



AMERICAN SOCIETY
FOR LEGAL HISTORY

2021 Annual Meeting Program

InterContinental New Orleans
New Orleans, Louisiana

4–6 November 2021

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2021 PLENARY LECTURER



John Fabian Witt is Allen H. Duffy Class of 1960 Professor of Law at Yale Law School. He is the author of a number of books, including *American Contagions: Epidemics and the Law from Smallpox to COVID-19* and *Lincoln's Code: The Laws of War in American History*, which was awarded the Bancroft Prize, was a finalist for the Pulitzer Prize, was selected for the American Bar Association's Silver Gavel Award, and was a New York Times Notable Book. Professor Witt is currently writing the story of the men and women behind the Garland Fund: the 1920s foundation that quietly financed the efforts that culminated in *Brown v. Board of Education*.

Other writings include *To Save the Country: A Lost Manuscript of the Civil War Constitution* (Yale University Press, 2019) (with Will Smiley), *Patriots and Cosmopolitans: Hidden Histories of American Law* (Harvard University Press, 2007), and *The Accidental Republic: Crippled Workingmen, Destitute Widows, and the Remaking of American Law* (Harvard University Press, 2004), as well as articles in the *American Historical Review*, the *Columbia Law Review*, the *Harvard Law Review*, the *Yale Law Journal*, and other scholarly journals. He has written for *The New Republic*, *The New York Times*, *Slate*, *The Wall Street Journal*, and *The Washington Post*. He has been a John Simon Guggenheim Memorial Foundation Fellow and is a fellow of the American Academy of Arts and Sciences. Professor Witt holds a J.D. and a Ph.D. in history from Yale. He served as a law clerk to Judge Pierre N. Leval on the United States Court of Appeals for the Second Circuit. He taught for a decade at Columbia Law School and has visited at Harvard and the University of Texas at Austin. Professor Witt's casebooks, *Torts and Regulation: Cases, Principles, and Institutions* (2d ed., 2020) and *Torts: Cases, Principles, and Institutions* (5th ed. 2020) (with Karen Tani), are available for free on a Creative Commons license at <https://www.cali.org>.

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PRESIDENT'S WELCOME

Dear ASLH colleagues,

Welcome to the 2021 ASLH annual meeting!

The time since our last in-person meeting has been tumultuous, to say the least. The pandemic delivered personal tragedies to some of us and disruptions in teaching and research to all of us. The Supreme Court shifted, a constitutional crisis nearly erupted, a major movement for racial justice emerged, global warming continued to bring cataclysmic effects, and a 20-year war ended. The turbulence of the last two years makes the investigation of the legal past more urgent and important than ever.

The society has remained resilient and productive since we last met in Boston, in 2019. We continued throughout the pandemic to run workshops for early career scholars and award competitive fellowships and prizes. A well-attended online mini-conference last year showcased vital scholarship. Our flagship journal, *Law and History Review*, and our Cambridge University Press book series, *Studies in Legal History*, continue to produce inspiring volumes.

ASLH membership numbers remain historically high, and our members are as dedicated as ever. Even at the height of the pandemic, you routinely stepped forward to serve on committees and participate in research and teaching initiatives. Members and some of their institutions donated generously to the society, supporting an historic drive to put the Hurst Summer Institute and the Student Research Colloquium on a permanently solid financial footing. We continue to benefit from the dedication and involvement of the William Nelson Cromwell Foundation, with its vital support for fellowships and prizes in American legal history.

We meet in a city that has experienced more than its share of adversity. New Orleans is also a place of deep historical connections to people and regions beyond the nation's borders. This year's pre-conference and conference programs recognize the New Orleans location by highlighting interconnected histories and by representing the geographic and chronological breadth of legal history scholarship. The rich program is, by some accounts, the most "global" in content of all our annual meeting programs. It is the product of hard work over two years by program committee members, under the inspiring leadership of co-chairs Kristin Collins (Boston University) and Ari Bryen (Vanderbilt University).



As we prepare to soak up the history and culture of this extraordinary city, we can thank our local arrangements chairs, Randy Sparks (History, Tulane University) and Elizabeth Gard Townsend (Tulane Law School), who brought their scholarly and local expertise to the tasks of gathering information and resources and acting as liaisons with Tulane University. This year's plenary lecture will be delivered there by John Fabian Witt (Yale Law School). We are grateful to Tulane University President Michael Fitts and Dean David Meyer (Tulane Law School) for their unflagging commitment to sponsoring the plenary and reception.

Like everything the society does, the annual meeting advances our mission to support and encourage early career scholars. Graduate students are participating in both pre-conference and conference panels at high rates. Participants in this summer's Hurst Institute, which took place online, are planning a first in-person get-together at the conference. And a new cohort of the Wallace Johnson First Book Program assembles for their first meeting. A team of graduate student rapporteurs will be tweeting live content about many of the panels (#aslh2021).

As we look forward to days of intellectual exchange and friendship, we will be thinking of colleagues who could not manage to make the trip this year. The society will look forward to assembling everyone again, and to welcoming more new members, next year in Chicago.

Thank you for being here, and I hope you have a safe, productive, and joyful meeting.

Best regards,

A handwritten signature in black ink, appearing to read 'L Benton', with a stylized flourish at the end.

Lauren Benton

Barton M. Biggs Professor of History and Professor of Law, Yale University
ASLH President, 2020-2021

THURSDAY, NOVEMBER 4, 2021

12:00pm–6:00pm	Registration (<i>La Salle C Foyer on the 3rd Floor</i>)
12:00pm–6:00pm	Exhibits (<i>La Salle B/C on the 3rd Floor</i>)
4:00pm–5:30pm	Finance Committee (<i>Poydras Room</i>)
5:30pm–6:30pm	Pre-Dinner Social Gathering (<i>La Salle A on the 3rd Floor</i>)
6:00pm–7:00pm	Executive Committee (<i>Poydras Room</i>)
7:30pm–10:00pm	Board of Directors Meeting (<i>Pelican I</i>)

PRE-CONFERENCE EVENTS AT TULANE UNIVERSITY

8:30am–4:30pm

The Graduate Student Research Colloquium

(201 Race Conference Room, Lavin-Bernick Center, Tulane University)

Invitation Only

Chairs: **John Wertheimer**, Davidson College (jowertheimer@davidson.edu) and **Doris Morgan Rueda**, University of Nevada, Las Vegas (doris.morgan@unlv.edu)

Commentators: **Kunal Parker**, University of Miami Law School (kparker@law.miami.edu) and **Michelle McKinley**, University of Oregon (michelle@uoregon.edu)

Julia Bacchiega, Universidad de San Andrés (jbacchiega@udesa.edu.ar)

The Road to the Palacios Law: The Jurisprudence on the Corruption of Minors and Women and the Repression of Pimping in Argentina, 1886-1921

Serena Covkin, University of Chicago (scovkin@uchicago.edu)

“Simply Because They’re Married to Servicemen”: War and Women’s Rights in the Case of the Murdering Wives

Jelani Hayes, Yale Law School (jelani.hayes@yale.edu)

Protection and Punishment: The Origins of the Family Regulation System

Dipanjan Mazumder, Vanderbilt University (dipanjan.mazumder@vanderbilt.edu)

Islamic Law in the Vernacular: A Case Study of a Sufi Hagiography from Early Modern Bengal

Rana Osman, University of London (667480@soas.ac.uk)

The Expectation of Just Politics in Fatāwā Compendia during the Mamluk Sultanate

Chao Ren, University of Michigan (renchao@umich.edu)

The Return of Mi Shwe Tin? Native Litigation, Oil Boom, and the Articulation of “Buddhist Law” in Colonial Burma

Laura Savarese, Yale Law School, Yale University (laura.savarese@yale.edu)

The Child Witness: Testimony in the Creation of the Law of Childhood (2021 Herbert A. Johnson Fellow)

Magdalene Zier, Stanford University (mzier@stanford.edu)

The Last Execution in Washington Square: Rose Butler’s Case and the Struggle over Gradual Emancipation in New York City

9:00am—5:00pm

The Johnson Program for First Book Authors

(Faculty Lounge, Tulane Law School)

Invitation Only

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

Presenters: **Brooke Depenbusch**, Colgate University (bdepenbusch@colgate.edu), **Myisha S. Eatmon**, University of South Carolina (eatmonm@mailbox.sc.edu), **Maeve Glass**, Columbia Law School (maeve.glass@law.columbia.edu), **Timo McGregor**, Yale University (timo.mcgregor@yale.edu) and **Raha Rafii**, University of Exeter (R.Rafii@exeter.ac.uk)

9:30am—4:30pm

Regulation and Administration in American Life: Legal Historical Perspectives

(Qatar Ballroom, Lavin-Bernick Center, Tulane University)

Welcoming Remarks: 9:30

Welcoming remarks by **Karen Tani** (Penn Carey School of Law/University of Pennsylvania, History), on behalf of the organizing committee (**Karen Tani, Joanna Grisinger, Nicholas Parrillo**)

New Voices 1: 9:35-10:20

This panel will feature **Jennifer Mascott** (Antonin Scalia Law School), presenting a paper on the role of private actors in 19th-century US patent administration. **Greg Ablavsky** (Stanford Law School) and **Jim Pfander** (Northwestern Pritzker School of Law) will comment.

Mid-morning break: 15 minutes

New Voices 2: 10:35-12:00

This panel will feature **Noah Rosenblum** (New York University School of Law), presenting a paper (co-authored with **Andrea Katz**) on *Myers v. US* and the making of the progressive presidency, and **Teal Arcadi** (Princeton University), presenting a dissertation chapter on the origins of federal highway planning and administration. **Susan Pearson** (Northwestern University, History) and **Nadav Shoked** (Northwestern Pritzker School of Law) will comment.

Lunch: 12:00-1:00

New Voices 3: 1:00-1:45

Quinn Mulroy (Northwestern University, Human Development and Social Policy) will workshop a project (co-authored with **Heather McCambly**) on the administrative development of civil rights higher education policy in the 1970s/80s. **Sophia Lee** (Penn Carey School of Law) will comment.

Break: 5 minutes

Roundtable 1: 1:50-3:05

“What are the best methods and sources for seeing the historical workings of regulation and administration in American life? How do our choices affect what we see?”

We will hear from **Joanna Grisinger** (Northwestern University, Center for Legal Studies,) (chair), **Edward Balleisen** (Duke University, History), **Ajay Mehrotra** (American Bar Foundation/Northwestern Pritzker School of Law), and **William Novak** (University of Michigan Law School).

Mid-afternoon break: 10 minutes

Roundtable 2: 3:15-4:30

“How might historical work inform contemporary debates about regulation, administrative law, and the workings of administrative agencies?” The constitutional and political legitimacy of American government bureaucracy have recently come under more intense scrutiny than at any time in living memory. What can history contribute—in terms of bolstering or undermining that legitimacy; expanding our imagination of alternatives to the bureaucratic state as we know it; and providing a realistic assessment of the prospect for change and its consequences?

We will hear from **Dan Ernst** (Georgetown University Law Center) (chair), **Aditya Bamzai** (University of Virginia School of Law), **S. Deborah Kang** (University of Virginia, History), and **Laura Phillips Sawyer** (University of Georgia School of Law).

FRIDAY, NOVEMBER 5, 2021

- 7:30am–4:00pm **Registration** (*La Salle C Foyer*)
- 7:30am–4:15pm **Exhibits** (*La Salle B/C*)
- 7:30am–8:30am **Morning Snacks** (*La Salle B/C*)
- 7:30am–8:30am **Committee Meetings**
- **Membership Committee** (*Fulton*)
 - **Studies in Legal History** (*Algiers A*)

8:30am–10:00am

Credit Makes the Rules

(*Frenchman 2*)

Chair: **Justin Simard**, Willamette University College of Law (justin.simard@gmail.com)

Commentator: **Edward Balleisen**, Duke University (eballeis@duke.edu)

Felipe Ford Cole, Northwestern University (ffcole@nlaw.northwestern.edu)
Making Sovereignty from Debt in the Americas, 1822-49

Sarah Winsberg, Harvard Law School (swinsberg@law.harvard.edu)
“Partner Wanted”: Creditors and the Transformation of American Work

Allison Schwartz, University of Minnesota (schw1570@umn.edu)
Promise and Pain: The Power of Creditors to Create Legal Subjects and Define Women’s Economic Autonomy

8:30am–10:00am

Jurisdiction, Legal Pluralism, and the Development of Medieval English Legal Traditions

(*Poydras*)

Chair and Commentator: **Karl Shoemaker**, University of Wisconsin, Madison (kbshoemaker@wisc.edu)

Charlotte Whatley, University of Wisconsin-Madison (cwhatley@wisc.edu)
Exclusion, Extortion, and Blackmail: Excommunication in the Fourteenth-Century Common Law

Elizabeth Papp Kamali, Harvard Law School (ekamali@law.harvard.edu)
Finding Facts in Medieval English Law: The Strategies of Confessors and Coroners

Kenneth Duggan, University of Toronto (Kenneth.f.duggan@gmail.com)
Sanctuary and Abjuration in Thirteenth-Century Rural England

8:30am—10:00am

Property and Contract: Race and Rights after the Civil War

(*Frenchman 1*)

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

Commentators: **Randy Sparks**, Tulane University (rsparks1@tulane.edu) and **Martha Jones**, Johns Hopkins University (msjonz@jhu.edu)

Sarah Barringer Gordon, University of Pennsylvania (sbgordon@law.upenn.edu)
Staying in Place

Cynthia Nicoletti, University of Virginia School of Law (cnicoletti@law.virginia.edu)
DeTreville v. Smalls and the Movement to Unravel Land Redistribution in Reconstruction-Era South Carolina

Dylan Penningroth, University of California Berkeley (dcap@berkeley.edu)
Race in Contract Law after 1865

10:15am—11:45am

Colonial Era Shari'a: The Making and Remaking of Islamic Legal Authority

(*Poydras*)

Chair and Commentator: **Mohammad Fadel**, University of Toronto - Faculty of Law (mohammad.fadel@utoronto.ca)

Samy Ayoub, The University of Texas, Austin (sayoub@utexas.edu)
The Obscure Appellate: The Egyptian Shari'a Supreme Court, 1897-1955

Ari Schriber, Harvard University (schriber@g.harvard.edu)
Moroccan Shari'a, French Shari'a: Adjudicating Slavery in Colonial-Era Morocco

Rabiat Akande, Harvard Law School (oakande@sjd.law.harvard.edu) *Judging Islamic Law: The 1938 Fatwa of Kano Law School Jurists and Late Colonial Northern Nigeria*

Elizabeth Lhost, Dartmouth College (Elizabeth.Lhost@dartmouth.edu)
Mo' Muftis, Mo' Problems? Formal Law, Informal Advice, and the Proliferation of Legal Paths in British India

10:15am—11:45am

Law on the U.S.-Mexico Borderland: Critical Approaches in Legal History

(Acadian)

Chair and Commentator: **Deborah Kang**, University of Virginia (sdkang@virginia.edu)

Hardeep Dhillon, Harvard University (hdhillon@g.harvard.edu)

Crossing the Line: Migrant Geographies in the U.S.-Mexico Borderland in the Early Twentieth Century

Irvin Iburguen, New York University (ibarguen@nyu.edu)

The End of Mexican Migration?: Subversive U.S. Immigration Policy in the Face of Mexican Anti-Emigrationism, 1953-1954.

Miguel Giron, Northwestern University (miguelgiron2025@u.northwestern.edu)

Who Gets to Police the Border?: Delinquency, Annexation, and the Creation of the San Diego Police Department Border Units

10:15am—11:45am

Author Meets Readers: Thomas J. McSweeney, *Priests of the Law: Roman Law and the Making of the Common Law's First Professionals*

(Frenchman 2)

Chair: **Elizabeth Kamali**, Harvard Law School (ekamali@law.harvard.edu)

Commentators: **Sara Butler**, The Ohio State University (butler.960@osu.edu), **James Whitman**, Yale University (james.whitman@yale.edu) and **Atria Larson**, Saint Louis University (atria.larson@slu.edu)

Author: **Thomas McSweeney**, William & Mary Law School (tjmcsweeney@wm.edu)

The Katherine T. Preyer Award Panel

(Frenchman 1)

Chair: **Elizabeth Katz**, Washington University School of Law (elizabeth.katz@wustl.edu)

Commentators: **Karen Tani**, University of Pennsylvania (ktani@law.upenn.edu) and

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

Naama Maor, Tel Aviv University (nmaor@tauex.tau.ac.il)

In Search of the 'Real Culprits': The Adult Delinquent in a Progressive Era Juvenile Court

Teal Arcadi, Princeton University (tarcadi@princeton.edu)

Concrete Leviathan: Interstate Highway Litigation and the Clash of Experts and Citizens in Modern America

Lunch Break: 11:45am-1:15pm

Boxed lunches and beverages for all conference attendees will be available in LaSalle B/C on the Third Floor.

Committee Meetings

Law & History Review (*La Salle A Room*)

Standing Committee on the Annual Meeting (*Fulton Room*)

1:15pm—2:40pm

Slavery, Abolition, and Reparations: Legal Institutions and Racial Subordination from the Colonial Era to the Modern Day *(Frenchman 2)*

Chair: **Claire Priest**, Yale Law School (claire.priest@yale.edu)

Commentator: **Richard Newman**, Rochester Institute of Technology (sngsm@rit.edu)

Geneva Smith, Princeton University (gajsmith@princeton.edu)

Slave Courts and Rights-Making in the British Atlantic

Cory James Young, Georgetown University (cory.james.young@gmail.com)

Ownership in Absentia: Opportunism and Optimism in Pennsylvania's County Slave Registries

Amanda McGee, University of Arkansas (apj006@uark.edu)

"6 to 8 Roads From the Line:" The Territorial Extent of Gradual Abolition in the Early Republic

Jordan Brewington, Yale University (jordan.brewington@yale.edu)

Dismantling the Master's House: Reparations on the American Plantation

1:15pm—2:40pm

Gender, Family, and Legal Practice in the Medieval Mediterranean *(Frenchman 2)*

Chair and Commentator: **Sara McDougall**, John Jay College of Criminal Justice and CUNY Graduate Center (smcdougall@jjay.cuny.edu)

Arnaud Fossier, University of Bourgogne (Arnaud.Fossier@u-bourgogne.fr)

Adultery and Impotence. Family Law vs. Local Strategies in a Pre-modern Italian Church Court

Yanay Israeli, The Hebrew University of Jerusalem (yanay.israeli@mail.huji.ac.il)

Women as Petitioners in Fifteenth-Century Castile: Conflicts, Complaints and Royal Redress

Mireille Juliette Pardon, Berea College (pardonm@berea.edu)

Impulse, Temptation, and Sudden Anger: Gendered Justifications for Violence and Theft in Late Medieval Flanders

1:15pm—2:40pm

The Multiplicity of International Persons: State, Empire and Sovereignty in the Global Public Order of the Late 19th and Early 20th Centuries

(Frenchman 1)

Chair and Commentator: **Edward Kolla**, Georgetown University (ejk55@georgetown.edu)

Sarath Pillai, University of Chicago (sarathpillai@uchicago.edu)

German Lessons: Princely Sovereignty and the Origins of Comparative Constitutionalism in Interwar India

Youssef Ben Ismail, Harvard University (ybenismail@g.harvard.edu)

Tunisian Consuls? State Sovereignty, Provincial Autonomy, and Diplomatic Representation in a Disputed Ottoman Province (ca. 1800-1900)

Aden Knaap, Harvard University (adknaap@g.harvard.edu)

How to Make a State: The Permanent Court of Arbitration and Statehood, 1899–1907

Idriss Fofana, Columbia University (idriss.fofana@columbia.edu)

The International Personality of Colonial Polities: Experiments with Non-State Sovereignty in the Age of High Imperialism

2:50pm—4:15pm

Roundtable: Identity and Criminal Responsibility in Comparative Historical Perspective

(Frenchman 1)

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

Lindsay Farmer, University of Glasgow (Lindsay.Farmer@glasgow.ac.uk)

Responsibility and Respectability in the Trial of the City of Glasgow Bank Directors (1879)

Simon Stern, University of Toronto (simon.stern@utoronto.ca)

Detecting Deceit: Sherlock Holmes and the Common Law of Fraud and Misrepresentation in the Nineteenth Century

Susanna Blumenthal, University of Minnesota Law School (blume047@umn.edu)

The Genealogy of the Pathological Liar

2:50pm—4:15pm

Innovation and Enslavement: Adapting Legal Instruments in the 19th Century Law of Slavery

(Pelican 1)

Chair and Commentator: **Justin Simard**, Northwestern University
(justin.simard@gmail.com)

Michael Ralph, New York University (michael.ralph@nyu.edu)
Before 13th: The Origin of Convict Leasing

Sharon Murphy, Providence College (smurph13@providence.edu)
Gene to Texas: Deadbeat Debtors and their Enslaved Property

2:50pm—4:15pm

The Graduate Student Lightning Round

(Poydras)

Chair: Sarah Barringer Gordon, University of Pennsylvania (sbgordon@law.upenn.edu)

Joshua Blecher-Cohen, Yale Law School (josh.blechercohen@gmail.com)
Habeas Corpus for Child Custody

Sannoy Das, Harvard University (sdas@sjd.law.harvard.edu)
Empire, Liberalism and Doux Commerce: International Economic Law, 1946-48

Jessica Fletcher, Vanderbilt University (jessica.s.fletcher@vanderbilt.edu)
Before the Amistad: Cuba, Haiti, and Caribbean Political Consciousness in Early Nineteenth-Century U.S. Freedom Suits

Ben Halom, Stanford Law School (benhalom@stanford.edu)
The Ruiz Riot: Popular Violence in 1850s Los Angeles

Eric Stephen, Harvard University (eric.m.stephen@gmail.com)
Judicializing Secularism in the American Gilded Age: How the Cincinnati Bible War Reshaped the Concept of "Secularism" into a Contested Legal Principle

Min Tae Cha, Princeton University (mcha@princeton.edu)
The Transatlantic First Amendment: America, Scotland, and Disestablishment, 1800-1840

2:50pm—4:15pm

Courting Reform and Court Reform

(Acadian)

Chair and Commentator: **David Seipp**, Boston University (dseipp@bu.edu)

James Pfander, Northwestern Law School (j-pfander@law.northwestern.edu)

Public Law Litigation in the 18th Century: Diffuse Law Enforcement in a Partisan World

Amalia Kessler, Stanford Law School (akessler@law.stanford.edu)

Religion, Arbitration and the State: The Jewish Conciliation Court as the “Official Arbitrating Organ” of the State-Run Courts, 1919-1950

Rebecca Boorstein, Yale University (rebecca.boorstein@yale.edu)

Calling the Shots: Civil Liberties and Anti-Vaccination Lawsuits in the Progressive Era United States, 1900-1920

Buses Depart for Tulane University: 4:15pm—4:30pm

Will depart from the corner of Poydras and St. Charles.

5:15pm—6:30pm

PLENARY ADDRESS

Garland’s Million: The Tragedy and Triumph of Legal History

(Qatar Ballroom, Lavin-Bernick Center, Tulane University)

Presenter: **John Fabian Witt**, Yale Law School (john.witt@yale.edu)

6:45pm—8:15pm Plenary Reception (*Pocket Park*)

7:15pm—8:30pm Buses to the InterContinental New Orleans

SATURDAY, NOVEMBER 6, 2021

- 7:30am–12:00pm **Registration** (*La Salle C Foyer on the 3rd Floor*)
- 7:30am–4:00pm **Exhibits** (*La Salle B/C on the 3rd Floor*)
- 7:30am–8:30am **Morning Snacks** (*La Salle B/C*)
- 8:00am–9:00am **Committee Meetings**
- **Graduate Student Outreach Committee** (*Algiers A*)

9:00am–10:30am

Insurance and the Slave Trade in the Long Eighteenth Century (*Acadian*)

Chair and Commentator: **Christian Bursset**, Notre Dame Law School (cbursset@nd.edu)

James Oldham, Georgetown University (oldham@law.georgetown.edu)
Insuring British Slave Cargo in the Late 18th and Early 19th Centuries

Hannah Farber, Columbia University (haf2126@columbia.edu)
The Legality of Insuring Slave Voyages After 1807

Mallory Hope, Yale University (mallory.hope@yale.edu)
Purchased, Redeemed, Commodified: The Status of the Enslaved in French Insurance Law, 1681-1791

9:00am—10:30am

Law in the Borderlands: Legal Frontiers in Southeastern Europe and the Middle East

(Frenchman 1)

Chair: **Emily Greble**, Vanderbilt University (emily.greble@vanderbilt.edu)

Commentator: **Karl Shoemaker**, University of Wisconsin-Madison (kbs Shoemaker@wisc.edu)

Emily Greble, Vanderbilt University (emily.greble@vanderbilt.edu)

Muslims and Contested Legal Domains in the post-Ottoman Balkans

Aimee Genell, University of West Georgia (agenell@westga.edu)

Young Turk Era Power Brokers in Ottoman Peripheries from Albania to Kuwait

Dominique Reill, University of Miami (d.reill@miami.edu)

Divorce For Sale, Just Across the Border: Fiume 1919-1924

Alison Frank, Harvard University (afrank@fas.harvard.edu)

Considering the Brutalization of the Mind Peculiar to Residents of the Sava Region: Justice in Habsburg Bosnia, 1878-1918

9:00am—10:30am

The Uses (and Abuses) of Military Justice: Legal Histories of Power and Politics in Latin America and Colonial India

(Pelican 1)

Chair and Commentator: **Melissa Teixeira**, University of Pennsylvania (mteixeir@sas.upenn.edu)

Raquel Sirotti, Max-Planck Institute for European Legal History (sirotti@rg.mpg.de)

The Rules of Anarchist Repression in Brazil: A Case Study of 1917's General Strike

Bhavani Raman, University of Toronto (bhavani.raman@utoronto.ca)

Crimes Against the State: Martial Law and Mediation in Early Colonial India

Timothy James, University of South Carolina (tjames@uscb.edu)

The Army and its Tribunals: Reforming Military Justice in Nineteenth-Century Mexico

Melissa Teixeira, University of Pennsylvania (mteixeir@sas.upenn.edu)

Legal Exceptions During Economic Crisis in Twentieth-Century Brazil

9:00am—10:30am

Comparative Approaches to the Law of Slavery and Freedom: Lessons from Alejandro de la Fuente and Ariela Gross, *Becoming Free, Becoming Black*

(Frenchman 2)

Chairs: **Rebecca Scott**, University of Michigan (rjscott@umich.edu) and **Martha Jones**, Johns Hopkins University (msjonz@jhu.edu)

Authors: **Ariela Gross**, University of Southern California (agross@law.usc.edu) and **Alejandro de la Fuente**, Harvard University (delafuente@fas.harvard.edu)

Jean Hébrard, Johns Hopkins University (jhebrard@chess.fr)

Comparative Slavery and Freedom: Saint-Domingue and Brazil

Adriana Chira, Emory University (adriana.chira@emory.edu)

Comparative Slavery and Freedom: Cuba

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

Comparative Slavery and Freedom: Louisiana

10:45am—12:15pm

New Perspectives on Ordinary People and the Law in the Age of Capitalism

(Frenchman 1)

Chair and Commentator: **Nate Holdren**, Drake University (nate.holdren@drake.edu)

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

Eulalie Mandeville's Money: A Free Black Woman, Finance, and the Law in Antebellum New Orleans

Louise Walker, Northeastern University (l.walker@northeastern.edu)

Economic Trouble: Precautionary Petitions between Debtors and Creditors in Mexico City, 1830s-1870s

Meghna Chaudhuri, Boston College (chaudhum@bc.edu)

Wagering on the Future: Cotton, Credit and Contract Law in Colonial Bombay

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

Habeas in the Hands of the Poor & Working Class

10:45am—12:15pm

Transatlantic Constitutions: Exploring American Legal Thought in the Eighteenth Century

(Acadian)

Chair and Commentator: **Jonathan Gienapp**, Stanford University (jgienapp@stanford.edu)

Eliga Gould, University of New Hampshire (ehg@unh.edu)

A New Order for the Ages? Rethinking the American Confederation, 1776-1789

Sally Hadden, Western Michigan University (sally.hadden@wmich.edu)

Transatlantic Justice: Governors' Councils in Early America and Lawsuits Appealed to the Privy Council

Daniel Hulsebosch, New York University School of Law (daniel.hulsebosch@nyu.edu)

From the Imperial to the International: How Early Americans Built the Legal Infrastructure of a Developing Nation

10:45am—12:15pm

What's in a Name?: Legal Status and Labor Discipline, 1600-1850

(Frenchman 2)

Chair: **Lee Wilson**, Clemson University (wilson1@clemson)

Commentator: **Holly Brewer**, University of Maryland (hbrewer@umd.edu)

Jennifer Wells, George Washington University (jenniferwells@email.gwu.edu)

The Company's Law: Crafting Legal Status in South Asia

Keith Plumbers, Illinois State University (kdplumy@ilstu.edu)

Animal Ownership, Social Status, and Environmental Anxieties in Seventeenth-Century Bermuda

Lee Wilson, Clemson University (wilson1@clemson.edu)

Bonds of Empire: Chattel Slavery and Commerce in British America

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

The Failure of Antebellum Civil Juries to Protect Vulnerable Wage Workers and the Quest for Alternatives

10:45am—12:15pm

**Author Meets Readers: Samuel Fury Childs Daly, A
*History of the Republic of Biafra: Law, Crime, and the
Nigerian Civil War***

(Pelican 1)

Commentators: **Rabiat Akande**, Harvard Law School (oakande@sjd.law.harvard.edu), **Erin Braatz**, Suffolk University Law School (ebraatz@suffolk.edu) and **Anthony Idigbe**, York University (aidigb01@yorku.ca)

Author: **Samuel Fury Childs Daly**, Duke University (samuel.furychilds.daly@duke.edu)

10:45am—12:15pm

**The Wallace Johnson Program Panel: How to Turn Your
Dissertation Into a Book**

(Poydras)

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

Pedro Cantisano, University of Nebraska at Omaha (pcantisano@unomaha.edu)
Rio de Janeiro on Trial: Public Health, Urban Reform, and Law in Modern Brazil

Evan Taparata, Harvard University (etaparata@fas.harvard.edu)
Refuge of Oppression: The Making of the United States Refugee Regime

Adnan Zulfiqar, Rutgers Law School (adnan.zulfiqar@rutgers.edu)
Duties to the Collective: Jurists, Islamic Law and the Search for Cohesion, 945 to 1258 CE

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

Co-Editor, Cambridge University Press, *Studies in Legal History*

Lunch Break: 12:00pm-1:00pm

Boxed lunches and beverages for all conference attendees will be available in LaSalle B/C on the Third Floor.

1:15pm—2:15pm

Annual Awards Ceremony

(LaSalle A)

The Awards Ceremony is a plenary event. President Lauren Benton will deliver remarks on the state of the society, followed by book and article prize presentations, announcements of distinguished honorary fellows, and introduction of the next ASLH president. All are warmly invited to attend.

2:40pm—4:05pm

The Critical Turn in Roman Legal History

(Pelican 1)

Chair: **Zachary Herz**, University of Colorado, Boulder (zachary.herz@colorado.edu)

Commentator: **Paul du Plessis**, The University of Edinburgh (p.duplessis@ed.ac.uk)

Michele Lowrie, The University of Chicago (mlowrie@uchicago.edu)

The Roman Republican Constitution as System (not Form)

Nicole Giannella, Cornell University (njg68@cornell.edu)

Faith and Other Luxuries: A Critical Approach to Roman Slave Law

James Townshend, Loyola University (jtownshend@luc.edu)

Damnum Infectum: Indeterminacy and Power in Roman Law

Kaius Tuori, The University of Helsinki (kaius.tuori@gmail.com)

Decolonizing Roman Law: Revisiting the Centre/Periphery Discourse and the Ethnic Dimension of the Expansion of Legal Romanization

2:40pm—4:05pm

Paper Sovereignty: The Politics of “Custom,” Natural Law, & Slavery

(Frenchman 2)

Chair: **Taja-Nia Henderson**, Rutgers University (tajaniam@law.rutgers.edu)

Commentator: **Kelly Kennington**, Auburn University (kmk0019@auburn.edu)

Holly Brewer, University of Maryland (hbrewer@umd.edu)

The Problem of Custom in English & American Law: Slavery, Power, and Legitimacy 1619 through 1837

Amelie Hopkins, Columbia University (ach2180@columbia.edu)

Tyranny of Paper: The Role of Documents in the Defense and Usurpation of Freedom

2:40pm—4:05pm

Pluralism and Law

(Poydras)

Chair and Commentator: **Gregory Ablavsky**, Stanford Law School
(ablavsky@law.stanford.edu)

Chao Ren, University of Michigan (renchao@umich.edu)

Oily Arguments: Business, Empire, and Colonial Legal Pluralism in a Burmese Oil Field, c.1900-1913

Jose Argueta Funes, Princeton University (jefunes@princeton.edu)

What Law Governed Ophelia Paquet's Marriage?

Lila Teeters, Worcester State University (lilateeters@gmail.com)

Fighting Imposed Citizenship in Canada and the United States: A Comparative Study of Haudenosaunee Responses

Kristin Collins, Boston University (collinsk@bu.edu)

Citizenship without Borders

2:40pm—4:05pm

Sex Crimes in Historical Perspective

(Frenchman 1)

Chair and Commentator: **Barbara Welke**, University of Minnesota (welke004@umn.edu)

Claire Cage, University of South Alabama (ccage@southalabama.edu)

Sex Crimes Against Children in 19th Century French Algeria

Alexander Taft, University of Texas at Austin (ataft@utexas.edu)

Ill-Desired Subjects: Interrogating Youths in French Sodomy Trials, 1540-1670

Magdalene Zier, Stanford University (mzier@stanford.edu)

The Last Execution in Washington Square: Crime and Punishment in New York's Age of Emancipation

4:15pm—5:45pm

Legal Cultures in the Early Modern World: Perspectives from Islamicate South Asia

(Poydras)

Commentator: **Naveena Naqvi**, University of British Columbia (naveena.naqvi@ubc.ca)

Shounak Ghosh, Vanderbilt University (shounak.ghosh@vanderbilt.edu)

Diplomatic Protocols and Codes of Ethical Conduct in the Early Modern Persian Cosmopolis

Anurag Advani, University of California, Berkeley (anurag_advani@berkeley.edu)

Madness in the Fatāwa-yi 'Alamgīrī: Insanity and Islamic Law during Aurangzeb's reign

Sonia Wigh, University of Exeter (sw634@exeter.ac.uk)

Narratives of Conception: Situating Midwives in the Legal Landscape of Early Modern South Asia

Du Fei, Cornell University (df433@cornell.edu)

Fatima's Inheritance: Early Modern Indian Ocean Trade Between Islamic Law and Natural Law

4:15pm—5:45pm

Women, Justice, and Testimony in American Courts, 1700-Present

(Frenchman 2)

Chair: **Lauren MacIvor Thompson**, Kennesaw State University (lmacivor1@gsu.edu)

Commentator: **Felicia Bevel**, University of North Florida (felicia.bevel@unf.edu)

Hannah Katherine Hicks, Vanderbilt University (hannah.k.hicks@vanderbilt.edu)

“She Prays a Warrant:” Freedwomen and the Criminal Courts in Reconstruction-era South Carolina

Kristin Olbertson, Alma College (olbertson@alma.edu)

Bodies of Evidence: Women’s Words & Women’s Bodies in 18th-Century Massachusetts Courts

Elizabeth Rule, American University (rule@american.edu)

“Sovereign Women:” Tribal Courts, Legal History, and Violence Against Native Women, 20th-Century to Present

4:15pm—5:45pm

Empire and Racial Identities in the Common Law World

(Pelican 1)

Chair: **Randy Sparks**, Tulane University (rsparks1@tulane.edu)

Commentator: **Laura Rosanne Adderley**, Tulane University (adderley@tulane.edu)

Tim Soriano, University of Illinois at Chicago (tsoria2@uic.edu)

Legal Plurality and Black Agency in Early British Honduras

Justine Collins, Tilburg University (J.Collins@tilburguniversity.edu)

The Role of Legislation in Racial Identities Within the English Atlantic World 1640s-1700s

Inge Van Hulle, Max Planck Institute of Legal History and Legal Theory

(i.vanhulle@uvvt.nl)

African Lawyers and the Subversive Uses of Legal Entanglements: The Case of the Gold Coast and Lagos (1880-1920)

Pre-Dinner Social Gathering: 6:00pm—7:00pm (*LaSalle A*)



THE ASLH ANNUAL MEETING AT A GLANCE

Registration is located at La Salle G Foyer on the Third Floor and open on:

Thursday: 12pm—6pm, **Friday:** 7:30am—4:00pm, and **Saturday:** 8:00am—12:00pm

Wi-Fi Password: ASLH21

THURSDAY	PRE-CONFERENCE COLLOQUIA, WORKSHOPS AND SEMINARS
8:30am–4:30pm	Student Research Colloquium (<i>201 Race Conference Room, Lavin-Bernick Center, Tulane University</i>)
9:00am–5:00pm	Johnson Program for First Book Authors (<i>Faculty Lounge, Tulane Law School</i>)
9:15am–4:15pm	Pre-conference Regulation and Administration (<i>Qatar Ballroom, Lavin-Bernick Center, Tulane University</i>)
5:30pm–6:30pm	Pre-Dinner Social Gathering (<i>La Salle A—3rd Floor</i>)

FRIDAY	Acadian	Frenchman I	Frenchman II	Pelican I	Poydras
7:30 AM – 8:30 AM, Morning Snacks (Coffee and tea will be available all day)					
Session I 8:30am–10:00am		Property and Contract: Race and Rights	Credit Makes the Rules		Jurisdiction, Legal Pluralism, and Development
Session II 10:15am–11:45am	Law on the U.S.-Mexico Borderland	The Katherine T. Preyer Award Panel	Author-Meets-Readers: Priests of the Law		Colonial Era Shari'a: The Making and Remaking
11:45am–1:15pm	Lunch Break: Boxed lunches and beverages will be available in LaSalle B/C on the Third Floor				
FRIDAY	Acadian	Frenchman I	Frenchman II	Pelican I	Poydras
Session III 1:15pm–2:40pm		The Multiplicity of International Persons	Gender, Family, and Legal Practice		Slavery, Abolition, and Reparations
Session IV 2:50pm–4:15pm	Courting Reform and Court Reform	Roundtable: Fraud and Criminal Responsibility		Innovation and Enslavement	Graduate Student Lightning Round
5:15pm–6:30pm	Buses Depart at 4:30pm for Tulane University. The buses will be at the corner of Poydras and St. Charles. After exiting the front entrance of the hotel, make an immediate left. Plenary Lecture - (Qatar Ballroom, Lavin-Bernick Center, Tulane University) Garland's Million: The Tragedy and Triumph of Legal History John Fabian Witt				
6:45pm–8:15pm	Plenary Reception – (Pocket Park, Tulane University)				

SATURDAY	Acadian	Frenchman I	Frenchman II	Pelican I	Poydras
8:00 AM – 9:00 AM, Morning Snacks (Coffee and tea will be available all day)					
Session V 9:00am–10:30am	Insurance and the Slave Trade	Law in the Borderlands	Comparative Approaches to the Law of Slavery and Freedom	The Uses (and Abuses) of Military Justice	
Session VI 10:45am–12:15pm	Transatlantic Constitutions	New Perspectives on Ordinary People	What's in a Name? Legal Status and Labor	Author Meets Readers: A History of the Republic of Biafra	The Johnson Panel for First Book Authors
1:15pm–2:15pm	<p>Annual Awards Ceremony (La Salle A—3rd Floor)</p> <p>Boxed lunches will be available from 11:45am to 1:15pm in La Salle B/C. Please eat either before or after the Awards Ceremony.</p>				
SATURDAY	Acadian	Frenchman I	Frenchman II	Pelican I	Poydras
Session VII 2:40pm–4:05pm		Sex Crimes in Historical Perspective	Paper Sovereignty: The Politics of “Custom”	The Critical Turn in Roman Legal History	Pluralism and Law
Session VIII 4:15pm–5:45pm			Women, Justice, and Testimony	Empire and Racial Identities	Legal Cultures in the Early Modern World
6:00pm–7:00pm	Pre-Dinner Social Gathering (La Salle A—3 rd Floor)				

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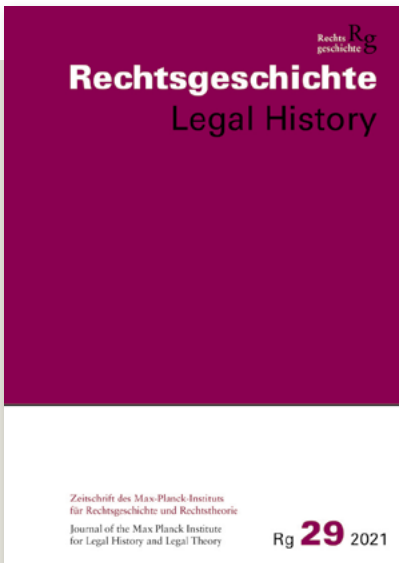
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Rechtsgeschichte – Legal History (Rg) is the journal of the Max Planck Institute for Legal History and Legal Theory, Frankfurt am Main, Germany. It is edited by the institute's directors Marietta Auer, Thomas Duve, and Stefan Vogenauer.

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Rg 29 (2021) has just been released and includes:

research

- Marietta Auer, *What is Legal Theory?*
- Thomas Duve, *Legal History as the History of Normative Knowledge?*

focus

- What is a Legal Book?
- Using Oral Methods for European Legal History
- 25th Annual Forum of Young Legal Historians

forum

- Martti Koskenniemi's *To the Uttermost Parts of the Earth. Legal Imagination and International Power, 1300–1870*

critique

- Jesús Vallejo on Joseph O'Callaghan, *Alfonso X, the Justinian of His Age*
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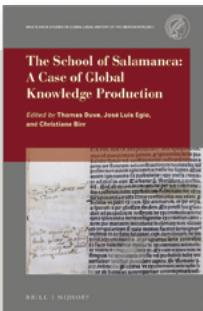
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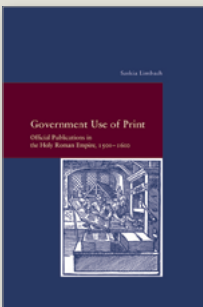
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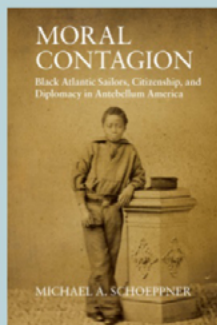
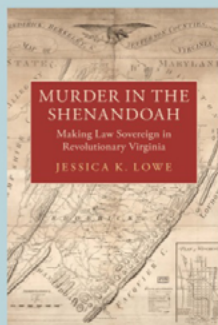
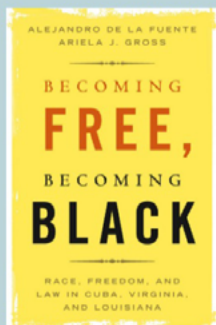
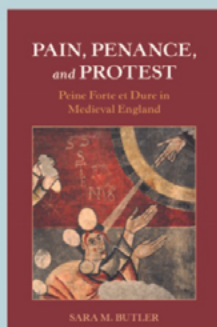
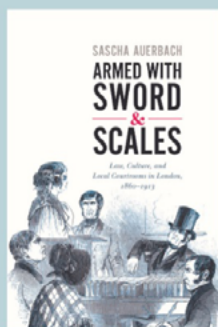
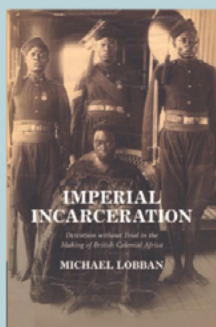
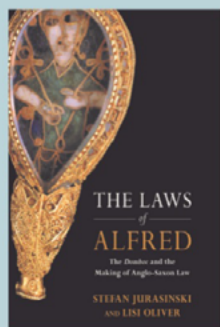
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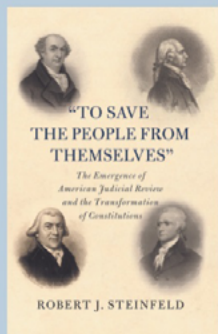
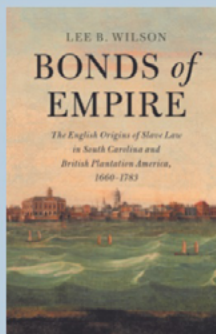
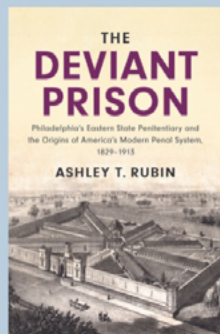
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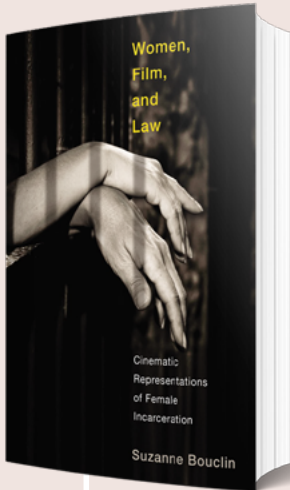
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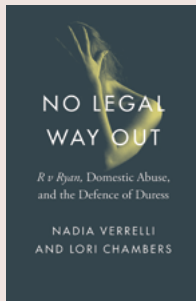
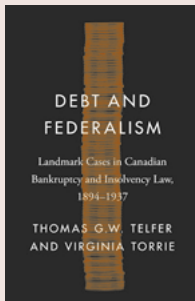
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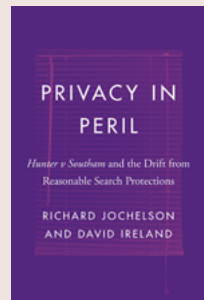
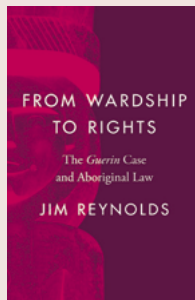
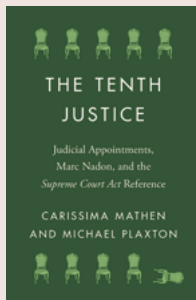
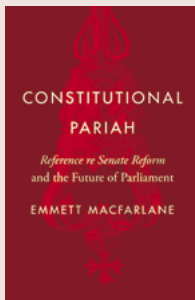
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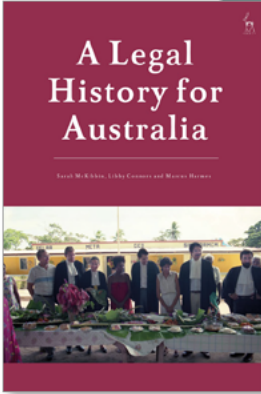
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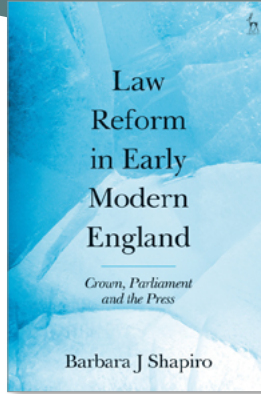
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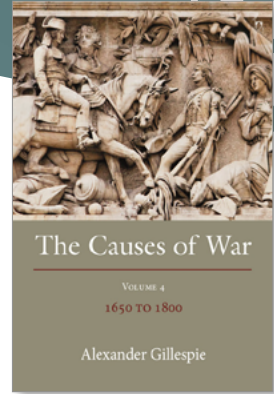
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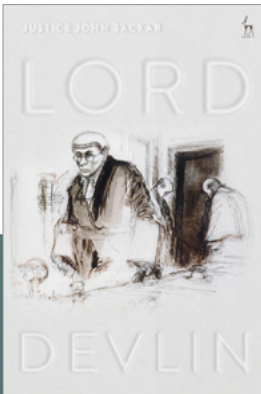
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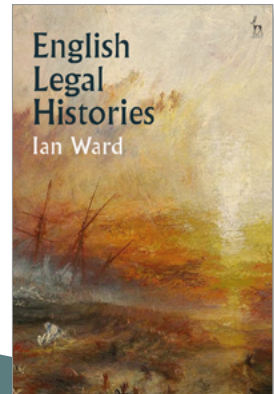
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Please join the AALS Legal History Section on January 6, 2022 as we commemorate the one-year anniversary of the insurrection at the United States Capitol. Listen and contribute to our discussion of how historical perspectives can sensitize our students to vulnerabilities of the legal institutions that underpin the United States' democratic system, and can inspire them with past attempts to address such vulnerabilities.

Steve Bank, Tahirih Lee, Jackie Ross, Mary Szto, and Ellen Yee will share ideas for bringing historical context into Business Associations, Corporate Tax, Civil Procedure, Criminal Law, Property, and Professional Responsibility courses in order to make students aware that lawyers can, and need to, play a protective role throughout our legal system.

This is a panel at the AALS virtual annual meeting and is co-sponsored by the AALS Comparative Law Section.



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