

Association for the Study of Law, Culture & the Humanities
10th Annual Conference: March 23 & 24
Georgetown University Law Center

Friday, March 23

8:00 – 8:30 a.m.

Registration, continental breakfast, Welcome (McDonough 3rd Floor Atrium)

8:30 – 10:15 a.m.

- 1.1 Justice's Personae: Constituting Legal Subjects (588)
- 1.2 The Death Penalty: History Philosophy, and Practice (Hotung 5021)
- 1.3 On the Seductive Power of Myopic Authority: Law, Culture, and the Problem of Fundamentalism (337)
- 1.4 Food, Law, and Culture I (220)
- 1.5 Attribution and Authenticity in Cultural Work (342)
- 1.6 Reconfiguring the Language of Rights I (492)
- 1.7 Lying, Deception, and the Problem of Pretexting (Hotung 5013)
- 1.8 The Promise of Constitutionalism (347)

10:30 a.m. – 12:15 p.m.

- 2.1 Studies of Law at the Intersection of History and Theory (342)
- 2.2 What Law Tells Us About History (337)
- 2.3 Law and Ontology (347)
- 2.4 Food, Law, and Culture II (220)
- 2.5 Trauma, Suffering, and Law (Hotung 5021)
- 2.6 Reconfiguring the Language of Rights II (492)
- 2.7 Embodied Law (Hotung 5013)
- 2.8 Regulation of Black Voices (437)
- 2.9 The Rhetoric of the Family (588)

12:15 – 2:00 p.m.

Lunch on your own (see list of local restaurants in back of program)

2:00 – 3:45 p.m.

- 3.1 Roundtable on Law, Geography, and Culture: Perspectives on Place, Space, and Scale (588)
- 3.2 Dividing Lines: Interrogating the Division between the Public and the Private in the Work of Hannah Arendt (Hotung 5013)
- 3.3 International Criminal Tribunals (Hotung 5021)
- 3.4 Law's Construction of Identity (342)
- 3.5 Reading Contemporary Literature and Law (337)
- 3.6 Infanticide: Portraits and Discourses (220)
- 3.7 Binding Inheritances: Psychoanalysis and Jurisprudence (492)
- 3.8 Bonds of Law (347)

4:00 – 5:45 p.m.

- 4.1 Interpreting Cases, Creating Law (347)
- 4.2 Law and Representations of Injustice (Hotung 5021)
- 4.3 On Crime, Punishment, and the Constitution: Ethics and Intertextuality (342)
- 4.4 Law, Film, and Violence (492)
- 4.5 Questioning the Rule of Law (337)
- 4.6 Constructing Moral Subjects: Coercion, Belief, and Guilt (220)
- 4.7 Metaphors of Power/Power of Metaphor (588)
- 4.8 Local Customs, Legal Cultures (Hotung 5013)

6:00 – 7:15 p.m.

Plenary: Ten Years of Law, Culture and the Humanities: The State of the Field (Hart Auditorium, 1st Floor McDonough)

7:15 p.m.

Gala Reception (Sport and Fitness Lobby)

Saturday, March 24

8:00 – 8:30 a.m.

Continental Breakfast (McDonough 2nd Floor Atrium)

8:30 – 10:15 a.m.

- 5.1 Fear, Zero Tolerance, and Security: Institutions of Modern Citizenship (Hotung 5021)
- 5.2 Unmasking the State: Indigeneity, Power, and Structural Openings in the Guyana Postcolony (337)
- 5.3 Discourses of Parenting (588)
- 5.4 Detecting the Law (492)
- 5.5 Ethics of Regulation (210)
- 5.6 Reading Race and Law (344)
- 5.7 Justifying the Commons (342)
- 5.8 The Possibilities of Democracy in Late Modernity (Hotung 5013)

10:30 a.m. – 12:15 p.m.

- 6.1 Trial Narratives (210)
- 6.2 The Badges and Incidents of Slavery: Past, Present, and Future (492)
- 6.3 Immigrants and Foreigners (337)
- 6.4 Gender of the Law (344)
- 6.5 Images of Religion and Terrorism (Hotung 5013)
- 6.6 Kinship Markets: A Roundtable (342)
- 6.7 Translating the Colonial (588)
- 6.8 The Laws of Thomas Hobbes (Hotung 5021)

12:15 – 2:00 p.m.

Lunch provided (McDonough 2nd Floor Atrium)

2:00 – 3:45 p.m.

- 7.1 Roundtable: Slavery, Reconstruction, Law, and Historical Memory (588)
- 7.2 Speaking of Death (342)
- 7.3 Corporation as Citizen (Hotung 5013)
- 7.4 Identity, Law, and the Social (344)
- 7.5 Image, Language, and Transgression (492)
- 7.6 Expanding the Limitations of Possibility in Law (337)
- 7.7 Global Legal Pluralism (Hotung 5021)
- 7.8 Negotiations of Law and Literature (210)

4:00 – 5:45 p.m.

- 8.1 Technologies of Law (588)
- 8.2 Roundtable: Picture Ethics in Law and Other Disciplines (Hotung 5013)
- 8.3 Authenticity and Identity Politics (342)
- 8.4 Literature and Power (344)
- 8.5 Legal Performances (Hotung 5021)
- 8.6 Establishment and Equality (210)
- 8.7 Conspiracy, Democracy, and Law (492)
- 8.8 Animals and Other Non-Humans (337)

6:00 p.m.

Closing Remarks (Hotung 2000)

Association for the Study of Law, Culture & the
Humanities

Panel Schedule

Friday, March 23

8:30 – 10:15 a.m.

1.1 Justice's Personae: Constituting Legal Subjects
(Room: 588)

| | | |
|-------------------|-------------------|---|
| Chair | Ravit Reichman | Brown University |
| | Patricio Boyer | University of Notre Dame <i>To Be is To Be Legal: The Spanish Legal Tradition and the Legal Subject</i> |
| | Tal Kastner | Princeton University <i>The Tortured Body and the Body of Law</i> |
| | Lisa Silverman | University of Wisconsin – Milwaukee <i>Justice and Photography After the Holocaust: Madame d'Ora's Slaughterhouse Series</i> |
| | Gaëlle Vassogne | University Stendhal Grenoble 3 <i>The Legal Status of the Czechoslovak Jews After 1918</i> |
| | Barry Wimpfheimer | Northwestern University <i>Constituting the Rabbinic Legal Subject</i> |
| Discussant | Chaya Halberstam | Indiana University |

1.2 The Death Penalty: History Philosophy, and Practice (Room: Hotung 5021)

| | | |
|--------------|---------------|--|
| Chair | Susan Rozelle | Seattle University School of Law <i>The Principled Executioner: Capital Juries' Bias and the Benefits of True Bifurcation</i> |
| | David Fisher | North Central College |

With a Little Twist: Death Penalty and Boundaries in Classic Athens and Contemporary America

George Hunter

Trial Consultant
Death Qualified: Bias in Capital Juries

Jeffrey Renz

University of Montana School of Law
Redemption and Capital Punishment

Daniel Williams

Northeastern University School of Law
*Mitigation and the Capital Defendant
Who Wants to Die: A Study in the
Rhetoric of Autonomy and the Hidden
Discourse of Collective Responsibility*

**1.3 On the Seductive Power of Myopic Authority:
Law, Culture, and the Problem of
Fundamentalism**
(Room: 337)

Chair
Law

Kristopher Kent

University of the Pacific, McGeorge School of
*Eastern and Western Fundamentalism:
Power Through the Reification of
Ideological Narrative*

Law

Miriam Cherry

University of the Pacific, McGeorge School of
Funds and Fundamentalism

Law

Greg Pingree

University of the Pacific, McGeorge School of
Fundamentalism and the Judicial

Process

Law

Zebulon Young

University of the Pacific, McGeorge School of
*Pride and Punditry: Fundamentalist
Rhetoric in the Public Discourse
Surrounding Selection of United States
Supreme Court Justices*

1.4 Food, Law, and Culture I (Room: 220)

Chair Christopher Buccafusco University of Chicago
The Culture of Hospitality: Social Norms and Intellectual Property in the Culinary Profession

Patrick Baude Indiana University School of Law
Memory and the Twenty-First Amendment

Charlene Elliott Carleton University
Margarine, A Legal Biography

Jonathan Guttoff Roger Williams University School of Law
Royal Fish and Great Fish: The Distinction Between Sturgeon and Salmon 400 Years Before Brunch

1.5 Attribution and Authenticity in Cultural Work (Room: 342)

Chair Catherine Fisk Duke University School of Law
The Evolving Relationship Between Attribution and Authenticity

Mark Rose University of California – Santa Barbara
Cultural Work

Susan Scafidi Fordham University Law School
Intellectual Property, Cultural Creativity, and Human Rights: The Use of Attribution as a Balancing Mechanism

Matthew Stahl Muhlenberg College
Creative Work and the Employment Relation in Liberal Society: Authorship “versus” Appropriation

1.6 Reconfiguring the Language of Rights I (Room: 492)

Chair Rose Cuison Villazor Southern Methodist University School of Law

The Exclusion of Undocumented Immigrants from Rental Properties: A Property as Personhood Analysis

Olati Johnson

Columbia University Law School
Integration, Reconstructed

Serena Mayeri

University of Pennsylvania Law School
Civil Rights on Both Sides: Schenck v. Pro-Choice Network of Western New York

Law

Frank Ravitch

Michigan State University College of
Masters of Illusion: Neutrality, Religion, and the Transformation of Majoritarian Rule Into a Right

1.7 Lying, Deception, and the Problem of Pretexting
(Room: Hotung 5013)

Chair

Josephine Ross

Howard University School of Law
Only Police Are Allowed to Lie

Julian Cook

University of Georgia School of Law
Subterfuge in the Plea Bargaining

Process

Anthony Paul Farley

Boston College
Delusions & Dreams in Supreme Court Jurisprudence

Maria Grahn-Farley

Harvard Law School
Lawyer, Liar: The Role of the Lawyer

in the

Production of War Crimes

Reginald Leamon Robinson

Howard University School of Law
Lies and Self-Deception on the Board: A Critical Analysis of HP and the End of Director Independence

1.8 The Promise of Constitutionalism (Room: 347)

Roshan de Silva Wijeyeratne

Griffith University--Australia

*Memory, Ontology and the Ashokan
Personae: The Agony of Proximity in
Sri Lankan Constitutional History*

Wessel le Roux

UNISA
Memorial Constitutionalism

Mariela Vargova

The New School for Social Research
*Intertextuality and the Possibility for
Justice: Equality and Emancipation in
Constitutional Discourse*

Friday

10:30 a.m. – 12:15 p.m.

10:30 a.m. – 12:15 p.m.

2.1 Studies of Law at the Intersection of History and Theory (Room: 342)

| | | |
|------------------------------|---------------------|---|
| Chair/ Discussant | Sylvia Schafer | University of Connecticut |
| | Daniel Erskine | Practitioner <i>The Trial of Queen Caroline and the Impeachment of President Clinton: Law as a Weapon for Political Reform</i> |
| | Jennet Kirkpatrick | University of Michigan <i>Outside and In: Frontier Vigilantism and Law, 1840-1900</i> |
| | Elizabeth McCartney | Penn State University <i>Defining Citizenship: Emblem and Politics in Early-Modern France</i> |

2.2 What Law Tells Us About History (Room: 337)

| | | |
|--------------|---------------------|---|
| Chair | TBA | |
| Belfast | Heather Conway | School of Law, Queen's University, <i>Death, Law, and Cultural Diversity: Conflicts of Law and Custom</i> |
| | David Fisher | North Central College <i>Hecuba's Laws: Ghost, Guests, Geist</i> |
| | Kelly Farrell | Augustana College <i>Women's Status in Neo-Babylonian Law: Litigation Texts as a Source of History</i> |
| | F. Rachel Magdalene | Augustana College <i>Alfred the Great and the Law of Exodus: The Afterlife of Biblical Law in Early Medieval England</i> |

2.3 Law and Ontology (Room: 347)

| | | |
|--------------|-------------------|---|
| Chair | Mark Modak-Truran | Mississippi College <i>Prolegomena to a Process Theory of Natural Law</i> |
| | Larry Backer | Penn State – Dickinson School of Law <i>On Faith, Reason, and Law</i> |
| | Jay Mootz | Penn State – Dickinson School of Law <i>After Natural Law</i> |
| | John Valauri | Chase College of Law <i>Back to the Future: Aristotle, Law, and Interpretation</i> |

2.4 Food, Law, and Culture II (Room: 220)

| | | |
|--------------|------------------------|--|
| Chair | Christopher Buccafusco | University of Chicago |
| | Amy Dillard | University of Baltimore School of Law <i>“Sloppy Joe, Slop, Sloppy Joe”: How USDA Commodities Dumping Destroyed the National School Lunch Program</i> |
| | Morgan Holcomb | University of Minnesota Law School <i>Agriculture and Tax Policy</i> |
| | James Smith | University of Georgia School of Law <i>The Problem of Social Cost in a Genetically Modified Age</i> |

2.5 Trauma, Suffering, and Law (Room: Hotung 5021)

| | | |
|--------------|------------------|---|
| Chair | Panu Minkkinen | University of Leicester <i>The Expressionless: Benjamin, Levinas and Suffering</i> |
| | Matthew Anderson | University of New England <i>Law and Trauma in the Book of Job</i> |
| | Katherine Elder | University of San Francisco <i>The Politics of Affect in Leslie Marmon Silko’s Almanac of the Dead and Filártiga v. Peña-Irala</i> |
| | Mina Suk | Johns Hopkins University <i>The Miraculous, the Sacred, and the Divine: The Theological Language of</i> |

Sovereignty in Schmitt, Agamben, and Benjamin

2.6 Reconfiguring the Language of Rights II (Room: 492)

Chair
Law

Rose Cuison Villazor Southern Methodist University School o

Laura Appleman Willamette University College of Law
Narrating Gay Rights in the Legal Context: Interpretive Uncertainty from the Wilde Trials to Same-Sex Marriage

Melissa Murray University of California – Berkeley
Husband, Father, and Rapist? The Intersection of Criminal Law and Family Law in State v. Koso

Patricia Seith Columbia University Law School
From Economic Dependent to Economic Actor: Tracing the Legal Construction of Women's Economic Ability

2.7 Embodied Law (Room: Hotung 5013)

Chair

Andrea Stone University of Toronto
Lawful Pleasures: Sex and a Politics of the American Responsibility

Elizabeth Loeb New York University
Cutting it Off: Agency and Amputation Within U.S. Law

Anna Kirkland University of Michigan
Examining Ideologies of Legal Protection: The Case of the Fat Acceptance Movement

2.8 Regulation of Black Voices (Room: 437)

Chair

Jeannine DeLombard University of Toronto
True Characters? Property and Personhood in Black Gallows Literature

I. Capers
Hostra Law School
*To Kill a Mockingbird: Reading Back,
Reading Black*

Akilah Folami
St. John's University
*From Habermas to "Get Rich or Die
Tryin": Hip Hop, the
Telecommunications Act of 1996, and
the Black Public Sphere*

2.9 The Rhetoric of the Family (Room: 588)

Chair Carla Spivack
Oklahoma City University School of Law
*Discourse of Power, Discourse of
Marriage in John Webster's Duchess of
Malfi*

Sarah Abramowicz
Columbia University
Childhood and the Limits of Contract

Kerry Abrams
University of Virginia
The Rhetoric of Same-Sex Marriage

Peter Brooks
Yale University
The Rhetoric of Same-Sex Marriage

Friday

2:00 p.m. – 3:45 p.m.

2:00 – 3:45 p.m.

3.1 Roundtable on Law, Geography, and Culture: Perspectives on Place, Space, and Scale (Room: 588)

| | | |
|--------------|--------------------|---|
| Chair | Hari Osofsky | University of Oregon School of Law |
| | Paul Schiff Berman | University of Connecticut Law School |
| | William W. Buzbee | Emory Law School |
| | Rebecca Hardin | University of Michigan |
| | Tayyab Mahmud | Seattle University |
| | Reginald Oh | Texas Wesleyan University School of Law |
| | Russell Powell | Seattle University |

3.2 Dividing Lines: Interrogating the Division between the Public and the Private in the Work of Hannah Arendt (Room: Hotung 5013)

| | | |
|-------------------|------------------|---|
| Chair | Mark Antaki | McGill University Faculty of Law |
| | Jeremy Arnold | Johns Hopkins University <i>The Best is Never to Have Been Born: Arendtian Natality and Wrongful Life</i> |
| | Leora Bilsky | Amherst College <i>Dilemmas of Citizenship in Hannah Arendt's Writings: Between the Imposter and the Refugee</i> |
| | Jennifer Culbert | Johns Hopkins University <i>Discriminating Justice: Reflections on "Reflections on Little Rock"</i> |
| Discussant | Stewart Motha | The University of Kent |

3.3 International Criminal Tribunals (Room: Hotung 5021)

Chair
University

Chikeziri Igwe

Osgoode Hall Law School of York

The Politics of Terrorism: The Prospect of Prosecuting Terrorists at the International Criminal Court

Miranda Barton

University of Texas – El Paso
The Evolution of International War Crimes Tribunals

Sara Kendall

University of California – Berkeley
Reading Jurisdiction in International Criminal Courts

Amy Sepinwall

Georgetown University
Crimes Against Humanity and Collective Responsibility

3.4 Law's Construction of Identity (Room: 342)

Chair

Debra Thompson

University of Toronto
Métis Identities and the Law

Nadine Ehlers

Ohio State University
'Coloring' Sex: Legal Constructions of Heteronormativity as 'White'

Simone Glanert

Cornell University
The Constitution of the Legal Self: Rawlsian Justice, Gadamerian Hermeneutics, and Derridean Deconstruction Compared

Sean Goggin

National University of Ireland, Galway
The Protection of Cultural Diversity in International Law

Champaign

Octavian Ticu

University of Illinois – Urbana-

"Assisted" Ethno-Genesis of the Moldovans: The Soviet Legacy and Present Politics

3.5 Reading Contemporary Literature and Law
(Room: 337)

| | | |
|---------------------|----------------------|---|
| Chair Law | Renee Newman Knake | Michigan State University College of <i>Beyond Atticus Finch: Lessons on Ethics and Morality from Lawyers in Postcolonial Literature</i> |
| Minho | Joana Aguiar e Silva | Escola de Direito da Universidade do <i>Blindness, Insight, and Justice: Readings on Saramago</i> |
| | Marc Charron | Université du Québec en Outaouais <i>Legally Binded and Linguistically Bounded: Don Quixote and the Law in Translation</i> |
| | Heidi Libesman | University of Toronto <i>Reading Between the Lines: Reflections on Bernhard Schlink's The Reader</i> |

3.6 Infanticide: Portraits and Discourses (Room: 220)

| | | |
|---------------------|--------------------|---|
| Chair Law | Susan Ayres | Texas Wesleyan University School of <i>Rural and National Narratives of Neonaticide</i> |
| | Leslie Middleton | University of Arkansas – Little Rock <i>Myth and Reality When a Mother Murders her Children</i> |
| | Elizabeth Rapaport | University of New Mexico School of Law <i>Men Who Commit Infanticide: A Statistical and Psychological Portrait</i> |

**3.7 Binding Inheritances: Psychoanalysis and
Jurisprudence** (Room: 492)

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|--------------|----------------|--|
| Chair | Martha Umphrey | Amherst College <i>Law's Bonds; or, the Suffering of Captain Vere</i> |
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|-----------------|--|
| Anne Dailey | University of Connecticut Law School <i>Imagination</i> |
| Ravit Reichman | Brown University <i>Owning, Owing, Mourning</i> |
| Susan Schmeiser | University of Connecticut Law School <i>Punishing Guilt</i> |
| Adam Sitze | Amherst College <i>Unswerving Law</i> |

3.8 Bonds of Law (Room: 347)

Chair

| | |
|------------------|---|
| Chapin Cody | Drexel University College of Law <i>Sincerity and Contract Theory</i> |
| Melina Bell | Washington and Lee University <i>Liberty, Opportunity, and Capacity: A Critique of the Lexical Priority of Rawls's First Principle</i> |
| Sara Coelho | Cornell Law; Weil Gotshal and Manges <i>Law as Communication: The Role of Language in the Formation, Application, and Evolution of the Law</i> |
| Elizabeth Glazer | Hofstra University School of Law <i>Are Associations Greater than the Sums of their Parts? Shifting the Focus of their Missions to</i> |

*of Associations
their Members*

Friday

4:00 p.m. – 5:45 p.m.

4:00 – 5:45 p.m.

4.1 Interpreting Cases, Creating Law (Room: 347)

| | | |
|--------------|------------------|--|
| Chair | Elton Fukumoto | Syracuse University College of Law <i>The Rhetoric of the Landmark Decision: The Case of Rice v. Cayetano</i> |
| | Linda Myrsiades | West Chester University <i>A Narrative Reading of the 1780 Court Martial of Dr. William Shippen</i> |
| | Virginia Raymond | University of Texas – Austin <i>Dangerous Innocence: Plyler v. Doe at Twenty-Five</i> |
| | Adam Reinherz | University of Chicago <i>Individual Determination and the Meaning of Law</i> |

**4.2 Law and Representations of Injustice (Room:
Hotung 5021)**

| | | |
|--------------|-------------------|---|
| Chair | Martha Umphrey | Amherst College |
| | Irit Dekel | New School or Social Research <i>Publics, Spheres and Moral Careers at the Holocaust Memorial in Berlin</i> |
| | Lena Foljanty | Greifswald University <i>Injustice – Merely a Blurry Footnote to the Natural Law Debate in Postwar Germany?</i> |
| University | Jennifer Hamilton | Baylor College of Medicine and Rice <i>The Case of the Genetic Ancestor: Law, Race, and Past Injustices</i> |
| | Christiane Wilke | Carleton University <i>Reconsecrating the Temple of Justice: The Language of Law and Humanity in Trials of German Judges</i> |

4.3 On Crime, Punishment, and the Constitution: Ethics and Intertextuality (Room: 342)

| | | |
|-------------------------|------------------|---|
| Chair Law | Adam Thurschwell | Cleveland-Marshall College of Law |
| | Thomas Crocker | University of South Carolina School of <i>Sharing</i> |
| | Amy Dillard | University of Baltimore School of Law <i>Death Shall Have No Dominion: Why Atkins and Roper Require Courts and Prosecutors to Find Capital Defendants Death-Eligible Before the Trial Begins</i> |
| | Penelope Pether | Villanova University School of Law <i>A Constitutional Crisis of Ontology? Attenuation and the Semiotics of Hudson v. Michigan</i> |

4.4 Law, Film, and Violence (Room: 492)

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|--------------|-----------------|---|
| Chair | Naomi Mezey | Georgetown University Law Center <i>Law's Visual Afterlife: Thoughts on Law, Film, and Translation Theory</i> |
| | William MacNeil | Griffith Law School - Australia <i>First Rule About Fight Club – No Talking About Fight Club!: The Perverse Core of Legal Positivism</i> |
| | Austin Sarat | Amherst College <i>Fathers in Law: Violence and Reason in Twelve Angry Men</i> |
| | Jessica Silbey | Suffolk University Law School <i>Criminal Performances: Film, Autobiography, and Confessions</i> |

4.5 Questioning the Rule of Law (Room: 337)

| | | |
|--------------|-----------------|---|
| Chair | Anne Kornhauser | Princeton University <i>Dictatorship, Anarchy, and the Duty to Obey the Law: Lessons from Postwar American Political Thought</i> |
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| Jeremy Elkins | Bryn Mawr College <i>Two Conceptions of the Rule of Law</i> |
| Julen Etxabe | University of Michigan <i>Robert Cover on Hard Cases</i> |
| William Rose | Albion College <i>Theorizing the Exception: On John Yoo's Constitutional Politics</i> |

4.6 Constructing Moral Subjects: Coercion, Belief, and Guilt (Room: 220)

Chair
University

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|---------------|---|
| Eugene Garver | College of Saint Benedict, Saint John's <i>"Visualize World Peace or I'll Shoot You": The Coercion of Belief</i> |
| Julie Cooper | Syracuse University <i>Amour-propre, Amour de soi, and Autobiography in the Texts of Jean-Jacques Rousseau</i> |
| Lissa Lincoln | The American University of Paris <i>Law's Genealogy of Guilt</i> |

4.7 Metaphors of Power/Power of Metaphor (Room: 588)

Chair

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|----------------|---|
| Martha Ertman | University of Utah College of Law <i>Contractual Metaphors of Marriage: As Natural as Status</i> |
| Jessie Allen | New York University <i>Shamanism, Realism, and the Doctrine of Proximate Cause</i> |
| Erika George | University of Utah College of Law |
| Alice Ristoph | University of Utah College of Law <i>Political Anthropomorphism</i> |
| Debora Threedy | University of Utah College of Law <i>NAGPRA Metaphors: Who Owns the</i> |

Past

4.8 Local Customs, Legal Cultures (Room: Hotung 5013)

Chair TBA

Elizabeth Adjin-Tetty University of Victoria, British Columbia
*Sentencing Aboriginal Offenders:
Balancing Offenders' Needs, Victims
and Society's Interests and
Decolonization of Aboriginal Peoples*

Shawn Boyne University of Wisconsin
*The Objectivity of German Prosecutors:
Localities, Politics, and Practice*

Center Christine Hegel City University of New York Graduate
Local Politics and Lawyering in Egypt

6:00 – 7:15 p.m.

Plenary Session: Ten Years of Law, Culture, and Humanities: The State of the Field (Hart Auditorium)

| | | |
|--------------|-----------------------|-------------------------------------|
| Chair | Susan Sage Heinzelman | University of Texas – Austin |
| | Jack Balkin | Yale Law School |
| | Marianne Constable | University of California – Berkeley |
| | Austin Sarat | Amherst College |
| | Robin West | Georgetown University Law Center |

Saturday
8:30 a.m. – 10:15 a.m.

Saturday, March 24

8:30 a.m. – 10:15 a.m.

5.1 Fear, Zero Tolerance, and Security: Institutions of Modern Citizenship (Room: Hotung 5021)

Chair

Jeremy Elkins

Bryn Mawr College

Roger Berkowitz

Bard College

The Vigilante and the Questionable Activity of Just Citizenship

Kateri Carmola

Middlebury College

Citizenship in the Age of the Global Private Military Firm

Keally McBride

University of Pennsylvania

The Fear of God and the Construction of Secular Citizenship

5.2 Unmasking the State: Indigeneity, Power, and Structural Openings in the Guyana Postcolony (Room: 337)

Chair

Janette Bulkan

Yale University

Timber Tags, Make-Believe Brochures, Legal Forms and the Counterfeit: Affective Interactions Between Technology, Forestry Regulatory Agencies and People in Guyana

University

Arif Bulkan

Osgoode Hall Law School, York

Litigation vs. Negotiation: Assessing Guyana's Indigenous Titling Procedures in the Context of Commonwealth Jurisprudence

Tanya Chung Tiam Fook

York University

Articulating Decolonized Collaborative Conservation Through Amerindian Knowledges

Mark Plew
Boise State University
*Observations Regarding Legal
Protections of Archaeological Sites and
Remains in Guyana*

Alissa Trotz
University of Toronto
*Trafficking in Persons: Indigenous
Women Within the Discursive
Strategies of the Guyana Post-Colony*

5.3 Discourses of Parenting (Room: 588)

Chair

Brenda Cossman
University of Toronto
*The “Opt-Out Revolution” and the
Changing Narratives of Motherhood*

Starr-Renee Corbin
University of Texas – Austin
*Federal Child Care Programs: The
Social Anxieties and American Liberal
Ideals Behind Federal Child Care
Assistance*

Leslie J. Harris
Lake Forrest College
*Laws as Father: The
Family/Government Metaphor in
Nineteenth Century Child Custody Law*

Diana Young
Carleton University Department of Law
*Reasonable Parenting, Caretaking and
Control*

5.4 Detecting the Law (Room: 492)

Chair

Simon Stern
Harvard Law School
*Detecting Doctrines: The Detective
Story and the Case Method*

Stephanie Chong
University of Toronto
*The “Virtuous Ideal”: A Comparison of
Cultural Representations of Lawyers
and Judges in France and North
America*

Law
Mark Niles
American University, Washington College of

Self-Fulfilling Prophecy: The Minority Report, "Pre-Crime," and the Ideological Content of Science Fiction

George Pavlich

University of Alberta
Sovereign Exclusions

5.5 Ethics of Regulation (Room: 210)

Chair

Kimberley Leighton

Tufts University
From 'Sordid and Irrelevant' to 'Medically Necessary': Disclosure Ethics and the Regulation of Family Background

Brian Beaton

University of Toronto
Regulated Breathing: Obscene Telephone Calls in the Vietnam Era

Law

Pamela Bridgewater

American University, Washington College of
Reconstructing Rationality: Critical Economic Legal Theory and Reproductive Actors

Martin Doris

University of Glasgow School of Law
Consumer Protection Running Rampant? Online Gambling in the EU and the US Experience

5.6 Reading Race and Law (Room: 344)

Chair

Stephen West

Catholic University of America
Reconstruction Remembered: Historical Memory and Constitutional Rights During the Jim Crow Era

Mark Golub

Scripps College
'Infected With the Malady They Professed to Despise': Albion W. Tourgée and the Rhetorical Origins of Colorblind Constitutionalism

Eddie Wong

Rutgers University

The Case of Manuel Pereira and the Transatlantic Campaign to Repeal the South Carolina Negro Seamen's Act

5.7 Justifying the Commons (Room: 342)

Chair Marc Poirier Seton Hall University School of Law
The Public Trust Doctrine and Infrastructure Theory: Why Open Access? To Which Resources?

Irus Braverman University of Toronto, Harvard
Tree Wars in the Palestinian Occupied Territories: The Rise, Fall, and Resurrection of Article 78 of the Ottoman Land Code

Law Brett Frischmann Loyola University – Chicago, School of
Intellectual Infrastructure and Cultural Environment

Frank Pasquale Seton Hall University School of Law
The Cultural Economics of Copyright's Commons

Hilary Soderland American Bar Foundation
The Effect of Law on the American Cultural Landscape: The Federal Regulation of Archaeology

5.8 The Possibilities of Democracy in Late Modernity (Room: Hotung 5013)

Chair Steven Winter Wayne State University School of Law
Democracy, Autonomy, Self-Governance

Jodi Dean Hobart and William Smith College

Gary Minda Brooklyn Law School
Democracy and the Workplace

Law

Ezra Rosser

American University, Washington College of

Obligations of Privilege

Saturday

10:30 a.m. – 12:15 p.m.

10:30 a.m. – 12:15 p.m.

6.1 Trial Narratives (Room: 210)

Chair TBA

- Alice Diver University of Ulster School of Law
The Witch-Trial: Blueprint for the Control of Social Deviance?
- Nan Goodman University of Colorado – Boulder
Free Liberty to Keep Away From Us: Anne Hutchinson’s Banishment
- Garen Murray GTU/UCB
True Crime, Trial Transcripts, and “Truth”: Imbrications of Legal & Popular Representations of Condemned Women

6.2 The Badges and Incidents of Slavery: Past, Present, and Future (Room: 492)

- Chair** William Carter Case Law School
Judicial and Congressional Enforcement of the Thirteenth Amendment Right to be Free of the Badges and Incidents of Slavery
- Kristina Brittenham Lavelly & Singer, P.C., Los Angeles
The Invisible Badge: Marking Black Bodies Through Unconscious Bias and Hostility
- Law Jason Gilmer Texas Wesleyan University School of
Black, White, and Brown: Texas Interracial Cases in the 19th and early 20th Centuries
- Law Reginald Oh Texas Wesleyan University School of
A Denial of Liberty and Equality: Racial Segregation as a Badge and Incident of Slavery

Law Aric Short Texas Wesleyan University School of
*Housing Harassment Through the Lens
of the Thirteenth Amendment*

6.3 Immigrants and Foreigners (Room: 337)

Chair Kalyani Ramnath National Law School of India University
*Bar Dancers, Borders, and the Brave
New World – Culture and Chaos in
Immigration as an International
'Problem'*

 Daniel Fredrick Eckerd College
*The Rhetoric of USCIS (United States
Citizen and Immigration Services): An
Analysis of the Immigration Forms or
Permanent Residency*

 Sylvia Schafer University of Connecticut
*Figurations of Equivalence: Foreigners,
Illness, and the Legislation of
Reciprocity in
France, 1870-1912*

6.4 Gender of the Law (Room: 344)

Chair TBA

 Gillian Calder University of Victoria, Faculty of Law
*Reimagining Equality: Dancing with
Dichotomies*

 Sharon Cowan University of Edinburgh, School of Law
*Reimagining Equality: Dancing with
Dichotomies*

University Ruthy Lazar Osgoode Hall Law School, York
*Negotiating Sex: Consent in the Legal
Discourse on Sexual Assault in
Marriage*

6.7 **Translating the Colonial** (Room: 588)

Chair

Charles Talcott

The American University of Paris
*Un-translating Law: Justice in
Postcolonial Literatures*

Elizabeth Anker

Wake Forest University
*Midnight's Children and the
Ambivalences of Human Rights*

Tawia Ansah

New England School of Law
*Law and the Postcolonial in Werner
Herzog and Giorgio Agamben: Grizzly
Man Meets Homo Sacer*

Samera Esmeir

University of California – Berkeley
Colonial Humanity in the Age of

Empire

6.8 **The Laws of Thomas Hobbes** (Room: Hotung 5021)

Chair

George Pavlich

University of Alberta

Peter Fitzpatrick

Birkbeck College School of Law, University of

London

James Martel

San Francisco State University

Discussant Jill Stauffer

Haverford College

Saturday
2:00 p.m. – 3:45 p.m.

2:00 – 3:45 p.m.

7.1 Roundtable: Slavery, Reconstruction, Law, and Historical Memory (Room: 588)

Chair Ariela Gross University of Southern California Law School

Hill Adrienne Davis University of North Carolina – Chapel Hill

Cheryl Harris UCLA Law School

Richard Primus University of Michigan

Norman Spaulding Stanford Law School

7.2 Speaking of Death (Room: 342)

Chair Marianne Constable University of California – Berkeley

Shai Lavi Tel Aviv University Faculty of Law
Death of Embryos and the Eternal Life of Stem Cells

Linda Meyers Quinnipiac University
“The Meaning of Death”

Austin Sarat Amherst College
Pardon Tales in the Killing State: Narrating the Present, Remembering the Future

Susan Schmeiser University of Connecticut Law School
Suicide by Execution

7.3 Corporation as Citizen (Room: Hotung 5013)

Chair Jodi Short University of California – Berkeley
Replacing the Regulators: Legal Practices and the Rise of Corporate Self-Regulation

Sheryl Hamilton Carleton University

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|-------------------|--|
| Megan Davis | George Washington University <i>(Im)Possible Marriage and Family: Or Lessons for Queer and Feminist Legal Theory from Disability Theory</i> |
| Sam Halabi | Latham & Watkins, LLP <i>Expanding the Limitations of Possibility in Law</i> |
| Saru Matambanadzo | UCLA Women's Studies <i>Desiring the Impossible: Unbinding Bodies and Binaries in Law</i> |

7.7 **Global Legal Pluralism** (Room: Hotung 5021)

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|--------------------------------|--------------------|---|
| Chair <i>Law</i> | Paul Schiff Berman | Princeton University <i>A Pluralist Approach to International</i> |
| | Elena Baylis | University of Pittsburgh Law School <i>Parallel Courts</i> |
| | Janet Levit | University of Tulsa College of Law <i>Bottom-Up Transnational Lawmaking: The Case of Trade Finance</i> |

7.8 **Negotiations of Law and Literature** (Room: 210)

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|--------------|-------------------|--|
| Chair | Melissa Ganz | Yale University <i>Rash Promises and Coerced Vows: Richardson's Clarissa and the Problem of Contract</i> |
| | Ayelet Ben-Yishai | University of Haifa <i>Between Law and Legitimacy: Narrative Form in the Victorian Novel</i> |
| | Randall Craig | University at Albany, SUNY <i>Wollstonecraft and Norton: Natural and Positive Law in the Debate Over Child Custody Rights</i> |
| | Catherine Frank | University of New England <i>Divorce, Disestablishment, and Home Rule: Phineas Finn and the Facts of Union</i> |

Saturday
4:00 p.m. – 5:45 p.m.

4:00 – 5:45 p.m.

8.1 Technologies of Law (Room: 588)

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|--------------|-----------------|---|
| Chair | Nancy Marder | Chicago-Kent College of Law <i>Cyberjuries: A New Role as Online Mock Juries</i> |
| | David Caudill | Villanova University School of Law <i>Images of (Courtroom) Expertise in</i> |
| <i>Film</i> | Bradley Chilton | Appalachian State University <i>Oral, Print, Digital: The Cultures of Legal Research</i> |

8.2 Roundtable: Picture Ethics in Law and Other Disciplines (Room: Hotung 5013)

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|-------------------|-------------------------------------|
| Neal Feigenson | Quinnipiac University School of Law |
| Christina Spiesel | Quinnipiac University School of Law |
| Loret Steinberg | Rochester Institute of Technology |

8.3 Authenticity and Identity Politics (Room: 342)

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|--------------|-------------------|---|
| Chair | Robin Barnes | University of Connecticut <i>Reviewing the Outrageous: Uncovering Ghettos & the Fabulous in the Free Expression and Association Debate</i> |
| | John Kang | St. Thomas University <i>Deconstructing the Ideology of White Aesthetics</i> |
| | Reginald Robinson | Howard University School of Law <i>Grey Men, Sacred Sex, and Death of the Authentic Female Being: An Analysis of Odier's Tantric Quest and Adultery in Traditional Marriages</i> |

8.4 Literature and Power (Room: 344)

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|--------------|-------------------|--|
| Chair | Elizabeth Harris | University of Southern Mississippi <i>Lesbian Baiting and the Oath of the Round Table</i> |
| | Desmond Manderson | McGill University <i>DH Lawrence an the New Romantics</i> |
| | Carla Spivack | Oklahoma City University School of Law <i>The Woman is Out: A New Look at the Law in Shakespeare's Hamlet</i> |
| | Elliot Visconsi | Yale University <i>Vinculum Fidei: Citizenship Law and The Tempest</i> |

8.5 Legal Performances (Room: Hotung 5021)

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| Chair Law | Keith Fisher | Michigan State University College of <i>Lawyering As Performance Art</i> |
| | Lara Nielsen | New York University <i>Citizen Artists, Pornographies of the Real, and Theatres of Rights and Globalization</i> |
| Belfast | Sara Ramshaw | School of Law, Queen's University – <i>Deconstructin(g) Jazz Improvisation: Derrida and the Law of the Extemporary</i> |

8.6 Establishment and Equality (Room: 210)

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|--------------|--------------|---|
| Chair | John Valauri | Chase College of Law <i>Justice Rutledge's Appendix: Establishment, Equality, and the Administrative State</i> |
| | Marie Ashe | Suffolk University Law School <i>Fundamentalism in "Religious Pluralism"</i> |

Frederick Gedicks
Christianity' Brigham Young University Law School
Tolerance, Equality, and 'Judeo-

Jane Rutherford DePaul University College of Law
*Competing Definitions of Equality and
Neutrality in the Establishment Clause*

8.7 Conspiracy, Democracy, and Law (Room: 492)

Chair

Nasser Hussain Amherst College

Jodi Dean Hobart and William Smith College
Credibility and Lost Democracy

Mark Fenster University of Florida
*An Impossibly Transparent Narrative:
The Lives of The 9/11 Commission
Report*

James Martel San Francisco State University
*Ritual, Politics and Conspiracy in
Walter Benjamin*

Australia Alison Young University of Melbourne – Victoria,
*Witnessing and Trauma: Judgment
and Legal Ethics in the Wake of
September 11*

8.8 Animals and Other Non-Humans (Room: 337)

Chair

Maneesha Deckha University of Victoria Faculty of Law
*Animal Justice, Cultural Justice: A
Posthumanist Response to Cultural
Rights in Animals*

Marie Fox University of Keele
*Policing the Human: The Legal
Regulation of Trans-Species Hybrids*

