



ASLH Newsletter

Summer 1999

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NEWS OF THE SOCIETY

[1999 Annual Meeting: Toronto, October 21-23](#)

Make plans now to attend the Society's Annual Meeting, which will be held at the Sheraton Centre Hotel in downtown Toronto, October 21-23, 1999. The meeting hotel is located directly across Queen Street from Osgoode Hall, home of the Osgoode Society, Osgoode Hall Law School of York University, and the Law Society of Upper Canada.

Please watch for information on the Society's Room-Share plan, which will help members cut their lodging costs, in the conference mailing.

Peter Oliver and Marilyn MacFarlane of the Osgoode Society and Susan Lewthwaite of the Law Society of Upper Canada constitute the local arrangements committee. They have been most helpful in making arrangements for the meeting and will host the Annual Lecture and Reception at Osgoode Hall on Friday evening, October 22. During the reception, tours of Osgoode Hall and its wonderful art and architectural features will be available.

Sally Gordon has done outstanding work as chair of the 1999 program committee, which also includes Constance Backhouse (University of Western Ontario), Cornelia Hughes Dayton (University of Connecticut), Christine Desan (Harvard University), Tahirih Lee (Florida State University), Prina Lahav (Boston University),

William LaPiana (New York Law School), Victoria List (Washington & Jefferson College),

Kenneth Mack (Princeton University), Gregory Mark (Rutgers University, Newark),

Michael Millender (University of Florida), Richard Ross (University of Chicago), Christopher Tomlins (American Bar Foundation and *Law and History Review*), Howard Venable (New York University), and James Whitman (Yale University). Sally and her committee have assembled the most extensive program in the Society's history--and one of the strongest.

Check out the [H-Law web page](#) for the complete program and abstracts of the papers. Once you've had a chance to check it out, you won't want to miss the meeting. Thanks go to Chris Waldrep of Eastern Illinois University, our webmaster, for his efficiency in getting this information on our web site.

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Plan Ahead: 2000 Meeting Scheduled for Princeton, October 19-21, 2000

The Standing Committee on Conferences and the Annual Meeting, with the concurrence of the Executive Committee, has selected Princeton, New Jersey as the site of the 2000 Annual Meeting. The headquarters for the meeting is the historic Nassau Inn which is located across Nassau Street from the Princeton Campus.

President-elect Thomas Green has selected Charles McCurdy of the University of Virginia as Program Committee chair. Watch the [H-Law web page](#) for the committee's call for papers.

Former Society President, Stanley Katz of Princeton's Woodrow Wilson School, and Dirk Hartog of the Princeton History Department have been of enormous help in facilitating arrangements for what promises to be a splendid meeting site to start the new millenium.



Sponsoring and Sustaining Members

The Society wishes to recognize and thank ASLH members who support the Society's General Fund by becoming Sponsoring and Sustaining Members. Sponsoring and Sustaining Members contribute \$125 and \$75 per year, respectively.

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Donald Sutherland Prize

The Society invites nominations (including self-nominations) for the Donald Sutherland Prize, which is awarded annually to the article judged the most significant contribution to English legal history. Nominees may include articles published in journals or collections of original essays and must have a 1998 publication date.

Please submit nominations, with three copies of the article nominated, to Professor DeLloyd Guth; Chair, Sutherland Prize Committee; Faculty of Law; University of Manitoba; Winnipeg, Manitoba; CANADA R3T-2N2.

1999 Elections: Candidate Biographies

The Society's thanks go to Victoria List of Washington and Jefferson College, chair of the Nominating Committee, and her colleagues Sarah Barringer Gordon (University of Pennsylvania), Mary Dudziak (University of Southern California), Michael Grossberg (Indiana University), and Philip Hamburger (George Washington University) for their hard work in selecting a strong slate of candidates for the Board of Directors and the Nominating Committee.

The committee has selected ten nominees for the five open slots on the Board and two nominees for the one vacancy on the Nominating Committee. Brief biographies of the candidates appear below.

A tear-out ballot is included in this issue of the Newsletter. Please complete it and return to: Donald G.

Nieman, ASLH, Department of History, Bowling Green State University, Bowling Green, OH 43403. **Ballots must be postmarked by October 1, 1999.**

Biographies of Board of Directors Nominees

Barbara Aronstein Black was born and raised in Brooklyn, attended the Brooklyn public schools and Brooklyn College (B.A., 1953) Her LL.B. (1955) is from the Columbia Law School, and her Ph.D. (History, 1975) from Yale. She has been Assistant Professor of History at Yale (1976-79) and an Associate Professor at the Yale Law School (1979-84). Since 1984 she has been George Welwood Murray Professor of Legal History at Columbia Law School, where she served as Dean of the Faculty of Law from 1986 to 1991. She has taught a variety of legal history courses and seminars to undergraduates, graduate students and law students. She also teaches contracts. She is a member of the New York and Connecticut Bars, a member of the American Philosophical Society, the Selden Society, and the American Academy of Arts and Sciences, and the recipient of honorary degrees from Brooklyn College, Smith, Georgetown University Law Center and other institutions. She has been a member of the New York State Ethics Commission, and is a member of the Permanent Advisory Board of the Columbia University Jay Papers Project and a member of the Board of Guarantors of the Italian Academy for Advanced Studies in America at Columbia University. Beginning with her dissertation on the judicial power of the Massachusetts General Court in the 17th century, her major interest has been in colonial legal history; she is also now engaged in writing about early twentieth-century contracts scholarship. Service to the Society includes membership on the Board, Chair of the Nominating Committee, during the 80s; President from 1986-89.

Daniel R. Ernst is Professor of Law at the Georgetown University Law Center, where he has taught since 1988. (He has served as an adjunct in Georgetown's Department of History since 1996.) He holds an undergraduate degree from Dartmouth College, a J.D. from the University of Chicago, an LL.M. from the University of Wisconsin-Madison, and a Ph.D. in History from Princeton University. His publications include *Lawyers against Labor* (1995), which received the Littleton-Griswold Prize of the American Historical Association, and articles in *Law and History Review*, *Reviews in American History* and other journals. Currently he is editing, with Victor Jew, a volume of conference papers, *Total War and the Law: New Perspectives on World War II*, and is completing papers on New Zealand's Court of Arbitration, based on research conducted while on a Fulbright in 1996. In the fall semester of 1998 he was the Jack and Margaret Sweet Visiting Professor of History at Michigan State University. He chaired the Local Arrangements Committee for the 1994 annual meeting of the ASLH in Washington, D.C., and the Program Committee for the 1998 annual meeting in Seattle. He is a member of the editorial board of *Labor History*.

Douglas Hay is Associate Professor of Law and History at Osgoode Hall Law School and York University, Toronto, where he teaches legal history and social history. He received his BA and MA degrees in Modern History from the University of Toronto, and a Ph.D. in Social History from the University of Warwick. He has held visiting appointments as Professor of Canadian Studies at Yale and as SSRC Professorial Fellow in Socio-legal Studies at the University of Warwick. He has co-edited and contributed to *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (1975), *Labour, Law and Crime in Historical Perspective* (1987), *Policing and Prosecution in Britain 1750-1850* (1989), *Friends of the Chief Justice: The William Osgoode Correspondence* (1990), and (with Nicholas Rogers), *Eighteenth-Century English Society* (1997); he has published articles and chapters on English and Canadian legal history in other collections and in history and law journals, most recently in *Past & Present* (February 1999). Current work is a collaborative international project on the law of master and servant, and studies of the administration of the criminal law in the eighteenth century and of the court of King's Bench in the eighteenth century. He was on the Board of Directors of the Society 1985-88, and on the board of *Law and History Review* from 1983-1992. He also has served on committees, boards, or journals of the Law and Society Association, the Canadian Historical Association, and the Social Science History Association, and has been the Chorley Lecturer at the London School of Economics and the Iredell Lecturer in Legal History at the University of Lancaster.

Barbara Holden-Smith is currently an Associate Professor of Law at Cornell Law School. She joined the Cornell faculty in 1990. Before that she was in the private practice of law in Washington, D.C and Chicago. She is a 1984 graduate of the University of Chicago Law School. She currently teaches Civil Procedure, Federal Courts, and a history course called African Americans and the Supreme Court. Her primary areas of research are in the history of the Supreme Court and race. She has written on Justice Joseph Story and his slavery jurisprudence. She is currently working on a biography of the first Justice John Marshall Harlan and on a study of the history of the NAACP's litigation strategy in criminal cases.

Nancy Isenberg received her Ph.D. in History in 1990 from the University of Wisconsin, followed by a two-year postdoctoral fellowship at the Commonwealth Center at the College of William and Mary. Since 1992, she has taught women's history and film history (exclusively concentrating on the law) at the University of Northern Iowa, where she received tenure in 1998. Also in 1998, her book, *Sex and Citizenship in Antebellum America*, was published as part of the Gender and American Culture series by the University of North Carolina Press. "'Pillars of the Same Temple and Priests of the Same Worship': The Feminist Politics of Church and State in Antebellum America," appeared in the June 1998 issue of *The Journal of American History*, and she has published articles in such journals as the *American Quarterly*, *American Studies*, *Biography*, and recently *The Nation*. Since 1995, she has served on the Editorial Board of *Law and History Review*, and is currently writing on the Patty Hearst trial.

Daniel Klerman is an Associate Professor at University of Southern California Law School, whose principal research interest is English legal history. Prior to his move to USC in 1998, he was an assistant professor for three years at University of Chicago Law School, a Fulbright fellow in London, and a clerk to Supreme Court Justice John Paul Stevens. He has a J.D. and Ph.D. in History, both from the University of Chicago. His dissertation, which he is currently preparing for publication, examines the private prosecution of crime in thirteenth-century England, with special attention to quantitative analysis and the role of women prosecutors. He has presented two papers at ASLH annual meetings and has published articles in the *Georgetown Law Review*, *Journal of Legal Studies*, *University of Southern California Law Review*, and *University of Chicago Law Review*. He has been a member of ASLH since 1991.

Pnina Lahav is Professor of Law at Boston University. She has a law degree from the Hebrew University in Jerusalem, an LLM and S.J.D. from Yale Law School, and an MA in political science from Boston University. She has been teaching constitutional law—American, Israeli and comparative—and political and civil liberties both in the United States and in Israel. She has been interested in human rights, women's rights and the right to free speech for a long time and has written extensively about these subjects. Lahav's most recent book is *Judgment in Jerusalem, Chief Justice Simon Agranat and the Zionist Century* (University of California Press, 1997) and in Hebrew, *Am-Oved* (1999). It won the 1998 Seltner Award and the Graetz Centennial Book Award, and has been a selection of the History Book Club. Lahav just finished a two-year term as the President of the Association for Israeli Studies, an association of scholars studying Israel in the United States and elsewhere, and served on the program committee of the ASLH for the year 1999.

Gregory Mark is Professor of law and a member of the graduate faculty in history at Rutgers - Newark. His recent publications deal with the history of the right to petition, the origins and early development of federalism and corporate law, and the history of the role of the state in the creation of corporate law. He is currently working on articles dealing with the evolution of corporate law and the historical uses of the petition by

women. Professor Mark serves as a member of the Program Committee for the 1999 Toronto meeting of the Society and also serves on various other committees for the ASLH, the Association of American Law Schools, and other academic societies. Before teaching at Rutgers, Professor Mark taught at Cleveland-Marshall College of Law. Before beginning his teaching career he was an Associate Counsel in the Office of the Independent Counsel investigating Iran/Contra. He attended law school at the University of Chicago and did graduate work in American history at Harvard.

William E. Nelson, a lifetime member of the Society, is Ehrenkranz Professor of Law at New York University. He was Assistant Editor of the *American Journal of Legal History* when it was the official journal of the Society and simultaneously served on the Society's Board of Directors. He is the author of two books in the Society's Studies in Legal History series—*Americanization of the Common Law: The Impact of Legal Change on Massachusetts Society, 1760-1830* and *Dispute and Conflict Resolution in Plymouth County, Massachusetts, 1725-1825*. He has also submitted his forthcoming book, *The Legalist Reformation: Law, Politics, and Ideology in New York, 1920-1980*, to the series. Another book, *The Fourteenth Amendment: From Political Principle to Judicial Doctrine* won the Littleton-Griswold Prize.

Emily Field Van Tassel is Visiting Associate Professor of Law at Indiana University-Bloomington. She received her graduate training at Case Western Reserve University and the University of Chicago. She received her J.D. from the University of Wisconsin, where she served as an editor of the *Wisconsin Law Review*. She first became a member of ASLH in 1977 as a graduate student. She has taught in both history departments and law schools. Institutions where she has taught include Georgetown University, the University of Maryland, Widener University, Case Western Reserve University and Indiana University. She was formerly Associate Historian at the Federal Judicial Center in Washington D.C. and was a Women's Law and Public

Policy Fellow with the United States Senate Judiciary Committee. She has been a consultant to the National Commission on Judicial Discipline & Removal. She has worked with the National Archives and individual manuscript repositories, as well as federal judges, to insure the preservation of federal records and papers of federal judges. She has presented papers and published articles on the history of the federal judiciary and on the legal history of family, race and gender. Her articles appear in such places as the *University of Pennsylvania Law Review*, the *Georgetown Law Journal*, and the *Chicago-Kent Law Review*. She is the author of "Why Judges Resign" (Fed. Jud. Cntr., 1993) and co-author of "Impeachable Offenses" (Cong. Q. Press, 1998). She is currently working on the history and contemporary contours of judicial independence in the federal system, and on a history of family property law in the post-bellum South.

Biographies of Nominating Committee Nominees

Constance Backhouse is a Professor of Law at the University of Western Ontario. As of 1 July 2000, she will become a Professor of Law at the University of Ottawa. She is the author of *Petticoats and Prejudice: Women and the Law in Nineteenth-Century Canada*, which was awarded the Willard Hurst Prize in American Legal History. Her latest book on legal history, *Colour-Coded: A Legal History of Racism in Canada, 1900-1950* will be co-published by the Osgoode Society and the University of Toronto Press in 1999. Constance Backhouse has previously served on the Board of Directors and the Program Committee for the ASLH, and has also served on the executive committee of the Canadian Law and Society Association.

Victoria Saker Woeste is a Research Fellow at the American Bar Foundation in Chicago, where she works on problems associated with twentieth-century legal history, regulation, business, agriculture, and the state. She came to the Foundation in 1994 from Amherst College, where she taught legal history and American studies. Her Ph.D. is from the Jurisprudence and Social Policy Program at Berkeley, so she has spent her entire professional life in interdisciplinary programs. What that says about her relationship to history departments she leaves to others to discern. At the Foundation she is co-editor of *Law and Social Inquiry* and will help launch the new graduate program in law and social science in the fall. In 1998 her book, *The Farmer's Benevolent Trust: Law and Cooperation in Industrial America, 1865-1945*, was published in the Studies in Legal History Series of the University of North Carolina Press. She has published articles in *Law and History Review*, *Business and Economic History*, and *Audacity*; she has contributed to a collection of essays edited by Harry Scheiber and forthcoming anthologies edited by Robert Johnston and Catherine McNichol Stock, and by Wes Pue and David Sugarman. Service to the ASLH includes chair of the membership committee, 1997-2000; member of the board of directors, 1996-1998; and member of the 1992 Program Committee for the Yale meeting. She is currently at work on a new project involving lawyers, anti-Semitism, agricultural policy, Henry Ford, and radicalism in the interwar period.

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ANNOUNCEMENTS

American Antiquarian Society Announces Fellowships for 2000-2001

The American Antiquarian Society awards a number of short and long-term fellowships to encourage research in its collections of American history and culture through 1876:

AAS-National Endowment for the Humanities Fellowships for four to twelve months of support on any subject on which the Society has strong holdings. Not open to foreign nationals (except those who have been resident in the U.S. at least three years) and degree candidates. Maximum award: \$30,000. Deadline: January 15, 2000.

Mellon Postdoctoral Fellowships for a minimum of nine months in residence at the AAS. Foreign nationals who are beyond the doctorate are eligible to apply. Maximum award: \$35,000. Deadline: October 15, 1999.

Kate B. and Hall J. Peterson Fellowships for one to three months' support (\$950/month) for research on any subject on which the Society has strong holdings. Open to dissertation writers and foreign nationals. Deadline: January 15, 2000.

Stephen Botein Fellowships for one or two months' residence (\$950/month) by persons working on the history of the book in American culture. Deadline: January 15, 2000.

Joyce Tracy Fellowship for one month's research (\$950) on newspapers or magazines or for projects using these as primary sources. Deadline: January 15, 2000.

The *Legacy Fellowship* is for one month's research (\$950) on any subject on which the Society has strong holdings. Deadline: January 15, 2000.

AAS-American Society for Eighteenth Century Studies Fellowships are for one to two months' residency (\$950/month) for persons working in any area of eighteenth century studies. Degree candidates are not eligible. Deadline: January 15, 2000.

The *AAS-Northeast Modern Languages Fellowship* is for one month's residency (\$950) for a person doing research on American literary studies through 1876. Degree candidates are not eligible. Deadline: January 15, 2000.

The *Reese Fellowship* supports bibliographic research and projects in the history of the book in American culture for one month (\$950). Deadline: January 15, 2000.

The *Richard F. and Virginia P. Morgan Fellowship* provides one month's residence (\$950) for persons doing research on Ohio history or using early Ohio printed materials; in bibliography or the history of the book; or both. Deadline: January 15, 2000.

The *American Historical Print Collector's Society Fellowship* supports research on American prints of the eighteenth or nineteenth centuries or projects using prints as primary documentation. Deadline: January 15, 2000.

A brochure containing full details about the AAS Fellowship program, application materials, and information about the Society's collections may be obtained by writing to John B. Hench, Vice President for Academic and Public Programs, Room A, American Antiquarian Society, 185 Salisbury Street, Worcester, MA 01609-1634; by telephone at 508-755-5221; or by email cfs@mwa.org.

National Humanities Center Announces Fellowships for 2000-2001

The National Humanities Center, which is located in Research Triangle Park, NC, offers 35-40 residential fellowships for advanced study in all areas of the humanities. Applicants must hold the doctorate or equivalent credentials and have a record of publication. Both senior and younger scholars are eligible, but the latter should be engaged in research well beyond the subjects of their doctoral dissertations. Fellowships are for the academic year (September-May). Scholars from any nation may apply. Humanistically inclined individuals from the natural and social sciences, the arts, the professions, and public life may also apply.

Among its 35-40 fellowships for 2000-2001, the Center will award three or four *Lilly Fellowships in Religion and the Humanities* for the study of religion by humanistic scholars from fields *other than* religion and theology. The Center will also award a *Burroughs Wellcome Fellowship in the History of Modern Medicine*--a senior fellowship for which historians of medicine or biomedical science, medical anthropologists, and other scholars whose work concerns the history of twentieth century medicine are encouraged to apply.

Fellowships are individually determined, the amount depending on the needs of the fellow and the Center's ability to meet them. The average stipend is \$35,000, with a few available up to \$50,000. The Center does not cover fringe benefits.

For application material write to Fellowship Program, National Humanities Center, P.O. Box 12256, Research Triangle Park, NC 27709-2256. Applicants must submit the Center's form along with a curriculum vitae, a 1000-word project proposal, and three letters of recommendation. Applications and letters must be postmarked by October 15, 1999.

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PUBLICATIONS OF INTEREST

Articles

Asia

Vijayashri Sprati, "Toward Fifty Years of Constitutionalism and Fundamental Rights in India: Looking Back to See Ahead (1950-2000)," *American University International Law Review*, 14 (1998): 413 ff.

Andy Y. Sun, "From Pirate to Jungle King: Transformation of Taiwan's Intellectual Property Protection," *Fordham Intellectual Property, Media & Entertainment Law Journal*, 9 (Fall 1998): 67 ff.

British

Christine A. Corcos, "Portia Goes to Parliament: Women and their Admission to Membership in the English Profession," *Denver University Law Review*, 75 (1998): 307 ff.

David French, "Discipline and the Death Penalty in the British Army in the War Against Germany during the Second World War," *Journal of Contemporary History*, 33 (October 1998): 531-545.

Barry Godfrey, "Law, Factory Discipline and 'Theft': The Impact of the Factory on Workplace Appropriation in the Mid to Late Nineteenth-Century Yorkshire," *British Journal of Criminology*, 39 (1999): 56-71.

R.H. Helmholz, "Magna Carta and the *Ius Commune*," *University of Chicago Law Review*, 66 (Spring 1999): 297 ff.

Andrew H. Hershey, "'Justice and Bureaucracy': The English Royal Writ and '1258,'" *English Historical Review*, 113 (September 1998): 829-851.

John V. Orth, "Did Sir Edward Coke Mean What He Said?," *Constitutional Commentary*, 16 (Spring 1999): 33 ff.

Kunal M. Parker, "'A Corporation of Superior Prostitutes': Anglo-Indian Legal Conceptions of Temple Dancing Girls, 1800-1914," *Modern Asian Studies*, (July 1998): 559-633.

Jonathan Rose, "Medieval Attitudes Toward the Legal Profession: The Past as Prologue," *Stetson Law Review*, 28 (Fall 1998): 345 ff.

Jonathan Rose, "The Legal Profession in Medieval England: A History of Regulation," *Syracuse Law Review*, 48 (1998): 1 ff.

Richard J. Ross, "The Memorial Culture of Early Modern English Lawyers: Memory as Keyword, Shelter, and Identity, 1560-1640," *Yale Journal of Law and Humanities*, 10 (Summer 1998): 229 ff.

David Skuy, "Macaulay and the Indian Penal Code of 1862: The Myth of the Inherent Superiority and Modernity of the English Legal System Compared to India's Legal System in the Nineteenth Century," *Modern Asian Studies*, (July 1998): 513-557.

Canadian

Beth Bilson, "'Prudence Rather than Valor': Legal Education in Saskatchewan, 1908-1923," *Saskatchewan Law Review*, 61 (1998): 341 ff.

Ernest Clarke and Jim Phillips, "'The Course of Law Cannot be Stopped': The Aftermath of the Cumberland Rebellion in the Civil Courts of Nova Scotia," *Dalhousie Law Journal*, 21 (Fall 1998): 440 ff.

Christopher English, "Atlantic Legal History: Collective Violence in Ferryland District, Newfoundland in 1788," *Dalhousie Law Journal*, 21 (Fall 1998): 475 ff.

William H. Laurence, "Atlantic Legal History: Acquiring the Law: The Personal Law Library of William Young

William H. Lawrence, "Atlantic Legal History: Acquiring the Law: The Personal Law Library of William Young, Halifax, Nova Scotia, 1835," *Dalhousie Law Journal*, 21 (Fall 1998): 480 ff.

P.G. McHugh, "The Common-Law Status of Colonies and Aboriginal 'Rights': How Lawyers and Historians Treat the Past," *Saskatchewan Law Review*, 61 (1998): 393 ff.

Kent McNeil, "Aboriginal Rights in Canada: From Title to Land Territorial Sovereignty," *Tulsa Journal of Comparative and International Law*, 5 (Spring 1998): 253 ff.

Cindy Ricco, "Married Women and Property Law in Victorian Ontario," *Saskatchewan Law Review*, 61 (1998): 591 ff.

Continental

Natasha L. Minsker, "'I Have a Dream--Never Forget': When Rhetoric becomes Law, A Comparison of the Jurisprudence of Race in Germany and the United States," *Harvard Blackletter Journal*, 14 (Spring 1998): 113 ff.

International

Vahakn N. Dadrian, "The Historical and Legal Interconnections between the Armenian Genocide and the Jewish Holocaust: From Impunity to Retributive Justice," *Yale Journal of International Law*, 23 (Summer 1998): 503 ff.

Joy Gordon, "The Concept of Human Rights: The History and Meaning of Its Politicization," *Brooklyn Journal of International Law*, 23 (1998): 689 ff.

Surya P. Subedi, "Recognition of Governments: Legal Doctrine and State Practice, 1815-1955," *Political Studies*, 47 (March 1999): 203ff.

Latin America

Estelle T. Lau, "Can Money Whiten? Exploring Race Practice in Colonial Venezuela and its Implications for Contemporary Race Discourse," *Michigan Journal of Race and Law*, 3 (Spring 1998): 417 ff.

Sonya Lipsett-Rivera, "Outsiders into Insiders: The Doctrine of Prior Appropriation and Indigenous Communities in Colonial Puebla, Mexico," *Oklahoma City University Law Review*, 23 (Spring/Summer 1998): 93 ff.

Lee M. Penyak, "Safe Harbors and Compulsory Custody: Casas de Depositios in Mexico, 1750-1865," *Hispanic American Historical Review*, 79 (February 1999): 83-99.

Middle East

Bernard K. Freamon, "Slavery, Freedom, and the Doctrine of Consensus in Islamic Jurisprudence," *Harvard Human Rights Journal*, 11 (Spring 1998): 1 ff.

Assaf Likhovski, "The Invention of 'Hebrew Law' in Mandatory Palestine," *American Journal of Comparative Law*, 46 (Spring 1998): 339 ff.

United States

Anthony V. Baker, "'With One Voice' Wisconsin's Legislative Contribution to the National Slavery Debate, 1848 to 1861," *Wisconsin Law Review*, (1998): 777 ff.

Mary Becker, "The Sixties Shift to Formal Equality and the Courts: An Argument for Pragmatism and Politics," *William and Mary Law Review*, 40 (October 1998): 209 ff.

Michael R. Belknap, "The Warren Court and the Vietnam War: The Limits of Legal Liberalism," *Georgia Law Review*, 33 (Fall 1998): 65 ff.

Review, 33 (Fall 1998): 55 ff.

Michael Les Benedict, "From Our Archives: A New Look at the Impeachment of Andrew Johnson," *Political Science Quarterly*, 113 (Fall 1998): 493-511.

David Blumberg, "High Court Study: Influence of the Massachusetts Supreme Judicial Court on State High Court Decision Making, 1982-1997: A Study in Horizontal Federalism," *Albany Law Review*, 61 (1998): 1583 ff.

Bradley C. Bobertz, "The Brandeis Gambit: The Making of America's 'First Freedom,' 1909-1931," *William and Mary Law Review*, 40 (February 1999): 557 ff.

Stephen B. Bright, "Can Judicial Independence Be Attained in the South? Overcoming History, Elections, and Misperceptions about the Role of the Judiciary," *Georgia State University Law Review*, 14 (July 1998): 817 ff.

Alfred L. Brophy, "Humanity, Utility, and Logic in Southern Legal Thought: Harriet Beecher Stowe's Vision in *Dred: A Tale of the Great Dismal Swamp*," *Boston University Law Review*, 78 (October 1998): 1113 ff.

Stephen Carter and Merle H. Weiner, "'Civilizing' the Next Generation: A Response to *Civilty: Manners, Morals, and the Etiquette of Democracy*," *Howard Law Journal*, 42 (Winter 1999): 241 ff.

Richard G. del Castillo, "Manifest Destiny: The Mexican-American War and the Treaty of Guadalupe Hidalgo," *Southwestern Journal of Law and Trade in the Americas*, 5 (Spring 1998): 31 ff.

Gabriel J. Chin, "Segregation's Last Stronghold: Race Discrimination and the Constitutional Law of Immigration," *UCLA Law Review*, 46 (October 1998): 1 ff.

James J. Connolly et al, "Alcoholism and Angst in the Life and Work of Karl Llewellyn," *Ohio Northern Law Review*, 24 (1998): 45 ff.

Robert D. Cooter and Wolfgang Fikentscher, "Indian Common Law: The Role of Custom in Indian Tribal Courts (Part I of II)," *American Journal of Comparative Law*, 46 (Spring 1998): 287 ff.

Greg Costa, "John Marshall, the Sedition Act, and Free Speech in the Early Republic," *Texas Law Review*, 77 (March 1999): 1011 ff.

David P. Currie, "The Constitution in Congress: The Most Endangered Branch, 1801-1805," *Wake Forest Law Review*, 33 (Summer 1998): 219 ff.

Michael K. Curtis, "Lincoln, Vallandigham, and Anti-War Speech in the Civil War," *William & Mary Bill of Rights Journal*, 7 (December 1998): 105 ff.

Adrienne D. Davis, "The Private Law of Race and Sex: An Antebellum Perspective," *Stanford Law Review*, 51 (January 1999): 221-288.

Allison M. Dussias, "Squaw Drudges, Farm Wives, and Dann Sisters' Last Stand: American Indian Women's Resistance to Domestication and the Denial of their Property Rights," *North Carolina Law Review*, 77 (January 1999): 637 ff.

Daniel R. Ernst, "Law and American Political Development, 1877-1938," *Reviews in American History*, 26 (March 1998): 205-219.

William N. Eskeridge Jr., "Textualism and Original Understanding: Should the Supreme Court Read the *Federalist* but not Statutory Legislative History?," *George Washington Law Review*, 66 (June/August 1998): 1301 ff.

Roger A. Fairfax, "A Tribute to Charles Hamilton Houston: Wielding the Double-Edged Sword: Charles Hamilton Houston and Judicial Activism in the Age of Legal Realism," *Harvard Blackletter Journal*, 14 (Spring 1998): 17 ff.

Cynthia R. Farina, "Panel V: Undoing the New Deal Through the New Presidentialism," *Harvard Journal of Law and Public Policy*, 22 (Fall 1998): 227 ff.

Ann Fidler, "'Till You Understand Them in the Their Principal Features': Observations on Form and Function in Nineteenth-Century American Law Books," *The Papers of the Bibliographical Society of America*, 92 (December 1998): 427-442.

William B. Fisch and Richard S. Kay, "Section IV: The Constitutionalization of Law in the United States," *American Journal of Comparative Law*, 46 (1998): 437 ff.

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