

Subject line: Ayres Newsletter (formerly “More Ayres Spam”)

Dear Friends,

Greetings from Tuscany, where I’m in the midst of a restorative sabbatical leave.

By my reckoning, it’s been several years since my last compilation of publications.

[Here’s a Different Way to Think About Stock Diversification](#), Wall Street Journal (Oct. 9, 2022) (with Barry Nalebuff).

Thanks go to Bob Shiller for suggesting we update the empiricism on our Leveraged Lifecycle book. Spoiler: The strategy still works.

The Supreme Court’s devastating opinion in [Bruen](#) decision has sadly made many of my and Fred Vars’ proposals to reduce gun violence all too relevant. The book treatment of our ideas is:

[Weapon of Choice: Fighting Gun Violence While Respecting Gun Rights](#), Harvard University Press (2020) (with Fred Vars).

Quinnipiac Law Review, volume 39 includes several pieces from a useful symposium focused on the book, including: [Guns and Property Preference: Testing the Impact of Gilles and Cynicism Conjectures Using Survey Data](#), 39 *Quinnipiac Law Review* (2021) (with Pranjal Drall, Spurthi Jonnalagadda and Fredrick Vars)

And in the aftermath of [Bruen](#), Fred and I published several op-eds on what was now possible.

[What can cities do when bad gun laws are hurting the economy?](#), *Los Angeles Times*, August 11, 2022 (with Fredrick Vars). This op-ed suggests how states’ more explicit, short-term leases can help cities that are preempted by state law from creating gun-free spaces.

[Here’s how states can empower citizens to help combat gun violence](#), *The Washington Post*, July 28, 2022 (with Fredrick Vars). This op-ed suggests that unlawful possession petitions could responsibly incentivize and empower private citizens to identify millions of guns that are currently subject to confiscation.

[A new no-carry default for the US: A gun law that could really change things](#), *New York Daily News*, July 20, 2022 (with Fredrick Vars). This op-ed suggests that New York’s new “no carry” default provides a model for several other blue states that want to reduce gun violence without falling afoul of *Bruen*.

[How can states limit guns? By protecting the right to peaceably assemble](#), *Los Angeles Times*, July 5, 2022 (with Fredrick Vars). This op-ed, which was inspired by a talk Beto O’Rourke gave to my gun violence seminar with Tracey Meares and Abbe Gluck, argues that another default can do a better job protecting the right to peaceably assemble.

[Is your dishwasher repairman packing heat? The case for ‘no carry’ gun defaults on private property](#), *The Hill*, July 1, 2022 (with Spurthi Jonnalagadda). This op-ed references the empiricism that Spurthi and I produced, which helped convince New York to flip its default.

[The case for mandatory gun-liability insurance](#), *The Washington Post*, June 17, 2022 (with Jason Abaluck). This op-ed spearheaded by Jason Abaluck argues that economic incentives might help internalize externalities of gun violence.

[New York's red-flag law failed in Buffalo. Here's how to fix it](#), *The Washington Post*, May 24, 2022 (with Fredrick Vars). This op-ed argues that states need to care about the details of red-flag implementation.

Here are three journal symposium articles growing out of my gun violence seminar with Tracey and Abbe:

[Guests with Guns: Public Support for "No Carry" Defaults on Private Land](#), *Journal of Law, Medicine, and Ethics*, (January 2021) (with Spurthi Jonnalagadda) [Appendix](#). This is the randomized survey that helped change New York's law.

[The Walmart Effect: Testing Private Interventions to Reduce Gun Suicide](#), *48 Journal of Law, Medicine, and Ethics* (January 2021) (with Zachary Shelley and Fredrick E. Vars) [Appendix](#). This article shows that corporate action can save lives.

[Your Liberty or Your Gun? A Survey of Psychiatrist Understanding of Mental Health Prohibitors](#), *Journal of Law, Medicine, and Ethics* (January 2021) (with Cara Newlon and Brian Barnett) [Appendix](#). This survey shows that psychiatrists are often not well informed about the legal consequences in their state of mental health holds.

[Gun Trust as Private Red Flag Law](#), ABA (July 2020) (with Fredrick Vars) ([Audio link](#))

[Libertarian Gun Control](#), 167 *University of Pennsylvania Law Review* 921 (2019) (with Fredrick Vars). [Online Appendix](#). [Data and Code](#). This is a law review article laying out Fred's idea for hand-tying mechanism to reduce suicide. We discuss it in even further detail in our [Weapon of Choice](#) book – including going into the legislative kitchen to tell the tale of how the idea has been introduced in more than a dozen states and enacted in three.

Non-Gun Scholarship

[Reactive Incentives: Harnessing the Impact of Sunk Opportunity Costs](#), SSRN (December 26, 2019) (with Giuseppe Dari-Mattiacci). This draft is being expanded into a book that will be published by Harvard University Press. Giuseppe and I are working on 3 other experiments to test the power of resisted temptation.

[Theodicy](#), in BEYOND ONE L (Nancy Levit & Allen Rostron, eds., Carolina Academic Press) (2019). This chapter [is](#) tells the story of my mom's MS and the impact it had on my religious belief.

[Consumer Expropriation of Aesthetically Functional Trade Dress: Results from a Randomized Experiment](#), 93 *Southern California Law Review*, (February 2021) (with Xiyin Tang). This article grows out of my teaching intellectual property law and is part of an effort to give consumers more power over whether or not to extend trademark rights. By my lights, this article deserves more attention.

[Affirmative Action Still Hasn't Been Shown to Reduce the Number of Black Lawyers: A Response to Sander](#), *International Review of Law and Economics* (November 2021) (with Richard Brooks and Zach Shelley)

[Sunsets Are for Suckers: An Experimental Test of Sunset Clauses](#), *59 Harvard Journal on Legislation* 1 (2022) (with Kristen Underhill)

[How to Make COVID-19 Contact Tracing Apps Work: Insights From Behavioral Economics](#), SSRN, (September 2020) (with Alessandro Romano and Chiara Sotis)

[A lottery test of the effect of dispensaries on emergency room visits in Arizona](#), *Health Economics* (June 2020) (with Gregory Conyers). This article began with YLS hiring a data librarian. In trying to figure out how to use this resource, I asked for a list of government programs that explicitly used randomization and the Arizona dispensary lottery was on the librarian's list. I have another article piggybacking on government randomization in the works – this one concerning Maine's moose lottery.

[Response, One-Legged Contracting](#), 133 Harv. L. Rev. F. 1-12 (2019) (with Gregory Klass).

[A Theory of Mandatory Rules: Typology, Policy, and Design](#), 99 Texas Law Review 283 (2020) Eyal Zamir **(featuring Ian Ayres)**. This article began as a solo article written by Eyal. I tried to rewrite it, and we were having trouble coming to agreement, when I had the idea of changing attribution to just "featuring Ian Ayres". I now play the [Billy Ray Cyrus to Eyal's Lil Nas X](#).

[The Impact of Law Student Assistance on the Granting and Service of Temporary Restraining Orders](#), 53 *Connecticut Law Review* (2021) (with Brendan Costello & Elizabeth Villarreal). [Appendix](#). [Code](#). [Data](#). [Interactive Tool](#). This piece (and the associated op-ed below) began as a student piece that I horned my way onto...

[Temporary Restraining Order in Connecticut Don't Always Take Effect; That Needs to Change](#), *The Hartford Courant*, October 6, 2019 (with Brendan Costello).

[Do Languages Generate Future-Oriented Economic Behavior?](#), SSRN, March 1, 2019 (with Tamar Kricheli-Katz and Tali Regev) [Web Appendix](#). This article grew out of an enjoyable dinner that Eyal Zamir organized during a trip to Israel. I mentioned an amazing article by Keith Chen, and the next thing you know we had written a follow-up piece.

Non-Gun Op-eds

[Until I'm told otherwise, I prefer to call you 'they'](#), *The Washington Post*, September 15, 2021. This op-ed was a labor of love and provoked passionate feelings among my family and friends (and thousands of online comments).

[Stubbed Toe Compatibility](#), *Balkinization* (July 19, 2020). This is another labor of love that I wrote partly with the hope that my children could avoid mistakes that I have made in the past.

[Is Biden or Bernie More Electable?](#), *Los Angeles Times* (March 5, 2020) (with Zachary Shelley).

[Which Democratic Candidate is the Most Electable in the Electoral College?](#), *Balkinization* (March 2020) (with Zachary Shelley). [Data](#).

[Most New Year's Resolutions Fail. If You Want Yours to Succeed, Put Some Money Behind It](#), *Los Angeles Times*, Jan. 1, 2019.

[Guess How Much Cheaper Your Auto Loan Would Be If Dealers Had To Play Fair](#), *The Washington Post*, June 26, 2019.

[How We Learned to Love the Toll](#), *The Hartford Courant*, June 14, 2019 (with Steven Berry, Kenneth Gillingham & Barry Nalebuff). This op-ed was yenta-ed by Fiona Scott Morton.

[Save a Grandma. Get Your Flu Shot](#), *Los Angeles Times*, Nov. 12, 2018. This op-ed began when I found out that I was preempted in writing the underlying study – so I wrote an op-ed to tell others about the study.

[The U.S. Is in a State of Perpetual Minority Rule](#), *The Washington Post*, Nov. 8, 2018 (with Daniel Markovits). Daniel deserves almost 100% of credit for this op-ed.

[What's in a Denial? Bayesian Analysis Shows that Kavanaugh Lied About Denials Under Oath and Trump Was Foolish to Believe MBS](#), Nov. 2, 2018 (with John Donohue and Aaron Edlin).

[Drug Users Keep Accidentally Poisoning Themselves. Here's an Idea to Stop Them](#), *The Washington Post*, Sept. 9, 2018.