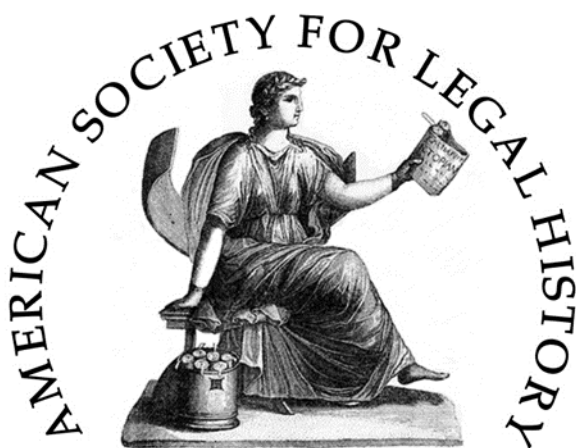


American Society for Legal History



Historia Omnium Jurium

48th Annual Meeting Program

Hilton Americas
Houston, Texas
USA

8-11 November 2018

2018 Plenary Lecturers



Ariela Gross

John B. & Alice R. Sharp Professor of Law & History and Co-Director of the Center for Law, History, and Culture, University of Southern California Gould School of Law. Professor Gross is the author of *Double Character: Slavery and Mastery in the Antebellum Southern Courtroom* (Princeton UP 2000) and *What Blood Won't Tell: A History of Race on Trial in America* (Harvard UP 2008), co-winner of the James Willard Hurst Prize, the Lillian Smith Award, and the APSA Best Book on Race, Ethnicity, and Politics. In 2017-18, she was a Fellow at the Stanford Center for the Advanced Study of the Behavioral Sciences and an American Council for Learned Societies Collaborative Research Fellow. Gross has also been a Guggenheim Fellow, an NEH Huntington Libraries Research Fellow, and an ACLS Burkhardt Fellow.



Alejandro de la Fuente

Robert Woods Bliss Professor of Latin American History and Economics; Professor of African and African American Studies and of History; Director, Afro-Latin American Research Institute, Hutchins Center for African and African American Research; Harvard University. Professor de la Fuente holds Licenciado in Law from the Universidad de La Habana, Graduate Certificate in Latin American Studies and PhD in History from the University of Pittsburgh. He received the Lydia Cabrera Award from the Conference on Latin American History. His book, *A Nation for All: Race, Inequality, and Politics in Twentieth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2001) received the Latin American and Caribbean Section of the Southern Historical Association Book Prize for the “best book in Latin American history.”

American Society for Legal History 48th Annual Meeting Program

American Society for Legal History, Inc.
New York, New York
USA

Copyright © 2018
by the
American Society for Legal History, Inc.
All Rights Reserved

TABLE OF CONTENTS

	Page
Welcome Letters	1
Pre-Conference, Panel Sessions & Meeting Events	5
The Annual Meeting at a Glance	27
Governance	37
Partner Learned Societies	44
Advertisements	47
Hotel Floor plan	56 - 57
University of Houston Map	58
Memorial	inside rear cover
Next Meeting	rear cover



Welcome to the 2018 Annual Meeting of the American Society for Legal History in Houston, Texas. Houston has many wonderful sites for exploration and research. But as you will see from our program, our time here will also be filled with great scholarship, which will both entice and challenge us all. The great breadth of our growing field and the quality of our annual conference testify to the value of our engagement with the legal past. Participants in the program and pre-conference sessions range from graduate students entering the field to renowned senior scholars from a wide variety of institutions and geographic locations. The depth and variety of our formal sessions and our convivial gatherings testifies to the many rewards of our shared interest in legal history.

Our commitment to working with early career scholars, in particular, is a hallmark of the Society. In light of that commitment, we welcome all those who have not attended before, or for whom this might even be their first formal conference. Our programs dedicated to early career scholars include the Student Research Colloquium (held this year at Rice University), the inaugural session of the Wallace Johnson First Book Program (also at Rice), and the Hurst Summer Institute (to be held at the University of Wisconsin in June 2019), as well as grants, prizes and awards to be announced at our Saturday members' luncheon, all aimed at graduate and pre-tenure scholars.

Our annual meeting is among the most important things that the Society does. Like other major efforts, including our journal (the *Law and History Review*) and book series (Studies in Legal History), the meeting is organized by dedicated volunteers. There are so many to whom we are indebted that we cannot thank them all here, but our 2018 Program Committee Chairs, Catharine MacMillan (King's College London) and Matthew Mirow (Florida International University) have overseen the process of putting together both engaging and pathbreaking sessions. We thank the entire program committee as well as our presenters, chairs, and commentators whose fine work will be presented over the next several days. And our local arrangements have been ably stewarded by Local Arrangements Chair Craig Joyce and his committee, who have smoothed the way and opened our eyes to the many delights of Houston and its environs.

We are also profoundly indebted to our officers, board members, and committees, who together work hard to make our Society a vibrant and welcoming organization, dedicated to scholarship and collegiality at all times of year. Their work shows to greatest effect when we are gathered together at the Annual Meeting.

Finally, we are grateful to the University of Houston Law Center, particularly Dean Leonard Baynes, for hosting our plenary lecture and the reception to follow. We are equally grateful to Vanderbilt University for its generous support our pre-modern workshop on Thursday, to Wallace Johnson for his funding of the innovative first book program in his name, and to Rice for its hosting and support for our pre-conference programs. In addition, the William Nelson Cromwell Foundation has provided critical and steady support for prizes and grants to early career scholars, as well as for work by senior scholars in the field. We are fortunate to work with them, and to benefit from their generosity and insight. We thank also Cambridge University Press and the meeting exhibitors and program advertisers, and our members who contributed to support the attendance of graduate students and independent scholars.

Enjoy!



Sarah Barringer Gordon
President, American Society for Legal History
Arlin M. Adams Professor of Constitutional Law
and Professor of History
University of Pennsylvania



On behalf of the faculty of the University of Houston Law Center, I am delighted to welcome you to Houston for the 48th Annual Meeting of the American Society for Legal History. We are honored to sponsor the Society's welcome reception at the Hilton-Américas and to host the Plenary Lecture and Reception at the University of Houston campus. I am grateful to Law Center faculty and long-time ASLH members Craig Joyce and Robert C. Palmer, and to all the members of the local arrangements committee, for the hard work that has made this meeting possible. We are delighted to host you, in Houston!

We are particularly delighted with the meeting emphasis on Houston as the gateway to las Américas. The University of Houston Law Center takes pride in the Center for U.S. and Mexican Law, founded by the late Steven T. Zamora and now headed by Alfonso López de la Osa Escribano. It is the first and only academic center focusing on comparative law issues between U.S. and Mexico. Professor López de la Osa will chair a conference panel entitled: "Mexico's Current Legal System: The Influence of Multiple Legal Historical Factors." The Center for U.S. and Mexican Law continues to serve as a leader in its field.

This is an exciting time for the Law Center, where we recently celebrated the school's 70th anniversary by looking to the future with a strategic vision and detailed plans to enhance UH's standing among the nation's top law schools. From its humble beginnings in converted World War II barracks, the school has built a national and international reputation of academic excellence in the fields of health law, intellectual property, energy, environmental and natural resource law, tax, and other disciplines.

The Law Center has a long legacy of educating students who, through the power of legal education and their grit and determination, have been pioneers in their communities. Justice Ruby Kless Sondock was the valedictorian of the 1962 graduating class, which consisted of only a handful of women. She went on to become the first woman to serve on the Texas Supreme Court in regular session. In 1970, James Lemond was the first African American to graduate from the Law Center and later became the first African American partner at the Winstead Firm. Raul Gonzalez was the child of migrant farm workers from Mexico, who worked in the fields as a youth. He graduated from the Law Center in 1966, and in 1984 became the first justice of Hispanic/Latino descent to serve on the Texas Supreme Court. In the 1970s, Phyllis Frye transitioned from male to female and was out while a student at the Law Center; she went on to become the first openly transgender judge in our nation's history. Rehan Alimohammad, a partner at Wong Fleming, graduated from the Law Center in 2001; he became the Chair of the Board for the State Bar of Texas, the first Asian American to serve in that capacity. Today, almost 40% of our students are members who represent racially and ethnically diverse communities. Our alumni remain leaders in courtrooms and boardrooms both nationwide and abroad.

Our faculty are renowned for their scholarship as well as their skills in the classroom. Twenty faculty members are members of the American Law Institute. Our faculty, students, and staff are also heavily involved in community service through our extensive clinical programs, as well as through volunteer efforts to partner with our urban neighbors and provide legal help to those in need.



Our academic mission is simple: To provide a high quality, affordable legal education to students of diverse backgrounds to ensure that they have the knowledge and skills necessary for a successful career, and to serve as a hub for important legal research and scholarship. We believe we are meeting those goals, but to take the Law Center to the next level, we have embarked on an ambitious campaign to replace our nearly 50-year-old building with a new facility that will reflect the academic excellence provided within its walls.

The new building will reinforce the school's name as a true "law center," a cross-disciplinary facility with state-of-the-art modern technology and flexible space to enhance the educational experience for students and faculty alike. The new building will include additional space for expansion of our clinical outreach to the community. Improved facilities and enhanced technological capabilities will provide opportunities for greater interaction with local, national, and international industries. Modern spaces for judicial proceedings will serve local and regional courts, giving students and the public valuable insight into the justice system.

The University of Houston Law Center is on the move, expanding its presence in the legal world and the community.

We trust you will have a successful meeting, and also the opportunity to enjoy some of what America's fourth largest city has to offer. If you can find the time during your busy weekend, we also invite you to visit our law school.

A handwritten signature in black ink, reading "Leonard M. Baynes". The signature is written in a cursive style.

Leonard M. Baynes
Dean and Professor of Law

THURSDAY, NOVEMBER 8, 2018

12:00 – 4:00 **Registration** (*3rd Floor Pre-Function West*)

12:00 – 5:00 **Exhibits** (*335A-C*)

8:30 AM - 4:30 PM

Student Research Colloquium (*Rice University Department of History*)

At the annual Student Research Colloquium, three faculty members discuss graduate students' early-stage research projects with them. Participation is by invitation only, but we encourage the ASLH community to chat with student presenters about their projects throughout the conference. This event is closed to the public.

Student Presenters:

Amber Armstrong, University of Pennsylvania (armstro@sas.upenn.edu)
A Prison and a School: The Problem of Delinquency and Legal Responsibility in Early National Philadelphia

Casey Hedstrom, Princeton University (caseynh@princeton.edu)
"Not that All Men Know the Law": Pension Attorneys, Disability, and Fraud in the United States Civil War Pension System, 1862-1900

Peter Labuza, University of Southern California (labuza@usc.edu)
From Authors to Artists: Negotiating Intellectual Property Rights and the Migration of Live Television Writers to Hollywood

Ivan Lee, University of Cambridge (wlil2@cam.ac.uk)
Of Administrative Solecisms and Gubernatorial Non-Entities: The Imperial Politics of British Treaty Performance in China, 1842-1870

Naama Maor, The University of Chicago (naamam@uchicago.edu)
The Adult Delinquent in the Kids' Court: Age, Power, and Accountability in Progressive Era Juvenile Justice

Alyssa Penick, University of Michigan (agpenick@umich.edu)
"As a Body Politick or Corporate": Religious Establishment and Incorporation in Colonial America

Jake C. Richards, University of Cambridge (jcr56@cam.ac.uk)

The Adjudication of Slave Ships, Liberated Africans, and the Limits of British Jurisdiction in the South Atlantic, c. 1839 – 1870

Alexander Stephens, University of Michigan (amstep@umich.edu)

“Surplus, Vagrant Vagabonds” in Miami: Cuban Migrants and the Small-Scale Dynamics of Immigration Law

Discussants: **Jacqueline Briggs**, University of Toronto (jacq.briggs@utoronto.ca),

David Tanenhaus, University of Nevada, Las Vegas (david.tanenhaus@unlv.edu),

Laurie Wood, Florida State University (lmwood@fsu.edu)

8:30 AM - 4:30 PM

Johnson Program for First Book Authors (*Rice University, Humanities Building*)

The Johnson Program for First Book Authors provides advice and support to scholars working toward the publication of their first books in legal history. In conversation with peers and with the advice of senior scholars, the Fellows will develop and revise book proposals and sample chapters. They will also meet with guest editors to learn about approaching and working with publishers. Fellows will meet several times during the year, with the first session being at the ASLH Annual Meeting. Participation is by invitation only, but we encourage the ASLH community to chat with the Fellows about their projects throughout the conference. The Johnson Program is made possible by a generous gift from Wallace H. Johnson and support from the ASLH Endowment. This event is closed to the public.

Inaugural Johnson Fellows:

Kevin Arlyck, Georgetown University, *Judging Sovereignty: The Federal Courts and Foreign Affairs in the Age of Revolution*

Winston Bowman, Federal Judicial Center, *A Nation of Courts: Federal Judicial Power and the Politics of Independence, 1861-1891*

Wesley Chaney, Bates College, *Stolen Land, Broken Bodies: Law, Environment, and Violence in Northwest China*

Trina Leah Hogg, Oregon State University, *“Our Country Customs”: Law and Trade in Southern Sierra Leone, 1861-1915*

Amanda Huggett, University at Buffalo, *Silencing the Cell Block: The Making of Modern Prison Policy in North Carolina and the Nation*

Elizabeth Lhost, University of Wisconsin, Madison, *The Office of Islamic Law: Paperwork, Politics, and Possibilities in Modern South Asia, 1800-1950*

Convener:

Reuel Schiller, University of California, Hastings College of the Law

9:00 AM – 5:00 PM

Women's Lives Seminar (346B)

This workshop is closed to the public.

11:00 AM – 4:00 PM

Pre-Conference Workshop on Teaching Legal History (346A)

Participants will have an opportunity to share their own challenges and successes in dialogue with workshop facilitators on topics ranging from digital and creative pedagogies, to co-convened JD/graduate seminars and undergraduate legal history curriculum building. Lunch is provided to all pre-registered participants through the generous sponsorship of University of Nebraska Lincoln's College of Arts & Sciences Instructional Improvement Fund.

Ari Z. Bryen, Vanderbilt University (ari.z.bryen@vanderbilt.edu) & **Kimberly Welch**, Vanderbilt University (kimberly.m.welch@vanderbilt.edu)
Building an Undergraduate Legal History Program

Katrina Jagodinsky, University of Nebraska, Lincoln (kjagodinsky@unl.edu)
Digital Pedagogies for Legal History

Sally Hadden, Western Michigan University, (sally.hadden@wmich.edu)
Teaching American Legal History: Digital Resources and Teaching Opportunities

Martha S. Jones, Johns Hopkins University (msjonz@jhu.edu) &
Karen Tani, University of California, Berkeley (ktani@law.berkeley.edu)
Teaching Legal History Seminars w/ Graduate and JD Students

Pre-Conference Workshop on Medieval Legal History (344A)

The American Society for Legal History (with the support of Vanderbilt University) is hosting a workshop on medieval legal history, broadly defined both chronologically and geographically.

Daniel Smail, Harvard University, (smail@fas.harvard.edu), *The Legal Ecology of Debt Collection*

Paper-workshop session:

- **Ari Z. Bryen**, Vanderbilt University, (ari.z.bryen@vanderbilt.edu) *The Judgment of the Provinces: Law, Culture, and Empire in the Roman East*
- **Geoffrey Koziol**, University of California, Berkeley, (gkoz@berkeley.edu) *Learning to Legislate: From the Carolingians to the Peace of God and Beyond*

Comment: **Caroline Humfress**, St. Andrews University (ch226@st-andrews.ac.uk); **William Caferro**, Vanderbilt University (william.p.caferro@vanderbilt.edu)

Alice Taylor, King's College, London (alice.taylor@kcl.ac.uk) *What does Scotland's Earliest Legal Tractate Actually Say (and What Does it Mean)?*

Early-Career Scholar Panel:

- **Jesse Abelman**, Yeshiva University, *Violence and Jewish Courts in High Medieval Northern Europe*
- **Sara Ludin**, University of California, Berkeley, *Protest, Veridiction, and Legal Speech Acts in Early German Reformation Litigation, 1529-1555*
- **Dana Lee**, Princeton University, *Early Debates on Excuses in Islamic Legal History: The Case of the Stolen Veil in Seventh Century Tā'if*
- **Charlotte Whatley**, University of Wisconsin, Madison, *Kingship and Collusion: Extra-Legal Negotiation and Legal Fictions in the Age of Edward III*

Comment: **Lena Salaymeh**, אגודת תל-אביב (slena@post.tau.ac.il)

4:00 – 5:00 **Finance Committee (342)**

- 5:00 – 6:30 **Opening Reception** (*BOAPF D-F*)
 Sponsored by the University of Houston Office of the Provost,
 University of Houston Law Center, Institute for Intellectual
 Property & Information Law and Center for U.S. and Mexican Law
- 6:30 – 7:30 **Executive Committee** (*342*)
- 7:30 – 10:00 **Board of Directors Meeting** (*BOA DE*)
- 10:00 – 11:00 **Nightcap** (*Lobby Bar*)

FRIDAY, NOVEMBER 09, 2018

- 7:30 – 4:00 **Registration** (*3rd Floor Pre-Function West*)
- 7:30 – 4:15 **Exhibits** (*335A-C*)
- 7:30 – 8:30 **Continental Breakfast** (*335A-C*)
- 7:30 – 8:30 **Committee Breakfast Meetings**
- H-LAW (*346AB*)
 - Membership Committee (*344AB*)
 - Studies in Legal History (*342*)

8:30 AM – 10:00 AM

A Roundtable on Hendrik Hartog's *The Trouble with Minna: A Case of Slavery and Emancipation in the Antebellum North* (343 AB)

Chair and Commentator: **Amy Chazkel**, City University of New York
 (amychazkel@gmail.com)

Discussants: **Bianca Premo**, Florida International University (premob@fiu.edu),
Martha S. Jones, Johns Hopkins University (msjonz@jhu.edu), **Hendrik Hartog**,
 Princeton University (hartog@princeton.edu) and **Dylan C. Penningroth**,
 University of California, Berkeley (dcap@berkeley.edu)

8:30 AM - 10:00 AM

The Secularization of Criminal Law in Europe (17th-19th Centuries): A Critical and Comparative Analysis (336 AB)

Chair: **Renée Lettow Lerner**, George Washington University (rlerner@law.gwu.edu)

Commentator: **Jacob Giltaij**, Helsingin yliopisto (jacob.giltaij@gmail.com)

J. (Pim) Oosterhuis, Universiteit Maastricht
(janwillem.oosterhuis@maastrichtuniversity.nl)

Grotius, Matthaeus and the Secularization of Early Modern Criminal Law in the Dutch Republic

Yves Cartuyvels, University of Saint-Louis (yves.cartuyvels@usaintlouis.be)
Law and Morality in 18th Century Codification: Towards a Pontifical Model of Governmentality

Heikki Pihlajamäki, Helsingin yliopisto (heikki.pihlajamaki@helsinki.fi)
Separating Faith and Law: Criminal Law in the Nineteenth-century Lutheran Europe

Aniceto Masferrer, Universitat de València (aniceto.masferrer@uv.es)
The Limits of the Utilitarian Influence in the 19th-century Criminal Law of France and Spain: A Comparative Approach

8:30 AM - 10:00 AM

Twentieth-Century Child Protection and Children's Rights in Comparative Perspective (337 AB)

Chair: **Michael Willrich**, Brandeis University (willrich@brandeis.edu)

Commentator: **Ton Liefwaard**, Universiteit Leiden (t.liefwaard@law.leidenuniv.nl)

Maximo Langer, University of California, Los Angeles (mlanger@law.ucla.edu) &
David Tanenhaus, University of Nevada, Las Vegas (david.tanenhaus@unlv.edu)
American Juvenile Justice and the Adversary System

Juandrea Bates, Winona State University (juandreabates@gmail.com)
Our Desperate Pleas: Working Families and the Cultural Politics of Child Protection in Argentina 1870-1930

Kathryn Schumaker, University of Oklahoma (schumaker@ou.edu)
The Fourth Amendment and the Rights of Children at School

8:30 AM - 10:00 AM

Constitutional Magical Thinking: The Electoral College 2016-2017 as a Case Study (340 AB)

Chair and Commentator: **Charles Zelden**, Nova Southeastern University
(zelden@nova.edu)

Discussants: **Mark Graber**, University of Maryland (mgraber@law.umaryland.edu),
Franita Tolson, University of Southern California (ftolson@law.usc.edu), **Lori Ringhand**, University of Georgia (ringhand@uga.edu) and **R.B. Bernstein**, City University of New York (rbernstein@ccny.cuny.edu)

8:30 AM - 10:00 AM

Ecclesiastical Normativity in Colonial Ibero-America and the Philippines (338)

Chair & Commentator: **Joshua C. Tate**, Southern Methodist University (jctate@smu.edu)

Gustavo César Cabral, Max-Planck-Institut für die europäische Rechtsgeschichte
(gustavocesarcabral@gmail.com)

Ecclesiastical normativity, Moral Theology and Particularism: The Sacraments in the Synod of Salvador da Bahia (1707)

Natalie Cobo, University of Oxford (natalie.cobo@bnc.ox.ac.uk)

Creating Authority and Promoting Normative Behavior: Confession, Restitution, and Moral Theology in the Synod of Manila (1581-82)

Juan Cobo Betancourt, University of California, Santa Barbara
(jcobo@history.ucsb.edu)

Canon Law, Paper Artefacts, and the Circulation of Knowledge: Indigenous Societies in the Synods and Provincial Council of Santafé, 1556-1625

8:30 AM - 10:00 AM

Reading Legal Texts in Chinese History: Sources, Materiality, and Authority (339 AB)

Chair: **Philip Thai**, Northeastern University (p.thai@northeastern.edu)

Commentator: **Xiaoping Cong**, University of Houston (xcong@uh.edu)

Weiting Guo, Simon Fraser University (weitingg@sfu.ca)

Speaking of Justice: Narratives of Laws and Crimes in a Village Man's Diary, 1888-1942

Qiaomei Tang, Grinnell College (tangqiao@grinnell.edu)

Why A Woman Was Considered Divorced by the State: Defining Divorce in Early Medieval China (3rd-4th Century CE)

Quinn Javers, University of California, Davis (qdjavers@ucdavis.edu)

Mapping Disputes: Conflict, State Power, and Vernacular Maps in late Qing Sichuan

Weiwei Luo, Grinnell College (luoweiwei@grinnell.edu)

The Grammar of Ownership: Public Inscriptions of Property Rights in Qing China

10:00 AM - 10:40 AM **Mid-Morning Break (335A-C)**

10:40 AM - 12:10 PM

Seizure, Mutiny, and Deceit: Enforcing and Evading Legal Prohibitions on the Atlantic Slave Trade (343 AB)

Chair and Commentator: **Gautham Rao**, American University (gauth.rao@gmail.com)

Additional Commentator: **Rebecca J. Scott**, University of Michigan (rjscott@umich.edu)

Priya Khangura, U.S. District Court, Middle District of Florida (priya.khangura@gmail.com)

A 'Law-Bound Conspiracy': How 45 Men, Women, and Children Were Sailed into Slavery Aboard the Brig Mary Ann

Craig Hollander, The College of New Jersey (hollandc@tcnj.edu)

"The Highest Grade of Prize Goods": America's Treatment of Foreign Slaves After the Abolition of the Slave Trade

Andrew Walker, University of Michigan (ajwalk@umich.edu)

The Flight of the Firefly: Mutinous Sailors and the Law of Antislavery in the Courts of Haiti

10:40 AM - 12:10 PM

Controlling Administrative Action: New Directions in Legal and Political History (336 AB)

Chair: **Gillian Metzger**, Columbia University (gmetzgl@law.columbia.edu)

Commentator: **Reuel Schiller**, University of California, Hastings College of the Law (schiller@uchastings.edu)

Noah A. Rosenblum, Yale University (nr2324@columbia.edu)

Separation of Powers and the Administrative State: From Obstacle to Cornerstone

John Dearborn, Yale University (john.dearborn@yale.edu)

The Foundations of the Modern Presidency: Presidential Representation, the Unitary Executive Theory, and the Reorganization Act of 1939

Catherine Baylin Duryea, Stanford University (kbaylin@gmail.com)

"Crumbs" of Judicial Relief: The Emergency Court of Appeals and Oversight of Price Control During World War II

Erik M. Erlandson, University of Virginia (erlandson.erik@gmail.com)

Ex Parte Communications and the Origins of Presidential Administration, 1977-1981

10:40 AM - 12:10 PM

The Mind on Trial: Mental Capacity, Psychiatry, and the Law in the United States (337 AB)

Chair and Commentator: **Joel Eigen**, Franklin & Marshall College (joel.eigen@fandm.edu)

Courtney Thompson, Mississippi State University (cthompson@history.msstate.edu)

Phrenology on the Stand: Experiments in Medico-legal Expertise in the United States, 1830-1865

David Korostyshevsky, University of Minnesota (koros003@umn.edu)

Inquisitions of the Mind: Intoxication, Lunacy Trials, and Property Ownership in New Jersey, 1820-1860

Samuel Scharff, Johns Hopkins University (sam.scharff@jhmi.edu)

Psychiatrist Hervey Cleckley's Pursuit of Criminal Justice Reform in the United States, 1941-1976

10:40 AM - 12:10 PM

Author-Meets-Readers: Amanda L. Tyler's *Habeas Corpus in Wartime: From the Tower of London to Guantanamo Bay* (Oxford University Press, 2017) (340 AB)

Chair: **Robert Gordon**, Stanford University (rwgordon@stanford.edu)

Commentators: **John Witt**, Yale University (john.witt@yale.edu), **Michael Lobban**, London School of Economics (m.j.lobban@lse.ac.uk), **Cynthia Nicoletti**, University of Virginia (cnicoletti@law.virginia.edu) and **Stephen Vladeck**, University of Texas, Austin (svladeck@law.utexas.edu)

Author: **Amanda Tyler**, University of California, Berkeley (atyler@berkeley.edu)

10:40 AM - 12:10 PM

Twenty-Five Years of Law, Labor, and Ideology (339 AB)

Chair: **Christopher Tomlins**, University of California, Berkeley (ctomlins@law.berkeley.edu)

Commentator: **Robert Steinfeld**, University at Buffalo (steinfel@buffalo.edu)

Nate Holdren, Drake University (nate.holdren@drake.edu)
Holdren on Law, Labor and Ideology

Eric Tucker, York University (etucker@osgoode.yorku.ca)
Tucker on Law, Labor and Ideology

10:40 AM - 12:10 PM

Transcending Categories: Transgender Law and Identity in American History (338)

Chair and Commentator: **Regina Kunzel**, Princeton University (rkunzel@princeton.edu)

Jesse Bayker, Rutgers University (jesse.bayker@rutgers.edu)
Vagrancy and the Criminalization of Transgender Practices in Antebellum America

Kate Redburn, Yale University (kate.redburn@yale.edu)
Before Equal Protection: Defining Transgender Identities in Cross-Dressing Ordinance Challenges

Marie-Amelie George, Wake Forest University (georgemp@wfu.edu)
Getting to LGBT

12:10 PM - 1:20 PM

Lunch Break

Committee Lunch Meetings

- **Peter Gonville Stein Book Award Committee** (342)
- ***Law and History Review*** (346AB)
Sponsored by Cambridge University Press
- **Standing Committee on the Annual Meeting** (344AB)

1:20 PM - 2:45 PM

Author-Meets-Readers: Tamar Herzog's *A Short History of European Law: The Last Two and a Half Millennia* (343 AB)

Chair and Commentator: **Amalia Kessler**, Stanford University
(akessler@law.stanford.edu)

Additional Commentators: **Clifford Ando**, The University of Chicago
(clifford.ando@uchicago.edu) and **Thomas Duve**, Max-Planck-Institut für die
europäische Rechtsgeschichte (sekduve@rg.mpg.de)

Author: **Tamar Herzog**, Harvard University (therzog@fas.harvard.edu)

1:20 PM - 2:45 PM

Violence Against Women: Cultural Contexts and Courtroom Contests (339 AB)

Chair and Commentator: **Victor Uribe-Uran**, Florida International University
(uribev@fiu.edu)

Brandon Jett, Rollins College (bjett@rollins.edu)

"I Want Him Put In; I Don't Want Him to Kill Me": Black Women, Domestic Violence, and the Law in the Jim Crow South

Angela Perez-Villa, Rollins College (aperezvilla@rollins.edu)

"An Offense of Little Importance": Violence Against Women and the Law in Colombia, 1825-1830

Katherine Luongo, Northeastern University (k.luongo@northeastern.edu)

Witchcraft Accusations and Domestic Violence: Cross-Cultural (Mis)understandings in the Arena of Asylum

1:20 PM – 2:45 PM

New Perspectives on the Constitutional History of the American Civil War (340 AB)

Chair: **Timothy Huebner**, Rhodes College (huebner@rhodes.edu)

Commentator: **Daniel Hamilton**, University of Nevada, Las Vegas
(daniel.hamilton@unlv.edu)

Paul Finkelman, Gratz College (paul.finkelman@yahoo.com)

The Revolutionary Congresses of 1861-1865

Nicholas Mosvick, University of Mississippi (nnmosvic@go.olemiss.edu)

Constitutional Challenges to Conscription in Civil War New York

Robert Faith, University of Akron (rof2@zips.uakron.edu)

Critiquing the “Tyrant” Across the Atlantic: Popular British Observations and Attitudes Surrounding Lincoln and Civil Liberties

1:20 PM – 2:45 PM

Lightning Round: Reception and Perception of Law, Empire, and Colonialism - International Perspectives (336 AB)

Chair: **Justin Simard**, Northwestern University (justin.simard@northwestern.edu)

Justin Broubalow, George Mason University (jbroubal@masonlive.gmu.edu)

Territory without Territoriality: The Problem of American Interwar Immigration Law Enforcement in the U.S. Virgin Islands

Ofra Bloch, Yale University (blochofra@gmail.com)

Hierarchical Inclusion: the Untold History of Israel’s Affirmative Action for Palestinians Arabs (1948-1968)

Jacqueline Briggs, University of Toronto (jacq.briggs@mail.utoronto.ca)

British Columbia Circuit and Appeal Court Criticism of Indian Affairs Policy in Canada, 1870s to 1960s

Andre Deckrow, Columbia University (akd2120@columbia.edu)

Nativism and Economic Nationalism as Anti-Federalism: The Question of Immigration in the 1934 Brazilian Constitution

Christian Burset, University of Notre Dame (cburset@nd.edu)

Relativizing the Rule of Law in the Eighteenth-Century British Empire

Alexandra Havrylyshyn, University of California, Berkeley (ahavry@berkeley.edu)

A Spirit of Liberty That is Dangerous to the Republic: The World American Slaves Encountered in France (1818-1848)

Luisa Stella de Oliveira Coutinho Silva, Universidade de Lisboa (luisastella@gmail.com)

Marriages Between Slaves in Colonial Paraíba: Interethnic and Ethnic Relations after the Brazilian Colonial Encounter, 1661 - 1822

José Ernesto Pimentel, Fh., Universidade Federal da Paraíba (jpima2001@yahoo.fr)

Adoption of Federalism in 1891: Portuguese-Brazilian Monarchical Constitutionalism and the United States of Brazil

1:20 PM - 2:45 PM

“Nondisabled Normalcy” in U.S. Law and Policy (337 AB)

Chair and Commentator: **Susan Schweik**, University of California, Berkeley (sschweik@berkeley.edu)

Rabia Belt, Stanford University (belt@law.stanford.edu)

Voting in the Shadow of the Institution

Mary Dudziak, Emory University (mary.dudziak@emory.edu)

War Injury, Isolation, and the Social Construction of Normalcy

Karen Tani, University of California, Berkeley (ktani@law.berkeley.edu)

Training the Citizen-Enforcers of Disability Rights

Felicia Kornbluh, University of Vermont (fkornblu@uvm.edu)

Ensuring Poverty, Generating Disability: The Politics of Welfare Reform, 1996-2016

1:20 PM - 2:45 PM

People and Proprietary Rights in the New World (338)

Chair and Commentator: **Alison Dundes Renteln**, University of Southern California (arenteln@usc.edu)

Asya Ostroukh, University of the West Indies, Cave Hill
(assya_ostroukh@yahoo.co.uk)

*The Role of Customs and Customary Law in the Development of Legal Systems
in the Commonwealth Caribbean*

Iker Saitua, University of California, Riverside (saituaidarraga@gmail.com)

*Criminalizing “the Hoofed Locusts:” Nevada’s Anti-Sheep Legislation in
the Late Nineteenth and Early Twentieth Centuries*

2:50 PM – 4:15 PM

Arguing about the Rule of Law: Using the Hebrew Bible and Caricatures of Native Societies in Spanish and British America (336 AB)

Chair and Commentator: **Stuart Banner**, University of California, Los Angeles
(banner@law.ucla.edu)

Additional Commentator: **Michelle McKinley**, University of Oregon
(michelle@uoregon.edu)

Jorge Cañizares-Esguerra, University of Texas, Austin
(canizares-esguerra@austin.utexas.edu)

The Rule of Law and Sixteenth-Century Spanish Abolitionism

Adrian Masters, University of Texas, Austin (adrianmmasters@gmail.com)

*Inca Absolutists, Merciful Israelites: Spanish Ideas of Ancient Law Enforcement
in the Sixteenth Century New World*

Richard Ross, University of Illinois, Urbana-Champaign (rjross@illinois.edu)

*Indigenous Law as Counterpoint: Thinking with Indians about the Rule of Law
in British and Spanish America*

2:50 PM – 4:15 PM

Marriage, Credit, and the Law in North America, 1700-1900 (338)

Chair: **Mary Sarah Bilder**, Boston College (bilder@bc.edu)

Commentator: **Cornelia Dayton**, University of Connecticut (cornelia.dayton@uconn.edu)

Sara Damiano, Texas State University (sdamiano@txstate.edu)

"The Petitioner's Wife Incautiously Paid": Coverture, Credit and Wives' Ability to Contract in Colonial British North America

Daniel Platt, Brown University (daniel_platt@brown.edu)

"In This Particular Their Ignorance Is a Jewel": Women and Household Credit in the United States, 1840s-1890s

Kimberley Reilly, University of Wisconsin, Green Bay (reillyk@uwgb.edu)

Rethinking the "Lady Who Shops": Consumption, Dependency, and the Law of Necessaries

2:50 PM – 4:15 PM

Author-Meets-Readers: Christopher W. Schmidt's *The Sit-Ins: Protest and Legal Change in the Civil Rights Era* (The University of Chicago Press, 2018). (343 AB)

Chair: **Jane Dailey**, The University of Chicago (dailey@uchicago.edu)

Commentators: **Sophia Lee**, University of Pennsylvania (slee@law.upenn.edu),
Daniel Sharfstein, Vanderbilt University (daniel.sharfstein@vanderbilt.edu) and **H. Timothy Lovelace**, Indiana University (lovelace@indiana.edu)

Author: **Christopher Schmidt**, American Bar Foundation (cschmidt@kentlaw.iit.edu)

2:50 PM – 4:15 PM

Black Californians, Washington Women, and Mexicans in Texas: Legal Histories of Borderlands & Citizenship (339 AB)

Chair and Commentator: **Martha S. Jones**, Johns Hopkins University (msjonz@jhu.edu)

Dana Elizabeth Weiner, Wilfrid Laurier University (dweiner@wlu.ca)

Testing the Borders of Black Citizenship in Nineteenth-Century California

Katrina Jagodinsky, University of Nebraska, Lincoln (kjagodinsky@unl.edu)

Washington Women's Habeas Corpus Petitions & Contests of Territorial Power

Allison Powers Useche, University of London (allison.powers@sas.ac.uk)

The Specter of Compensation: Mexican Claims Against the United States Government, 1868-1941

2:50 PM – 4:15 PM

Crossing the Atlantic: "Constitutional Ideas Travelling in Early Constitutionalism" (337 AB)

Chair and Discussant: **Ulrike Müßig**, Universität Passau (Ulrike.Muessig@Uni-Passau.De)

Commentator: **Judithanne Scourfield McLauchlan**, University of South Florida, St. Petersburg (dr_jsm@fulbrightmail.org)

Ulrike Müßig, Universität Passau (Ulrike.Muessig@Uni-Passau.De)

The British American Eighteenth Century Discursive Common Law Community

Michał Gałędek, Uniwersytet Gdański; Marcin Michalak, Uniwersytet Gdański (michal.galeddek@prawo.ug.edu.pl)

In What Aspects did the Constitution of 3 May 1791 Represent a Founding Moment for the Development of Polish Constitutionalism in the First Part of the 19th Century?

Bodie Ashton, Universität Passau (bodie.ashton@uni-passau.de)

"Subjects of our most gracious Majesty." Setting up Legal Accountability in a "Free" Colonial State: Constitutionalism and Constitutionalization in South Australia Colony

Marcin Byczyk, Universität Passau (marcinbyczyk@googlemail.com)

The Fiction of Ministers' Accountability in the Kingdom of Poland (1815-1830) Consideration about the Inefficaciousness of the Extrajudicial Bodies in the Field of Criminal Responsibility

2:50 PM – 4:15 PM

England's Law in Theory and Practice (340 AB)

Chair and Commentator: **Victoria Barnes**, Max-Planck-Institut für europäische Rechtsgeschichte (barnes@rg.mpg.de)

Kiran Mehta, University of Oxford (kiran.mehta@history.ox.ac.uk)

"Prisons for the Poor"?: A Re-evaluation of London Bridewells

Jerome Sgard, Sciences Po (jerome.sgard@sciencespo.fr)

The Private Governance of a Global Market: The Experience of the "London Corn Trade Association" (1885-1914).

David Williams, University of Auckland (dv.williams@auckland.ac.nz)

Bagehot, King George V and The English Constitution

4:30 - 5:00 **Buses to University of Houston**

5:15 - 6:30 **Plenary Lecture** (*Cullen Performance Hall*)

**Becoming Free, Becoming Black: The Law of Race and Freedom in
Cuba, Virginia, And Louisiana, 1500-1860**

Ariela Gross

John B. and Alice R. Sharp Professor of Law and History;
Co-Director, Center for Law, History, and Culture;
University of Southern California

Alejandro de la Fuente

Robert Woods Bliss Professor of Latin American History and Economics;
Professor of African and African American Studies and of History;
Director, Afro-Latin American Research Institute, Hutchins Center for African
and African American Research;
Harvard University

6:45 - 8:15 **Plenary Reception** *recognizing Legal Historians in the
Texas Judiciary* (*Main Library*)

Sponsored by the University of Houston Office of the Provost,
University of Houston Law Center, Institute for Intellectual
Property & Information Law and Center for U.S. and Mexican Law

7:45 - 8:15 **Buses to Hilton Americas**

9:45 - 11:00 **Graduate Student Gathering** (*Lobby Bar*)

SATURDAY, NOVEMBER 10, 2018

7:45 - 12:00 **Registration** (*3rd Floor Pre-Function West*)

7:45 - 5:00 **Book Exhibits** (*335AC*)

7:45 – 8:45 **Continental Breakfast (335AC)**

7:45 – 8:45 **Committee Breakfast Meetings**
• **Graduate Student Outreach Committee (342)**
• **Publications Committee (346AB)**

8:45 AM – 10:15 AM

The Meltdown of Constitutional Orders: Constitutional Law, Authoritarianism, and Political Crisis in the Twentieth Century (336 AB)

Chair: **Sueann Caulfield**, University of Michigan (scaul@umich.edu)

Commentator: **Jeremy Adelman**, Princeton University (adelman@princeton.edu)

Julio César Guanche, Facultad Latinoamericana de Ciencias Sociales Sede, Ecuador (jcguanche@gmail.com)

“Ties of Singular Intimacy” between Constitutionalism and Authoritarianism: Cuba in the First Half of the Twentieth Century

Leonardo Barbosa, Centro de Formação, Treinamento e Aperfeiçoamento (CEFOR)/ Brasília-DF (laab2301@gmail.com)

Under the Sign of Elections: The Making of Undemocratic Electoral Politics During the Brazilian Civil-Military Regime (1964-1985)

Jed Shugerman, Fordham University (jshugerman@law.fordham.edu)

Partial Justice: Partisan Attorneys General Undermining the DOJ's Independence and the Rule of Law in the 20th Century

8:45 AM – 10:15 AM

Author-Meets-Readers: Edward J. Balleisen's *Fraud: An American History from Barnum to Madoff* (Princeton University Press, 2017) (343 AB)

Chair: **Joanna Grisinger**, Northwestern University
(joanna.grisinger@northwestern.edu)

Commentators: **Susanna Blumenthal**, University of Minnesota (blume047@umn.edu), **Anne Fleming**, Georgetown University (anne.fleming@law.georgetown.edu) and **Camilo Leslie**, Tulane University (cleslie1@tulane.edu)

Author: **Ed Balleisen**, Duke University (eballeis@duke.edu)

8:45 AM – 10:15 AM

Intersections Between Legal History and the History of Medicine (337 AB)

Chair: **Daniel Ernst**, Georgetown University (ernst@law.georgetown.edu)

Commentator: **Keith Wailoo**, Princeton University (kwailoo@princeton.edu)

Aziza Ahmed, Northeastern University (az.ahmed@northeastern.edu)

“Dead But Not Disabled”: The Feminist Intervention into the AIDS Response

Binyamin Blum, University of California, Hastings College of the Law (blumb@uchastings.edu)

Bones of Contention: The Use of X-Rays to Determine Criminal Responsibility in the British Empire

Lewis Grossman, American University (lewisg@wcl.american.edu)

Life, Liberty, [and the Pursuit of Happiness]: The Struggle for Access to Medical Marijuana in Historical Perspective

Alix Rogers, Stanford University (alixrogers@stanford.edu)

The Civil War’s Transformational Effect on the Legal Status of Human Remains

8:45 AM – 10:15 AM

Nationality in the Nineteenth-Century Mediterranean: Towards a Connective History of Law between Europe and the Middle East (340 AB)

Chair and Commentator: **Fahad Bishara**, University of Virginia (bishara@virginia.edu)

Will Hanley, Florida State University (willpdfs@gmail.com)

Abd-ul-Messih v. Farra, Extraterritoriality, and Precedent in Private International Law

M’hamed Oualdi, Princeton University (moualdi@princeton.edu)

Recovering Local Conceptions of Nationality Before and After the European Colonization of Tunisia (1880s-1890s)

Jessica Marglin, University of Southern California (marglin@usc.edu)

The Extraterritorial Century: Nationality in the Nineteenth-Century Mediterranean

8:45 AM - 10:15 AM

Feminism, Capitalism, and the Problem of Equality in the Late 20th Century (339 AB)

Chair and Commentator: **Alice Kessler-Harris**, Columbia University
(ak571@columbia.edu)

Caley Horan, Massachusetts Institute of Technology (cdhoran@mit.edu)

Reopening a Closed Case: The Insurance Industry and the ERA

Alison Lefkowitz, New Jersey Institute of Technology and Rutgers University, Newark (alison.lefkowitz@njit.edu)

Prenuptial Agreements in the Wake of Second Wave Feminism

Allison Schwartz, University of Minnesota (schw1570@umn.edu)

The Persistent Gap Between Law's Promise and Performance: Fair Housing Laws and Women's Enduring Income Equality

8:45 AM - 10:15 AM

Legal Thought and Practices in Medieval Europe (338)

Chair and Commentator: **David Waddilove**, Harvard University
(dwaddilove@law.harvard.edu)

Samuel Klumpenhower, University of Toronto
(samuel.klumpenhower@gmail.com)

John of Kent and the Medieval Court of Conscience

Yanay Israeli, האוניברסיטה העברית בירושלים (yanay.israeli@mail.huji.ac.il)

In Search of Swift Justice: The Spatial and Temporal Dimensions of Petitionary Practices in Late Medieval Castile

Jason Brown, University of Toronto (jasonaaron.brown@mail.utoronto.ca)

From Legal Cases to Cases of Conscience

Noga Morag-Levine, Michigan State University (nmorag@law.msu.edu)

Itinerant Commissions, Legal Ideologies, and Polluting Trades: The Fork in the Road between Edward I and Edward III

10:15 AM - 11:00 AM

Mid-Morning Break (335A-C)

11:00 AM - 12:30 PM

Piercing the Veil: New Perspectives on the Rise and Rights of the Corporation (339 AB)

Chair and Commentator: **Adam Winkler**, University of California, Los Angeles
(winkler@ucla.edu)

Gregory Mark, DePaul University (gmark@depaul.edu)

Creating the Modern Corporation: The Symbiosis of Reform, Legal Innovation, and Lawyerly Entrepreneurship

Evelyn Atkinson, The University of Chicago (ematkinson@uchicago.edu)

Child of the State or Persecuted Class: Debating the Corporate "Person"

Nikolas Bowie, Harvard University (nbowie@law.harvard.edu)

The Corporate Constitution: The Origins of Written Constitutionalism in the Massachusetts Bay Company

11:00 AM - 12:30 PM

Enabling Exploration: Legal History Scholarship and the Anglo-American Legal Tradition Website (340 AB)

Chair: **Susanne Brand**, The Anglo-American Legal Tradition Project
(S13.Brand@posteo.de)

Commentator: **Charles Donahue**, Harvard University (jreader@law.harvard.edu)

Paul Brand, All Souls College, Oxford (paul.brand@all-souls.ox.ac.uk)

Dower "by the Father's Consent"

H. Tomás Gómez-Arostegui, Lewis and Clark College (tomas@lclark.edu)

Patent Validity Litigation in England in the Long 18th Century

Margaret McGlynn, Western University (mmcglyn@uwo.ca)

Chasing Convict Clerks through Time and Space

Elizabeth Papp Kamali, Harvard University (ekamali@law.harvard.edu)

Drunk on AALT

11:00 AM - 12:30 PM

Stage and Screen Lawyers: Early Twentieth-Century Attorneys and the Production of American Arts and Culture (338)

Chair and Commentator: **Oren Bracha**, University of Texas (obracha@law.utexas.edu)

Britt Tevis, Deakin University (b.tevis@deakin.edu.au)

Setting the Scene: Non-Elite Lawyers and the Early Twentieth-Century Origins of Entertainment Lawyering

Peter Labuza, University of Southern California (plabuza@gmail.com)

Tinseltown Torts: Martin Gang and the New Deal in Entertainment Law

11:00 AM - 12:30 PM

***McCulloch v. Maryland* at 200 – A Reappraisal (343 AB)**

Chair and Commentator: **David Schwartz**, University of Wisconsin, Madison (dsschwartz@wisc.edu)

Richard Primus, University of Michigan (richard.primus@umich.edu)

“The Essential Characteristic”: Enumerated Powers and the Bank of the United States

Alison LaCroix, The University of Chicago (lacroix@uchicago.edu)

From the Bank to the Harbors: Federalism’s Middle Ground in the Early Nineteenth Century

John Mikhail, Georgetown University (mikhail@law.georgetown.edu)

McCulloch’s Strategic Ambiguity

Mark Killenbeck, University of Arkansas (mkillenb@uark.edu)

McCulloch in Context

The ASLH Annual Meeting at a Glance

THURSDAY	PRE-CONFERENCE COLLOQUIA, WORKSHOPS AND SEMINARS
8:30 AM – 4:30 PM	Student Research Colloquium (<i>Rice University Department of History</i>)
8:30 AM – 4:30 PM	Johnson Program for First Book Authors (<i>Rice University, Humanities Building</i>)
9:00 AM – 5:00 PM	Women's Lives Seminar (<i>346B</i>)
11:00 AM – 4:00 PM	Pre-conference Workshop on Teaching Legal History (<i>346A</i>)
12:00 PM – 5:50 PM	Pre-Conference Workshop on Medieval Legal History (<i>344A</i>)
5:00 PM – 6:30 PM	Opening Reception (<i>BOA PRE-FUNCTION - FLOOR 2</i>)

FRIDAY	343AB	336AB	337AB	340AB	338	339AB
7:30 AM – 8:30 AM, Continental Breakfast (<i>335A-C</i>)						
Session I 8:30 AM - 10:00 AM	Roundtable on <i>The Trouble with Minna</i>	Secularization of Criminal Law in Europe	Twentieth- Century Child Protection	Constitutional Magical Thinking	Ecclesiastical normativity	Reading Legal Texts in Chinese History
10:00 AM – 10:40 AM, Mid-Morning Break (<i>335A-C</i>)						
Session II 10:40 AM - 12:10 PM	Seizure, and Mutiny, and Deceit	Controlling Administrative Action	The Mind on Trial	Author-Meets- Readers: <i>Habeas Corpus in Wartime</i>	Transcending Categories	Twenty-Five Years of Law, Labor, and Ideology
12:10 PM - 1:20 PM	Lunch Break					
FRIDAY	343AB	336AB	337AB	340AB	338	339AB
Session III 1:20 PM - 2:45 PM	Author Meets Readers: <i>A Short History of European Law</i> :	Lightning Round: Reception and perception	"Nondisabled Normalcy"	New Perspectives on the Constitutional History	People and proprietary rights in the New World	Violence Against Women
Session IV 2:50 PM - 4:15 PM	Author-Meets- Readers: <i>The Sit-Ins</i>	Arguing about the Rule of Law	Crossing the Atlantic	England's law in theory and practice	Marriage, Credit, and the Law	Black Californians, Washington Women,
5:15 PM - 6:30 PM	Plenary Lecture - (<i>UH Cullen Performance Hall</i>) Becoming Free, Becoming Black: The Law of Race and Freedom in Cuba, Virginia, and Louisiana, 1500-1860 Ariela Gross & Alejandro de la Fuente					
6:45 PM – 8:15 PM	Plenary Reception – (<i>UH Main Library</i>)					
10:00 PM – 11:00 PM	Graduate Student Gathering (<i>Lobby Bar</i>)					

SATURDAY	343AB	336AB	337AB	340AB	338	339AB
7:45 AM — 8:45 AM, Continental Breakfast (335AC)						
Session V 8:45 AM - 10:15 AM	Author-Meets- Readers: <i>Fraud</i>	The Meltdown of Constitutional Orders	Intersections Between Legal History and the History of Medicine	Nationality in the Nineteenth- Century Mediterranean	Legal thought and practices in medieval Europe	Feminism, Capitalism, and the Problem of Equality
10:15 AM - 11:00 AM, Mid-Morning Break (335AC)						
Session VI 11:00 PM - 12:30 PM	<i>McCulloch v. Maryland</i> at 200	Social Change in Transnational Perspective	Latin American Lightning Round	Enabling Exploration	Stage and Screen Lawyers	Piercing the Veil
12:30 PM - 2:30 PM	Annual Lunch and Awards Ceremony (BOA DEF)					
SATURDAY	343AB	336AB	337AB	340AB	338	339AB
Session VII 2:30 PM - 4:00 PM	Originalism and History	The Making of Modern Equality Law	Africans, Law, and the Making of the Atlantic Legal World	The Past and Future of Marxist Legal History	Common Law Versus French Law	Author-Meets- Readers: <i>The Laws and Economics of Confucianism</i>
Session VIII 4:10 PM - 5:40 PM	Author-Meets- Readers: <i>Black Litigants</i>	Gender, Ability, and United States Citizenship	Mexico's current legal system	Federal Claims and Congressional Power	Judges and Courts in Islamic History	Kathryn T. Preyer Memorial Prize Panel
Session VIII 4:10 PM - 5:40 PM	Property as Illusion of Permanence and Control (Boardroom 334)					
6:00 PM - 8:00 PM	Closing Reception (BOA PRE-FUNCTION - FLOOR 2)					

11:00 AM - 12:30 PM

Social Change in Transnational Perspective: Uses and Limits of Law (336 AB)

Chair and commentator: **Eric M. Freedman**, Hofstra University
(Eric.M.Freedman@hofstra.edu)

Myra Houser, Ouachita Baptist University (myra.ann.houser@gmail.com)

Stalled Social Change?: Lawyering and Cross-Border Interactions in Southern Africa

Melissa Milewski, University of Sussex (m.l.milewski@sussex.ac.edu)

Some Kind of Justice: African Americans' Cases in Southern Courts, 1865-1950

Troy Andrade, University of Hawai'i, Mānoa (tandrade@hawaii.edu)

E Ola Mau Ka 'Ōlelo Hawai'i: Protecting the Hawaiian Language and Providing Equality for Kānaka Maoli

Wesley Chaney, Bates College (wchaney@bates.edu)

The Post-Bellum Courtroom and Narratives of Violence on the Sino-Tibetan Border

11:00 AM - 12:30 PM

Latin American Lightning Round (337 AB)

Chair: **Lois Parkinson Zamora**, University of Houston (lzamora@uh.edu)

Andrew Rutledge, University of Michigan (ajrutled@umich.edu)

"Rumbos Sospechosos": Contesting Spain's Anti-Contraband Laws in the Eighteenth-Century Atlantic

Mario Cajas, Universidad Icesi (mcajas@icesi.edu.co)

Lessons from the History of Judicial Review of Constitutional Amendments in Colombia

Faustino Martínez, Universidad Complutense de Madrid (fmartine@der.ucm.es)

Moderate, Conservative, Neo-Scholastic: Bravo Murillo's Reformal Projects on the Spanish Constitution

Alfredo Flores, Universidade Federal do Rio Grande do Sul
(ajdmf@yahoo.com.br)

The concepts of "United Provinces" and "United States" according to Domingo Sarmiento: Argentinian constitutional unity in face of the American constitutional model in the middle of the 19th century

Henrique Fernandes, Universidade Federal do Rio Grande do Sul
(montagnerfernandes@gmail.com)

The American Federation as a Model for South America: United States Influence on Political Concepts During the 'Farroupilha Revolution' (1835-1845)

Andres Botero, Universidad Industrial de Santander (botero39@gmail.com)

General Considerations about the Judicial Oath in the European and Spanish-American Legal Tradition

12:30 PM - 2:30 PM **Annual Lunch and Awards Ceremony (BOA DEF)**

2:30 PM - 4:00 PM

Author-Meets-Readers: Taisu Zhang's *The Laws and Economics of Confucianism: Kinship and Property in Pre-Industrial China and England* (Cambridge University Press, 2017) (339 AB)

Chair: **Li Chen**, University of Toronto (lc2069@gmail.com)

Pär Cassel, University of Michigan (cassel@umich.edu)

*Discussant for Zhang, *Laws and Economics of Confucianism* (1)*

Maura Dykstra, California Institute of Technology (maura@caltech.edu)

*Discussant for Zhang, *Laws and Economics of Confucianism* (2)*

Ron Harris, אוניברסיטת תל-אביב (harrisr@post.tau.ac.il)

*Discussant for Zhang, *Laws and Economics of Confucianism* (3)*

Huaiyin Li, University of Texas, Austin (hli@utexas.edu)

*Discussant for Zhang, *Laws and Economics of Confucianism* (4)*

Author: **Taisu Zhang**, Yale University (taisu.zhang@yale.edu)

2:30 PM – 4:00 PM

Africans, Law, and the Making of the Atlantic Legal World: Views from the Iberian Empires (337 AB)

Chair and Commentator: **Erika Edwards**, University of North Carolina
(eedward27@uncc.edu)

Mariana Dias Paes, Max-Planck-Institut für europäische Rechtsgeschichte
(diaspaes@rg.mpg.de)

Living as Free, Living as Slave: An Atlantic Perspective on Possession in Brazil and Angola

Alex Wisnoski, III, University of North Georgia (alwisnoski@ung.edu)

Witnessing, Community, and Intimate Knowledge in Colonial Lima

Fernanda Bretones, Vanderbilt University (f.bretones@vanderbilt.edu)

Fugitive Slaves and Asylum Laws in the Spanish Caribbean

Renzo Honores, Instituto Internacional de Derecho y Sociedad
(rhonores@gmail.com)

Law, Freedom and Identity in Sixteenth-Century Lima: The Case of Domingo de Goa in 1561

2:30 PM – 4:00 PM

Common Law Versus French Law: Birth and Echoes of a Confrontation Between Two Legal Models in the Nineteenth Century (338)

Chair and Commentator: **Peter Johnstone**, University of North Texas
(pjohnstone@unt.edu)

Gwenaël Guyon, L'Université Paris Descartes; Sorbonne Paris Cité
(gwenael.guyon@parisdescartes.fr)

British Reformers Facing French Codes: Controversies, Biases and Stereotypes

Sylvain Soleil, Université Rennes 1 (sylvain.soleil@univ-rennes1.fr)

To Codify or not to Codify American Law? The Influence of English / French Legal Rivalry on Sampson and Duponcaux Controversy (1823-1826)

David Gilles, Université de Sherbrooke (david.gilles@usherbrooke.ca)

Between the Civil Code and Common Law: "Universal Law?" Struggle to Civil Roots under Chief Justice of the Supreme Court of Canada, Sir Henri-Elzéar Taschereau

2:30 PM – 4:00 PM

The Past and Future of Marxist Legal History (Roundtable) (340 AB)

Chair: **Maeve Glass**, Columbia University (maeve.glass@law.columbia.edu)

Discussants: **Jeremy Kessler**, Columbia University (jkessler@law.columbia.edu),
Christopher Tomlins, University of California, Berkeley (ctomlins@law.berkeley.edu),
William E. Forbath, University of Texas (wforbath@law.utexas.edu) and **Allison Powers Useche**, University of London (allison.powers@sas.ac.uk)

2:30 PM – 4:00 PM

Originalism and History (343 AB)

Chair and Commentator: **Matthew Steilen**, University at Buffalo (mjsteile@buffalo.edu)

Saul Cornell, Fordham University (scornell1@fordham.edu)

Communicative Confusion: The Irredeemable Wrongness of the New Originalism

Bernadette Meyler, Stanford University (bmeyler@law.stanford.edu)

Originalism and Common Law Meanings: The Case of Confrontation

Jonathan Gienapp, Stanford University (jgienapp@stanford.edu)

Originalism's Unfounded Original Constitution

2:30 PM – 4:00 PM

The Making of Modern Equality Law Inside and Outside of Courts: Legacies of U.S. 20th Century Socio-Legal History (336 AB)

Chair and Commentator: **Serena Mayeri**, University of Pennsylvania (smayeri@law.upenn.edu)

Reva Siegel, Yale University (reva.siegel@yale.edu)

Popular Constitutionalism and the Pregnancy Discrimination Act at 40

Julie Suk, City University of New York (jsuk@gc.cuny.edu)

The Feminist Constitutional Legacy of Prohibition and its Repeal

Katie Eyer, Rutgers University, Camden (kre22@camden.rutgers.edu)

The Return of the Technical McDonnell Douglas Paradigm

Ofra Bloch, Yale University (ofra.bloch@yale.edu)

Diversity Gone Wrong: A Historical Inquiry into the Evolving Meaning of Diversity from Bakke to Fisher

4:10 PM - 5:40 PM

Judges and Courts in Islamic History (338)

Chair and Commentator: **Intisar Rabb**, Harvard University (irabb@law.harvard.edu)

Elizabeth Lhost, University of Wisconsin, Madison (elizabeth@wisc.edu)

From Forum-Shopping to Forum-Hopping: Navigating Islamic Legal Advice in British India (1880-1940)

Amir Toft, The University of Chicago (atoft@uchicago.edu)

Timurtashi and Theories of Circumstantial Evidence in Islamic Jurisprudence

Raha Rafii, University of Pennsylvania (rafi@sas.upenn.edu)

Giving a Ruling, Finding the Truth: Medieval Muslim Jurists and Constraints on Judicial Decision-Making, 11th-13th Centuries CE

4:10 PM - 5:40 PM

Gender, Ability, and United States Citizenship in the Long 19th Century (336 AB)

Chair and Commentator: **Martin Wiener**, Rice University (wiener@rice.edu)

Laurel Daen, College of William & Mary (laureldaen@gmail.com)

"A Mind to Marry": Gender, Capacity, and Authority in Antebellum Nullity Suits

Kara Swanson, Northeastern University (k.swanson@northeastern.edu)

Proving Inventive Power: Ability, Patents, and the Vote in Suffrage Activism

Lauren MacIvor Thompson, Georgia State University (lmacivor1@gsu.edu)
Doctors' Rights, Female Citizenship, and Eugenics in United States vs. One Package of Japanese Pessaries

4:10 PM – 5:40 PM

Mexico's Current Legal System: The Influence of Multiple Legal Historical Factors? (337 AB)

Chair and Commentator: **Alfonso Lopez de la Osa Escribano**, University of Houston
(alopezde@central.uh.edu)

Pablo Mijangos y Gonzalez, Centro de Investigación y Docencia Económicas
(pablo.mijangos@cide.edu)

The "New" Legal History in Mexico and its Uses (or lack thereof)

William Suarez-Potts, Rice University (wsuarezpotts@rice.edu)

Foreign and National Legal Interests in Post-Colonial Mexico, 1820-1840s

Catherine Andrews, Centro de Investigación y Docencia Económicas
(catherine.andrews@cide.edu)

Getting Past Philadelphia and Cadiz: A History of Mexican Federalism on its Own Terms

4:10 PM – 5:40 PM

Property as Illusion of Permanence and Control: Examples from Colonial Shanghai and Colonial Southwestern Central Africa. (Boardroom 334)

Chair: **Angela Fernandez**, University of Toronto (angela.fernandez@utoronto.ca)

Commentator: **Mary Szto**, Mitchell Hamline School of Law
(mary.szto@mitchellhamline.edu)

Tahirih Lee, Florida State University (tlee@law.fsu.edu)

Judicial Interpretation of Property Rights in Colonial Shanghai.

Rebecca Hardin, University of Michigan (rdhardin@umich.edu)

French Colonial Concessions and the Undermining of Indigenous Rights in Land in Southwest Central Africa

4:10 PM – 5:40 PM

Federal Claims and Congressional Power (340 AB)

Chair and Commentator: **Christine Desan**, Harvard University (desan@law.harvard.edu)

Emilie Connolly, New York University (ec1893@nyu.edu)

The Empire's Dead Hands: Seneca Dispossession and Robert Morris' Dynasty

K-Sue Park, University of California, Los Angeles (park@law.ucla.edu)

Insuring Conquest Through the Indian Depredation Claims System

Maggie McKinley, University of Pennsylvania (mckinley@law.upenn.edu)

Equity & Lawmaking: Petitions and the Rule of Law in Congress

4:10 PM – 5:40 PM

Author-Meets-Readers: Kimberly Welch's *Black Litigants in the Antebellum American South* (Chapel Hill: University of North Carolina Press, 2018) (343 AB)

Chair and Commentator: **Anne Twitty**, University of Mississippi
(atwitty@olemiss.edu)

Additional Commentators: **Allison Madar**, University of Oregon (amadar@uoregon.edu)
and **Laura Edwards**, Duke University (ledwards@duke.edu)

Author: **Kimberly Welch**, Vanderbilt University (kimberly.m.welch@vanderbilt.edu)

4:10 PM – 5:40 PM

Kathryn T. Preyer Memorial Prize Panel (339 AB)

Chair and Commentator: **Jed Shugerman**, Fordham University
(jshugerman@law.fordham.edu)

Jane Manners, New-York Historical Society (jane.c.manners@gmail.com)

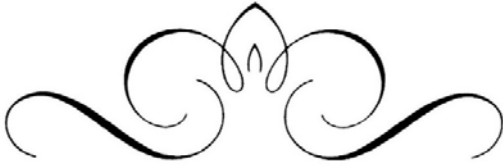
"Storehouse of the Industry of the Nation": Fire and Federalism in the Age of Jackson

Myisha S. Eatmon, Northwestern University
(myishaeatmon2018@u.northwestern.edu)

"Righting Public Wrongs": Black Use of Private Law in Search of Legal Recourse for White-On-Black Violence

6:00 PM - 8:00 PM

Closing Reception (*BOAPF D-F*)



Governance

OFFICERS

President: Sarah Barringer Gordon*, University of Pennsylvania

President-Elect: Lauren A. Benton*, Vanderbilt University

Secretary: Sally Hadden*, Western Michigan University

Treasurer: Craig Evan Klafter*, American University of Myanmar

BOARD OF DIRECTORS

Angela Fernandez*, University of Toronto

Malick W. Ghachem*, Massachusetts Institute of Technology

Philip Girard, York University

Joanna Grisinger, Northwestern University

Alexandra Havrylyshyn, University of California, Berkeley

Cynthia Herrup, University of Southern California

Sophia Lee, University of Pennsylvania

Sara MacDougall, John Jay College of Criminal Justice and the CUNY Graduate Center

Catharine Macmillan, King's College London

Kunal Parker, University of Miami

Intisar Rabb*, Harvard University

Gautham Rao, American University

Rebecca J. Scott, (*ex-officio*, Immediate Past President), University of Michigan

Christopher Schmidt, American Bar Foundation and Chicago-Kent College of Law

Daniel J. Sharfstein, Vanderbilt University

Laura Weinrib, The University of Chicago

* Executive Committee Member

COMMITTEES AND POSITIONS

ACLS Delegate

Constance Backhouse, University of Ottawa

Standing Committee on the Annual Meeting

Joanna Grisinger, Chair, Northwestern University

Lauren Benton (*ex officio*) (President-elect), Vanderbilt University

Lyndsay Campbell, University of Calgary

Catherine Fisk, University of California, Berkeley

Elizabeth Katz, Harvard University

Craig Evan Klafter (*ex officio*) (Treasurer), American University of Myanmar

Ad Hoc Committee on Archives and Archival Policy

Felice Batlan, Co-chair, Chicago-Kent College of Law

Craig Joyce, Co-chair, University of Houston

Mike Widener, Yale University

Anne Twitty, University of Mississippi

Kara Swanson, Northeastern University

Chuck Zelden (ex officio), Nova Southeastern University

Ad Hoc Committee on Future Annual Meetings

Bruce Mann, Chair, Harvard University

Lauren Benton (ex officio) (President-elect), Vanderbilt University

Sarah Barringer Gordon (ex officio) (President), University of Pennsylvania

Joanna Grisinger, Northwestern University

Cynthia Herrup, University of Southern California

Craig Evan Klafter, American University of Myanmar

Michelle McKinley, University of Oregon

Rayman L. Solomon, Rutgers University, Camden

John Wertheimer, Davidson College

Ad Hoc Committee on Media & Web Presence

Christopher Beauchamp, Brooklyn Law School, Chair

Holly Brewer, University of Maryland

Daniel Ernst, Georgetown Law Center

Alison Tirres, DePaul University

Anne Twitty, University of Mississippi

Charles Zelden, Nova Southeastern University

Advisory Committee on the Cromwell Prizes

John D. Gordan III, Chair, William Nelson Cromwell Foundation

H. Robert Baker, Georgia State University

Felice Batlan, Chicago-Kent College of Law

Mary Sarah Bilder, Boston College

Lisa Ford, University of New South Wales

H. Tomas Gomez-Arostegui, Lewis and Clark College

Sophia Lee, University of Pennsylvania

Jonathan Levy, The University of Chicago

Thomas Mackey, University of Louisville

Erika Pani, Colegio de México

Daniel Sharfstein, Vanderbilt University

Laura Weinrib, The University of Chicago

John Witt, Yale Law School

Book prize subcommittee

Sophia Lee, Chair; Felice Batlan, Jonathan Levy, Thomas Mackey

Article prize subcommittee

Daniel Sharfstein, Chair; H. Tomás Gómez-Arostegui, Erika Pani, John Witt

Dissertation prize subcommittee

Lisa Ford, Chair; H. Robert Baker, Mary Sarah Bilder, Laura Weinrib

Committee on Documentary Preservation

Michael J. Churgin, Chair, University of Texas

Mary Sarah Bilder, Boston College

Kurt Graham, The Truman Presidential Library

Peter Reich, University of California, Los Angeles

Michael Widener, Yale University

Finance Committee

Rayman L. Solomon, Chair, Rutgers University, Camden

Constance Backhouse, University of Ottawa

Lauren A. Benton (ex officio) (President-elect), Vanderbilt University

Al Brophy, University of Alabama

Charles Donahue, Jr., Harvard University

Sarah Barringer Gordon (ex officio) (President), University of Pennsylvania

Michael Grossberg, Indiana University

Hendrik Hartog (ex officio) (Chair, Projects and Proposals Committee),
Princeton University

Craig Evan Klafter (ex officio) (Treasurer), American University of Myanmar

Nicholas Parrillo, Yale University

Rebecca J. Scott (ex officio) (Immediate Past President), University of Michigan

Graduate Student Outreach Committee

John Wertheimer, Chair, Davidson College

Jacqueline Briggs, University of Toronto

Brooke Depenbusch, University of Minnesota

Alexandra Havrylyshyn, University of California, Berkeley

Sophia Lee, University of Pennsylvania

Patricia H. Minter (ex officio) (Chair, Membership Committee), Western
Kentucky University

H-Law Moderators

Charles L. Zelden, Nova Southeastern University, Lead Editor and Book Review Editor

Michael Pfeifer, City University of New York, Book Review Editor

Laurent Corbel, University of North Carolina, Chapel Hill, Book Review Editor

Siobhan Barco, Podcaster

Fadzilah Yahaya, National University of Singapore, Blogger

Honors Committee

Bruce H. Mann, Chair, Harvard University

Constance Backhouse, University of Ottawa

Michael Grossberg, Indiana University
Lauren Benton, Vanderbilt University

Willard Hurst Memorial Fund Committee

Robert W. Gordon, Chair, Stanford University
Ari Bryen, Vanderbilt University
Sarah Barringer Gordon (ex officio), University of Pennsylvania
Stanley Katz, Princeton University
Dylan Penningroth, University of California, Berkeley
Mitra Sharafi, (Hurst Institute Leader), University of Wisconsin
Karen Tani, University of California, Berkeley
Rayman L. Solomon (ex officio), Rutgers University, Camden

Johnson Program for First Book Authors, Selection Committee

Barbara Young Welke, Chair, University of Minnesota
Lauren Benton, Vanderbilt University
Sam Erman, University of Southern California, Gould School of Law
Kurt Graham, National Archives and Records Administration
Reuel Schiller, University of California, Hastings College of Law
Rayman Solomon, Rutgers University, Camden
Matthew Sommer, Stanford University

Editors, *Law and History Review*

Gautham Rao, Editor, American University
Angela Fernandez, Associate Editor (Book Reviews Americas), University of Toronto
Elizabeth Papp Kamali, Associate Editor (Book Reviews Europe), Harvard University
Jed Kroncke, Associate Editor (Book Reviews non-Americas), University of Hong Kong
Michan Connor, Associate Editor (Digital Projects), Independent Scholar

Local Arrangements Committee (Houston, 2018)

Craig Joyce (chair), University of Houston
Allen Austin, University of Houston
Peter C. Caldwell, Rice University
Dave Fagundes, University of Houston
Randal L. Hall, Rice University
Susan Kellogg, University of Houston
John Moretta, Houston Community College and University of Houston
Laura E. Oren, University of Houston
Hon. Lee H. Rosenthal, Chief Judge, U.S. D.C. for the Southern District of Texas
Robert C. Palmer, University of Houston
James W. Paulsen, South Texas College of Law
Mark E. Steiner, South Texas College of Law
William Suarez-Potts, Rice University
Cary D. Wintz, Texas Southern University

Membership Committee

Patricia Minter, Chair, Western Kentucky University
Leonardo Barbosa, CEFOR/Câmara dos Deputados, Brazil
Aaron Hall, University of California, Berkeley
Tim Huebner, Rhodes College
Kelly Kennington, Auburn University
Craig Evan Klafter (ex officio) (Treasurer), American University of Myanmar
Adam J. Kosto, Columbia University
Tahirih Lee, Florida State University
Michelle McKinley, University of Oregon
Logan E. Sawyer III, University of Georgia

Nominating Committee

Karen Tani, Chair, University of California, Berkeley
Amalia Kessler, Stanford University
Mitra Sharafi, University of Wisconsin
Barbara Welke, University of Minnesota
James Q. Whitman, Yale University

Kathryn T. Preyer Memorial Committee

Jed Shugerman, Chair, Fordham University
Rabia Belt, Stanford University
Anne Fleming, Georgetown University
Laura Kalman, University of California, Santa Barbara
Gautham Rao (ex officio) (Editor, *Law & History Review*), American University
Will Smiley, Reed College

Program Committee for the Annual Meeting (Houston, 2018)

Catharine Macmillan, King's College, London (co-Chair)
Matthew Mirow, Florida International University (co-Chair)
Angela Fernandez, University of Toronto
Katrina Jagodinsky, University of Nebraska, Lincoln
Emily Kadens, Northwestern University
H. Timothy Lovelace, Indiana University
Michelle McKinley, University of Oregon
Daniel J. Sharfstein, Vanderbilt University
Joshua C. Tate, Southern Methodist University
John Wertheimer, Davidson College

Projects and Proposals Committee

Hendrik Hartog, Chair, Princeton University
Lauren Benton (ex officio) (President-elect), Vanderbilt University
Catherine Evans, Harvard University
Smita Ghosh, University of Pennsylvania
Robert W. Gordon (ex officio) (Chair, Hurst Committee), Stanford University

Sarah Barringer Gordon (ex officio) (President), University of Pennsylvania
Craig Evan Klafter (ex officio) (Treasurer), American University of Myanmar
David Lieberman, University of California, Berkeley
H. Timothy Lovelace, Indiana University
Dylan Penningroth, University of California, Berkeley
Gautham Rao, American University
Rayman L. Solomon (ex officio) (Chair, Finance Committee) Rutgers University, Camden
Glenn Tiffert, University of Michigan
Laura Weinrib, The University of Chicago

Publications Committee

Dan Ernst, Chair, Georgetown University
Binyamin Blum, University of California, Hastings College of Law
Holly Brewer (ex officio) (Co-editor, *Studies in Legal History*), University of Maryland
Sarah Barringer Gordon (ex officio) (Co-editor, *Studies in Legal History*), University of Pennsylvania
Thomas A. Green, University of Michigan
Craig Joyce (ex officio) (Co-chair, History of the Society), University of Houston
Craig Evan Klafter (ex officio) (Treasurer), American University of Myanmar
Michael Lobban (ex officio) (Co-editor, *Studies in Legal History*), London School of Economics
Michelle McKinley, University of Oregon
Cynthia Nicoletti, University of Virginia
Gautham Rao (ex officio) (Editor, *Law & History Review*), American University
David Tanenhaus, University of Nevada
Kimberly Welch, Vanderbilt University
Charles L. Zelden (ex officio) (Lead Moderator, H-Law/Co-chair, History of the Society), Nova Southeastern University

Committee on the John Phillip Reid Book Award

Richard Ross, Chair, University of Illinois, Champaign-Urbana
Deborah Rosen, Lafayette College
Susan Carle, American University
Laura Edwards, Duke University
Christian McMillen, University of Virginia

Committee on Research Fellowships and Awards

Serena Mayeri, Chair, University of Pennsylvania
Leonardo Barbosa, Master's Program in Legislative Affairs, CEFOR/Câmara dos Deputados, Brazil
Kenneth Mack, Harvard University
Tracy Steffes, Brown University
Katherine Turk, University of North Carolina, Chapel Hill
Sandra VanBurkleo, Wayne State University

Committee on the Peter Gonville Stein Book Award

Mitra Sharafi, Chair, University of Wisconsin, Madison

Michael Grossberg, Indiana University

Jisoo Kim, The George Washington University

Kristin Mann, Emory University

Jessica Marglin, University of Southern California

Matthew Mirow, Florida International University

Daniel Lord Smail, Harvard University

David V. Williams, University of Auckland

Editors, Studies in Legal History

Holly Brewer, University of Maryland

Sarah Barringer Gordon, University of Pennsylvania

Michael Lobban, London School of Economics

Reuel Schiller, University of California, Hastings College of Law

Surrency Prize Committee

Shaunnagh Dorsett, Chair, University of Technology, Sydney

Cornelia Dayton, University of Connecticut

Alison LaCroix, The University of Chicago

Kunal Parker, University of Miami

Laurie Wood, Florida State University

Sutherland Prize Committee

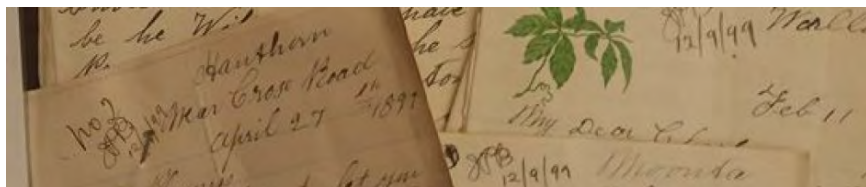
Rebecca Probert, Chair, University of Exeter

Thomas P. Gallanis, University of Iowa

Paul Halliday, University of Virginia

Allyson May, University of Western Ontario

P.G. McHugh, University of Cambridge



Australian and New Zealand Law and History Society

The 37th Annual Conference

The 37th Annual Conference of the Australia and New Zealand Law and History Society will be held at the University of Wollongong, New South Wales on 10-12 December 2018.

The conference theme is: “Exclusion, Confinement, Dispossession: Uneven Citizenship and Spaces of Sovereignty”

This conference theme draws on evolutionary theory about how species form, and asks whether changes in the law and in the effects of particular laws on society occur through a gradual process of incremental change or through periods of relative stasis with intervening major shifts.

For all inquiries, see the ANZLHS website: anzlhs.org



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 co-operation 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.

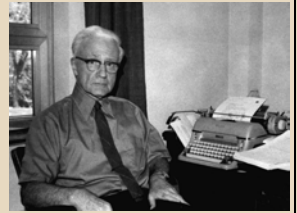
For additional information, please see: <http://esclh.blogspot.com/>.



The Israeli History and Law Association

The Israeli History and Law Association, established in 2005, serves as a meeting place for scholars from all fields who deal with various aspects of the intersection of history and law. The association hosts an annual meeting each fall, awards an annual prize for best legal history article by a member, and hosts an online listserv for discussion of issues of interest to the Israeli legal history community. For more information or to join our mailing list, go to [https://en-law.tau.ac.il/Berg_main/The %20Israeli_History_and_Law_Association](https://en-law.tau.ac.il/Berg_main/The%20Israeli_History_and_Law_Association).

**Hurst Summer Institute in Legal History
University of Wisconsin-Madison
June 9-22, 2019**



**Call for Applications
Application Deadline: December 3, 2018**

The American Society for Legal History and the Institute for Legal Studies at the University of Wisconsin Law School are pleased to invite applications for the tenth biennial Hurst Summer Institute in Legal History. The purpose of the Hurst Institute is to advance the approach to legal scholarship fostered by J. Willard Hurst in his teaching, mentoring, and scholarship. The Hurst Institute assists scholars from law, history, and other disciplines in pursuing research on the legal history of any part of the world.

The 2019 Hurst Institute will be led by Mitra Sharafi, Professor of Law and Legal Studies (with History affiliation) at the University of Wisconsin-Madison. The two-week program features presentations by guest scholars, discussions of core readings in legal history, and analysis of the work of the participants in the Institute. The ASLH Hurst Selection Committee will select twelve Fellows to participate in this event.

Eligibility

Scholars in law, history and other disciplines pursuing research on legal history of any part of the world are eligible to apply. Preference will be given to applications from scholars at an early stage of their career (beginning faculty members, doctoral students who have completed or almost completed their dissertations, and J.D. graduates with appropriate backgrounds).

Fellowship Requirements

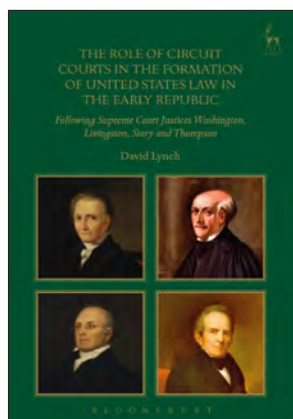
Fellows are expected to be in residence for the entire two-week term of the Institute, to participate in all program activities of the Institute, and to give an informal works-in-progress presentation in the second week of the Institute. Fellows are expected to foster an atmosphere of collegiality.

Application Process

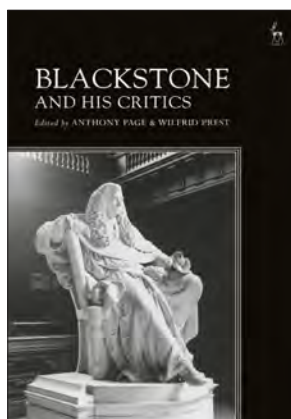
Details of the application process can be found on the Hurst Institute website at www.law.wisc.edu/ils/hurst_institute.htm. Applications will be accepted until December 3, 2018. Please address questions to ils@law.wisc.edu.

Legal History from Hart Publishing

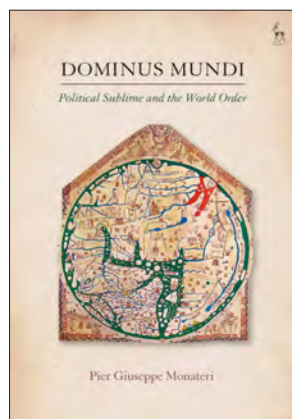
Available online in the US at www.ipgbook.com
or in the rest of the world at www.hartpublishing.co.uk



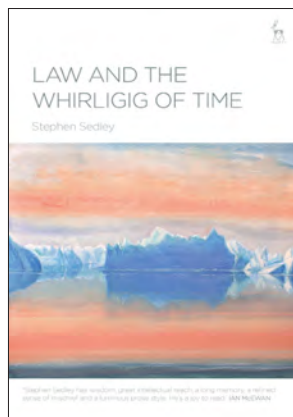
February 2018
£70 / \$94



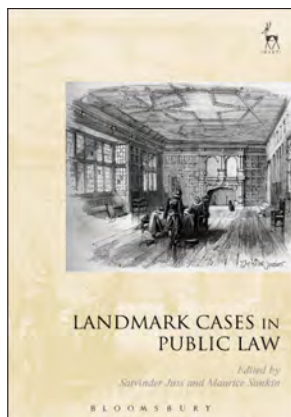
April 2018
£65 / \$82



September 2018
£60 / \$82



May 2018
£25 / \$34



August 2018
£29.99 / \$40.95



November 2018
£95 / \$128

E-mail mail@hartpub.co.uk

Tel +44 (0)1865 598648

Twitter @hartpublishing

Facebook HartPublishing2

Instagram hartpublishing



Law and History Review



Published on
behalf of the
American Society
for Legal History

cambridge.org/LHR

Editor: Gautham Rao, *American University, USA*

Law and History Review (LHR), America's leading legal history journal, encompasses American, European, and ancient legal history issues. The journal's purpose is to further research in the fields of the social history of law and the history of legal ideas and institutions. LHR features articles, essays, commentaries by international authorities, and reviews of important books on legal history.



Instructions for contributors
cambridge.org/lhr/ifc



Free to access sample content
cambridge.org/lhr/sc



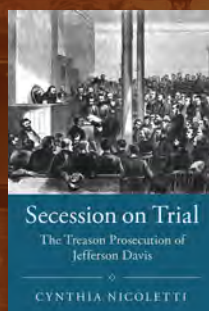
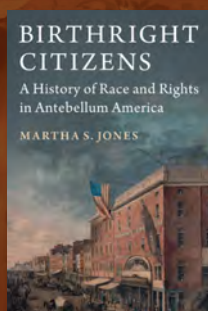
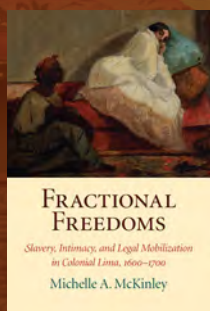
Follow the journal on Twitter @history_law



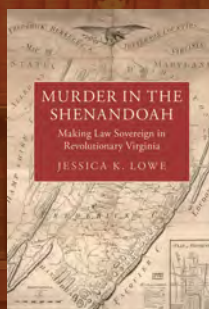
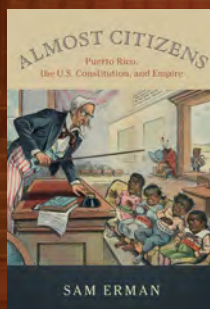
CAMBRIDGE
UNIVERSITY PRESS

Legal History from Cambridge

Studies in Legal History Series

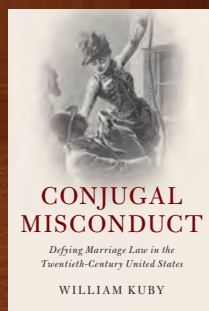
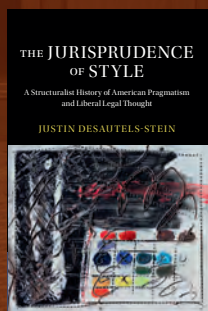
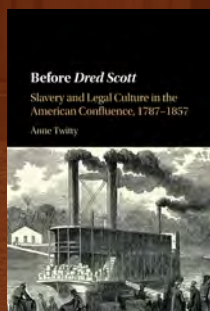


Forthcoming in the series



**Moral Contagion:
Black Atlantic
Sailors, Citizenship,
and Diplomacy
in Antebellum
America, Michael A.
Schoeppner**

Cambridge Historical Studies in American Law and Society Series





MAX-PLANCK-GESellschaft

RECHTSGESCHICHTE – LEGAL HISTORY

Max Planck Institute for European Legal History



Available online in open access and in print.

Indexed in the Directory of
Open Access Journals (DOAJ).

For more information on the journal and on
the institute, please visit

www.rg-rechtsgeschichte.de

www.rg.mpg.de

Rg Rechtsgeschichte
Legal History

Rechtsgeschichte – Legal History (Rg) is the journal of the Max Planck Institute for European Legal History, Frankfurt am Main, Germany. It is edited by the institute's directors Thomas Duve and Stefan Vogenauer.

Published once a year, the multilingual, peer-reviewed journal presents high-profile articles in various sections: *research* treats questions of broad interest to legal historians, whereas other contributions are assembled around a thematic *focus*, *debate* or *forum*. Moreover, *critique* complements each issue with reviews of current legal-historical publications.

Rg 26 (2018) has just been released and includes:

research

- Joachim Rückert, *The Invention of National Legal Histories in Europe*
- Tay-sheng Wang, *The Reception of Continental European Civil Law in Taiwan and the Uniqueness of Taiwanese Civil Law*

focus

- Convivencia(s) – Legal Historical Perspectives
- The End of Empires
- Before Vitoria. Early Theological and Juridical Responses to the Spanish Expansion

critique

- Michael Stolleis on James Q. Whitman, *Hitler's American Model*
- Elisabetta Fiocchi on Massimo Panebianco, *Introduzione alla codicistica del Jus gentium europaeum*
- Alejandro Agüero on José María Portillo Valdés, *Historia mínima del constitucionalismo en América Latina*
- and many more



MAX-PLANCK-GESellschaft

GLOBAL PERSPECTIVES ON LEGAL HISTORY

A Max Planck Institute for European Legal History
Open Access Publication Series



MASSIMO BRUTTI /
ALESSANDRO SOMMA
(EDS.)

Diritto: storia e comparazione
Nuovi propositi per un binomio
antico

Frankfurt am Main: Max Planck Institute for European
Legal History 2018, 607 p., ISBN: 978-3-944773-20-9,
eISBN: 978-3-944773-21-6



GUNNAR FOLKE
SCHUPPERT

The World of Rules
A Somewhat Different
Measurement of the World

Frankfurt am Main: Max Planck Institute for European
Legal History 2017, 378 p., ISBN: 978-3-944773-09-4,
eISBN: 978-3-944773-19-3



BENEDETTA ALBANI /
OTTO DANWERTH /
THOMAS DUVE (EDS.)
**Normatividades e insti-
tuciones eclesiásticas
en la Nueva España,
siglos XVI-XIX**

Frankfurt am Main: Max Planck Institute for European
Legal History 2018, 316 p., ISBN: 978-3-944773-04-9,
eISBN: 978-3-944773-14-8



THOMAS DUVE (ED.)
**Entanglements in Legal
History: Conceptual
Approaches**

Frankfurt am Main: Max Planck Institute for European
Legal History 2014, 576 p., ISBN: 978-3-944773-00-1,
eISBN: 978-3-944773-10-0

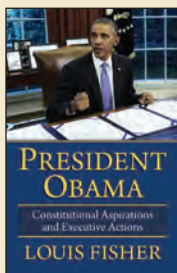


All volumes are available online in open access and as premium print-on-demand.
For more information on the series and forthcoming volumes please visit
<http://global.rg.mpg.de> · www.rg.mpg.de

Also available in open access on JSTOR: <https://www.jstor.org/publisher/mpielh>
and in the Internet Archive: <https://archive.org/details/maxplanckinstituteforeuropeanlegalhistory>

KANSAS

See our table in the exhibit area.
25% conference discount



Child Labor in America **The Epic Legal Struggle to** **Protect Children**

John A. Fliter

328 pages, Cloth \$45.00, Paper \$24.95

President Obama **Constitutional Aspirations** **and Executive Actions**

Louis Fisher

296 pages, Cloth \$45.00, Paper \$24.95

Parchment Barriers **Political Polarization and the** **Limits of Constitutional Order**

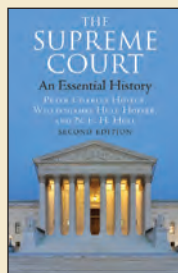
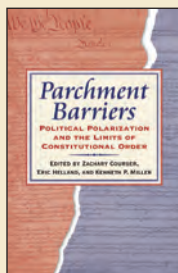
Edited by Zachary Courser, Eric
Holland, and Kenneth Miller

224 pages, Cloth \$45.00, Paper \$18.95

The Supreme Court **An Essential History** **Second Edition**

Peter Charles Hoffer, William James
Hull Hoffer, and N. E. H. Hull

512 pages, 25 photographs,
Cloth \$60.00, Paper \$29.95



Beyond the Borders of **the Law** **Critical Legal Histories of the** **North American West**

Edited by Katrina Jagodinsky and
Pablo Mitchell

368 pages, 10 photographs, 4 maps,
Cloth \$50.00, Paper \$29.95

The Medal of Honor **The Evolution of America's** **Highest Military Decoration**

Dwight S. Mears

320 pages, 27 photographs, Cloth \$34.95

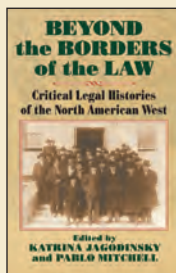
Landmark Law Cases **and American Society**

Peter Charles Hoffer, N.E.H. Hull, and
William James Hull Hoffer, series editors

Marbury v. Madison **The Origins and Legacy of** **Judicial Review** **Second Edition, Revised and** **Expanded**

William E. Nelson

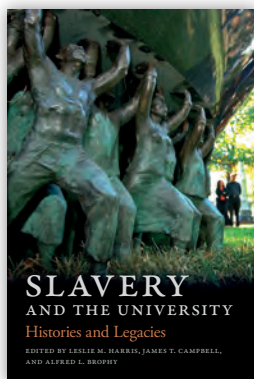
184 pages, Cloth \$39.95, Paper \$18.95



Ebook editions available from your favorite ebook retailer.

University Press of Kansas

785-864-4155 • Fax 785-864-4586 • www.kansaspress.ku.edu

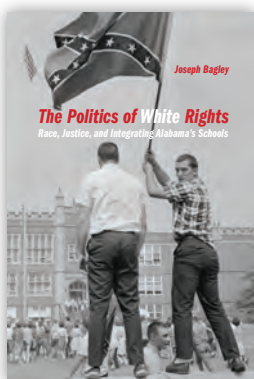


SLAVERY AND THE UNIVERSITY

Histories and Legacies

Edited by Leslie M. Harris,
James T. Campbell, and
Alfred L. Brophy

PAPERBACK, \$34.95
978-0-8203-5442-2



THE POLITICS OF WHITE RIGHTS

Race, Justice, and Integrating Alabama's Schools

Joseph Bagley

PAPERBACK, \$34.95
978-0-8203-5483-5

POLITICS AND CULTURE IN THE
TWENTIETH-CENTURY SOUTH



OPEN BORDERS

In Defense of Free Movement

Edited by Reece Jones

PAPERBACK, \$34.95
978-0-8203-5426-2
GEOGRAPHIES OF JUSTICE AND
SOCIAL TRANSFORMATION



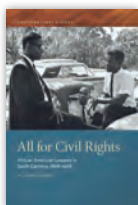
REVOLTING NEW YORK

*How 400 Years of Riot, Rebellion,
Uprising, and Revolution Shaped a City*

Edited by Neil Smith and
Don Mitchell

PAPERBACK, \$29.95
978-0-8203-5282-4

GEOGRAPHIES OF JUSTICE AND
SOCIAL TRANSFORMATION



SERIES: SOUTHERN LEGAL STUDIES

ALL FOR CIVIL RIGHTS

*African American Lawyers in South Carolina,
1868-1968*

W. Lewis Burke

HARDBACK, \$64.95 | 978-0-8203-5098-1
A SARAH MILLS HODGE FUND PUBLICATION

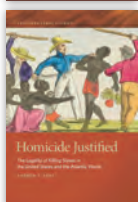


SLAVERY AND FREEDOM IN TEXAS

Stories from the Courtroom, 1821-1871

Jason A. Gillmer

PAPERBACK, \$27.95 | 978-0-8203-5163-6



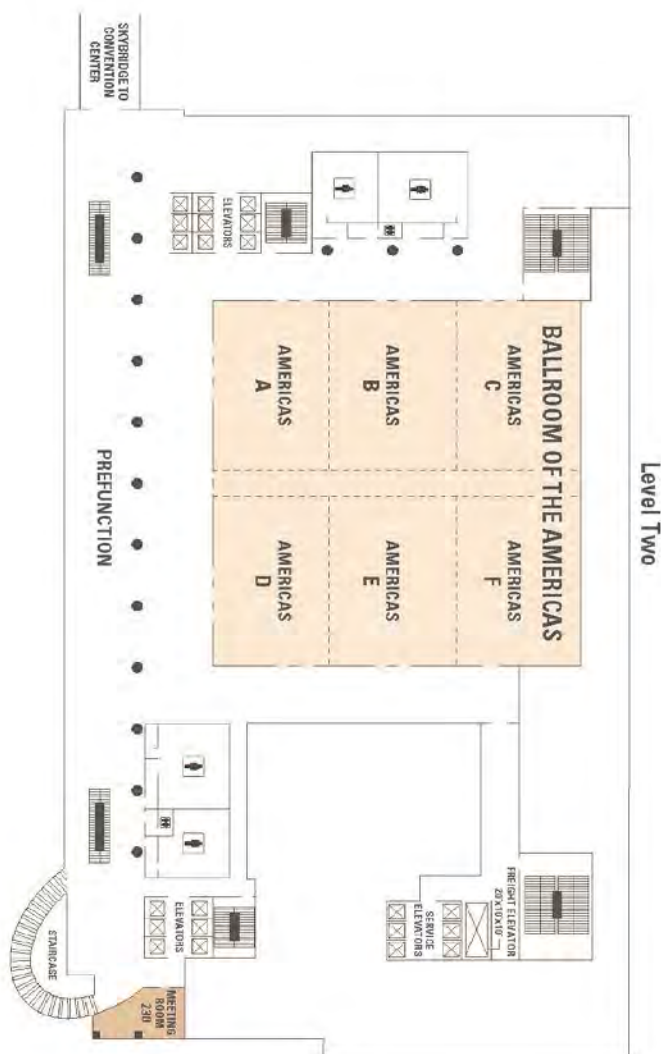
HOMICIDE JUSTIFIED

*The Legality of Killing Slaves in the
United States and the Atlantic World*

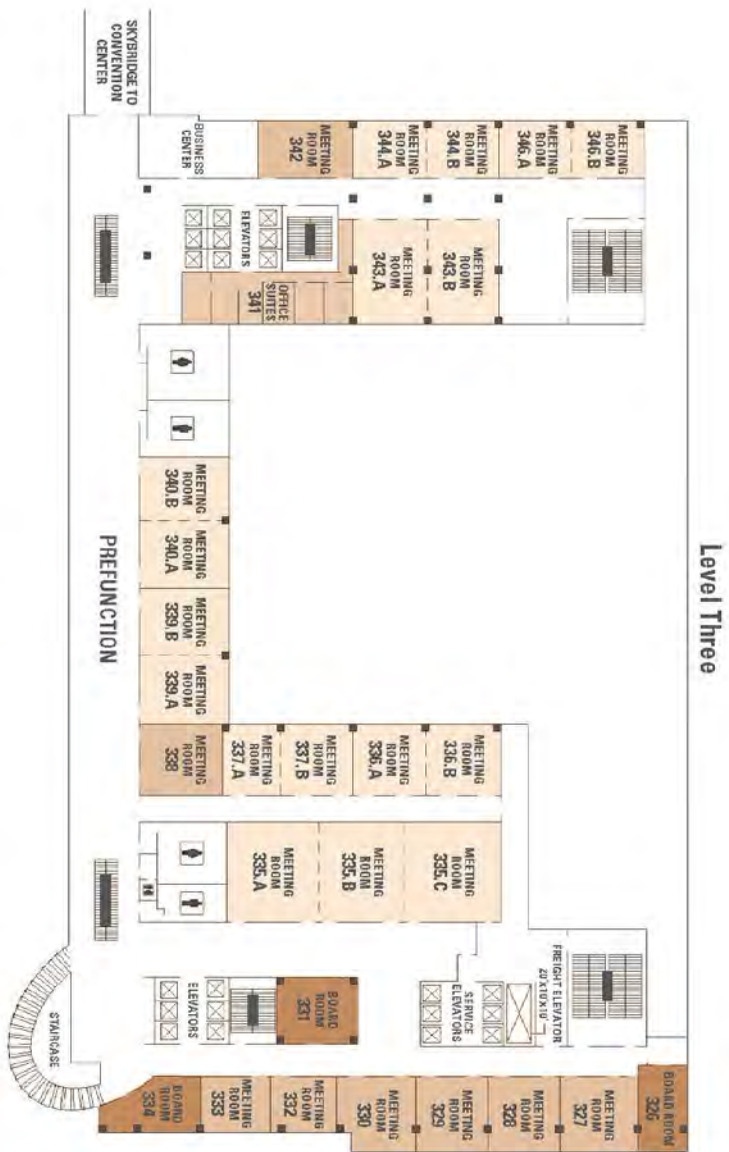
Andrew T. Fede

HARDBACK, \$69.95 | 978-0-8203-5112-4

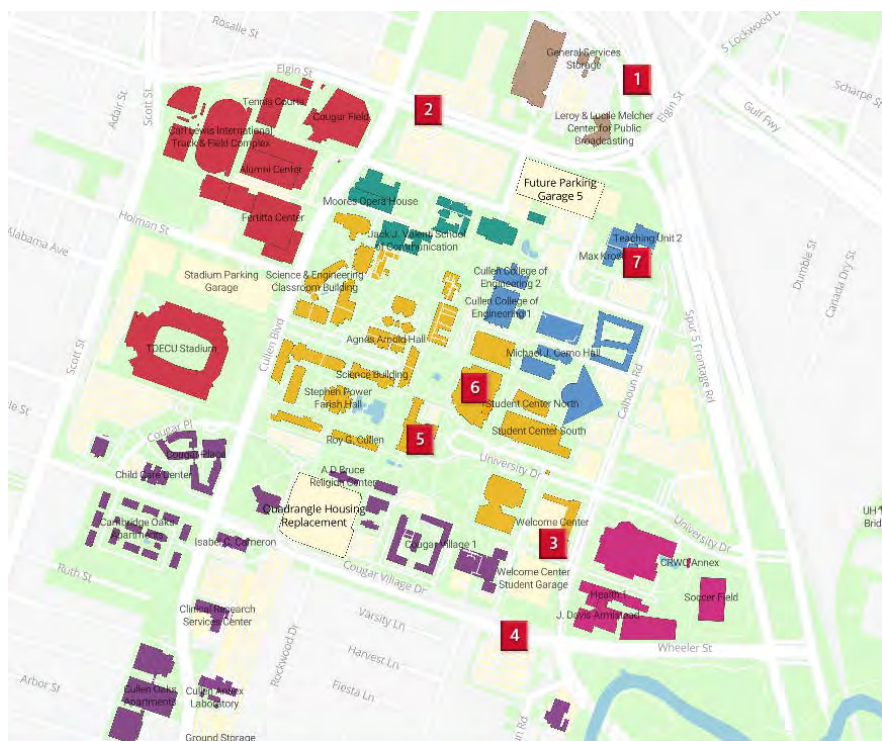
Hilton Americas



Hilton Americas



University of Houston



MAP KEY

1 SPUR 5/Calhoun Road Exit from I-45

2 Elgin St (surface street to Downtown)

3 Public Parking Garage

4 UH South/University Oaks Light Rail Stop

5 Cullen Performance Hall (Plenary Lecture)

6 M.D. Anderson Library (Plenary Reception)

7 University of Houston Law Center



In Memoriam

Stephen T. Zamora

June 26, 1944 – July 8, 2016

ASLH Benefactor Extraordinaire

Steve Zamora's professional distinctions were many, among them: dean and professor, University of Houston Law Center; founder, Center for U.S. and Mexican Law; founder and coordinator, North American Consortium on Legal Education; member, Order of the Aztec Eagle (Mexico's highest distinction for foreign nationals); and colleague and partner of almost 50 years to UH's distinguished Moores Professor in the comparative study of literature of the Americas, Lois Parkinson Zamora.

Personally, SZ was even better: thoughtful, charming, gracious and, above all, kind. Upon conceiving the idea for the 2018 Annual Meeting, "Houston: Gateway to las Américas," I immediately called Steve at his long-time summer, and by then retirement, apartment in Mexico City. I asked for his help in planning the meeting. "Of course. But I do have a price." For 31 years, I had enjoyed an open invitation to come to Mexico to visit him. Now, Steve insisted, was that time.

During the Fourth of July weekend in 2016, Steve showed Molly and me the sights in the sprawling metropolis he loved so much, hobbling along on his famously bad knees (not wisely, perhaps, for one whose family had a history of heart disease). We also had many memorable conversations getting started on planning for HOUSTON 2018, typically over unforgettable Mexican fare at one of Steve's favorite local eateries.

On our last night, in the rain, Steve cheerfully gave us his umbrella on the way back from the restaurant. We had brought none. He arrived drenched at our B&B and said goodnight. Typical Steve.

On our final day in Mexico City, Steve waved us off to the airport and went to his gym to swim, the better for his knees. He got out of that pool and, as I learned when I touched down in Houston, instantly was gone.

Steve Zamora had spent the last week of his life knocking himself out showing us a good time – *and planning this meeting, of which we are all now his beneficiaries*. He should have been more self-protective. He should have rested more. He should have . . . But that was not SZ.

As our mutual dear friend and colleague Sandra Guerra Thompson observed upon learning of his passing, Steve Zamora "did not even know *how* to be unkind."

Craig Joyce, Chair
HOUSTON 2018 Local Arrangements Committee



2019 ASLH Annual Meeting
20-23 November 2019
Boston Park Plaza Hotel
Boston, Massachusetts
USA