: **Visiting staff attorney, MFY Legal Services**, New York, NY.
- 7/83-7/85: **Law Clerk to U.S. District Court Judge James Moody**, N.D. Ind.

Public Service:

- 9/09 – 10/11 **U.S. Civil Rights Commission**,
9/13 – 8/23 **MA State Advisory Committee**

EDUCATION

- J.D., 1983 **The University of Chicago Law School**; Member, Law Review.
- B.A., 1981; **Oxford University (Trinity College)**; Jurisprudence.
M.A. (Oxon.), 1987
- A.B., 1979 **Harvard College**; Anthropology, magna cum laude.

SELECTED SCHOLARSHIP

Books

Human Rights Advocacy in the United States (West, 3rd ed. 2023), with co-authors Risa Kaufman, Johanna Kalb, and Rachel Lopez.

Human Rights Advocacy in the United States Teachers' Manual (2023), with co-authors Risa Kaufman, Johanna Kalb, and Rachel Lopez.

COVID-19 and Human Rights (Routledge 2021), with co-editors Morten Kjaerum and Amanda Lyons.

Research Handbook on Human Rights and Poverty (Elgar 2021), with co-editors Morten Kjaerum and Amanda Lyons.

Global Urban Justice: The Rise of Human Rights Cities (Cambridge Univ. Press 2016), with co-editors Barbara Oomen and Michele Grigolo.

Bringing Human Rights Home: A History of Human Rights in the U.S. (abridged), with co-editors Cynthia Soohoo and Cathy Albisa (Philadelphia: Penn. Press, 2009).

Bringing Human Rights Home, co-editor, 3-volume set on human rights in the United States (Westport, Conn.: Praeger Press, 2008) (with Cynthia Soohoo and Cathy Albisa) (Gustavus Myers Award; “Best Book on Human Rights” award from the U.S. Human Rights Network).

Brutal Need: Lawyers and the Welfare Rights Movement, 1960-1973 (New Haven, Conn.: Yale, 1993) (Reginald Heber Smith Book Award for contributions to scholarship on equal access to justice; Certificate of Merit from the American Bar Association).

Book Chapters

Local Governments, Climate Action, and Sustainability: The Role of Human Rights, in James May and Frank Baber, Environmental Human Rights in the Anthropocene: Concepts, Contexts and Challenges (Cambridge 2023).

Finding International Law “Close to Home”: The Case of Human Rights Cities, in Janne Nijman, et al., Research Handbook on International Law and Cities (Elgar 2021) (volume awarded Collaborative Book Prize by European Society of International Law, 2022).

COVID-19 and Inequality: Snapshots from the Pandemic, in Morten Kjaerum, et al., COVID-19, Human Rights and What’s Next (Routledge 2021).

Protecting Human Rights Through International and National Law, in Barry Levy, ed., Social Injustice and Public Health (Oxford Univ. Press, 3rd ed., 2019) (with Henry Freedman).

The Status of Women in the United States, 1968 and 2017, in Senator Fred Harris, et al., eds., The 50th Anniversary of the Kerner Commission (Temple Univ. Press, 2018) (CHOICE award honoree, 2018).

Cities, Human Rights, and Accountability: The United States Experience, in Barbara Oomen, et al., eds, Global Urban Justice: The Rise of Human Rights Cities (Cambridge Univ. Press, 2016).

Restoring Government Leadership on Human Rights at Home, in Chester Hartman, ed., A Mandate for Change, (Lexington, MA: Lexington Books, 2009), pp. 427-433 (with Cathy Albisa and Cindy Soohoo).

Thinking Globally, Acting Locally: States, Municipalities and International Human Rights,

in Cynthia Soohoo, et al., eds., Bringing Human Rights Home, vol. II (Praeger Press, 2008), pp. 127 – 152 (chapter also appears in abridged edition).

Progressive Lawyers and Human Rights: Using International and Comparative Law to Inform Domestic Decisions, in Clare Dalton, ed., Progressive Lawyering, Globalization and Markets: Rethinking Ideology and Strategy (Wm. S. Hein & Co., 2007).

International Human Rights from the Ground Up: The Potential for Subnational, Human Rights-Based Reproductive Health Advocacy in the United States, in Dr. Ellen Chesler and Dr. Wendy Chavkin, eds., Where Human Rights Begin: Essays on Health, Sexuality and Women, Ten Years After Vienna, Cairo and Beijing (Newark, New Jersey: Rutgers Univ. Press, Nov. 2005), pp. 235 – 266.

Legislating Patriarchy, in Gary Delgado, ed., From Poverty to Punishment: How Welfare Reform Punishes the Poor (Oakland, California: Applied Research Center, 2002), pp. 147 – 154.

The Economics of Abuse: How Violence Perpetuates Women's Poverty, in Ruth Brandwein, ed., Battered Women, Children, and Welfare Reform: The Ties That Bind (Thousand Oaks, California: Sage 1999), pp. 17 – 30.

NOW is the Time: Mainstream Feminism's Statements on Welfare Rights, in Diane Dujon and Ann Withhorn, eds., For Crying Out Loud: Women's Poverty in the United States (Boston, Massachusetts: South End Press, 1996), pp. 337 – 40.

Welfare Rights and Women's Rights in the 1960s, in Brian Balogh, ed., Integrating the Sixties: The Origins, Structure and Legacy of Public Policy in a Turbulent Decade (University Park, Penn.: Pennsylvania State University Press, 1996), pp. 144 – 65.

Refereed Articles

Institutionalizing Human Rights in the United States: Advocacy for a National Human Rights Institution, Journal of Human Rights (forthcoming 2023)

Limiting the Impact of *Dobbs*: The Potential for International Solidarity, Feminists@Law (Oct. 24, 2022)

The State of Abortion Rights in the U.S., 159 Int'l J. of Gynecology & Obstetrics 324 (2022)

An Experiment in Making Water Affordable: Philadelphia's Tiered Assistance Program (TAP) (co-author), 56 J. American Water Resources Ass'n 431 (2020) (winner of the Boggess Award for best article published in JAWRA in 2020)

The Limits of Local Sanctuary Initiatives for Immigrants, 690 The Annals of the American Academy of Political Science 100 (2020)

Scoping the New Urban Human Rights Agenda, 51 J. of Legal Pluralism 60 (2019)

Commentary: Immigration Enforcement and Children's Human Right to Education, 56 Family Court Rev. 344 (2018)

Inconvenient Human Rights: A Case Study of Roma, Water and Sanitation in Sweden (with Natasha Ryan), Health and Human Rights Journal (Dec. 2017)
Institutionalizing Legal Innovation: The (Re)Emergence of the Law Lab, 65 Journal of Legal Education 190 (2015)

Reproductive Rights in the Legal Academy: A New Role for Transnational Law, 59 Journal of Legal Education 35 (2009) (with Bethany Withers)

Child Care as a Human Right: A New Perspective on an Old Debate, 27 Journal of Women, Politics, and Policy 173 - 180 (Summer 2005) (simultaneously published as Heidi Hartman, ed., Gendering Politics and Policy: Recent Developments in Europe, Latin America and the United States (Binghamton, New York: Haworth Press, 2005))

The International Convention on the Rights of the Child: A Catalyst for Innovative Child Care Policy, 25 Human Rights Quarterly 689 - 719 (August 2003) (with Roslyn Powell)

The Evolving Right to Travel: *Saenz v. Roe*, 29(2) Publius: The Journal of Federalism 95 - 110 (1999)

Welfare Rights and Women's Rights in the 1960s, 8 Journal of Policy History 144 -165 (1996) (also published as Brian Balogh, ed., Integrating the Sixties: The Origin, Structures, and Legitimacy of Public Policy in a Turbulent Decade) (reprinted in Robert Griffith and Paula Baker, eds., Major Problems in American History since 1945: Documents and Essays (2d edition) (Boston, Massachusetts: Houghton Mifflin, 2001))

Welfare Reform: A Women's Health Perspective, Journal of the American Medical Women's Association 166 – 170 (July 1996)

Inclusion of Women in AIDS Clinical Research: A Political and Legal Analysis, 49 Journal of the American Medical Women's Association 102 –104, 109 (July/Aug. 1994) (with Theresa McGovern and Mary Beth Caschetta)

Comment: The Social Security Opinions of Judge Frank Easterbrook, 40 Administrative Law Review 239 - 250 (1988)

Non-refereed Articles

“Down Where the Grass Grows”: Municipal Abortion Policies After Dobbs, ___ U.Colo. L. Rev. ___ (forthcoming 2023)

In Context: Foreign and International Law in Abortion Litigation, ___ Santa Clara L. Rev. ___ (forthcoming 2023)

The Human Right to a Healthy Environment, 15 Northeastern Law Rev. ____ (2023), with Solène Kerisit, abridged version published in ExtraLegal, <http://nulawreview.org/extralegalrecent/2023/1/10/recognizing-the-human-right-to-a-healthy-environment-annotated-bibliography>

(G)local Intersectionality, 79 Wash. & Lee L. Rev. 1021 (2022)

Hidden Burdens: Household Water, “Hard to Reach” Renters and Systemic Racism, 52 Seton Hall L. Rev. 1461 (2022)

What is Essential: Legal Design and Client Stories, 13 Elon L. Rev. 39 (2021)
Freedom from Thirst: A Right to Basic Household Water, 42 Cardozo L. Rev. 101 (2021)

Get Smart: Human Rights and Urban Intelligence, 47 Ford. Urb. L.J. 971 (2020)

Infertility and Human Rights: A Jurisprudential Review, 40 Colum. J. Gender & Law 1 (2020) (with Rajat Khosla)

The Upside of the Downside, 62 St. Louis U. L. J. 921 (2018)

Design Challenges for Human Rights Cities, 49 Colum. H.R. L. Rev. 27 (2018)

Essay: Sex-Based Citizenship Classifications and the “New Rationality,” 80 Alb. L. Rev. 101 (2017)

Cities Rising: European Municipalities and the Refugee Surge, 30 Suffolk Trans. L.J. 683 (2016)

Let Justice Roll Down: A Case Study of the Legal Infrastructure for Water Equality and Affordability, 23 Georgetown J. Pov. L. & Pub. Pol’y 355 (2016)

Race and Civil Counsel in the United States: A Human Rights Report, 64 Syracuse L. Rev. 447 (2014)

The Interdependence of Rights: Protecting the Human Right to Housing by Promoting the Right to Counsel, 45 Colum. H.R. L. Rev. 772 (2014)

Equality, Participation and the Civil Right to Counsel: Lessons from Domestic and International Law, 122 Yale Law Journal 102 (2013)

Shadow and Substance: The Impacts of the Anti-International Law Debate on State Court Judges, 47 New England Law Review 101(2013)

Introduction, Framing Economic, Social and Cultural Rights for Action, 4 NUSL Law Journal 315 (2012)

The Human Rights Based Approach to Food Security, 45 Clearinghouse Review 202 (Sept.- Oct. 2012) (with Angela Duger)

Occupy Wall Street and International Human Rights, 39 Fordham Urb L.J. 101 (2012)

Oklahoma and Beyond: Understanding the Wave of State Anti-Transnational Law Initiatives, 87 Indiana L.J. Supp. 1 (2011) (with Johanna Kalb)

Oklahoma's Anti-Sharia and Other Anti-Transnational Law Proposals: a Backgrounder for Domestic Human Rights Advocates, 45 Clearinghouse Review 243 (Sept. - Oct. 2011) (with Emily Abraham)

Law, Issue Frames and Social Movements: Three Case Studies, 14 University of Pennsylvania Journal of Law and Social Change 363 (2011)

A Human Rights Lens on Civil Legal Assistance, 20 Poverty and Race 3 (2011)

Human Rights and the Model Rules of Professional Conduct: Intersection and Integration, 42 Columbia Human Rights Law Review 157 (2010)

The Child Exclusion in a Global Context, 60 Case Western Law Review 1183 (2010)

Not So Foreign After All: Alice Paul and International Women's Rights, 16 New England J. Int'l and Comp. Law 1 (2010)

Abortion and the Global Marketplace, 88 University of North Carolina Law Review 1657 (2010)

Learning to Work: A Functional Approach to Welfare and Higher Education, 58 Buffalo Law Review 147 (2010)

Public Rights, Global Perspectives and Common Law, 36 Fordham Urban Law Journal 653 (2009)

In the Interests of Justice: International Human Rights and the Right to Civil Counsel, 25 Touro Law Review 147 (2008)

Upstairs, Downstairs: Subnational Implementation of Human Rights Law, 77 Fordham Law Journal 411 (2008) (lead article)

The Equal Rights Amendment: Then and Now, 17 Columbia Journal of Gender and Law 419 (2008)

Human Rights in the Trenches: Using International Human Rights Law in “Everyday” Legal Aid Cases, 41 Clearinghouse Rev. 313 (Nov./Dec. 2007)

The Pendulum Swings Back: Poverty Law in the Old and New Curriculum, 34 Fordham Urban Law Journal 101 - 124 (2007)

The Spirit of Our Times: State Constitutions and Human Rights, 30 New York University Review of Law and Social Change 359 - 409 (2006)

Access and Justice: The Transformative Potential of Pro Bono Work, 73 Fordham Law Journal 903 - 925 (2005)

Preparing for the Worst: Addressing the Legal Needs of Disaster Victims, 31 Fordham Urban Law Journal 959 - 982 (2004)

Male Coverture: Law and the Illegitimate Family, 56 Rutgers Law Rev. 73-118 (2004)

Valuing Women: A Case Study, 23 Women’s Rights Law Reporter 219 - 222 (2002)
Federal-State Devolution and Civil Rights: The Continued Significance of National Interests, 3 Government, Law and Policy Journal 8 - 10 (Spring 2001)

International Human Rights and United States Law: Predictions of a Courtwatcher (The Kate Stoneman Professorship Lecture), 64 Albany Law Review 417 - 436 (2000)

The Road Now Taken: *Saenz v. Roe*, 33 Clearinghouse Review 359 - 374 (Dec. 1999) (with Henry Freedman and Risa Kaufman) (nominated for Edgar & Jean Cahn Article Award for writing on equal access to justice)

The Family Violence Option of the Personal Responsibility Act: Interpretation and Implementation, 30 Clearinghouse Review 1079 - 1098 (March/April 1997) (with Wendy Pollack) (nominated for Edgar & Jean Cahn Article Award for writing on equal access to justice)

Challenging Child Exclusion Programs, 30 Clearinghouse Review 20 – 32 (May 1996)

Protecting Women's Welfare in the Face of Violence, 22 Fordham Urban Law Journal 1141 – 1157 (1995) (with Susan Kraham)

Rationalizing HHS Decision-Making: Welfare by Waiver, 53 Public Welfare 26-33 (1995)

Public Education Programs for African-American Males: A Women's Educational Equity Perspective, 21 New York University Review of Law and Social Change 725 – 744 (1994-1995) (with Walteen Grady Truely)

Challenging the Deceptive Practices of Proprietary Schools Under the Federal False Claims Act, 28 Clearinghouse Rev. 2 – 11 (May 1994)

The New Paternalism: War on Poverty or War on Women, 1 Georgetown Journal on Fighting Poverty 88 – 94 (1993)

Congress Nears Approval of Legislation to Protect Abused Aliens, 70 Interpreter Releases 1665 – 1669 (Dec. 20, 1993) (with Janet Calvo)

Domestic Workers: Out of the Shadows, 20 Human Rights 14 – 15, 28 – 29 (1993)

The New Paternalism: Welfare's War on Women, 49 The National Lawyers Guild Practitioner 97 – 104 (Fall 1992)

A Primer on Sexual Harassment Law, 26 Clearinghouse Review 306 – 311 (July 1992) (with Alison Wetherfield)

INS Interim Rule Diminishes Protection for Abused Spouses and Children, 68 Interpreter Releases 665 – 670 (June 3, 1991) (with Janet Calvo)

Discrimination Resulting From Employer Sanctions: A Reason For Repeal, 26 San Diego Law Review 711 – 738 (1990) (with Lucas Guttentag and Allan Wernick)

Child Custody in Pakistan: The Role of *Ijtihad*, 5 Boston College Third World Law Journal 119 – 127 (1985)

Statute of Limitations Problems and the Fair Credit Reporting Act, 18 Indiana Law Review 507 – 520 (1985)

Comment: The Marital Home, Equal or Equitable Distribution?, 50 University of Chicago Law Review 1089 – 1115 (1983)

Other Publications

Book reviews:

Review: Stephen R. Porter, *Benevolent Empire: U.S. Power, Humanitarianism, and the World's Dispossessed*, 123 American Historical Rev. 602 (2018)

Review: Liza Baldez, *Defying Convention: US Resistance to the UN Treaty on Women's Rights*, Human Rts. Qrtly Online (2016),
<http://www.tandfonline.com/doi/full/10.1080/14754835.2016.1165089>

Review: John Dittmer, *The Good Doctors*, 116 American Historical Rev. 448 (2011).

The Cult of Paternity: Fathers, Families, Faith, and Class in 'Stiffed,' 6(12) Violence Against Women 1435 – 1441 (Dec. 2000)

Review: John Hope Franklin, *African Americans and the Living Constitution*, 15 Law and History Rev. 430 - 432 (Fall 1997)

Review: Mark Tushnet, *Making Civil Rights Law: Thurgood Marshall and the Supreme Court, 1936-1961*, 14 Law and History Rev. 139 –140 (1996)

Encyclopedia entries:

“Boddie v. Connecticut,” “Califano v. Webster,” “Dandridge v. Williams,” “King v. Smith,” “NOW Legal Defense and Education Fund,” “U.S. v. Morrison,” and “Youngsberg v. Romeo,” in David Tanenhaus, ed., Encyclopedia of the Supreme Court of the United States (New York: MacMillan, 2008).

“Edward Sparer,” in Roger Newman, ed., Yale Biographical Dictionary of American Law, (New Haven, Connecticut: Yale University Press, 2008)

“Chae Chan Ping and the Chinese Exclusion Acts,” “Dandridge v. Williams,” “Equal Rights Amendment,” “Immigration Marriage Fraud Amendments of 1986,” “National Organization for Women,” and “Sex and Immigration,” in Paul Finkelman, ed., Encyclopedia of American Civil Liberties (New York: Routledge Press, 2006)

“Sexual Harassment,” in James Ciment, ed., Social Issues in America: An Encyclopedia (Armonk, New York: M.E. Sharpe, 2006)

“National Lawyers Guild,” “Poverty Law,” and “Southern Poverty Law Center,” in Gwendolyn Mink and Alice O’Connor, eds., Poverty in the United States: An Encyclopedia of History, Politics and Policy (Santa Barbara, CA: ABC-CLIO, 2004)

“NOW Legal Defense and Education Fund,” in The Reader’s Companion to U.S. Women’s History, Wilma Mankiller, ed. (New York: Houghton Mifflin 1998)

Op-eds, blogs and essays:

The Greening of State Constitutions, Brennan Center: State Court Report, Apr. 20, 2023, <https://www.brennancenter.org/our-work/analysis-opinion/greening-state-constitutions>

How Do State Constitutions Evolve?, Brennan Center: State Court Report, June 22, 2023, <https://www.brennancenter.org/our-work/analysis-opinion/how-do-state-constitutions-evolve>

The Oldest State Court Makes a Case for Embracing Change, Brennan Center: State Court Report, Feb. 28, 2023, <https://www.brennancenter.org/our-work/analysis-opinion/oldest-state-court-makes-case-embracing-change>

Getting Comparative Law Right in State Courts, Brennan Center: State Court Report, Feb. 8, 2023, <https://www.brennancenter.org/our-work/analysis-opinion/getting-comparative-law-right-state-courts>

What Happens When State and Local Laws Conflict?, Brennan Center: State Court Report, Jan. 9, 2023, <https://www.brennancenter.org/our-work/analysis-opinion/what-happens-when-state-and-local-laws-conflict>.

Human Rights at Home Blog, in Law Professors' Blog Network, co-editor, Feb. 27, 2014 to March 1, 2021; contributing editor, March 2, 2021 to present, http://lawprofessors.typepad.com/human_rights/

US Abortion Restrictions are Unlikely to Influence International Trends, which are Largely Becoming More Liberal, The Conversation, July 12, 2022, <https://theconversation.com/us-abortion-restrictions-are-unlikely-to-influence-international-trends-which-are-largely-becoming-more-liberal-186181> (translated and republished in Indonesian and Portuguese (Brazil)).

What Else is “Egregiously Wrong”?, Human Rights at Home Blog, June 28, 2022, https://lawprofessors.typepad.com/human_rights/2022/06/what-else-is-egregiously-wrong.html (republished in Love Justice Blog)

Would Ratifying the ICESCR Restore America's Leadership on Human Rights Advancement?, Divided We Fall, Nov. 12, 2021, <https://dividedwefall.com/2021/11/12/icescr/>

Access to Water is a Human Right. When will the U.S. government agree?, Nov. 3, 2021, WBUR Cognoscenti, <https://www.wbur.org/cognoscenti/2021/11/03/cop-26-un-climate-water-as-a-human-right-martha-davis>

Most Democracies are Expanding Abortion Access. The U.S. is Retracting It, Oct. 21, 2021, WBUR Cognoscenti (co-authored with Fiona de Londras), <https://www.wbur.org/cognoscenti/2021/10/21/supreme-court-abortion-dobbs-texas-martha-f-davis-fiona-de-londras>

Who are Our Peers on Abortion Rights, The Gender Policy Report: University of Minnesota, Oct. 12, 2021, <https://genderpolicyreport.umn.edu/who-are-our-peers-on-abortion-rights/>

To Take Back Abortion Rights, Ditch the Courts, Signs: Journal of Women in Culture and Society, Oct. 2021

RBG's Human Rights Legacy, Oct. 6, 2020, American Constitution Society Expert Forum, <https://www.acslaw.org/expertforum/rbgs-human-rights-legacy/> (co-authored with Risa Kaufman)

Water is More Expensive than Ever. Massachusetts Should do More to Help its Residents, July 24, 2019, WBUR Cognoscenti, <https://www.wbur.org/cognoscenti/2019/07/24/rising-water-sewer-rates-massachusetts->

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Truth is Truth: U.S. Abortion Law in the Global Context, American Constitution Society Issue Brief, Aug. 2018 , https://www.acslaw.org/issue_brief/briefs-landing/truth-is-truth-u-s-abortion-law-in-the-global-context/ (co-authored with Risa Kaufman)

Commentary: Why Brett Kavanaugh is a Huge Threat to Minority Rights, Forbes, July 10, 2018

From a World of Need, the UN Comes to America to Study Extreme Poverty, Dec. 20, 2017, WBUR Cognoscenti, <http://www.wbur.org/cognoscenti/2017/12/20/extreme-poverty-un-martha-davis>

High Court Ruling on Birthright Citizenship is a Victory for Gender Equity, Boston Globe, June 13, 2017

Bringing It Home: Human Rights Treaties and Economic, Social and Cultural Rights in the United States, 41 Human Rights 9 (Dec. 2015) (journal published by the American Bar Association).

To Promote the General Welfare, American Constitution Society Blog, September 15, 2011, available at <http://www.acslaw.org/acsblog/to-promote-the-general-welfare> (excerpted in Kristen Adams, Law & Poetry: Promises from the Preamble (ABA 2021)).

A Moment for Women?, American Constitution Society Blog, August 19, 2011, available at <http://www.acslaw.org/acsblog/a-moment-for-women>

Sexism Against Fathers, Boston Globe, June 15, 2011

The Wrong Side of History, American Constitution Society Blog, June 14, 2011, available at <http://www.acslaw.org/acsblog/the-wrong-side-of-history-0>

A Supreme Court Opportunity to Cap Off 100 years of Gender Equality Progress, American Constitution Society Blog, March 9, 2011, available at <http://www.acslaw.org/acsblog/a-supreme-court-opportunity-to-cap-off-100-years-of-gender-equality-progress>

How State Efforts to Bar Judicial Citation of Foreign Law Undermine a System of Checks and Balances, American Constitution Society Blog, Feb. 14, 2011, available at <http://www.acslaw.org/acsblog/all/professor-martha-f.-davis>

Oklahoma State Question 755 and an Analysis of Anti-international Law Initiatives, American Constitution Society Issue Brief, Jan. 2011 (co-authored with Johanna Kalb)

Case Analysis: Flores-Villar v. United States, ABA Preview, Oct. 2010

Case Analysis: Fitzgerald v. Barnstable School Committee, ABA Preview, Feb. 2009

A View from the National Kitchen Table, Women's Economic Agenda Project, Nov. 4, 2008, www.weap.org

Women's Rights Cases in the Supreme Court, 2006-2007, ABA Preview, July 2007

Human Rights at Home, Boston Globe, May 20, 2007

We Need a Civil Gideon, Nat'l L. J., Aug. 7, 2006

Conflicting Rights, Boston Globe, Nov. 29, 2005

Case Analysis: Scheidler v. National Organization for Women, ABA Preview of United States Supreme Court Cases, Nov. 28, 2005

Don't 'Gag' U.S. Courts, National Law Journal, Aug. 23, 2004

Victim Compensation: Eradicate the Biases, National Law Journal, Feb. 4, 2002

US Should Join the World in Defining Women's Rights, Boston Globe, Sept. 25, 2002

States on the Rise, Albany Times-Union, Feb. 4, 2001 (with David Markell)

Bring International Law Into Domestic Courtrooms, Christian Science Monitor, Oct. 11, 2000

Wrong to Limit Legal Services, Albany Times Union, Oct. 1, 2000

States Pocket Ill-Gotten Gains, Sojourner: The Women's Forum, Nov. 1999

Investing in the Poor, Albany Times Union, Sept. 12, 1999

Ending Feminism's Cycle of Poverty, Sojourner: The Women's Forum, Jan. 1999

Domestic Violence and Welfare Reform: A Status Report, Sojourner: The Women's Forum, May 1998 (reprinted in Clare Dalton and Elizabeth Schneider, Battered Women and the Law (New York: Foundation Press 2001))

The \$94 Question, Sojourner: The Women's Forum, Oct. 1998

Court Clarifies Sexual Harassment Tests, National Law Journal, Aug. 10, 1998

The Illegitimacy Game, Sojourner: The Women's Forum, July 1998

Schenck Decision: A Solomonic Solution, National Law Journal, March 10, 1997 (with Yolanda Wu)

Beaten, Then Robbed, New York Times, Jan. 27, 1995 (with Susan Kraham) (reprinted in Welfare: A Documentary History of U.S. Policy and Politics, Gwendolyn Mink and Rickie Solinger, eds. (New York: New York University Press 2003))

The Myth that Social Programs Do Not Work, Christian Science Monitor, May 21, 1992 (with Mimi Abramovitz)

No Papers, No Rights, No Safety, National Law Journal, Feb. 22, 1992

“Wedfare” -- or Welfare, Washington Post, Feb. 4, 1992 (with Mimi Abramovitz) (reprinted in Karen S. Haynes and Karen A. Holmes, Invitation to Social Work (New York: Longman Publishing 1994))

War on Welfare, War on Women, New York Times, Aug. 21, 1991

Detained Aliens Need a Bill of Rights, Wall Street Journal, May 18, 1988

Families Split by Documents, New York Newsday, May 11, 1987 (with Elizabeth Glazer))

Trial Lawyer Certification is Throwback to Colonial Era, Wall Street Journal, Oct. 8, 1986

The Taiwan Connection, Continued, Columbia Journalism Review, May/June 1987.

Reagan’s Judges are Radical Activists, In These Times, April 9, 1986

English Solicitors Vie for Right to Tread on Barristers’ Turf, Legal Times, Dec. 23, 1985

Defend Thyself: How Doctors are Protecting Themselves from Malpractice Suits, Chicago Magazine, Sept. 27, 1985

Dilemma in Defending the Rights of the Poor, Des Moines Register, Aug. 1, 1985

Court-Ruling on Fees: Another Obstacle to Civil Rights Cases, Philadelphia Inquirer, July 21, 1985

Alimony and ‘Conjugal’ Friends, Chicago Tribune, May 3, 1985

Refugees Find a New Tormentor Here, Wall Street Journal, March 4, 1985

Published briefs:

Amicus Curiae Brief of International Law Scholars in *King v. King*, Supreme Court of the State of Washington, 9 Seattle J. for Social Justice 185 (2011) (co-author)

Amicus Curiae Brief: Preserving Affirmative Action in Higher Education: *Amicus Curiae* Brief of NOW Legal Defense for *Grutter v. Bollinger*, 23 Women's Rights Law Reporter 145-153 (2002) (co-author)

Brief *Amicus Curiae* in *Stenberg v. Carhart*, 11 University of California at Los Angeles Women's Law Journal 3-43 (2000) (co-author)

Brief of Petitioner, *U.S. v. Morrison*, 99-29, 9 Southern California Review of Law and Women's Studies 315-324 (Spring 2000) (co-author)

Brief *Amici Curiae* of NOW Legal Defense and Education Fund in Support of Petitioner in *Davis v. Monroe County Board of Education*, 8 Southern California Review of Law and Women's Studies 279-310 (1999) (co-author)

Published remarks:

Remarks on State Courts and Transnational Law: Institutional Constraints and Transformative Opportunities for Economic, Social and Cultural Rights, The Publicist (Berkeley Journal of International Law) (2009),
<https://bjil.typepad.com/publicist/2009/09/davispublicistv2.html>.

Panel Discussion: International, National and Local Perspectives on Civil Right to Counsel, 25 Touro Law Review 81 (2009) (edited transcript of plenary panel at conference on the civil right to counsel in New York State)

Poverty and Welfare, in Women's Rights in Theory and Practice: Employment, Violence and Poverty, (Washington, DC: Woodrow Wilson International Center, 2002), pp. 68-87 & Appendix 1 (edited transcript of invitation-only conference)

Symposium: Fighting Gender, and Sexual Orientation Harassment, 9 Journal of Law and Policy 387-395 (2001) (edited transcript of panel at Harvard Law School Symposium honoring Justice Brennan)

Domestic Violence – A Proper Subject of National Legislation? *United States v. Morrison* and the Violence Against Women Act: A Mock Debate, 47 Loyola Law Review 535 - 560 (2001) (debate with Curtis Levey, Center for Individual Rights)

A Conversation on Federalism and the States: The Balancing Act of Devolution, 64 Albany Law Review 1087 – 1132 (2001) (edited transcript of conversation, with an introduction co-authored with David Markell)

Our Better Half: A Public Interest Lawyer Reflects on Pro Bono Lawyering and Social Change Litigation, 9 American University Journal of Gender, Social Policy & the Law 119 – 127 (2000) (remarks at the First Annual Peter Cicchino Awards for Outstanding Advocacy in the Public Interest)

Panel Discussion: Contemporary Challenges to Gender Equality, 43 New York Law School Law Review 159-176 (1999)

Selected Recent Reports:

Martha F. Davis, PHRGE Briefing Paper: How Five Creative Utilities Are Assisting “Hard to Reach” Renters as Water Rates Rise (Northeastern University School of Law: Program on Human Rights and the Global Economy, Boston 2022), with co-author Zain Walker.

A Drop in the Bucket: Water Affordability Policies in Twelve Massachusetts Communities (July 2019) (available at <https://www.northeastern.edu/law/pdfs/academics/phrge/water-report-2019.pdf>).

White Paper: Boston’s Sanctuary City Protections: A Philosophical Perspective (2018) (co-author with Serena Parekh) (available at <https://www.northeastern.edu/law/pdfs/academics/phrge/whitepaper-sanctuary.pdf>).

Human Rights Cities and Regions: Swedish and International Perspectives (co-editor with Thomas Gammeltoft-Hansen and Emily Hanna) (Swedish Ass’n of Local Authorities and Regions, and Raoul Wallenberg Institute 2017) (available at <http://rwi.lu.se/app/uploads/2017/03/Human-Rights-Cities-web.pdf>).

Gaming a System: Using Digital Games to Guide Self-Represented Litigants (with Dan Jackson) (2016). Northeastern University School of Law Research Paper No. 252-2016 (available at SSRN: <https://ssrn.com/abstract=2719926>).

Human Rights in State Courts, 2016 (co-author) (Opportunity Agenda and PHRGE, 2016) (available at <http://www.northeastern.edu/law/pdfs/academics/phrge/state-courts-2016.pdf>).

Inconvenient Human Rights: A Case Study of Access to Water and Sanitation in Sweden’s Informal Roma Settlements (with Natasha Ryan) (Raoul Wallenberg Institute 2016) (available at <http://rwi.lu.se/app/uploads/2016/04/Inconvenient-Human-Rights.pdf>).

Significant Cases Briefed and/or Argued:

U.S. Supreme Court:

Dobbs v. Jackson Women’s Health Network, 597 U.S. ___ (2022) (amicus) – Co-counsel representing international and comparative law scholars in support of respondents, describing progressive international trends in abortion law and refuting claim that U.S. abortion law under *Roe v. Wade* and *Planned Parenthood v. Casey* was an “outlier.”

Amicus brief was cited in dissenting opinion.

Sessions v. Morales-Santana, 137 S.Ct. 1678 (2017) (amicus) -- Counsel of Record representing Human Rights Watch and other human rights organizations presenting international and human rights arguments to Court in equal protection challenge to sex-specific federal immigration statute.

Florida v. U.S. Dep't of Health and Human Servs., 565 U.S. 1064 (2012) (amicus) – Counsel of Record representing the Leadership Conference of Civil and Human Rights and other human rights and civil rights organizations presenting arguments to the Court supporting the Medicaid Expansion portion of the health care law.

Flores-Villar v. United States, 564 U.S. 53 (2011) (amicus) – Counsel of Record representing Human Rights Watch and other human rights organizations presenting international and human rights arguments to Court in equal protection challenge to sex-specific federal immigration statute.

Nguyen v. INS, 533 U.S. 53 (2001) (lead counsel) – with assistance of co-counsel, briefed and argued equal protection challenge to sex-specific federal immigration statute.

United States v. Morrison, 529 U.S. 598 (2000) (counsel of record) – assisted with briefing and oral argument as Counsel of Record in challenge to constitutionality of the civil rights remedy of the Violence Against Women Act.

Saenz v. Roe, 526 U.S. 489 (1999) (co-counsel)-- assisted with briefing and oral argument as co-counsel in challenge to state laws burdening welfare recipients' rights to travel.

Faragher v. Boca Raton, 524 U.S. 775 (1998) (co-counsel) -- assisted with briefing and oral argument as co-counsel in sexual harassment case addressing scope of employers' liability for hostile environment.

Schenck v. Pro-Choice Network, 519 U.S. 357 (1997) (co-counsel) – assisted with briefing and oral argument as co-counsel in challenge to safe zones created to protect women seeking to enter abortion clinics.

Bray v. Alexandria Women's Health Clinic, 506 U.S. 263 (1991) (co-counsel) – assisted with briefing and oral argument as co-counsel in challenge to injunction entered against anti-abortion protestors.

State High Courts and Federal Courts of Appeals:

Whole Women's Health v. Paxton (5th Cir. Court of Appeals, 2021) (amicus) – briefed issue of international and comparative law relating to state's asserted interest in abortion regulation.

Al-Janko v. Gates (1st Cir. Court of Appeals, 2013) (amicus) – briefed issue of incorporation of international treaty law into Washington, D.C. law concerning culpability for torture.

King v. King, Wash. Sup. Ct., No. 79978 (Dec. 6, 2007) (amicus) – with co-counsel, briefed international law in case arguing for right to civil counsel under Washington constitution.

Insurance Commissioner v. Equitable Life Assurance Society, 339 Md. 596 (1995) (lead counsel) – with assistance of co-counsel, briefed and argued challenge to sex-based life and disability insurance under state equal rights amendment.

New York State NOW v. Terry, 159 F.2d 86 (2d Cir. 1998) (co-counsel) – with assistance of co-counsel, briefed and argued case upholding contempt findings entered against lawless anti-abortion protestors.

C.K. v. New Jersey Dep't of Health and Human Services, 92 F.3d 171 (3rd Cir. 1996) (lead counsel) – with assistance of co-counsel, briefed and argued challenge to New Jersey's family cap program denying welfare benefits to children born on welfare.

Honors

William Boggess Prize for best paper published in the Journal of the American Water Resources Association, 2021

University Distinguished Professor, 2020

Fulbright Specialist Grant, 2017-2018, Sweden

Humanities Center Fellow, Northeastern University, 2017-2018

Fulbright Distinguished Chair of Public International Law, 2015-2016, Raoul Wallenberg Institute. Lund, Sweden

Top Woman in Law, Mass. Lawyers' Weekly, 2014.

Clason Lecturer, Western New England School of Law, 2014.

William J. Fitzgerald Exemplary Service Award for Faculty, Northeastern School of Law, 2010.

Gustavus Myers Center Outstanding Book Award, for Bringing Human Rights Home, 2008.

“Best Book on Human Rights,” from U.S. Human Rights Network, for Bringing Human Rights Home, 2008.

Soros Foundation Reproductive Rights Fellowship, Open Society Institute, 2003-2004. One of eight international fellows.

Reginald Heber Smith Book Award, Equal Justice Library, 2002, for “distinguished scholarship in the area of equal access to justice.”

Kate Stoneman Award, Albany Law School, 2000, for advancing women’s rights.

Windcall Resident, Bozeman, Montana, summer 2000. Selective retreat and renewal center for activists.

Wasserstein Fellowship, Harvard Law School, 1998, for “outstanding contributions and dedication to public interest law.”

Rembe Visiting Lecturer, University of Washington School of Law, April 1996.

American Bar Association Certificate of Merit in Silver Gavel Competition, for Brutal Need: Lawyers and the Welfare Rights Movement, 1994.

Mark Howe Foundation grant, Harvard Law School, for research on civil rights and civil liberties, 1989-90.

Fellow, The Bunting Institute, Radcliffe College, 1988-89. Selected from international applicant pool as one-year fellow at post-doctoral research institute.

Pearson Fellowship, 1979-81, for graduate study at Oxford University.

Grants

PI on subcontract from Columbia Law School, \$99,999, for work to ensure U.S. accountability to human rights obligations.

Co-Principal Investigator (PI) with Laura Senier (PI) and Sharon Harlan (Co-PI) on National Science Foundation Award No. 1948790, \$234,794, for study of water affordability.

PI on grants from the Ford Foundation for NUSL’s Program on Human Rights and the Global Economy (PHRGE), totaling \$1,200,000, from 2010 – 2018

PI on grants to PHRGE totaling \$30,000 from Unitarian Universalist Foundation

PI on \$6000 grant to PHRGE from the Mass Humanities for program on race and human rights

Co-PI on four NU “Tier I” interdisciplinary grants, one for the NuLawLab (mapping

evictions in India), three for PHRGE (human right to water (2) and indigenous rights (1))

Co-PI on NU Global Resilience Institute seed grant for interdisciplinary work on sanctuary cities

Professional Activities:

Academic Advisory Board, "Cities of Refuge," Netherlands Organization of Scientific Research, 2017-2022

Academic Advisory Council, The ERA Project, Columbia Law School, 2021-present

Health and Human Rights, Editorial Board, Boston, MA

Human Right 2 Water, Chair of Expert Committee, Geneva, Switzerland, 2020 present

LSN Human Rights and the Global Economy e-journal, Social Science Research Network, editor, 2006-present

National Economic and Social Rights Initiative, Chair, Board of Directors, 2005-2015

Peer Reviewer for Oxford University Press, Cambridge University Press, University of Pennsylvania Press, Cornell University Press, Yale University Press, Duke University Press, Routledge Press, Women's Health Issues, Law and History Review, Wolters Kluwer (Aspen), Journal of Legal Education, Elgar Press, Lexington Press, Water (journal), Journal of Law, Medicine & Ethics, PLOS, Law & Social Inquiry

Regional Reviewer for Fulbright Scholar Awards to the Baltic region, 2016-2018; Technical Reviewer for Egyptian Student Fulbright Applications in field of International Law and Human Rights, 2020-2022

Selected Keynotes and Presentations

Keynote Presentations and Lectures:

Lecture, Human Rights Commissions in the U.S., Cook County Human Rights Commission, October 13, 2022.

Keynote, "Human Rights Cities," Istanbul Technical University, Istanbul, Turkey, Nov. 22, 2018.

Keynote, "Human Rights Accountability: Learning from Small Places," Human Rights Lab Conference, University of Minnesota School of Law, Minneapolis, MN, Oct. 4-5, 2018.

Keynote, "From Global to Local: The Transformative Potential of Human Rights Cities," NUSL Program on Human Rights and the Global Economy, Boston, MA, Dec. 8, 2016

Keynote, "Families, Federalism and Reproductive Rights," Families 2.0, University of Regensburg, Regensburg, Germany, Nov. 24, 2015.

"State Courts and Human Rights," Clason Lecturer, Western New England School of Law, Springfield, MA, April 2014.

Keynote, "Local Human Rights Lawyering," Human Rights Lawyering at the State and Local Level in the U.S., American University, Washington College of Law, Washington, D.C., April 2013.

Recent Presentations and Trainings, 2019-2023:

Instructor, "Economic, Social and Cultural Rights: Examples from Education, Water, and Food," Jindal Global Law School Summer Program, Harvard School of Public Health, July 14, 2023.

Chair and Moderator, BHRH CLE Program, Human Rights Treaty Obligations and the U.S.: The Rocky Road to Rights, <https://law.northeastern.edu/multimedia/phrge-symposium-2023/>, June 15, 2023.

Speaker, Webinar "In Defense of American Democracy," NYU's Multinational Institute of American Studies, May 1, 2023.

Panelist, "Comparative Law and Reproductive Rights in Dobbs," Santa Clara Law Review Symposium, March 23, 2023.

Panelist, "Local Governments and Reproductive Rights after Dobbs," Annual Rothgerber Conference on Constitutional Law, University of Colorado, Boulder, CO, March 14, 2023.

Moderator, Hernan Santa Cruz Webinar on the "Human Rights Economy from a Local Perspective," sponsored by the UN High Commissioner for Human Rights, U Minnesota, and PHRGE, Dec. 12, 2022.

Featured Speaker, Program on human rights for Swedish municipalities, Lund, Sweden, Dec. 1, 2022.

Panelist, Are Treaties Obsolete?, International Law Weekend, American Branch of the International Law Association, New York, NY, Oct. 21, 2022.

Panelist, Water Justice: Legal Strategies to Address Racial Disparities in Water Access, NLADA Equal Justice Conference, Minneapolis, MN, May 13, 2022.

Speaker, Centering Intersectionality in Human Rights Discourse, Wash. & Lee Law Rev. Symposium, March 11, 2022.

Speaker, American Cities Struggling with Economic Justice, Seton Hall L. Rev. Symposium, Feb. 25, 2022.

Panelist, Human Rights Commissions and Water Justice, International Association of Official Human Rights Agencies, Dec. 8, 2021.

Panelist, Government Alliance for Racial Equity, on American Rescue Plan, racial equity and water funding, Nov. 5, 2021.

Instructor, Micro-course on Human Rights Cities, University of Pittsburgh, Oct. 22, 2021.

Speaker, "Fault Lines in the Constitution: A Reemerging Debate Over the Need for Affirmative Social Rights in the U.S. Constitution," Cardozo Law Review Symposium, New York, NY, March 20, 2020.

Speaker, "Local Human Rights: Cities on the Move," Yale Law School, New Haven, CT, Feb 24, 2020.

Featured Speaker, "A Drop in the Bucket: Water Affordability in Massachusetts," MWRA Citizens Advisory Board, Wellesley, MA, Nov. 21, 2019.

Panelist, "Urban Intelligence and the Emerging City," Fordham University School of Law, New York, NY, Oct. 25, 2019.

Panelist, "The Fight for Welfare Rights: Considering Goldberg v. Kelly on its Fiftieth Anniversary," NYU School of Law, New York, NY, Oct. 21, 2019.

Presenter, "Pressure from Below: Subnational Governance, Human Rights, and Climate Change," at Human Rights in the Anthropocene, Lund University, Sweden, Oct. 18, 2019.

Panelist, "Water Affordability," Thurgood Marshall Institute, NAACP Legal Defense and Educational Fund, Washington, D.C., July 31, 2019.

Speaker, "Implementing Human Rights in Practice," Maryland Legal Aid Bureau, March 28, 2019.

Trainings prior to 2019 include Aspen Institute program for state and federal judges on international law in domestic cases; human rights law training for Zimbabwe policymakers; training on human rights law for Mass. Supreme Judicial Court and court of appeals judges; CLE program for Mass. State legislators on human rights law.

Additional Activities:

Appearances on NBC evening news, CNBC, NPR, WBUR, and others.

Quoted in major print and on-line media outlets including the New York Times, Chicago Tribune, Boston Globe, and AP.

Testimony before U.S. Senate and House Committees and state legislatures.

Cooperating Attorney (pro bono), Brennan Center for Justice, New York, NY

Consultancies: World Health Organization, Ms. Foundation, Center for Reproductive Rights, Center for Constitutional Rights, Raoul Wallenberg Institute of Human Rights and Humanitarian Law.