

American Society  
for  
Legal History



2008

Annual Meeting  
Fairmont Chateau Laurier Hotel  
Ottawa, Ontario  
November 13–15  
Provisional Program (as of 7/2/08)

**Private Walking Tours**

of the Supreme Court of Canada and the Parliament of Canada courtesy of the Local Arrangements Committee will be led by professional tour-guides from the respective institutions on Thursday in the late afternoon and Friday during the lunch break. Specific times are given below. Please sign up for these tours at registration.

The “program grid” (titles of panels and times) will be found on the last page.

**Thursday, November 13**

2:00pm to 6:00pm Registration

4:00pm to 5:30pm Private Tour of the Parliament of Canada (advance sign-up required at registration)

4:30pm to 5:30pm Private Tour of the Supreme Court of Canada (advance sign-up required at registration)

5:00pm to 8:00pm Book Exhibits

5:00pm to 6:00pm Executive Committee

6:30pm to 8:30pm Board of Directors

7:00pm to 10:00pm Welcome Reception

**Friday, November 14**

7:15 to 8:30am Committee Breakfasts

7:30am to 3:00pm Registration

7:30am to 4:00pm Book Exhibits

7:30am to 8:45am Continental Breakfast

### **Friday, Session A, 8:30-10:15**

#### **Ambiguities of Citizenship**

Chair: Avi Soifer, University of Hawaii, soifer@hawaii.edu

Panelists: Linda Kerber, University of Iowa, linda-kerber@uiowa.edu  
“Nationality and Statelessness in the Cold War Years”

Christina Duffy Burnett, Columbia University, cburne@law.columbia.edu  
“Citizenship in the Time of Empire: The Non-Citizen National in Constitutional and International Law”

David Abraham, University of Miami, dabraham@law.miami.edu  
“Is Citizenship Worthwhile? Membership and Insecurity in America”

Commentator: Linda Bosniak, Rutgers University, Camden, bosniak@camlaw.rutgers.edu

#### **Rights, Politics, and Principle on the Waite Court**

Chair: T. J. Davis, History, Arizona State University, tjddavis@asu.edu

Panelists: Paul Kens, Texas State University, San Marcos, pk05@txstate.edu  
“The Waite Court: Economic Regulation and The Last Gasp for the Rights of the Community”

Christopher Waldrep, San Francisco State University, cwaldrep@sfsu.edu  
“Samuel Miller and Joseph Bradley on the Meaning of Privileges and Immunities”

Pamela Brandwein, University of Michigan, pbrand@umich.edu  
“Rethinking *United States v. Cruikshank*: Law and Politics in a Transitional Period”

Commentator: Michael Les Benedict, Ohio State University, benedict.3@osu.edu

#### **New Directions in the Legal History of 20th-Century American Business**

Chair: Eduardo Canedo, Princeton University, efc15@columbia.edu

Panelists: Edward Balleisen, Duke University, eballeis@duke.edu  
“Self-Relegation over the Long-Term: Better Business Bureaus and the Policing of Deceptive Marketing, 1933-1975”

Sally H. Clarke, University of Texas, Austin, sclarke@mail.utexas.edu  
“‘Cap and Trade’ and Environmentalists’ Quest for Corporate Responsibility”

Pamela W. Laird, University of Colorado, Denver, pamela.laird@ucdenver.edu  
“Corporate Accommodation to the Civil Rights Act of 1964”

Commentator: Robert Gordon, Yale University, robert.w.gordon@yale.edu

#### **Medieval Canon Law in Practice**

Chair: Giulio Silano, University of Toronto, gsilano@chass.utoronto.ca

Panelists: Emily K. Wood, Harvard University, ewilson@fas.harvard.edu  
“Royal Influence Over Papal Judicial Delegation in Twelfth-Century France”

Elizabeth Hardman, Fordham University, lizhardman@yahoo.com  
“Discipline and Honor: Adjudicating Assaults in the Fifteenth-Century Church  
Court of Carpentras”

Sara McDougall, Yale University, sara.mcdougall@yale.edu  
“The Bishop’s Justice in Late-Medieval Troyes”

Commentator: Robert Figueira, Lander University, figueira@lander.edu

### **Codification and Nationalism in Europe**

Chair: Anna di Robilant, Boston University, anicolis@law.harvard.edu

Panelists: Cornelis Hendrik Van Rhee, Maastricht University,  
Remco.vanRhee@metajur.unimaas.nl  
“An Ideal Marriage of Codification and Nationalism? The Netherlands”

Aniceto Masferrer, Valencia University, Aniceto.Masferrer@uv.es  
“Old Regional Identities and Codification: Spain”

Dirk Heirbaut, Ghent University, dirk.heirbaut@ugent.be  
“A Country without a National Codification: Belgium”

Commentator: James Whitman, Yale University, james.whitman@yale.edu

### **10:00am to 11:00am Mid-Morning Break**

### **Friday, Session B, 10:30-12:15**

#### **The Making of the Cambridge History of Law in America**

Chair: Laura Kalman, University of California, Santa Barbara,  
kalman@history.ucsb.edu

Panelists: Michael Grossberg, Indiana University, grossber@indiana.edu  
Christopher Tomlins, American Bar Foundation, clt@abfn.org

Comments: The Audience

#### **Administrative Law and the Reconstruction of States in the U.S., Europe and Japan**

Chair: Jerry L. Mashaw, Yale University, jerry.mashaw@yale.edu

Panelists: Daniel R. Ernst, Georgetown University, ernst@law.georgetown.edu  
“Freund, Frankfurter and an American *Rechtsstaat*, 1894-1932: A Transatlantic  
Shipwreck”

Rande W. Kostal, University of Western Ontario, rwk@uwo.ca  
“Laying Down the Law: New Deal Lawyers and the Legal Reconstruction of  
Postwar Germany and Japan”

Peter L. Lindseth, University of Connecticut, peter.lindseth@law.uconn.edu  
“Transatlantic Functionalism: New Deal Models and Administrative Governance  
in Postwar Western Europe”

Commentator: Elizabeth Borgwardt, Washington University, eborgwar@artsci.wustl.edu

#### **Colonial Judges and the Challenge of Navigating the Scylla of Law and the Charybdis of Politics, 1825-1951**

Chair: Philip Girard, Dalhousie University, philip.girard@dal.ca

Panelists: John A. McCurdy, Ontario Institute for Education, john.mccurdy@utoronto.ca,  
and John McLaren, University of Victoria, jmlaren@uvic.ca  
“Against the Tide: John Walpole Willis, Henry John Boulton and the Perils of the  
Political Involvement of Colonial Judges in British North America, 1825-1840”

Andrew Buck, Macquarie University, andrew.buck@mq.edu.au  
“Chief Justice Sir Alfred Stephen and the relationship between law and politics in  
colonial Australia”

Graham Price, Calgary, Alberta, gprice@telusplanet.net  
“Colonial Justice in Canada’s North (1936-1951)”

Commentator: Barry Wright, Carleton University, b\_wright@carleton.ca

### **Roman Law in Rule and Practice**

Chair: Mortimer Sellers, University of Baltimore, mortimer.sellers@gmail.com

Panelists: Ernest Metzger, University of Glasgow, e.metzger@law.gla.ac.uk  
“Administering Justice and Avoiding Further Litigation”

Paul du Plessis, University of Edinburgh, p.duplessis@ed.ac.uk  
“Theory and Practice in the Roman Law of Contracts”

Leanne Bablitz, University of British Columbia, lbablitz@interchange.ubc.ca  
“Adjudication and Obligation in the Roman Courts”

Commentator: Claude Eilers, McMaster University, eilersc@mcmaster.ca

### **Assessing Canadian Feminist Legal History: a panel in honour of Constance Backhouse**

Chair: Joan Sangster, Trent University, jsangster@trentu.ca

Panelists: Amanda Glasbeek, York University, aglasbee@yorku.ca  
“Reported Cases, Daily Struggles and the Construction of Women’s Legal  
History”

Tamara Myers, University of British Columbia, tamara.myers@ubc.ca  
“Making Bad Kids: Law and the Category of Age”

Dorothy E. Chunn, Simon Fraser University, chunn@sfu.ca  
“‘Pregnant by Chance’: Unmarried Motherhood in British Columbia, 1892-1940”

Lori Chambers, Lakehead University, lchambe2@lakeheadu.ca  
“Marriage, Cohabitation, and Farm Partnerships in Canadian Legal History”

Comments: The Audience

### **12:15pm to 1:45pm Lunch Break**

12:15pm to 1:45pm Private Tour of the Parliament of Canada (advance sign-up required at  
registration)

12:30pm to 1:30pm Private Tour of the Supreme Court of Canada (advance sign-up required at  
registration)

12:30 to 1:45 Committee Lunches

## Friday Session C., 1:45-3:30

### **Sexuality and Civil Rights at Century's End**

Chair: Ariela Dubler, Columbia University, aduble@law.columbia.edu

Panelists: Robert Self, Brown University, robert\_self@brown.edu  
"Gender, Citizenship, and the Privacy Quandary in American Politics and Law, 1965-1975"

Claire Bond Potter, Wesleyan University, cpotter01@wesleyan.edu  
"Feminism, Conservatism, and the Politics of Pornography, 1968-1990"

Timothy Stewart-Winter, University of Chicago, timsw@uchicago.edu  
"Black Politics and Gay Rights: Urban Governance and Social Movements in Chicago, 1960s-1980s"

Commentator: Siobhan Somerville, University of Illinois, sbs@uiuc.edu

### **Women, Narratives, and the Law**

Chair: Michael Meranze, University of California, Los Angeles, meranze@history.ucla.edu

Panelists: Susan Patterson Glover, Laurentian University, sglover@laurentian.ca  
"Letters of the Law: The Correspondence of Samuel Richardson and Sarah Chapone"

Felicity Turner, Duke University, felicity.turner@duke.edu  
"Creating the Maternal Instinct: Infanticide and Child Murder in America's Early Republic"

Kristin A. Olbertson, Alma College, olbertson@alma.edu  
"'She stedfastly accused him in the time of her travail': Women's Words and Paternity Suits in 18th-Century Massachusetts"

Commentator: Cornelia H. Dayton, University of Connecticut, cornelia.dayton@uconn.edu

### **Kathryn T. Preyer Prize Panel**

Chair: Harry Scheiber, University of California, Berkeley, scheiber@law.berkeley.edu

Panelists: Cynthia Nicoletti, University of Virginia, cln4x@virginia.edu  
"The American Civil War as a Trial by Battle"

Joshua M. Stein, UCLA, jostein@ucla.edu  
"A Right to Violence: The Meaning of 'Public' in Nineteenth-Century American Law Treatises and the Jurisprudence of Violence"

Commentator: TBA

### **What Were They Thinking?: Judges and the Operation of the Criminal Law in Eighteenth-Century England**

Chair: Greg Smith, University of Manitoba, gsmith@cc.umanitoba.ca

Panelists: Douglas Hay, Osgoode Hall, dhay@osgoode.yorku.ca  
"Hanging and the Judges in Georgian England"

James Oldham, Georgetown University, oldham@law.georgetown.edu  
"Under the Radar: Informal Law-Making by the Twelve Judges in the Late 18th

and Early 19th Centuries”

Randall McGowen, University of Oregon, rmcgowen@uoregon.edu  
“Forgery and the Twelve Judges”

Commentator: Allyson May, University of Western Ontario, amay6@uwo.ca

**Steps in Shaping Israeli Law**

Chair: Binyamin Blum, Stanford Law School, blum@stanford.edu

Panelists: Ron Harris, Tel Aviv University, harrisr@post.tau.ac.il  
“The Transplantation of British Company Law in Post-Ottoman Palestine”

Assaf Likhovski, Tel Aviv University, likhovsk@post.tau.ac.il  
“Argonauts of the Eastern Mediterranean: Legal Transplants and Signaling”

Pnina Lahav, Boston University, plahav@bu.edu  
“Legal Education: The Shift to the US”

Commentators: Yifat Holzman-Gazit, Stanford Law School, yifat@stanford.edu

The Chair

3:30pm to 4:00pm Busses depart from the Chateau Laurier for the University of Ottawa

**Plenary Session, 4:30–6:00**

The Honourable Rosalie Silberman Abella,  
Puisne Justice of the Supreme Court of Canada  
will speak.

The plenary session will be held in Tabaret Hall, Room 112, University of Ottawa, 550  
Cumberland Street

**Plenary Reception: 6:00 to 8:00**

The reception will be held in the Rotunda of Tabaret Hall. It will be sponsored by the University  
of Ottawa and the Osgoode Society for Legal History.

7:30pm to 8:00pm Busses depart from the University of Ottawa for the Chateau Laurier

**Saturday, November 15**

7:15am to 8:30am Committee Breakfasts

7:30am to 12:00pm Registration

7:30am to 4:00pm Book Exhibits

7:30am to 8:45am Continental Breakfast

**Saturday, Session A, 8:30-10:15**

**Pauli Murray’s Human Rights Revolution**

Chair: Tomiko Brown-Nagin, University of Virginia, tomiko@virginia.edu

Panelists: Davison Douglas, College of William & Mary, dmdoug@wm.edu  
“Pauli Murray’s Conception of Human Rights”

Serena Mayeri, University of Pennsylvania, smayeri@law.upenn.edu  
“Pauli Murray and the Reinvention of American Legal Feminism”

Commentators: Cynthia Grant Bowman, Cornell University, cgb28@cornell.edu

Rosalind Rosenberg, Barnard College, rrosenberg@barnard.edu

**Blood, Race, and Faith: Property, Power, and Status in the Empire, the Republic and the Church**

Chair: Jim Phillips, University of Toronto, j.phillips@utoronto.ca

Panelists: Holly Brewer, North Carolina State University, hbrewer@social.chass.ncsu.edu  
“Inheritable Blood: Royalist and Republican struggles over Slavery in Virginia and the British Empire in the wake of the Glorious Revolution”

Kathleen S. Sullivan, Ohio University, sullivak@ohio.edu  
“Racial Status and State Political Authority in Antebellum United States”

Linda Przybyszewski, Notre Dame University, przybyszewski.1@nd.edu  
“Power, Property, and Status within the Catholic Church and American State: The Sisters of Notre Dame de Namur in Nineteenth-Century America”

Commentator: Jennifer Nedelsky, University of Toronto, j.nedelsky@utoronto.ca

**Constructing Legal Boundaries of Personhood: Free Black Communities: Fugitive Slaves and White Immigrants on the US-Canadian Borderland 1830-1860**

Chair: Constance Backhouse, University of Ottawa, constance.backhouse@uottawa.ca

Panelists: Lyndsay Campbell, University of California, Berkeley, lyndsay@iii.ca  
“The Canadian Borderlands”

Tony Freyer, University of Alabama, tfreyer@law.ua.edu  
“Boundaries of Personhood: African-American Communities, Fugitive Slaves and Irish Immigrants on the Antebellum US-Canadian Borderland”

Kelly Kennington, Duke University, kmk9@duke.edu  
“‘In Contempt and Defiance of the Ordinance’: The Nature of Freedom in a Border Community”

Commentator: Stephen Middleton, Mississippi State University, smiddleton@aas.msstate.edu

**Violence, Law, and Politics in the Ancient Athenian Courts**

Chair: Adriaan Lanni, Harvard University, adlanni@law.harvard.edu

Panelists: Michael Gagarin, University of Texas, Austin, gagarin@mail.utexas.edu  
“Law and Politics in the Case ‘On the Crown’”

Mark Sundahl, Cleveland State University, mark.sundahl@law.csuohio.edu  
“Legislative Intent in Ancient Athens”

Victoria Wohl, University of Toronto, v.wohl@utoronto.ca  
“Athenian Law in a Field of Pain and Death”

Commentator: David Mirhady, Simon Fraser University, dmirhady@sfu.ca

**Transatlantic Connections in Late Nineteenth-Century Legal Thought**

Chair: Richard Cosgrove, University of Arizona, rcosgrov@email.arizona.edu

Panelists: Joshua Simon Getzler, Oxford University, joshua.getzler@law.ox.ac.uk  
“Is Anglo-American Law Common or Comparative?: A Study in Equitable Doctrine During the Long Nineteenth Century”

David M. Rabban, University of Texas Austin, drabban@law.utexas.edu  
“From Maine to Maitland via America”

Lewis A. Grossman, American University, lewisg@wcl.american.edu  
“The Custom of the Country: Carter, Savigny, Maine, and the Varieties of Historical Jurisprudence”

Commentator: Morton J. Horwitz, Harvard University, horwitz@law.harvard.edu

### **10:00am to 11:00am Mid-Morning Break**

#### **Saturday Session B, 10:30-12:15**

#### **Freedom is Not Enough: A Discussion about Civil Rights and Legal History with Author Nancy MacLean**

Chair: Sarah Barringer Gordon, University of Pennsylvania, sgordon@law.upenn.edu

Panelists: William Forbath, University of Texas, Austin, wforbath@law.utexas.edu

Jane Dailey, University of Chicago, dailey@uchicago.edu

Mary Dudziak, University of Southern California, mdudziak@law.usc.edu

Kenneth Mack, Harvard University, kmack@law.harvard.edu

Commentator: Nancy MacLean, Northwestern University, nkm050@northwestern.edu

#### **Law and Community in Two Eighteenth-Century Cities**

Chair: John Reid, New York University, john.reid@nyu.edu

Panelists: Carlton F. W. Larson, University of California, Davis, clarson@ucdavis.edu  
“The Revolutionary American Jury: A Case Study of the 1778-79 Philadelphia Treason Trials”

William Nelson, New York University, william.nelson@nyu.edu  
“The Law of an American City-State: Charlestown, South Carolina, 1670-1775”

Commentators: Sally Hadden, Florida State University, sally.hadden@fsu.edu

David Konig, Washington University in St. Louis, dtkonig@artsci.wustl.edu

#### **Censoring Justice: Silence and Exposure in Twentieth-Century U.S. Military History**

Chair: Michal Belknap, California Western School of Law, mbelknap@cwsl.edu

Panelists: Terese Svoboda, Davidson College, svoboda@el.net  
“Rape, Execution, and Secrecy in Post-World War II Japan”

Jack Hamann, Seattle, Washington, jackhamann@comcast.net  
“Injustice and Redress in the Fort Lawton Court-Martial of 1944”

Derek Seidman, Brown University, derek\_seidman@Brown.edu  
“GI Civil Liberties, the Legal Left, and Military Justice during the Vietnam War”

Commentator: Elizabeth L. Hillman, University of California, Hastings College of Law,

hillmane@uchastings.edu

**Discretion, Donation, and Grace: Royal Power and Lawyer Beneficence in Medieval Britain**

Chair: Jonathan Rose, Arizona State University, jonathan.rose@asu.edu

Panelists: Cynthia J. Neville, Dalhousie University, cneville@dal.ca  
“The Quality of Scottish Mercy: Royal Letters of Remission in Medieval Scotland, 1100-1450”

Susanne Jenks, Independent Scholar, susanne.jenks@spd-online.de  
“Exceptions in General Pardons in 15th century England”

Anthony Musson, University of Exeter, a.j.musson@exeter.ac.uk  
“Lawyers’ Testamentary Dispositions, 1258-1558: Charity or Conscience?”

Commentator: Brian Simpson, University of Michigan, bsimpson@umich.edu

**Muslim Historiography in Islamic Legal Reasoning**

Chair: Mitra Sharafi, University of Wisconsin-Madison, sharafi@wisc.edu

Panelists: Mohammad Fadel, University of Toronto, mohammad.fadel@utoronto.ca  
“No folk that appoints a woman to lead them shall prosper . . .”

Intisar Rabb, Princeton University, irabb@princeton.edu  
“Fixed Criminal Sanctions and Punishment of Adultery”

Lena Salaymeh, University of California, Berkeley, lenas@berkeley.edu  
“Alms-giving, Poverty, and Islamic Legal Reasoning”

Commentator: Sherman Jackson, University of Michigan, sajackso@umich.edu

**Annual Lunch, 12:30–2:00**

The President will speak on the state of the Society.

**Saturday Session C, 2:15-4:00**

**Who Cares? The Politics and Law of 19th- and 20th-Century American Caregiving**

Chair: Stanley Katz, Princeton University, snkatz@princeton.edu

Panelists: Dirk Hartog, Princeton University, hartog@princeton.edu  
“Breach of Contract Suits and the World of 19th-Century Caregiving”

Jennifer Klein, Yale University, jennifer.klein@yale.edu, and Eileen Boris,  
University of California, Santa Barbara, boris@womst.ucsb.edu  
“Home Health-Care Workers and New York City Welfare Politics”

Sandra R. Levitsky, University of Michigan, slevitsk@umich.edu  
“Care By Family Members and Demand For State Assistance”

Commentator: Barbara Welke, University of Minnesota, welke004@tc.umn.edu

**Brown’s Discontents: Reconsidering Civil Rights Constitutionalism**

Chair: Reva B. Siegel, Yale University, reva.siegel@yale.edu

Panelists: Sophia Z. Lee, Yale University, sophia.lee@yale.edu  
“Race, Sex, and Rulemaking: Administering the Civil Rights Constitution, 1964-1977”

Christopher W. Schmidt, American Bar Foundation, cschmidt@abfn.org  
“The Sit-Ins and the Failed State Action Revolution”

Anders Walker, St. Louis University, awalke16@slu.edu  
“Strategic Liberalism: Herbert Wechsler, Neutral Principles, and the Long Civil Rights Movement, 1934-1964”

Commentator: Risa Goluboff, University of Virginia, goluboff@virginia.edu

### **The Role of Honor in the Nineteenth Century United States**

Chair: Jonathan Lurie, Rutgers University, Newark, jlurie@andromeda.rutgers.edu

Panelists: Jason M. Barrett, University of Michigan, kvjr@umich.edu  
“Honor and Race in the Movement for Manhood Suffrage and the 1829 Virginia Constitutional Convention

Williamjames Hull Hoffer, Seton Hall University, hofferwi@shu.edu  
“The Caning of Charles Sumner: Honor-Bound Assault and the Origins of the U.S. Civil War”

Linda Tvrdy, Columbia University, lat2003@columbia.edu  
“Character Evidence and Honor in Reconstruction North Carolina”

Commentator: Michael Kent Curtis, Wake Forest University, curtismk@wfu.edu

### **Late Medieval Marriage**

Chair: Joseph Goering, University of Toronto, goering@chass.utoronto.ca

Panelists: Shannon McSheffrey, Concordia University, Montreal,  
shannon.mcsheffrey@concordia.ca  
“Review of Donahue, *Law, Marriage, and Society in the Later Middle Ages*”

Charles Donahue, Harvard University, jreader@law.harvard.edu  
“Review of McSheffrey, *Marriage, Sex, and Civic Culture in Late Medieval London*”

Commentators: R. H. Helmholz, University of Chicago, dick\_helmholz@law.uchicago.edu

Ruth Mazo Karras, University of Minnesota, rmk@umn.edu

### **Work, Discrimination, and Human Rights**

Chair: Joseph Slater, University of Toledo, joseph.slater@utoledo.edu

Panelists: Carmela Patrias, Brock University, cpatrias@brocku.ca  
“Class, Community and Resistance to Racism in Wartime Canada, 1939-1945”

Dominique Clément, University of Victoria, dclement@uvic.ca  
“The Dubious Success of Anti-Discrimination Legislation in Prohibiting Sexual Discrimination in Canada, 1953-1984”

Miriam Smith, York University, mcsmith@yorku.ca  
“Comparing the Institutional and Legal Trajectories of Human Rights Redress in the U.S. and Canada: The Case of Employment Discrimination”

Commentator: Dominique Marshall, Carleton University, dominique\_marshall@carleton.ca

**4:00pm–5:00pm Mid-afternoon Break**

## Saturday Session D, 4:15-6:00

### **Racial Determination and the Law in Comparative Perspective: The Jim Crow South, British Colonial Africa, and Nazi-Era Germany**

Chair: Matthew C. Mirow, Florida International University, mirowm@fiu.edu

Panelists: John Wertheimer, Davidson College, jowertheimer@davidson.edu, Jessica Bradshaw, Davidson College, jebadshaw@davidson.edu, and Allyson Cobb, North Carolina A&T State University, allyson94131@yahoo.com  
“Community Reputation and Racial Identity in Progressive Era South Carolina”

Christopher J. Lee, University of North Carolina, Chapel Hill, cjlee1@email.unc.edu

“The ‘One Drop’ Rule in the World: Negotiating Racial Descent and Fractional Identities in Colonial Southern Africa”

Thomas Pegelow-Kaplan, Davidson College, thpegelowkaplan@davidson.edu  
“‘In the Interest of the *Volk*’: Paternity Suits and Racial Re-categorization in Nazi-German District Courts, 1938-1945”

Commentator: Ariela Gross, University of Southern California, agross@law.usc.edu

### **Black Lawyers in the Reconstruction South: New Perspectives on the Origins of the African-American Bar**

Chair: Bernie D. Jones, Suffolk University, bjones@suffolk.edu

Panelists: W. Lewis Burke, University of South Carolina, lewis@law.law.sc.edu  
“Reconstruction and the First Civil Rights Lawyers: South Carolina as a Case Study”

Judith Kilpatrick, University of Arkansas, Fayetteville, jkilpat@uark.edu  
“Early African-American Lawyers in Arkansas”

J. Gordon Hylton, Marquette University, joseph.hylton@marquette.edu  
“The Failure of the African-American Legal Profession in Virginia, 1865-1879”

Commentators: Robert Cottrol, George Washington University, bcottrol@law.gwu.edu

The Chair

### **Indian/Aboriginal Law: Litigating Native Rights in the United States and Canada in the Twentieth Century**

Chair: W. Wesley Pue, University of British Columbia, wes.pue@ubc.ca

Panelists: Bethany R. Berger, University of Connecticut, bethany.berger@law.uconn.edu  
“*Williams v. Lee*: Tribal Rights, Civil Rights, and the U.S. Supreme Court”

Arthur J. Ray, University of British Columbia, arjay@princeton.edu  
“What do you mean? How do we Measure it?” The Challenge and Legacy of Ethnohistorical Research Undertaken for United States Indian Claims Commission [USICC] Cases in the 1950s”

Darlene Johnston, University of Toronto, darlene.johnston@utoronto.ca  
“Overcoming Impressions of Discontinuity in the Conventional Historiographic Record of the Anishnaabeg of the Great Lakes Region”

Commentator: Christian W. McMillen, University of Virginia, cwm6w@virginia.edu

**The English Law of Torts in the 19th Century: Some Key Issues**

Chair: Thomas P. Gallanis, University of Minnesota, gallanis@umn.edu

Panelists: Erika Chamberlain, University of Western Ontario, echambe@uwo.ca  
“The Way to Glory: Moral and Aesthetic Influences on the Victorian Duty of Care”

Stelios Tofaris, Cambridge University, st277@cam.ac.uk  
“The Code that Never Was: Frederick Pollock’s Indian Civil Wrongs Bill and the Aborted Codification of Tort Law”

Matthew Dyson, Cambridge University, mnd21@cam.ac.uk  
“Bars to Later Actions in Common Assault”

Commentator: Michael Lobban, University of London, m.j.lobban@qmul.ac.uk

**Implications of Judicial Decision-Making in Latin America in the Twentieth Century**

Chair: Kif Augustine Adams, Brigham Young University, adamsk@lawgate.byu.edu

Panelists: Juan Manuel Palacio, Universidad Nacional de San Martín, Buenos Aires, jpalacio@unsam.edu.ar  
“Judges and Justice in the ‘Populist’ Peronist State, 1943-1955”

William Suárez-Potts, Kenyon College, suarezpottsw@kenyon.edu  
“The Mexican Supreme Court and the Making of Labor Law, 1917-34”

Line Schjolden, University of Bergen, line.schjolden@if.uib.no  
“Judge-made Labor Law: Rethinking State-Labor Relations in Argentina, 1900-1943”

Commentator: Victor Uribe, Florida International University, uribev@fiu.edu

**6:00pm–8:00pm Closing Reception**

<b>Friday A, 8:30 to 10:15am</b>				
Ambiguities of Citizenship	Rights, Politics and Principle on the Waite Court	New Directions in the Legal History of 20 <sup>th</sup> -Century American Business	Medieval Canon Law in Practice	Codification and Nationalism in Europe
<b>Friday B, 10:30 to 12:15</b>				
The Making of the Cambridge History of Law in America	Administrative Law and the Reconstruction of States in the U.S. , Europe, and Japan	Colonial Judges and the Challenge of Navigating the Scylla and Charybdis of Politics, 1825-1951	Roman Law in Rule and Practice	Assessing Canadian Feminist Legal History: a panel in honour of Constance Backhouse
<b>Friday C, 1:45 to 3:30</b>				
Sexuality and Civil Rights at Century's End	Women, Narratives, and the Law	Kathryn T. Preyer Prize Panel	What Were They Thinking?: Judges and the Operation of the Criminal Law in Eighteenth-Century England	Steps in Shaping Israeli Law
<b>Friday D, 4:00-6:00</b>				
Plenary Session				
<b>Saturday A, 8:30 to 10:15</b>				
Pauli Murray's Human Rights Revolution	Blood, Race, and Faith: Property, Power, and Status in the Empire, the Republic, and the Church	Constructing Legal Boundaries of Personhood: Free Black Communities: Fugitive Slaves and White Immigrants on the US-Canadian Borderland, 1830-1860	Violence, Law, and Politics in the Ancient Athenian Courts	Transatlantic Connections in Late Nineteenth-Century Legal Thought
<b>Saturday B, 10:30 to 12:15</b>				
Freedom is Not Enough: A Discussion about Civil Rights and Legal History with Author Nancy MacLean	Law and Community in Two Eighteenth-Century Cities	Silence and Exposure in Twentieth-Century U.S. Military History	Discretion, Donation, and Grace: Royal Power and Lawyer Beneficence in Medieval Britain	Muslim Historiography in Islamic Legal Reasoning
<b>Saturday, 12:30-2:00</b>				
Annual Luncheon				
<b>Saturday C, 2:15 to 4:00</b>				
Who Cares? The Politics and Law of Nineteenth- and Twentieth-Century Caregiving in the United States	<i>Brown's</i> Discontents: Reconsidering Civil Rights Constitutionalism	The Role of Honor in the Nineteenth-Century United States	Late Medieval Marriage	Work, Discrimination, and Human Rights
<b>Saturday D, 4:15 to 6:00</b>				
Racial Determination and the Law in Comparative Perspective: The Jim Crow South, British Colonial Africa, and Nazi-Era Germany	Black Lawyers in the Reconstruction South: New Perspectives on the Origins of the African-American Bar	Indian/Aboriginal Law: Litigating Native Rights in the United States and Canada in the Twentieth Century	The English Law of Torts in the Nineteenth century: Some Key Issues	Implications of Judicial Decision-Making in Latin America in the Twentieth Century