

**AMERICAN SOCIETY
FOR
LEGAL HISTORY**



Historia Omnium Legum

1998

Twenty-eighth Annual Meeting
Seattle Hilton
Seattle, Washington
October 22-24, 1998



PROGRAM

Registration

Thursday, October 22
3:30 p.m. – 6:00 p.m.

Friday, October 23
8:00 a.m. – 4:00 p.m.

Saturday, October 24
8:00 a.m. – 10:00 a.m.

Welcoming Reception

5:00 – 6:30 p.m.
Thursday, October 22
Top of the Hilton

SUMMARY OF PROGRAM

Friday, October 23

7:30 a.m.

Breakfast Session Constitutional Studies: A Proposal for a Model Curriculum Taku-Chinook Room
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8:45 a.m.

Do Ideas Matter & Which Ones? Taku-Chinook	Citizenship & Marriage Windward Room
Construction of Expertise Leeward Room	Sovereignty & Neutrality in Realism Top Conference Room

10:30 a.m.

Courts Outside the Orbit of the Common Law Winward Room	Beyond <i>Griswold & Roe</i> Top Conference Room
Israeli Legal History Taku-Chinook	Liberal Constitutionalism in the U.S. Leeward Room

1:30 p.m.

Substance & Procedure in the Premodern English Trial Taku-Chinook	Voices of Women Lawyers Windward Room
Policing Whiteness Leeward Room	Rediscovering State Constitutional History Top Conference Room

3:15 p.m.

New Approaches to Old Institutions Taku-Chinook	Reforming Legal Education Top Conference Room
Histories of Federal Courts Windward Room	Rights Talk in Historical Perspective Leeward Room

5:30 p.m.

Annual Lecture Ballroom

6:45 p.m.

Reception Sound View Room

Saturday, October 24

8:30 a.m.

Texts & Reality Top Conference Room	<i>No Constitutional Right to Be Ladies</i> Windward Room
Debtors, Creditors, Bankrupts Taku-Chinook Room	Role of History in Indian Law Leeward Room

10:15 a.m.

Courts & Society in Tudor- Stuart England Taku-Chinook	Race, Criminal Justice & 20 th Century Federal Courts Top Conference Room
"The Surprising Effects of Sympathy" Windward Room	Professional Differences Leeward Room

Noon

Annual Luncheon Top of the Hilton

2:00 p.m.

Common Law & Church Courts Taku-Chinook	Public Policy, Administrative Authority & the State Top Conference Room
History of the Book in the Law Windward Room	Article V of the U.S. Constitution Leeward Room

3:45 p.m.

Law & Group Practice in Medieval Europe Top Conference Room	Policing Gender, Policing Race Windward Room
Labor, Law & the State Taku-Chinook	Post-Modern Constitutional History Leeward Room



Thursday, October 22, 1998

Board of Directors Meeting

7:30 p.m. Taku-Chinook Room

Friday, October 23, 1998

Complimentary Continental Breakfast

7:15-8:45 a.m.

Breakfast Session Constitutional Studies: A Proposal for a Model Curriculum

7:30-8:30 a.m. Taku-Chinook Room

Presenters: Melvin I. Urofsky, Center for Public Policy, Virginia Commonwealth University

Maeva Marcus, Supreme Court Historical Society

Comment: The Audience

Do Ideas Matter and Which Ones?

8:45-10:15 a.m. Taku-Chinook

Chair: Emily Z. Tabuteau, Department of History, Michigan State University

✓ Paper: How to Get Rid of Kings: The Ten Questions, the Deposition of Edward II, and Ideas of Resistance in Later Medieval England

Friday, October 23, 1998

Claire Valente, Department of History and Political Science, University of Portland

Paper: Thomas Aquinas' Theory of Epieikeia

Georg Friedrich Behrens, School of Law, University of California, Berkeley

Paper: A Historian as a Source of Law: Abbot Peter of Henrykow and the Invocation of Norms in Medieval Poland, 1200-1270

Piotr Gorecki, Department of History, University of California, Riverside

Comment: Emily Z. Tabuteau



Citizenship and Marriage in the Nineteenth-Century United States

8:45-10:15 a.m. Windward Room

Chair: Christine L. Compston, Independent Scholar

Paper: Citizenship and Property Rights: Nineteenth-Century Alien Land Law and the Case for an "Efficiency Principle"

Polly J. Price, Emory Law School

Paper: "A Double Head in Nature is a Monstrosity": Re-Covering the Married Woman in Frontier Washington, 1877-1893

Friday, October 23, 1998

- Paper: Sandra F. Van Burkleo, Department of History, Wayne State University
- Paper: Federal Definition and Regulation of Marriage in Late 19th Century America
- Megan J. McClintock, University of Washington, Seattle
- Julie Shapiro, Seattle University School of Law
- Comment: Peggy Pascoe, Department of History, University of Oregon
-

② Reticence, Overconfidence, and the Construction of Expertise in the Anglo-American Courtroom

8:45-10:15 a.m. Leeward Room

- Chair: James Mohr, Department of History, University of Oregon
- Paper: One Hundred Years of Rectitude: Medical Witnesses at the Old Bailey, 1717-1817
- Stephen Landsman, DePaul University College of Law
- Paper: Scripting Expertise: Handwriting Identification and Expert Testimony in the American Courtroom, 1836-1936
- Jennifer Mnookin, University of Virginia Law School

Friday, October 23, 1998

- Paper: Reluctant Heroes: Psychiatrists, Sexual Psychopath Statutes and the Production of Expertise in the United States, 1930-1970
- Stephen Robertson, American Bar Foundation
- Comment: James Mohr, Department of History, University of Oregon
- Randall McGowen, Department of History, University of Oregon
-

Sovereignty and Neutrality after Legal Realism

8:45-10:15 a.m. Top Conference Room

- Chair: Wilton B. Fowler, University of Washington
- Paper: Carrying Legal Realism into the Arena of International Law, 1935-1953: The Debates over Neutrality, the Rule of Law, and Ocean Resources
- Harry N. Scheiber, School of Law, University of California, Berkeley ✓
- Comment: William T. Burke, University of Washington School of Law
- Robert L. Friedheim, School of International Relations, University of Southern California
- Reuel Schiller, University of California, Hastings College of Law
-

Friday, October 23, 1998

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Courts Outside the Orbit of the Common Law

10:30 a.m.-noon Windward Room

Chair: Janet S. Loengard, Department of History, Moravian College

Paper: Star Chamber, 1596-1641: Ontogenesis of a Common Law Court

Thomas G. Barnes, Department of History and School of Law, University of California, Berkeley

Paper: The Chancellor's Foot and the Fusion of Law and Equity

John Langbein, Yale Law School

Comment: Janet S. Loengard, Department of History, Moravian College

Charles Donahue, Jr., Harvard Law School

**Beyond Griswold and Roe:
New Perspectives on the Right to Privacy**

10:30 a.m.-noon Top Conference Room

Chair: Norma Basch, Department of History, Rutgers University at Newark

Paper: "To Marry, Establish a Home and Bring up Children": The Cultural Values of the Original Privacy Cases

Ian Mylchreest, Department of History, Monash University

Paper: The Next Horizon in Abortion Technology: *Roe*, *Griswold*, and the Future of the Right of Privacy

Friday, October 23, 1998

Maria Harris Anderson, Department of History, Rice University

Comment: David H. Flaherty, University of Western Ontario (on-leave); Information and Privacy Commissioner of British Columbia

Alice Hearst, Department of Government, Smith College

**Israeli Legal History:
Conventional Historiography and the
Emergence of New Perspectives**

10:30 a.m.-noon Taku-Chinook

Chair: Pnina Lahav, Boston University School of Law

Paper: Between Mandate and State: Re-thinking the Periodization of Israeli Legal History

Assaf Likhovski, Faculty of Law, Tel Aviv University

Paper: A Measured History of Encounters between State and Citizen in the Supreme Court of Israel

Yoram Shachar, Dean of Law School, Interdisciplinary Center for Law and Technology, Herzlia, Israel

Paper: Class, Nation, State: Whose Goals was Israel's Early Social Legislation Tailored to Match?

Ron Harris, Faculty of Law, Tel Aviv University

Friday, October 23, 1998

Comment: Eben Moglen, Columbia University
School of Law

Liberal Constitutionalism in the U.S.

10:30 a.m.-noon Leeward Room

Chair: Maxwell Bloomfield, School of Law
and Department of History, Catholic
University of America

Paper: The Defensive Constitutionalism of
American Colonialism

Christine Adrienne Desan, Harvard
Law School

Paper: Property, Contract and the Public
Purpose: Land Reform in the New
York Constitution of 1846

②

Charles W. McCurdy, Department of
History, University of Virginia

Comment: Gregory S. Alexander, Cornell Law
School

William J. Novak, Department of
History, University of Chicago

**② Substance and Procedure in the
Premodern English Trial**

1:30-3:00 p.m. Taku-Chinook

Chair: Thomas P. Gallanis, Ohio State
University School of Law

Paper: Judge Scarcity, Jury Discretion, and
the Rules of Law

Friday, October 23, 1998

David J. Seipp, Boston University
School of Law

Paper: The Emergence of the Rule Against
Hearsay

Richard D. Friedman, University of
Michigan School of Law

Michael R.T. Macnair, Department of
Law, University of Lancaster

Comment: Thomas P. Gallanis, Ohio State
University School of Law

James C. Oldham, Georgetown
University Law Center

The Voices of Women Lawyers

1:30-3:00 p.m. Windward Room

Chair: Carol Sanger, Columbia University
School of Law

Paper: The Feminism of Early Women
Lawyers

Barbara Babcock, Stanford Law
School

Paper: Breaking the Gender Barrier at the
Bar: Stories from the Women of
Minnesota

Carol Chomsky, University of
Minnesota Law School

Paper: What Women Did After They Opened
the Bar: Women Lawyers in Illinois
1873-1933

Friday, October 23, 1998

Gwen Hoerr McNamee, History
Department, University of Illinois at
Chicago

Paper: The Legal Career of Wisconsin's First
Black Woman Attorney: Traversing
Racial and Gender Perimeters

Phoebe Weaver Williams, Marquette
University School of Law

Comment: Carol Sanger, Columbia University
School of Law

**Policing Whiteness: Intersections of Race and
Sexuality in Legal History**

1:30-3:00 p.m. Leeward Room

Chair: Ariela J. Gross, University of
Southern California School of Law

Paper: Race, Law and Time: Writing Legal
History from a Local Perspective

Walter Johnson, Department of
History, New York University

Paper: Configuring the National Body
through Antimiscegenation Law,
Lynch Law, and Immigration
Restriction

Robert S. Chang, Loyola Law School,
Los Angeles

Comment: Adrienne Davis, Washington College
of Law, American University

Annette Gordon-Reed, New York
Law School

Friday, October 23, 1998

① **Rediscovering State Constitutional History**

1:30-3:00 p.m. Top Conference Room

Chair: G. Alan Tarr, Department of Political
Science, Rutgers University

Paper: The Liberal and Democratic
Republicanism of the First State
Constitutions, 1776-1780

Willi Paul Adams, JFK Institute for
North American Studies, Free
University of Berlin

Paper: Constitutions and Constitution-
Making in the Mid-Nineteenth-
Century Far West: Understanding
Institutions Historically

David A. Johnson, Department of
History, Portland State University

Paper: Reclaiming Newspaper Coverage of
State Constitutional History:
Lawyers, Courts and Scholars

Robert F. Williams, Rutgers
(Camden) School of Law

Comment: John Orth, University of North
Carolina School of Law

① **New Approaches to Old Institutions**

3:15-4:45 p.m. Taku-Chinook

Chair: Sue Sheridan Walker, Department of
History, Northeastern Illinois
University

Friday, October 23, 1998

- Paper: The Private Prosecution of Crime in Thirteenth-Century England: Settlements and Female Prosecutors
Dan Klerman, University of Southern California Law School
- Paper: Hostages as Personal Surety in Carolingian Europe
Adam Kosto, Department of History, Columbia University
- Paper: Seigneurial Consent to Marriages in Twelfth-Century France
Robert F. Berkhofer, Department of History, Western Kentucky University
- Comment: Robin Stacey, Department of History, University of Washington
-

② At the Crossroads: Reforming Legal Education in England and America, 1830-1860

- 3:15-4:45 p.m. Top Conference Room
- Chair: Peter Karsten, Department of History, University of Pittsburgh
- Paper: Apprenticeship or Academy? The Idea of a Law University, 1840-55
Michael Lobban, Department of Law, Brunel University, England
Christopher W. Brooks, Department of History, University of Durham, England
- Paper: The Marketing of Legal Education in Antebellum America

Friday, October 23, 1998

- Ann Fidler, Department of History, Ohio University
- Comment: Richard Cosgrove, Department of History, University of Arizona
William LaPiana, New York Law School
-

Federal Court Histories

- 3:15-4:45 Windward Room
- Chair: Bradley B. Williams, Ninth Judicial Circuit Historical Society
- Paper: Histories of Federal Courts: Reflections on an Emerging Genre
Edward A. Purcell, Jr., New York Law School
- Comment: Kermit L. Hall, Ohio State University
Rayman L. Solomon, Rutgers University-Camden School of Law
Robert G. Bone, Boston University School of Law
-

Rights Talk in Historical Perspective

- 3:15-4:45 p.m. Leeward Room
- Moderator: Rosemarie Zaggarri, Department of History, George Mason University
- Discussants: Morton Horwitz, Harvard University Law School

Friday, October 23, 1998

Michael W. McCann, Department of
Political Science, University of
Washington

David Rabban, University of Texas
Law School

Jack Rakove, Department of History,
Stanford University

Joan C. Williams, Washington
College of Law, American University

Annual Lecture

5:30 p.m.

Pacific Ballroom

Address: "The Latest in Early American
Furniture" or What is the Future of
the Past?

Lawrence M. Friedman, Stanford
Law School

Annual Reception

6:45

Top of the Hilton: Sound View Room

Saturday, October 24, 1998

Complimentary Continental Breakfast

7:45-8:30 a.m.

②

Texts and Reality

8:30-10:00 a.m. Top Conference Room

Chair: Bruce O'Brien, Department of
History, Mary Washington College

Paper: When Ships are Lost at Sea in
Bracton's *De legibus*

Timothy G. Sistrunk, Department of
History, California State University at
Chico

Paper: Extraordinary Privilege: The Trial of
Penenden Heath and the Domesday
Inquest

Alan Cooper, Department of History,
Harvard University

Paper: Giovanni da Legnano on the Law of
War

Jasonne Grabher O'Brien,
Department of History, University of
Kansas

Comment: Bruce O'Brien, Department of
History, Mary Washington College

Saturday, October 24, 1998

*No Constitutional Right to Be Ladies:
Women and the Obligations of Citizenship*
by Linda K. Kerber

8:30-10:00 a.m. Windward Room

Chair: Stanley N. Katz, Princeton University

Comment: Mary Becker, University of Chicago
Law School

Sarah Barringer Gordon, University
of Pennsylvania Law School

Rogers Smith, Department of
Political Science, Yale University

Response: Linda K. Kerber, Department of
History, University of Iowa

**① Debtors, Creditors, and Bankrupts in
Victorian Anglo-America**

8:30-10:00 a.m. Taku-Chinook

Chair: Tony Freyer, University of Alabama
School of Law

Paper: Discipline and Punish: The
Transformation of English Insolvency
in the Industrial Age

Margot Finn, Department of History,
Emory University

Paper: Reconstructing the Law of Failure:
The 1841 Federal Bankruptcy Act and
the Culture of Debtor-Creditor
Relations in America

Edward J. Balleisen, Department of
History, Duke University

Saturday, October 24, 1998

Paper: The Demise of Canadian Bankruptcy
Law, 1867-1880: A Comparative
View

Thomas G. W. Telfer, University of
Auckland Faculty of Law

Comment: Bruce H. Mann, Law School and
Department of History, University of
Pennsylvania

The Role of History in Indian Law

8:30-10:00 a.m. Leeward Room

Chair: Patricia Monture-Angus, Department
of Native Studies, University of
Saskatchewan

Paper: Law without Context

Vine S. Deloria, Jr., Department of
History, University of Colorado

Paper: Recovering Native Visions in the
Content of Indian Law

Gloria Valencia Weber, University of
New Mexico School of Law

Comment: Frank Pommersheim, University of
South Dakota School of Law

② Courts and Society in Tudor-Stuart England

10:15-11:45 a.m. Taku-Chinook

Chair: Cynthia Herrup, Department of
History and School of Law, Duke
University

Saturday, October 24, 1998

- Paper: Borough Corporations and Quo Warranto, 1590 to 1640: Keeping Local Order in the Central Courts
Catherine Patterson, Department of History, University of Houston
- Paper: Quo Warranto, 1660-1750: Whose Prerogative?
Paul D. Halliday, Department of History, Union College
- Paper: The Decline of English Witchcraft Prosecutions, 1606-1717
Brian P. Levack, Department of History, University of Texas
- Comment: Cynthia Herrup, Department of History and School of Law, Duke University
-

"The Surprising Effects of Sympathy": A Memorial Discussion of the Work of Elizabeth B. Clark

10:15-11:45 a.m. Windward Room

- Moderator: Hendrik Hartog, Department of History, Princeton University
- This session commemorates the life and work of the legal historian Elizabeth B. Clark, who died on December 26, 1997, with an open-ended discussion of one of her best-known publications, "The Sacred Rights of the Weak": Pain, Sympathy, and the Culture of Individual Rights in Antebellum America," *Journal of American History* 82 (September 1995): 463-93.

Saturday, October 24, 1998

- Discussants: Karen Halttunen, Department of History, University of California, Davis
James T. Kloppenberg, Department of History, Brandeis University
Aviam Soifer, Boston College Law School
The Audience
-

Race, Criminal Justice, and the Federal Courts in the Twentieth Century

10:15-11:45 a.m. Top Conference Room

- Chair: Robert J. Cottrol, George Washington University Law School
- Paper: Doing Legal Work in Historical Time: Some Thoughts on Reconciling *Frank v. Magnum* and *Moore v. Dempsey*
Eric M. Freedman, Hofstra University School of Law
- Paper: The NAACP, Civil Rights, and Criminal Extradition
Eric W. Rise, Criminal Justice Program, University of Delaware
- Paper: Let's Bring Back *Kentucky v. Dennison*: How the Supreme Court Failed to Read the Constitution and Missed the Boat on Interstate Extradition
Paul Finkelman, University of Akron School of Law

Saturday, October 24, 1998

Comment: Mark V. Tushnet, Georgetown
University Law Center

Professional Differences: Ethnic and Racial Diversity within the Bar from Historical Perspective

10:15-11:45 a.m. Leeward Room

Chair: Clyde Spillenger, University of
California at Los Angeles School of
Law

Paper: Paternalism, Ethnicity and the
Professionalization of the Bar in
Territorial New Mexico

①

David Reichard, Independent Scholar

Paper: Chasing Ambulances, Chasing Law:
Personal Injury Litigation in
Immigrant New York

Louis Anthes, Department of History,
New York University

Paper: Progressive Legal Outreach and the
Contact of Legal Cultures in New
York City, 1896-1925: The Case of
the New York Legal Aid Society

Derek Krissoff, Department of
History, SUNY Buffalo

Paper: Northern Urban Black Lawyering in
the Early to Middle Twentieth
Century: Raymond Pace Alexander's
Self-Fashioning

Kenneth Mack, Department of
History, Princeton University

Comment: Robert W. Gordon, Yale Law School

Saturday, October 24, 1998

Annual Luncheon

Noon Top of the Hilton

"The State of the Society"
President Laura Kalman

①

Common Law and Church Courts

2:00-3:30 Taku-Chinook

Chair: Victoria List, Department of History,
Washington and Jefferson College

Paper: Conceiving the Reformation: The
Statutes of 1529 and the Exercise of
Power in the English Parish

Robert C. Palmer, Department of
History and Law Center, University
of Houston

Paper: Writs of Prohibition and the Church
Courts during the Reign of Edward I

David Millon, School of Law,
Washington and Lee University

Paper: The Becket Conflict and the Origins
of Crown Jurisdiction over Usury

Robert Stacey, Department of
History, University of Washington,
Seattle

Comment: James A. Brundage, Department of
History, University of Kansas

Saturday, October 24, 1998

**Public Policy, Administrative Authority,
and the Family
In 20th Century America**

2:00-3:30 p.m. Top Conference Room

Chair: Nancy Cott, Department of History,
Yale University

Paper: "Likely to Become a Public Charge:"
Immigrants, Gender, and Deportation
Policy in the U.S. between the Wars

Mae Ngai, Department of History,
University of Chicago

Paper: Making Adoption Modern: The Child
Welfare League of America and the
Standardization of Kinship Design,
1915-1960

2b

Ellen Herman, History Department,
University of Oregon

Comment: Nancy Cott, Department of History,
Yale University

2a

**History of the Book in the Law:
Legal Texts and Their Reading Publics**

2:00-3:30 p.m. Windward Room

Chair: Mary S. Bilder, Boston College Law
School

Paper: Authority and Authenticity:
Dilemmas in Legal Authorship, 1500-
1800

Richard Ross, University of Chicago
Law School

Saturday, October 24, 1998

Paper: Lex Non Scripta and the Invention of
Legal Primitivism

Steven Wilf, Chicago-Kent Law
School

Comment: Peter Just, Department of
Anthropology, Williams College

Michael Hoeflich, University of
Kansas School of Law

**Article V of the U.S. Constitution:
The Original Understanding and Subsequent
Practice**

2:00-3:30 p.m. Leeward Room

Chair: David E. Kyvig, Department of
History, University of Akron

Paper: The Twelfth Amendment

David P. Currie, University of
Chicago Law School

Paper: A Very Different Thirteenth
Amendment

A. Christopher Bryant, Office of
Legal Counsel, U.S. Senate

Paper: Race, Class, Gender and the
Unintended Consequences of the
Fifteenth Amendment

Mary J. Farmer, Department of
History, Bowling Green State
University

Donald G. Nieman, Department of
History, Bowling Green State
University

Saturday, October 24, 1998

Paper: The 18th and 21st Amendments and
the American Constitutional System

Richard F. Hamm, Department of
History, SUNY Albany

Comment: David E. Kyvig, Department of
History, University of Akron

① **Law and Group Practice in Earlier
Medieval Europe:
Societies and Disputes**

3:45-5:15 p.m. Top Conference Room

Chair: Geoffrey Koziol, Department of
History, University of California,
Berkeley

Paper: Courts, Communities and Consensus:
Procedure and Adjudication in
Western French Curiae, 950-1150

Richard E. Barton, Department of
History, University of North Carolina,
Greensboro

Paper: Family Rights and Monastic Reform
in Tenth Century Burgundy

Hans Hummer, Department of
History, University of California at
Los Angeles

Paper: An Example of Peace and Concord:
Inter-Monastery Relationships in
Medieval Anjou

Belle Tuten, Department of History,
Juniata College

Saturday, October 24, 1998

Comment: Geoffrey Koziol, Department of
History, University of California,
Berkeley

**Policing Gender, Policing Race: The Enforcement
of Identity Norms in the American South**

3:45-5:15 p.m. Windward Room

Chair: TBA

Paper: Becoming a Citizen: Reconstruction
Era Regulation of African American
Marriages

Katherine Franke, Fordham Law
School

Paper: The Samarcand Arson Case: White
Female Identity and the Law in the
Depression Era South

John Wertheimer, Department of
History, Davidson College

Comment: Thomas J. Davis, Department of
History and College of Law,
Arizona State University

Barbara Welke, Department of
History, University of Minnesota

Labor, Law, and the State in the Interwar Period

3:45-5:15 p.m. Taku-Chinook

Chair: Katherine Van Wezel Stone, Cornell
Law School

Saturday, October 24, 1998

- Paper: Petting the Infamous Yellow Dog: Teachers, the State, and Public Sector Labor Law in Seattle
Joseph E. Slater, Department of History, Georgetown University
- Paper: Battle on the Benches: The Wagner Act and the Federal Circuit Courts of Appeals, 1936-1942
Douglas J. Feeney, Department of History, SUNY-Binghamton
- Paper: The Search for Constitutional Protection of Labor Standards, 1924-1941: From Interstate Compacts to Treaties
Edward C. Lorenz, Department of History, Alma College
- Paper: Representatives of Their Own Choosing? Certification, Elections, and Employer Free Speech in the U.S. and Canada, 1933-59
John Logan, Department of History, University of California, Davis
- Comment: Christopher L. Tomlins, American Bar Foundation
-

**Post-Modern Constitutional History:
Problems and Possibilities**

3:45-5:15 p.m. Leeward Room

Moderator: Sanford Levinson, University of Texas School of Law

Saturday, October 24, 1998

- Paper: Text & Context: Intellectual History and the Post-Modern Constitutional History
William W. Fischer, III, Harvard Law School
- Paper: Constitutional Narratives and Constitutional Interpretation
J.M. Balkin, Yale Law School
- Paper: Engendering the Jury: Theories of Spectatorship and Doubts About Democracy
Nancy Isenberg, Department of History, University of Northern Iowa
- Paper: Deconstructing the Constitution Canon: A Pragmatic Agenda for Post-Modern Constitutional History
Saul Cornell, Department of History, Ohio State University
-

AMERICAN SOCIETY FOR LEGAL HISTORY

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Gregory Mark, Rutgers University, Newark
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