One of the major constitutional issues with which the United States Supreme Court has been wrestling for years is whether and when the government must compensate property owners because of declines in the value of their property resulting from governmental regulation. This is the issue of “regulatory takings.” On a number of occasions, the Supreme Court has suggested that this is a fairness issue—in particular, whether and when taxpayers generally, rather than individual property owners, should “in all fairness and justice” pay for the cost of regulation. Professor Thompson will be looking at several cases that courts have decided under this concept, ask what concepts of “fairness” those decisions embody, and use the cases to illustrate the tensions and problems that the courts confront in trying to decide when a regulation constitutes a “regulatory taking” for which compensation is owed.

Reception immediately following
**Previous Distinguished Gifford Lecturers**

**James Ely**  
Milton R. Underwood Professor of Law, Emeritus  
and Professor of History, Emeritus  
Vanderbilt University Law School  

2002

**Pamela Samuelson**  
Professor of Law, Berkeley Law School  
and the School of Information,  
and Director, Berkeley Center for Law & Technology  
Berkeley Law School and School of Information  

2003

**Lance Liebman**  
William S. Beinecke Professor of Law  
Columbia Law School  

2005

**Carol Rose**  
Gordon Bradford Tweedy Professor of Law Emeritus,  
Law and Organization  
Yale Law School  

2006

**Susan Fletcher French**  
Professor of Law Emerita  
UCLA School of Law  

2007

**Doug Kmiec**  
Professor of Constitutional Law  
and Caruso Family Chair in Constitutional Law  
Pepperdine University School of Law  

2008

**David A. Thomas**  
Rex E. Lee Chair and Professor of Law  
Brigham Young University-Provo  

2008

**Lee Fennell**  
Professor of Law  
University of Chicago Law School  

2009

**Kevin Gray**  
Dean, Trinity College  
Professor of Law, University of Cambridge  
& National University of Singapore  

2010

**Richard Chused**  
Professor of Law  
New York University  

2011

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**Barton H. “Buzz” Thompson, Jr.**  
Stanford Law School  
Robert E. Paradise Professor in Natural Resources  
Perry L. McCarty Director, Stanford Woods Institute for the Environment  

A leading expert in property, natural resources, and the environment, Barton H. “Buzz” Thompson, Jr. is the Robert E. Paradise Professor in Natural Resources Law at Stanford University, the Perry L. McCarty Director and Senior Fellow of the Stanford Woods Institute for the Environment, and a Senior Fellow at the Freeman Spogli Institute for International Studies.

His published work includes a casebook, *Property Law: Ownership, Use, and Conservation*, as well as other books and articles on such diverse topics as regulatory takings, land conservation, the effective management of water and fisheries, biodiversity protection, the use of economics and market tools in environmental regulation, and cognitive barriers to resource management.

In 2008, the Supreme Court appointed Professor Thompson as the special master in *Montana v. Wyoming* (137 Original), an interstate dispute involving the Yellowstone River system.

Professor Thompson is chairman of the board of the Resources Legacy Fund and the Resources Legacy Fund Foundation, a California trustee for The Nature Conservancy, and a board member of both the American Farmland Trust and the Sonoran Institute. He previously served as a member of the Science Advisory Board for the U.S. Environmental Protection Agency. Prior to joining the Stanford faculty, he clerked for Chief Justice William Rehnquist of the United States Supreme Court and was a partner with the law firm of O’Melveny & Myers in Los Angeles.

*The William S. Richardson School of Law’s Distinguished Gifford Lectureship in Real Property* was established in 2002 by the Gifford Foundation to honor David L. Callies, the Benjamin A. Kudo Professor of Law, and Jerry M. Hiatt (’77), prominent Big Island Attorney, for their superior work in the field of real property.