American Society for Legal History

Annual Meeting Program

Four Seasons Hotel
Denver, CO
6-9 November 2014
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Welcome to Denver and the 2014 Annual Meeting of the American Society for Legal History. This the first time the Society has met in the mile-high city and our location in the heart of the city provides us wonderful opportunities to explore its many attractions. However, as you will see in the following pages, the program will limit our tourism. It is filled with compelling sessions that will challenge us to think and talk about topics, times, and places that encompass the breadth of our engagement with the legal past. And the program reveals as well the diversity of participants who will gather together here in Denver; they range from historians just entering our field to well-established scholars and they come from a broad array of places and institutions. What unites us all, and what will limit our forays in this fascinating city, is the intellectual richness of this meeting’s formal sessions and the informal conversations they and our shared interest in legal history will provoke. We are united as well by the generosity and openness to new people and ideas that have long been the hallmarks of this Society.

The annual meeting is arguably the most important thing the Society does. The meeting like so many ASLH activities is organized by volunteers and we are indebted to a host of people for putting it together. They cannot all be thanked individually but I want to single out some of them. Co-Chairs Joanna Grisinger and Mitra Sharafi and the 2014 Program Committee are
to be congratulated for putting together such an engaging and innovative set of sessions as are the presenters, commentators, and chairs who will bring them to life. I also want to thank the committees that have identified books, articles, research projects and career achievements for us to honor. The officers, directors, and committees that make the ASLH such a vibrant organization are to be commended as well at our annual meeting. And, to return to our location, I want to express our appreciation to Tom Romero and the Local Arrangements Committee for making Denver such a hospitable site in which to gather.

Finally, we are grateful to the Colorado Supreme Court and the University of Denver Sturm College of Law for sponsoring the plenary reception and to the Historical Society of the Tenth Judicial Circuit for sponsoring the welcome reception. We are equally appreciative of the additional support for the meeting provided by Cambridge University Press, the program advertisers and meeting exhibitors, and the many members who made special contributions to help underwrite the attendance of graduate students and independent scholars.

I hope that each of you has a wonderful experience at the 2014 meeting.

Michael Grossberg
President, ASLH
On behalf of the entire University of Denver Sturm College of Law, I would like to welcome you all to Denver and the 2014 Annual Meeting of the American Society of Legal History. We are so pleased to have this opportunity to interact with many of the top legal historians in the United States: You are the keepers of our collective past, the guardians of the rule of law that has shaped our profession and contributed to our scholarly endeavors. We are grateful for all of your valuable contributions.

Along with the Colorado Supreme Court, Denver Law is extremely proud to co-sponsor the plenary lecture at the new, state-of-the-art Ralph Carr Judicial Center. Housing one of the few LEED-certified courthouses in the nation, the Judicial Center and the law school share a commitment to environmentally sustainable, technologically advanced spaces: In 2004, the Frank H. Ricketson Law Building became the first LEED-certified Gold law building in the nation.

Since opening its doors in 1892, the Sturm College of Law has continued a rich tradition of graduating practice-ready students who embrace the challenges of the legal profession and thrive in their chosen careers. We were the first law school to introduce clinical education into law school curriculum (1904), and one of the first to recognize the importance of educating lawyers in other disciplines in order to enhance their
ability to analyze both legal doctrine and issues of public policy. This interdisciplinary approach led to the law school’s involvement in creating the Law and Society Association (1964), the only one of its kind in the world.

Today Denver Law boasts several top ranked flagship programs, including environmental and natural resources law, legal writing, trial advocacy and clinical training. Our focus is on the student experience – they are our number one priority. We’ve infused our curriculum with numerous cutting-edge, experiential learning opportunities, greatly increased our externship offerings, and kept our faculty/student ratio low so as to maximize these critical interactions. These developments, among many others, have enhanced the educational experience for our students and provided our graduates with a decided advantage in the marketplace.

We hope you enjoy your time in our vibrant city – should you find the time, please feel free to come and visit Denver Law, located just minutes from downtown. It would be our pleasure to show you our landmark building as well as what our school provides to its students and the greater community.

Martin J. Katz
Dean and Professor of Law
November 6, 2014

Congratulations to the American Society for Legal History on its 2014 Annual Meeting in Denver! Along with the Tenth Circuit judges and staff members who authorized and helped arrange this event, the Tenth Circuit Historical Society welcomes ASLH’s members to the wonderful Byron White United States Courthouse for their opening event and reception.

In a nation that thrives under the rule of law, the ongoing life of a court is relevant to more than just those who have their day there. From the rough beginnings of frontier justice to the tough issues of electronic property rights, the history of the Tenth Circuit mirrors a broadly brushed picture of the struggles and tragedies, as well as the progress and good humor, of the citizens of its six states. We strive to engage the public with information that shows how legal history and our daily lives are not separate, but rather are interwoven. The Tenth Circuit Historical Society exists not only for lawyers and judges, but also for anyone else who finds history to be exciting, interesting, or instructive.

Sincerely,

Alleen C. VanBebber,
Chair
November 7, 2014

Dear Attendees, American Society of Legal History, 2014, Plenary Lecture and Reception, Ralph Carr Judicial Center

Welcome to this venue of the State of Colorado’s Supreme Court and Court of Appeals! The architecture and content of the Learning Center in this courthouse centers on four pillars of the rule of law: separation of powers, guaranteed individual rights, due process, and equal protection. Featured is a timeline of U.S. and Colorado legal history assembled in consultation with historians and law professors. At its apex is a statue of Ralph Carr, lawyer and governor, who stood up for the rights of Japanese Americans during World War II when few others dared to. Here also, Colorado’s Native American, Hispanic, and anti-slavery heritage stand alongside our nation’s colonial and European derivations.

Turning injustice towards justice, an increment at a time, is the continual work all of us share under our state and federal constitutional form of government. We celebrate each of your contributions to legal history.

Sincerely,

Nancy E. Rice
Chief Justice
Colorado Supreme Court

Alan M. Loeb, Chief Judge
Colorado Court of Appeals
ASLH 2014 Annual Meeting Program

WEDNESDAY, NOVEMBER 5, 2014

5:00pm - 9:00pm  ASLH Student Research Colloquium (Zengo, 1610 Little Raven Street, Denver and by invitation only)

The ASLH will host its first annual pre-conference Student Research Colloquium (SRC), in which two distinguished faculty members will lead eight graduate students in discussion of their early-stage research projects. Participation in the SRC is by application only, but we encourage the ASLH community to talk with participants about their projects throughout the conference.

Faculty Directors
• Margot Canaday, Princeton University (mcanaday@princeton.edu)
• Matthew Mirow, Florida International University Law School (mirowm@fiu.edu)

Student Participants
• Evelyn Atkinson, University of Chicago (ematkinson@uchicago.edu)  “The Telegraph Cases: Law, Gender, Family, and Corporate Responsibility in the Late 19th Century”
• Jason Bates, Vanderbilt University (jason.l.bates@vanderbilt.edu)  “Recalibrating State Power and Citizenship: Narcotics, Race, and the Law in the United States, 1870-1930”
• Molly Brady, Yale University (molly.brady@yale.edu)  “Community Knowledge and its Collapse: A History of an Early American Property Regime”
• Brooke Depenbusch, University of Minnesota (depen003@umn.edu)  “The Problem of Settlement Law in an Age of Welfare State Building”
• Alexandra Havrylyshyn, University of California-Berkeley (ahavry@berkeley.edu)  “Contesting the Status of Slavery in Early Canada”
• Sara Ludin (University of California-Berkeley (saraludin@berkeley.edu)  “Courts in the Age of the Reformations: Germany in the Sixteenth Century”
• Jane Manners, Princeton University (jmanners@princeton.edu)  “Infinitely Dangerous to the Revenue of the United States”: The Great New York Fire of 1835 and the Ethics of Disaster Relief in Jacksonian America”
• Mary Mitchell, University of Pennsylvania (mmitchel@sas.upenn.edu)  “Putting the Bomb on Trial: Atmospheric Nuclear Testing in the American Pacific from the 1940s through 1963.”

Student Liaison
• Catherine Evans, Princeton University (clevans@princeton.edu)
THURSDAY, NOVEMBER 6, 2014

9:00am - 4:00pm  
**ASLH Student Research Colloquium, continued**  
(Rooms 413 & 437, University of Denver Sturm College of Law)

9:00am - 1:00pm  
**ASLH Workshop on Medieval Legal History** (Aspen Room)*

Rowan Dorin, Harvard University (dorin@fas.harvard.edu)  
“‘Varied are the opinions of doctors’: Canon Law and the Expulsion of the Jews in the Late Middle Ages”  
* Commentary by Karl Shoemaker, University of Wisconsin-Madison (kbshoemaker@wisc.edu)

Elizabeth Papp Kamali, University of Michigan (epkamali@umich.edu)  
“The Devil’s Daughter of Hell Fire: The Role of Anger in Medieval English Felony Adjudication”  
* Commentary by David Seipp, Boston University (dseipp@bu.edu)

Thomas J. McSweeney, William & Mary Law School (tjmcsweney@wm.edu)  
“Writing Fiction as Law: The Story in Grágás,”  
* Commentary by Stefan Jurasinski, The College at Brockport (sjurasin@brockport.edu)

*The Workshop is not open to all attendees of the annual meeting and papers will not be presented. ASLH attendees who would like to participate in the workshop must register to attend. Papers will be sent to all registered attendees in advance and all attendees are invited to comment during the open discussion period. To register, please contact the ASLH Workshop Coordinator, Lena Salaymeh, at aslh.workshop@gmail.com.

1:00pm – 3:00pm  
**Registration** (Grand Ballroom Foyer)

3:45pm – 4:00pm  
13 minute walk to the Welcome Reception (directions are available on page 58 of this program)

4:00pm – 5:00pm  
**Projects & Proposals Committee** (Grand Ballroom B)

4:00pm – 6:00pm  
**Welcome Reception**, sponsored by the Historical Society of the Tenth Judicial Circuit (10th Circuit Court of Appeals, Bryon White U.S. Courthouse, 1823 Stout Street)
5:00pm – 6:00pm  Finance Committee (Boardroom)
6:00pm – 7:30pm  Executive Committee (Ash)
7:00pm – 10:00pm  Board of Directors Dinner Meeting (Aspen)
10:00pm – 11:00pm  Nightcap (Edge Bar)

**FRIDAY, NOVEMBER 7, 2014**

7:15am – 4:15pm  Registration (Grand Ballroom Foyer)
7:15am – 4:15pm  Exhibits (Cottonwood Ballroom)
7:15am – 8:15am  Continental Breakfast (Cottonwood Ballroom)
7:30am – 8:30am  Committee Breakfast Meetings
  •  H-Law (Elm)
  •  Membership Committee (Boardroom)

**Session A: 8:30am - 10:15am**

*Friday A.1*  Contentious Sovereignty: The Late Ottoman Empire and International Legal Theory and Practice (Alpine)

**Chair/Commentator**  Jacob Katz Cogan, University of Cincinnati College of Law (jacob.cogan@uc.edu)

**Panelists**

Will Smiley, Princeton University (will.smiley@aya.yale.edu)
“Inventing Intervention: The Ottoman Empire, the Battle of Navarino, and the Use of Force in the 19th Century”

Umut Özsu, University of Manitoba (umut.ozsu@umanitoba.ca)
“The Ottoman Empire, the Origins of Extraterritoriality, and International Legal Theory”

Aimee M. Genell, Yale University (aimee.genell@yale.edu)
“Marginal Occupations: The Ottoman Empire and the Ambiguities of Partial Sovereignty in 19th-Century International Law”
**Friday A.2**

**Rethinking Southern Legal Orders Before, During and After the Civil War: Controlling Slave Economies, Practicing Confederate Constitutionalism, and Reconstructing Southern Law After Emancipation** (Aspen)

**Chair**
Ariela Gross, University of Southern California Gould School of Law (agross@usc.law.edu)

**Commentator**
Cynthia Nicoletti, University of Virginia School of Law (cln4x@virginia.edu)

**Panelists**
Justene G. Hill, Princeton University (jghill@princeton.edu)
“A Monstrous Nuisance: Legislative Responses to Slave Economies in South Carolina, 1850-1860”

Aaron Hall, University of California-Berkeley (aaronrhall06@berkeley.edu)
“Not Their Fathers' Constitution: The Centrality of Slavery and the Centralized State in the Confederate Constitutional Order”

Giuliana Perrone, University of California-Berkeley (gperrone@berkeley.edu)
“Reconstructing Law After Emancipation: A Study of State Courts in the Post Civil War South”

**Friday A.3**

**Indigenous Legal History** (Maple)

**Chair/Commentator**
Lindsay Robertson, University of Oklahoma (lrobertson@ou.edu)

**Panelists**
Katrina Jagodinsky, University of Nebraska-Lincoln (kjagodinsky@unl.edu)
“The Legal Pluralisms of Indigenous Women and their Daughters, 1854-1934”

Keith Richotte, Jr., University of North Carolina (richotte@email.unc.edu)
“The Importance of Tribal Constitutional History, 1932 to present”
Kristen Carpenter, University of Colorado-Boulder  
(kristen.carpenter@colorado.edu)  
“American Indian Child Welfare in the Periods of Assimilation, Self-Determination, and Human Rights”

**Friday A.4**  
Family Values, Social Norms, and Modern Lawmaking in East Asia (Ash)

**Chair/Commentator**  
Margaret Kuo, California State University-Long Beach  
(margaret.kuo@csulb.edu)

**Panelists**  
Yun-Ru Chen, Harvard Law School (yunru.hls@gmail.com)  
“The Making of Market/Family Legal Distinction in the Oriental Empire: The Germany-Japan-Taiwan Trilogy”

Guo-Quan Seng, University of Chicago (gqseng@uchicago.edu)  
“Struggling toward a Private Legal Code for the Chinese in the Dutch East Indies (1857-1897)”

**Friday A.5**  
Roundtable Discussion of the Progress of a History of the Federal Courts (Grand Ballroom A)

**Panelists**  
Clare Cushman, Supreme Court Historical Society (CHCUSH@aol.com)

Bruce Ragsdale, Federal Judicial Center (bragsdal@fjc.gov)

Peter Charles Hoffer, University of Georgia (pchoffer@uga.edu)

Williamjames Hull Hoffer, Seton Hall University (williamjames.hoffer@shu.edu)

David McBride, Oxford University Press (David.McBride@oup.com)

10:00am – 11:00am  
**Mid-morning Break** (Cottonwood Ballroom)

**Friday, Session B: 10:30am - 12:15pm**

**Friday B.1**  
West as Center: California in the Age of Reconstruction and Emancipation (Maple)

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Chair: Arthur McEvoy, Southwestern Law School (amcevoy@swlaw.edu)

Panelists:
- Jean Pfaelzer, University of Delaware (pfaelzer@udel.edu) “California: A Slave State”
- Donna Schuele, University of California-Irvine (dschuele@uci.edu) “California's Women's Rights Movement: The Promise and Perils of the 14th Amendment”
- David Torres-Rouff, University of California-Merced (dtorres-rouff@ucmerced.edu) “West of Jim Crow: Racialization and Segregation in Reconstruction-Era Los Angeles and California”
- Tamara Venit-Shelton, Claremont McKenna College (tamara.venit-shelton@claremontmckenna.edu) “Too Big to Fail? Stephen Mallory White, the Southern Pacific, and the Transformation of Anti-Monopolist Politics in California and the Nation”

Friday B.2

Marital Law, Colonialism and the Construction of Empire (Alpine)

Chair: Cornelia H. Dayton, University of Connecticut (cornelia.dayton@uconn.edu)

Commentator: Erin Braatz, New York University (erinbraatz@nyu.edu)

Panelists:
- Christine Walker, Texas Tech University (christine.m.walker@ttu.edu) “Marriage, Slaveholding and the Erosion of Coverture in Colonial Jamaica”
- Charlotte Walker-Said, CUNY-John Jay College of Criminal Justice (cwalker-said@jjay.cuny.edu) “Regulating the African Family: Civil Law and Canon Law in the French Empire”
- Rebecca Grapevine, University of Michigan (grapevin@umich.edu) “The Indian Law of the Family: Coverture in 20th-Century India”
**Friday B.3**  
Conservative Constitutionalism in the Civil Rights Era (and Beyond) (Aspen)

**Chair/Commentator**  
Sophia Z. Lee, University of Pennsylvania Law School  
(slee@law.upenn.edu)

**Panelists**  
Ariela J. Gross, University of Southern California School of Law  
(agross@law.usc.edu)  
“From the Streets to the Courts: The Grassroots History of Race, Law and Conservatism”

Rebecca E. Zietlow, University of Toledo College of Law  
(rebecca.zietlow@utoledo.edu)  
“Sovereignty and Liberty in Rightwing Constitutionalist Movements”

Christopher W. Schmidt, IIT Chicago-Kent College of Law  
(cschmidt@kentlaw.edu)  
“Federalism and Movement Mobilization in the Civil Rights Era”

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**Friday B.4**  
Credibility on Trial in Law and Literature (Grand Ballroom A)

**Chair**  
Simon Stern, University of Toronto Faculty of Law  
(simon.stern@utoronto.ca)

**Commentator**  
Martha Umphrey, Amherst College  
(mmumphrey@amherst.edu)

**Panelists**  
Nan Goodman, University of Colorado-Boulder  
(nan.goodman@colorado.edu)  
“I hear no things laid to my charge’: Oral and Written Discourse in Anne Hutchinson's Trial Transcript”

Susanna Blumenthal, University of Minnesota Law School  
(blume047@umn.edu)  
“A black lie and a white lie at the same time’: The Forgery Trial of Charles B. Huntington”

Nicolette Isabel Bruner, University of Michigan  
(nbruner@umich.edu)  
“A Corporation-Minded Judge’: Fictions of Justice in Theodore Dreiser's The Financier”
Friday B.5  The Challenges of Liberalism in Early 20th-Century Brazil: Urbanization and the Modernization of Private Law, 1900-1945 (Grand Ballroom B)

Chair/Commentator  William J. Novak, University of Michigan Law School (wnovak@umich.edu)

Panelists  Airtan Seelander, Universidade Federal de Santa Catarina Law School (See.1750@gmail.com)  “The Republicanization of Brazilian Law and the Paradox of Equality”

Thiago Reis e Souza, Fundação Getulio Vargas Law School (thiago.reis@fgv.br)  “Private Law and Authoritarian Modernization in Brazil under Vargas (1930-60)”

Pedro Cantisano, University of Michigan (pjimenez@umich.edu)  “Law and Liberalism in the Urban Modernization of Rio de Janeiro, 1902-1906”

12:15pm - 1:30pm  Lunch Break

12:15pm – 1:30pm  Committee Lunch Meetings
-  Law and History Review (Ash)
-  Standing Committee on Conferences and the Annual Meeting (Boardroom)
-  Editors of “Studies in Legal History” (Elm)

Friday, Session C: 1:30pm - 3:15pm

Friday C.1  Satire in Medieval Law (Alpine)

Chair/Commentator  Lena Salaymeh, University of California-Berkeley School of Law (lenas@law.berkeley.edu)

Panelists  Ada Maria Kuskowski, Southern Methodist University (akuskowski@mail.smu.edu)  “The Rustic and the Conjuring Book: A Tale of Satire and Legitimacy between Custom and Learned Law”

Karl Shoemaker, University of Wisconsin-Madison (kbshoemaker@wisc.edu)  “Satanic Satire: The Devil's Medieval Legal Career”
Jesús Rodriguez-Velasco, Columbia University (jrvelasco@columbia.edu)
“Poetry and Punishment”

Friday C.2
“The Crime Against the Economy”: Revolutions, Markets and the Law (Grand Ballroom A)

Chair/Commentator
Yanni Kotsonis, New York University (yanni.kotsonis@nyu.edu)

Panelists
Anne O'Donnell, Harvard University (anneodonnell@fas.harvard.edu)
“Encoding the Revolution's End: “Economic Crime” and the (De)legitimation of Dispossession, 1920-22”

Fei-Hsien Wang, Indiana University (feihwang@indiana.edu)
“A Crime of Being Self Interested: Redefining Literary Piracy in Early Communist China”

Rohit De, Yale University (rohit.de@yale.edu)
“Protect the Purity of Every Grain: Economic Crimes, Commodity Controls and Market Discipline in the Indian Republic (1947-1960)”

Friday C.3
Law and Psychiatry in Modern America (Maple)

Chair/Commentators
Susanna Blumenthal, University of Minnesota Law School (blume047@umn.edu)
James Mohr, University of Oregon (jmohr@uoregon.edu)

Panelists
Kathryn Burns-Howard, DePaul University (kburnshoward@gmail.com)

Anne Parsons, University of North Carolina-Greensboro (aeparson@uncg.edu)
“Leaving the Cuckoo’s Nest: Challenging Incarceration in Psychiatric Hospitals”
**Friday C.4**  
*Church Property Suits and the Changing Religious Landscape of the 19th-Century United States* (Aspen)

**Chair/Commentator**  
Sarah Barringer Gordon, University of Pennsylvania Law School (sgordon@law.upenn.edu)

**Panelists**  
Jeffrey Thomas Perry, Purdue University (perry30@purdue.edu)  
“Doctrinal Dissension, Congregational Schism and Church Property Disputes in the Antebellum Trans-Appalachian West”

April Holm, University of Mississippi (aholm@olemiss.edu)  
“Secular Courts Behind the Sacred Veil: Church Property Cases and Sectionalism in the Civil War Era”

Lucas Volkman, University of Missouri (lucasvolkman@hotmail.com)  
“The Righteous and the Unrepentant: Presbyterian Property Litigation in Reconstruction Missouri”

**Friday C.5**  
*Courts, Codes, and the Legal Profession* (Grand Ballroom B)

**Chair/Commentator**  
Roman J. Hoyos, Southwestern Law School (rhoyos@swlaw.edu)

**Panelists**  
Sung Yup Kim, Stony Brook University (sungyup.kim@stonybrook.edu)  
“Courts of Single Justices of the Peace and the Small Credit Economies of Late Colonial New York”

Kellen Funk, Princeton University (kfunk@princeton.edu)  
“Mere Machinery and Arbitrary Regulation: The Politics of Lawyering and the Creation of Civil Procedure in New York, 1846-1850”

Carly Goodman, Temple University (carlygoodman@gmail.com)  
Friday, Session D: 3:30pm - 4:30pm

Friday D.1  Ask Me Anything: The Job Market (Aspen)

Sarah Barringer Gordon, University of Pennsylvania Law School (sgordon@law.upenn.edu)

Hendrik Hartog, Princeton University (hartog@princeton.edu)

Tom McSweeney, William & Mary Law School (tjmcsweeney@wm.edu)

Clara Altman, Amherst College (caltman@amherst.edu)

Friday D.2  Ask Me Anything: Publishing (Grand Ballroom A)

Christopher W. Schmidt, IIT Chicago-Kent College of Law (cschmidt@kentlaw.iit.edu)
Editor, Law & Social Inquiry

Elizabeth Dale, University of Florida (edale@history.ufl.edu)
Editor, Law & History Review

Michael Lobban, London School of Economics Department of Law (M.J.Lobban@lse.ac.uk)
Co-editor, Studies in Legal History (the American Society for Legal History book series)

Christopher Tomlins, University of California-Berkeley School of Law (ctomlins@law.berkeley.edu)

Friday D.3  Ask Me Anything: Teaching Legal History (Grand Ballroom B)

Barbara Young Welke, University of Minnesota (welke004@umn.edu)
Ryan Rowberry, Georgia State University College of Law (rrowberry@gsu.edu)

Benjamin Coates, Wake Forest College (coatesba@wfu.edu)

John Wertheimer, Davidson College (jowertheimer@davidson.edu)

4:40pm – 5:00pm  18 minute walk to Colorado Supreme Court for Plenary (directions are available on page 59 of this program) or take buses departing from the front of the Four Seasons Hotel

Friday, 5:00pm - 11:00pm:

5:00pm – 6:00pm  Plenary Lecture - Philip Girard, Osgoode Hall Law School, York University (pgirard@osgoode.yorku.ca) “Disorienting: Towards a Legal History of North America” (Colorado Supreme Court, Ralph L. Carr Colorado Judicial Center, 2 East 14th Avenue)

6:00pm – 7:30pm  Plenary Reception, Hosted by the Colorado Supreme Court and Sponsored by the University of Denver Sturm College of Law (Ralph L. Carr Colorado Judicial Center, 1300 Broadway)

9:00pm – 11:00pm  Informal Graduate Student Gathering (Edge Bar)

SATURDAY, NOVEMBER 8, 2014

7:30am – 1:00pm  Registration (Grand Ballroom Foyer)

7:30am – 5:00pm  Book Exhibition (Cottonwood Ballroom)

7:30am – 8:30am  Continental Breakfast (Cottonwood Ballroom)

7:30am – 8:30am  Committee Breakfast Meetings
  ▪  Graduate Student Outreach Committee (Boardroom)
  ▪  Program Committee (Elm)
  ▪  Publications Committee (Ash)
Session A: 8:30am - 10:15am

Saturday A.1 Roundtable on Legal Histories and Public Audiences: Linking Legal History, Public Policy, and Public History (Aspen)

Panelists
Victoria Saker Woeste, American Bar Foundation (vswoeste@abfn.org)
Katrina Jagodinsky, University of Nebraska-Lincoln (kjagodinsky@unl.edu)
Patty Limerick, University of Colorado-Boulder/ Center of the American West (patricia.limerick@colorado.edu)
John E. Echowhawk, Native American Rights Fund (jechohawk@narf.org)

Saturday A.2 Law, the State, and the Challenge of American Nationhood in the 19th Century (Alpine)

Chair Christina Duffy Ponsa, Columbia Law School (cponsa@law.columbia.edu)
Commentator Nicholas Parrillo, Yale Law School (nicholas.parrillo@yale.edu)

Panelists
Gautham Rao, American University (grao@american.edu) “The Legal Architecture of the Slave Manifest”
Kevin Arlyck, Orrick, Herrington & Sutcliffe (arlyck@gmail.com) “Mr. Story’s War: 1812 and the Problems of Prize”
Sam Erman, University of Southern California Gould School of Law (serman@law.usc.edu) “Elihu Root and the Constitutional Underpinnings of U.S. Empire”

Saturday A.3 Gender in US Legal History (Maple)

Chair/Commentator Serena Mayeri, University of Pennsylvania Law School (smayeri@law.upenn.edu)
Panelists

Kimberly A. Reilly, University of Wisconsin-Green Bay (reillyk@uwgb.edu)
“For Love or Money: Loss of Services Suits and the Transformation of Wives’ Household Labor, 1870-1920”

Lauren MacIvor Thompson, Georgia State University (lmacivor1@gsu.edu)
“‘An Outrage to Common Sense’: Legal and Medical Conceptions of Female Disability in the Women's Rights Movement, 1870-1930”

Larissa Werhnyak, University of Iowa (larissa- werhnyak@uiowa.edu)
“To Make the World Safe For Men: The Anti-Heart Balm Campaigns of the 1930s”

Jeffrey D. Gonda, Syracuse University (jdgonda@maxwell.syr.edu)

Saturday A.4

Inventing Law in “Lawless” Africa: Competition to Rule Among Africans and Europeans in the Empire (Grand Ballroom A)

Chair

Charlotte Walker-Said, CUNY-John Jay College of Criminal Justice (cwalker-said@jjay.cuny.edu)

Commentator

Nurfadzilah Yahaya, Washington University in St. Louis (nyahaya@wustl.edu)

Panelists

Erin Braatz, New York University (erinbraatz@nyu.edu)
“The Colonial Project and the Rise of the 'Rule of Law’”

Trina Hogg, Columbia College Chicago (thogg@colum.edu)
“Courts and Commissions: Colonial Legality after the Sierra Leone Rebellion of 1898”

Reynolds Richter, New York University (reynolds.richter@nyu.edu)

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Saturday, A.5  Law's Governance and Labor's Bodies (Grand Ballroom B)

Chair/Commentator  William Forbath, UT Austin School of Law (wforbath@law.utexas.edu)

Panelists  Clyde Spillenger, UCLA School of Law (spilleng@law.ucla.edu)
“How Migrant Laborers in Alaska's Canneries Helped Transform American Choice of Law”

Christopher Tomlins, UC Irvine (ctomlins@law.uci.edu)

Frederick Turner, Brandeis University (fturner@brandeis.edu)
“A Portal to Fair Labor in the Administrative State: Adjudicating Travel Time in the Mining Industry”

Saturday, Session B: 10:30am - 12:15pm

Saturday B.1  Sex and Law in Medieval Europe (Ash)

Chair  Rachel Guillas, Université Panthéon-Assas (Paris II) (rachelguillas@gmail.com)

Commentator  Sara McDougall, CUNY-John Jay College of Criminal Justice (smcdougall@jjay.cuny.edu)

Panelists  Sarah Bakkali, Université Panthéon-Assas (Paris II) (sarahbakkali@hotmail.com)
“Female Impotence in Medieval Canon Law”

Arnaud Fossier, Université de Bourgogne (Arnaud.Fossier@u-bourgogne.fr)
“Why Must a Priest Have Testicles? Some Cases of Papal Dispensation at the End of the Middle Ages”

Nicolas Laurent-Bonne, Université d’Auvergne (nicolas.laurentbonne@me.com)
“Making Contracts with Prostitutes: Observations from Medieval Roman and Canon Law”
Saturday B.2  Legal Subjecthood in the British Empire (Alpine)
Chair/Commentator  Douglas Hay, Osgoode Hall Law School, York University (dhay@osgoode.yorku.ca)
Panelists  Bonny Ibhawoh, McMaster University (ibhawoh@mcmaster.ca)
“Between Colony and Protectorate: “Native Rights” and Colonial Contestations of Imperial Subjecthood in British Africa”
Sandra den Otter, Queen's University (denotter@queensu.ca)
“Contestations over Trial by Jury: Legal Identities, Civic Virtue and Customary Law in Colonial South Asia”
Catherine Evans, Princeton University (clevans@princeton.edu)
“Criminal Law and Subjecthood in Colonial Victoria”

Saturday B.3  Copyright and New Media in the Late 19th & Early 20th Century (Maple)
Chair  Steven Wilf, University of Connecticut School of Law (steven.wilf@law.uconn.edu)
Commentator  Catherine Fisk, University of California-Irvine School of Law (cfisk@law.uci.edu)
Panelists  Mazie Harris, J. Paul Getty Museum (MHarris@Getty.edu)
“Copyright and Photographic Purity”
Brent Salter, Yale School of Drama (brent.salter@yale.edu)
"Copyright Authority and the American Theater (1856-1951)"
Heidi Tworek, Harvard University (hevans@fas.harvard.edu)
“Competing Visions of News and International Law at the League of Nations”

Chair/Commentator  Herbert Hovenkamp, University of Iowa College of Law (herbert-hovenkamp@uiowa.edu)
Panelists

Laura Phillips Sawyer, Harvard Business School (lsawyer@hbs.edu)
“Institutional Economics, State-Building, and Antitrust Policy: Antecedents to the New Deal”

K. Sabeel Rahman, Harvard Law School (krahman@law.harvard.edu)
“Democracy, Domination, and the Legacy of Progressive Era Legal Thought”

William J. Novak, University of Michigan Law School (wnovak@umich.edu)

Saturday B.5

Contesting Custody, Creating Rights: Family Law and Equality Claims in Late 20th-Century America (Elm)

Chair/Commentator

Karen M. Tani, University of California-Berkeley School of Law (ktani@law.berkeley.edu)

Panelists

Deborah Dinner, Washington University School of Law (ddinner@wulaw.wustl.edu)
“The Divorce Bargain: The Fathers’ Rights Movement and the Dual System of Family Law”

Serena Mayeri, University of Pennsylvania Law School (smayeri@law.upenn.edu)

Marie-Amelie George, Yale University (marie-amelie.george@yale.edu)

12:15pm - 2:15pm

Annual Lunch and Awards Ceremony (Grand Ballroom)

Saturday, Session C: 2:15pm – 4:00pm

Saturday C.1

The Salvific-Historical Terrain of Medieval Canon Law (Maple)
Chairs/Commentators  Richard Helmholz, University of Chicago Law School
       (dick_helmholz@law.uchicago.edu)

       Charles Donahue, Harvard Law School
       (rspang@law.harvard.edu)

Panelists  Trisha Olson, Independent Law Historian
       (filpriros@aol.com)
       “Christ's Redemptive Work, the Sin of the Devil's Lawsuit
       and Salvific History in the Work of Medieval Canonists”

       Abigail Firey, University of Kentucky (afire2@uky.edu)
       “Saving Charlemagne: from Scribe to Synod”

Saturday C.2  Layered Sovereignty, Layered Citizenship, and
       the Role of Rights in Modern American History (Aspen)

Chair  Hendrik Hartog, Princeton University
       (hartog@princeton.edu)

Commentator  Kate Masur, Northwestern University
       (kmasur@northwestern.edu)

Panelists  Clara Altman, Amherst College (caltman@amherst.edu)
       “Citizenship Beyond the Insular Frame: Spanish Law and
       Filipino Rights Claims in the U.S. Empire”

       Laura F. Edwards, Duke University (ledwards@duke.edu)
       “Popular Conceptions of Law and Citizenship: Layered
       Jurisdictions and the Expansion of Government Power
       during the Civil War Era”

       Karen M. Tani, University of California-Berkeley School
       of Law (ktani@law.berkeley.edu)
       “The Poor Belong to Us: Legal Contests over Poor Relief
       and the Making of the Modern American State”

Saturday C.3  Regulating Sin: Cigarettes, Sex, Booze, and Backlash in
       Modern America (Alpine)

Chair  Tracy L. Steffes, Brown University
       (tracy_steffes@brown.edu)
Commentator
Reuel E. Schiller, University of California-Hastings College of the Law
(schiller@uchastings.edu)

Panelists
Kyle G. Volk, University of Montana
(kyle.volk@umontana.edu)
“Personal Liberty Leagues, Liquor Politics, and the American Civil Liberties Tradition”

Alison L. Lefkovitz, NJIT/Rutgers University-Newark
(alison.lefkovitz@njit.edu)

Sarah Milov, University of Virginia
(sarah.milov@gmail.com)
“Proposition 99: Where Taxpayers' Rights met Non-Smokers' Rights”

Saturday C.4
Women Acting Locally, Women Acting Globally: Female Activists Trying to Shape a Modern World Across the 20th Century (Ash)

Chair/Commentator
Nupur Chaudhuri, Texas Southern University
(chaudhuri_nx@tsu.edu)

Panelists
Susan Hinely, Stony Brook University
(susan.hinely@stonybrook.edu)
“The Theory and Practice of International Justice in the Pre-War Suffrage Movement”

Kathleen Banks Nutter, Smith College
(knutter@smith.edu)
“‘Abundant life for all’: American YWCA Workers in Turkey, 1920-1935”

Gwen Jordan, University of Illinois-Springfield
(gjorda2@uis.edu)
“Building Transnational Coalitions of Women of Color During the Cold War: The Work of Edith Sampson and the National Council of Negro Women”

Saturday C.5
Paradoxes of Authoritarian Legal Orders and the Ambiguity of Transitions to Democratic Rule in South America (1960s-1980s) (Elm)

Chair
Rebecca J. Scott, University of Michigan
(rjscott@umich.edu)
Commentator  Mark J. Osiel, University of Iowa College of Law (mark-osiel@uiowa.edu)

Panelists  Leonardo Barbosa, Brazilian Chamber of Deputies (leonardo.barbosa@camara.gov.br)
“The Ballot under the Bayonet: Election Law during the Brazilian Military Regime”

Cristiano Paixão, University of Brasília (cristianop@unb.br)
“Past and Future of Authoritarian Regimes: Constitution Making in Brazil and Chile in the 1980s”

Marcelo Torelly, University of Brasília (mtorelly@gmail.com)
“Uses of International Human Rights Law to Domestic Constitutional Reinterpretation: Argentina, Brazil, and Chile Transitional Justice Experiences”

Saturday, Session D: 4:15pm – 6:00pm

Saturday D.1  Law and Police in the Anglo-American 18th Century (Aspen)

Chair/Commentator  Christopher Tomlins, University of California-Berkeley School of Law (ctomlins@law.berkeley.edu)

Panelists  Markus Dubber, University of Toronto Faculty of Law (markus.dubber@utoronto.ca)
“New Historical Jurisprudence: Historical Analysis of Law Between Police and Law”

Holly Brewer, University of Maryland (hbrewer@umd.edu)
“Sedition, Treason, Censorship & Slavery in the Early Modern British Empire”

Aaron Knapp, Boston University (atknapp@bu.edu)
“The Judicialization of Police at the American Founding”

Saturday D.2  Law at the Border: Mobility and the Regulation of Migration Regimes in Global Perspective (Alpine)

Chair/Commentator  Rohit De, Yale University (rohit.de@yale.edu)
Panelists
Philippa Hetherington, Harvard University (phether@fas.harvard.edu)
“Channeling Russian Migrants: Imperial Law, Shipping Companies and Illegal Emigration 'Agents' in Late 19th-Century Russia”
Joshua Specht, Harvard University (jspecht@fas.harvard.edu)
“'Vexatious and Embarrassing': Cattle Disease, Quarantine Law, and the Politics of Mobility”
David Brophy, University of Sydney (david.brophy@sydney.edu.au)
“Cotton-Picking Kashgaris: Chinese Consuls, Muslim Headmen, and the Legal Regulation of Guest Work in the Soviet Union”

Saturday D.3 Kathryn T. Preyer Memorial Prize Panel (Maple)
Chair
Gautham Rao, American University (grao@american.edu)
Panelist
Gregory Ablavsky, University of Pennsylvania (ablavsky@law.upenn.edu)
Commentator
Daniel Hulsebosch, New York University School of Law (daniel.hulsebosch@nyu.edu)
Panelist
Rabia Belt, University of Michigan (belt@umich.edu)
"Ballots for Bullets? The Disenfranchisement of Civil War Veterans."
Commentator
John Fabian Witt, Yale Law School (john.witt@yale.edu)

Saturday D.4 Antonio Gramsci’s Hegemony, the African-American Experience, and Legal Definitions of Racial Equality (Ash)
Chair/Commentator
Kenneth W. Mack, Harvard Law School (kmack@law.harvard.edu)
Panelists
Megan Francis, University of Washington (meganmf@uw.edu)
Maribel Morey, Clemson University (moreym@clemson.edu)
“The Carnegie Corporation's Gunnar Myrdal, Black Scholars of Race, and Postwar Racial Liberalism”

H. Timothy Lovelace, Jr., Indiana University Maurer School of Law (lovelace@indiana.edu)
“The Jurisprudence of Martin Luther King, Jr.: Brown to Cooper”

**Saturday D.5**

**Rolling Back the Rights Revolution: The Conservative Ascendency and the Shifting Legal Terrain** (Elm)

**Chair/Commentator**
Daniel Ernst, Georgetown University Law Center (ernst@law.georgetown.edu)

**Panelists**
Sarah Staszak, Harvard University (sstaszak@rwj.harvard.edu)
“Litigation, Arbitration, and the American State”

Alexander Gourse, Stanford University Law School (agourse@stanford.edu)
“The Rights Revolution and the Politics of Fiscal Retrenchment”

Amanda Hughett, Duke University (amanda.hughett@duke.edu)
“Silencing the Cell Block: Prison Litigation, Federal Courts, and the Creation of North Carolina's Inmate Grievance Commission”

6:00pm – 8:00pm **Closing Reception** (Cottonwood Ballroom)
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<td>Contentious Sovereignty: The Late Ottoman Empire and International Legal Theory and Practice (Alpine)</td>
<td>West as Center: California in the Age of Reconstruction and Emancipation (Maple)</td>
<td>Satire in Medieval Law (Alpine)</td>
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<td>10:30 - 12:15</td>
<td>Ask Me Anything: The Job Market (Aspen)</td>
<td>Ask Me Anything: Publishing (Grand Ballroom A)</td>
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<td>5:00pm - 6:00pm</td>
<td>Law, the State, and the Challenge of American Nationhood in the 19th Century (Alpine)</td>
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<td>Indigenous Legal History (Maple)</td>
<td>Family Values, Social Norms, and Modern Lawmaking in East Asia (Ash)</td>
<td>Roundtable Discussion of the Progress of a History of the Federal Courts (Grand Ballroom A)</td>
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<td>Conservative Constitutionalism in the Civil Rights Era (and Beyond) (Aspen)</td>
<td>Credibility on Trial in Law and Literature (Grand Ballroom A)</td>
<td>The Challenges of Liberalism in Early 20th-Century Brazil: Urbanization and the Modernization of Private Law, 1900-1945 (Grand Ballroom B)</td>
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<tr>
<td>Law and Psychiatry in Modern America (Maple)</td>
<td>Church Property Suits and the Changing Religious Landscape of the 19th-Century United States (Aspen)</td>
<td>Courts, Codes, and the Legal Profession (Grand Ballroom B)</td>
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<td>Ask Me Anything: Teaching Legal History (Grand Ballroom B)</td>
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<td>Gender in US Legal History (Maple)</td>
<td>Inventing Law in “Lawless” Africa: Competition to Rule Among Africans and Europeans in the Empire (Grand Ballroom A)</td>
<td>Law's Governance and Labor's Bodies (Grand Ballroom B)</td>
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The University of New England (Australia) is proud to announce the 33rd Annual ANZLHS Conference, 10-13 December 2014. The conference theme is "Law's Empire or Empire's Law?: Legal Discourses of Colonies and Commonwealths". The conference will be held at the BreakFree Aanuka Beach Resort, Coffs Harbour, on the magnificent mid-north coast of New South Wales, between December 10-13, 2014.

The Conference provides wide scope to discuss law and history in a variety of settings. Although an important context for the conference is the interrelation between imported laws of a parent jurisdiction and their application to other domains, both jurisdictional and geographical, we encourage potential presenters to interpret the conference theme broadly.

Keynote Speakers:
• Professor Paul Mitchell, of the Faculty of Laws, University College London.
• Professor Mike Grossberg, Sally M Reahard Professor of History & Professor of Law, Indiana University, Bloomington, USA.

Founded on 5 December 2009 (St Nicholas' Eve) in The Hague, the European Society for Comparative Legal History (“ESCLH”) was born out of frustration with the narrow nationalism and geographical segregation of legal history in contemporary European scholarship and professional organisations. We take a wider view. The Society aims to promote comparative legal history, the explicit comparison of legal ideas and institutions in two or more legal traditions. We acknowledge, too, that comparative law and legal history (internal or external) are fundamentally related. Both comparatists and legal historians are travellers: the one in space, the other in time. If only to establish context to more restricted research, legal historians should always look beyond the spatial borders and jurisdictional boundaries—including our present national legal systems—that are themselves products of the past. This isn’t merely useful background information. Legal history in general, and European legal history in particular, was fundamentally plural, a dynamic interaction of multifarious common and particular laws. Legal historians shouldn’t ignore this.

The Society also appreciates the importance of generating dialogue across national and disciplinary boundaries to achieve our goals. To accomplish this, we have established a blog, held an inaugural conference, and begun cooperation with those with shared aims. Our blog provides a site for information and discussion. It hosts a register for those with research interests in any area of legal history.

For additional information, please see: http://esclh.blogspot.com/.
The Israeli History and Law Association was established in 2005. Its purpose is to serve as a meeting place for scholars who deal with various aspects of the intersection between history and law. The association aims at scholars of history, Israeli history, law, Judaic studies, Islam, and the Middle East, as well as classicists, social scientists and others interested in various aspects of legal phenomena. The Association enables researchers to keep informed on contemporary research topics in the various areas, to clarify shared theoretical and methodological issues, to deal with common problems in resources, accessibility to archived sources, databases and others. The Association’s major activity is its annual meeting, held jointly with Yad Izhak Ben-Zvi each Fall.

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