

**2009 Annual Conference**  
**Association for the Study of Law, Culture and the Humanities**

**Organizing Committee**

Keith J. Bybee, **President**, Law and Political Science, *Syracuse University*  
Reginald Oh, **Secretary**, Law, *Cleveland State University*  
Rebecca Johnson, **Treasurer**, Law, *University of Victoria*  
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Marinos Diamantides, Law, *Birkbeck College, University of London*  
Eugene Garver, Philosophy, *St. John's University*  
Shai Lavi, Law, *Tel Aviv University*  
Linda Meyer, Law, *Quinnipiac University*  
Francis J. Mootz III, Law, *University of Nevada*  
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Jessica Silbey, Law, *Suffolk University*  
Martha Umphrey, Law, Jurisprudence, and Social Thought, *Amherst College*

**Program Committee**

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Martha Umphrey, Law, Jurisprudence, and Social Thought, *Amherst College*

**James Boyd White Committee**

Eugene Garver, **Chair**, *St. Johns University*  
Susan Heinzelman, English, *University of Texas*  
Frank Ravitch, Law, *Michigan State University*

## SCHEDULE AT A GLANCE

### **REGISTRATION**

All Day Friday and Saturday  
Great Hall (First Floor Atrium)

### **WELCOME REMARKS**

Friday, 8:15 am - 8:25 am  
First Floor Function Room

### **Coffee and Tea Service**

Friday and Saturday, 8:00 am – 3:30 pm  
First Floor Function Room

### **Book Display**

Friday and Saturday, 8:00 am – 4:00 pm  
Great Hall

### **Panels**

Friday and Saturday, 8:30-5:45

### **Plenary**

Friday, 6:00 pm – 7:30 pm  
First Floor Function Room

### **Cocktail Reception**

### **Announcement of Mezey and White Awards**

Friday, 7:45 pm – 9:30 pm  
Great Hall

### **Brainstorming Session for 2010 Conference**

Saturday, 6:00 pm – 7:00 pm  
First Floor Function Room

### **Organizing Committee Meeting**

Saturday, 7:15 pm  
Faculty Dining Room

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: 205

## 1.1 Law and Visuality: An Interdisciplinary Approach

- Chair            Richard Sherwin  
                  New York Law School
- Discussant     Richard Sherwin  
                  New York Law School
- Panelist        Barbara Maria Stafford  
                  University of Chicago  
                  *Slow Looking. Whatever Happened to Selective Attention?*
- Panelist        Richard Sherwin  
                  New York Law School  
                  *Feeling Thought": Emotion, Law, and Visual Persuasion*
- Panelist        Bruce Hay  
                  Harvard Law School  
                  *Visual Horror and Abortion Jurisprudence*
- Panelist        Hassan Fancy  
                  Fancy Barristers, P.C.  
                  *Constraining Bias: Bridging the Sciences with the Law*

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: 295

## 1.2 Rethinking Reparation

- Chair            Ariela Gross  
                  USC Law School
- Panelist        Sharon Stanley  
                  University of Memphis  
                  *Rethinking the Concept of Integration*
- Panelist        Catherine Piche  
                  McGill Law Faculty  
                  *The Cultural Analysis of Class Action Litigation*
- Panelist        Keith Bybee  
                  Syracuse University  
                  *Efficiency and Incomprehensibility: The Imposition of Legal Order on Local Practice*
- Panelist        Honni Van Rijswijk  
                  University of Washington  
                  *The Poetics and Politics of the Past: Time and Responsibility in Tort, Trauma Theory and Literary Fiction*

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: 245

### 1.3 Reading Women Reading Law

- Chair            Maria Drakopoulou  
                    Kent
- Discussant     Maria Drakopoulou  
                    Kent
- Panelist        Julia Chryssostalis  
                    Westminster  
*Reading Arendt Reading Schmitt: Nomos, Polis, Community*
- Panelist        Maria Drakopoulou  
                    Kent  
*Nomos, Physis and Sexual Difference in the 17th century tradition of Natural Law*
- Panelist        Patrick Hanafin  
                    Birkbeck  
*Voicing Embodiment, Relating Difference: Towards a Relational Legal Subjectivity*

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: 305

### 1.4 Responsibility and Causation

- Chair            Linda Meyer  
                    Quinnipiac University
- Discussant     Linda Meyer  
                    Quinnipiac University
- Panelist        Jill Stauffer  
                    John Jay College  
*I am no hero: Taylor and Critchley on Moral Motivation*
- Panelist        Mark Herlihy  
                    Georgetown  
*Causal Explanations and Narratives of Responsibility: Re-Reading CAUSATION IN THE LAW through the Lens of Paul Ricoeur*
- Panelist        Jeffrey Lipshaw  
                    Suffolk University  
*Law's Illusion: Scientific Jurisprudence and the Struggle with Judgment*
- Panelist        Eric Blumenson  
                    Suffolk University  
*Liberty Lost: The Moral Stakes in Marijuana Law and Policy (with Eva Nilson)*

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: 325

## 1.5 Biopolitics: Regulating the Individual

- Chair Jennifer Hamilton  
Hampshire College
- Discussant Jennifer Hamilton  
Hampshire College
- Panelist Amy Swiffen  
University of Alberta  
*Law and the Biopolitical*
- Panelist JoAnne Sweeny  
Queen Mary, University of London  
*A Cultural Account of the Interpretation of the United Kingdom's 1998 Human Rights Act*
- Panelist Brenna Bhandar  
University of Kent Law School  
*Controlling interests: the salience of law in new regimes of ownership*
- Panelist Charles Talcott  
The American University of Paris  
*Colonizing History: The Return of Colonial Sovereignty in Contemporary French "Memorial" Laws*

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: Faculty Dining Room

## 1.6 Law and Rhetoric, I

- Chair Jay Mootz  
University of Nevada Los Vegas
- Discussant Jay Mootz  
University of Nevada Los Vegas
- Panelist Tom Cobb  
University of Washington School of Law  
*Judges and the Rhetoric of Reading*
- Panelist Doug Coulson  
University of Texas at Austin  
*Sophistic Historiography*
- Panelist Donna Scheidt  
University of Michigan  
*Rhetoric and Feminist Practical Reason*

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: 365

### **1.7 Indigenous Rights and Legal Institutions: A Comparison**

- Chair Ilana Gershon  
Indiana
- Discussant Bradford Morse  
Ottawa
- Panelist Sindiso Mnisi  
Oxford  
*'Right' Concepts: Variations and Adaptations in the South African Constitutional Court and Indigenous Communities*
- Panelist Ilana Gershon  
Indiana  
*The Difference Neoliberalism Makes: Indigenous Maori Representation and the NZ Parliament*
- Panelist Sarah Sargent  
Leicester  
*Cultural Trauma, National Identity and Social Exclusion in Guatemalan Intercountry Adoption: Implications for Conceptions of Indigenous Rights*
- Panelist Caroline Brown  
Chicago  
*Building Tribal Courts in Native Alaska*

Friday, April 3, 2009  
8:30 am-10:15 am  
Room: Alumni Room

### **1.8 Roundtable: Narrative Economies: The Global Consumption of Testimony in Post-Conflict Zones**

- Chair Michelle McKinley  
Oregon
- Panelist Kim Theidon  
Harvard
- Panelist Janet Halley  
Harvard
- Panelist Vasuki Nesiah  
Brown
- Panelist Darren Rosenblum  
Pace

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: 205

## **2.1 Cinema in the Streets**

- Chair            Christina Speisel  
                  Yale
- Discussant     Christina Speisel  
                  Yale
- Panelist        Becky Lentz  
                  McGill  
                  *Alternative Media*
- Panelist        Howard Wasserman  
                  FIU College of Law  
                  *Toward a First Amendment Understanding of Public Video*
- Panelist        Eileen Clancy  
                  I-Witness Video  
                  *From Inside, Video and Justice*

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: 295

## **2.2 Roundtable: Eloquence and Reason: Creating First Amendment Culture**

- Chair            Michelle McKinley  
                  Oregon
- Panelist        Mary Dudziak  
                  USC
- Panelist        Kenneth Kersch  
                  Boston College
- Panelist        Sally Merry  
                  NYU
- Panelist        Austin Sarat  
                  Amherst

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: 245

### **2.3 Family Law as the New Home of Feminist Legal Theory and Queer Theory?**

- Chair            Suzanne Kim  
                  Rutgers Newark
- Discussant     Kerry Abrams  
                  Virginia
- Panelist        Maya Manian  
                  Univ. San Francisco  
                  *Informed Consent and Abortion Decision-Making after Gonzales v. Carhart*
- Panelist        Holning Lau  
                  Hofstra  
                  *Reinforcing the Sex Discrimination Argument for Same-Sex Marriage*
- Panelist        Suzanne Kim  
                  Rutgers Newark  
                  *What's in a Name? Language and Status in Same-Sex Marriage and Married Women's Names*

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: 305

### **2.4 Narrative, Identity, and the Individual**

- Chair            Penelope Pether  
                  Villanova
- Panelist        Sharon Pocock  
                  Touro  
                  *The Portrayal of the American Legal System in the Novels of Jodi Picoult*
- Panelist        Diana Young  
                  Carleton  
                  *Ethics and Identity in Ang Lee's Lust, Caution*
- Panelist        Greg Pingree  
                  McGeorge  
                  *Imagining Judicial Legitimacy*
- Panelist        Benjamin Authers  
                  Guelph  
                  *"Reasonable Limits": Individual Rights and Democratic Societies in Contemporary Canadian Law and Literature.*



Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: 325

## 2.5 Addressing and Redressing Violence

- Chair           Christiane Wilke  
                  Carleton
- Discussant     Leora Bilsky  
                  Tel Aviv
- Panelist       Christiane Wilke  
                  Carleton  
*Migrations of responsibility: memory and judgment in the use of Roxin's theory of organized responsibility in Argentina and Germany*
- Panelist       Sarah Burgess  
                  University San Francisco  
*Bodies in Question: Recognizing and Regulating Sexual Violence in Supranational Criminal Courts*
- Panelist       Sara Kendall  
                  Berkeley  
*Re-casting Responsibility: Joint Criminal Enterprise and the Problem of Judgment*
- Panelist       Natacha Osenda  
                  El Colegio de Mexico  
*Rebuilding families, rebuilding society; the courts and the theater as two spaces to cope with the Argentine military dictatorship's appropriation of political prisoners' children*

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: Faculty Dining Room

## 2.6 Law and Rhetoric II

- Chair           Eileen Scallen  
                  William Mitchell College of Law
- Discussant     Eileen Scallen  
                  William Mitchell College of Law
- Panelist       Linder Berger  
                  Mercer University School of Law  
*What Would Solomon Do? A Rhetorical Analysis of a Trial Judge's Meta-Story*
- Panelist       John Gooch  
                  University of Texas at Dallas  
*Imagining the Law and the Constitution of Societal Order in Los Angeles Police Chief William Parker's 1965 "Crime and the Great Society" Address*
- Panelist       Ryan Malphurs

Texas A & M  
*Considering Child Rapists Fairly: Rhetorical Discursive Bias as Evidence of Sensemaking in Kennedy v. Louisiana*

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: 365

## 2.7 "Plain" Language, "Common" Sense and Law

- Chair Marianne Constable  
Berkeley
- Discussant Marianne Constable  
Berkeley
- Panelist Sielinde Pommer  
Harvard  
*Reinventing Government: Common Sense in Plain Legal Language?*
- Panelist Jill Anderson  
University of Connecticut/Western New England  
*Infancy, Pathology, and Legalism: Diagnosing Errors of Statutory Interpretation*
- Panelist Elton Fukumoto  
Syracuse University  
*Should the Law be Readable to Non-Lawyers: The Plain English Movement and Its Problems*
- Panelist Paul Passavant  
Hobart and William Smith  
*Faith, Law and Critique*
- Panelist Terry Maroney  
Vanderbilt  
*Common-sense Judging.*

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: Alumni Room

## 2.8 Just Passions: Literature and the Erotic Power of Justice

- Chair Jennifer Culbert
- Discussant Martha Umphrey
- Panelist Roger Berkowitz  
Bard  
*Dreaming of Justice: Revenge and the Beautiful in Doestoevsky's NOTES FROM THE UNDERGROUND*

Panelist Jennifer Culbert  
Johns Hopkins/Tulane  
*Shattering Law: Encounters with Love and Law in BILLY BUDD*

Panelist Jon Goldberg-Hiller  
University of Hawaii  
*A Conspiracy of Feelings: Aesthetics and Justice in Yuri Olesya's ENVY*

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: Function Room

## 2.9 Food, Law and Culture I

Chair Christopher Buccafusco  
University of Illinois

Discussant Christopher Buccafusco  
University of Illinois

Panelist Charlene Elliott  
Calgary  
*Taste™: A cultural legal history of food and color*

Panelist Richard Hyde  
Nottingham  
*Why Regulate Food*

Panelist David Caudill  
Villanova  
*Uncertainty and Values in Food Regulation Discourse*

Panelist Baylen Linnekin  
American, Washington College of Law  
*Failures of the Finicky Food-Court Fanatics: The Center for Science in the Public Interest's Unhealthy Obsession with Frivolous Lawsuits*

Friday, April 3, 2009  
10:30 am-12:15 pm  
Room: 355

## 2.10 The Indigenous Local, Biopower and the (im)possibility of Human Rights

Chair Mark Harris  
LaTrobe

Discussant Stuart Motha  
Kent

Panelist Sherene Razack  
Toronto

*Death Worlds Where Bad Things Happen*

Panelist Renisa Mawani  
British Columbia, Vancouver  
*Colonial Regimes of Life and Death: Law and the Biopolitics of State Racisms*

Panelist Mark Harris  
LaTrobe  
*From regulation to obliteration: the NT Emergency Declaration*

**LUNCH Pick up boxed lunches in First Floor Function Room**

Friday, April 3, 2009  
12:15 pm – 1:00 pm

Friday, April 3, 2009  
1:30 pm  
Function Room

**Film: “Constantine’s Sword” (Begins 1:30 pm) (Panel 3.9)**

Friday, April 3, 2009  
2:00 pm-3:45pm  
Room: 205

**3.1 Representation of Law and Lawyers in Visual Media**

Chair Panu Minkkinen  
Leicester

Discussant Panu Minkkinen  
Leicester

Panelist Ben Templin  
Thomas Jefferson  
*The Marriage Contract in Fine Art*

Panelist Sarah Marusek  
Holyoke  
*Emblematic Productions of Legality: Bald Eagles, Parking Tickets, and Postage Stamps*

Panelist Peter Robson  
Strathclyde  
*The Scholarship of Television Portrayals of Lawyers*

Panelist Anja Louis  
Sheffield  
*She’s Mine: Filmic Representations of Gender Violence in Spain*

Friday, April 3, 2009  
2:00 pm-3:45 pm  
Room 295

### **3.2 Author Meets Readers: Denise Ferreira da Silva, Toward a Global Idea of Race**

Chair            Steward Motha  
                    Kent

Panelist        Elizabeth Povinelli  
                    Columbia

Panelist        Brenna Bhandar  
                    Reading

Panelist        Denise Ferreira da Silva  
                    University of California, San Diego

Panelist        Jon Goldberg-Hiller  
                    University of Hawai'i

Friday, April 3, 2009  
2:00 pm-3:45 pm  
Room: 245

### **3.3 Same-Sex Marriage**

Chair            Clifford Rosky  
                    Utah

Panelist        Marc Poirier  
                    Seton Hall  
                    *The Standardization of Legal Kinship Forms*

Panelist        Jason Hopkins  
                    Santa Barbara  
                    *Same-Sex Marriage and Opposing Views of Culture in Legal and Political Discourse*

Panelist        Mark Strasser  
                    Capital  
                    *After DOMA's Repeal*

Friday, April 3, 2009  
2:00 pm-3:45 pm  
Room: 305

### 3.4 Maternal/Fetal Conflict: From Infertility to Infanticide

- Chair            Debra Threedy  
                  Utah
- Discussant     Debra Threedy  
                  Utah
- Panelist        Richard Storrow  
                  CUNY  
                  *The Maternal-Fetal Conflict in Infertility*
- Panelist        April Cherry  
                  Cleveland-Marshall  
                  *Maternal-Fetal Conflicts in Pregnancy*
- Panelist        Susan Ayres  
                  Texas Wesleyan  
                  *Denied Pregnancies and the Problem of Neonaticide*
- Panelist        Joanna Grossman  
                  Hofstra  
                  *Defining Discrimination: The Problem of Pregnancy*

Friday, April 3, 2009  
2:00 pm-3:45 pm  
Room: 325

### 3.5 Global Law/ Universal War

- Chair            Nahum Chandler  
                  Tama
- Discussant     Nahum Chandler  
                  Tama
- Panelist        Mark Antaki  
                  McGill  
                  *The transformation of the laws of war into "humanitarian law"*
- Panelist        Joana Aguiar  
                  Minho  
                  *Law, Literature, History and the paradoxes of reason of state: the medieval episode of Pedro e Inés de Castro in an era of globalization*
- Panelist        John Strawson  
                  East London  
                  *The Importance of Being Legal: How Law Became Earnest.*
- Panelist        Victoria Ridler  
                  Birkbeck  
                  *The Law of the Wild*

Friday, April 3, 2009  
2:00 pm-3:45 pm  
Room: Faculty Dining Room

### 3.6 Food, Law, and Culture II

- Chair            Amy Dillard  
                  Baltimore
- Discussant     Doris Witt  
                  Iowa
- Panelist        Aric Short  
                  Texas Wesleyan  
*Faith by Itself is Dead: Local Homeless Feeding Restrictions and their Impact on the Free Exercise of Religion*
- Panelist        Jason Smith  
                  University of Connecticut  
*Food, Consumers, and the Law: The Impact of Consumer Norms on Legal Approaches to Improving Food System*

Friday, April 3, 2009  
2:00 pm-3:45 pm  
Room: 365

### 3.7 Writing the Victim in International Law

- Chair            Michelle McKinley  
                  Oregon
- Discussant     Sally Merry  
                  NYU
- Panelist        Julietta Hua  
                  San Francisco State  
*Writing the Victim: Race and Sex Trafficking*
- Panelist        Kimberly Theidon  
                  Harvard  
*Too Much Truth and No Reconciliation in Peru*
- Panelist        Kay Warren  
                  Brown  
*Human Rights and the Market in Bodies*

Friday, April 3, 2009  
2:00 pm-3:45 pm  
Room: Alumni Room

### **3.8 Natural Law, Objectivity, and Phenomenology**

- Chair Linda Meyer  
Quinnipiac University School of Law
- Discussant Linda Meyer  
Quinnipiac University School of Law
- Panelist Jeffrey Johnson  
Eastern Oregon  
*A Theory Of Secular Natural Law*
- Panelist Claire McCusker  
Yale Law School  
*Plato's Minos and the Natural Law/ Positive Law Debate*
- Panelist Nir Eisikovits  
Suffolk  
*Law's Circle*
- Panelist Ethan MacAdam  
Amherst  
*Stating the State of Nature*

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: 205

### **4.1 Emotion and the Practice of Law**

- Chair John Stannard  
Queens University
- Discussant Terry Maroney  
Vanderbilt
- Panelist David Capper  
Queens  
*Undue Influence and the Abuse of Emotional Relationships*
- Panelist Heather Conway  
Queens  
*Grief and Grievances: the Emotional Discourses of Family Burial Disputes*
- Panelist Terry Maroney  
Vanderbilt  
*Emotion-Driven Judging*

Friday, April 3, 2009  
4:00 pm-5:45 pm



Room: 295

## 4.2 Crime, Detention, and Sovereign Decision

- Chair Roger Berkowitz  
Bard
- Discussant Roger Berkowitz  
Bard
- Panelist Richard Bailey  
Sydney/Birkbeck  
*"Objects of international compassion": resistance and exception in Australian refugee law*
- Panelist Mark Niles  
American, Washington College of Law  
*Pre-Crime in Fiction and Fact*
- Panelist Seantel Anais  
Carleton  
*Spaces of Terminal Exception: Biopolitics, Bare Life, and Unmediated Violence*

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: 245

## 4.3 CANCELLED: Roundtable: Out of the Ashes, 9-11

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: 305

## 4.4 The Return of the Repressed: Political Theology in Law, Politics, and Culture

- Chair Diana Young  
Carleton
- Discussant Rueban Balasubramaniam  
Carleton
- Panelist Peter Swan  
Carleton  
*A world that denies the gods; the gods make mad: Religiousness in the Social-Legal Theory of Roberto Mangabeira Unger*
- Panelist Clint Curle  
Carleton  
*Ernst Bloch and the Hopefulness of Human Rights*
- Panelist Craig McFarlane  
Carleton

*Robots Against Post-Politics: Regarding Cylons, Terminators and Walter Benjamin*

Panelist Zoran Oklopcic  
Carleton  
*Against Popular Sovereignty: In Praise of Meekness as a Political Virtue*

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: 325

**4.5 The Interdisciplinary Teaching of Law in the Liberal Arts:  
Roundtable**

Chair Eric Craig Sapp  
Stanford University

Panelist Reginald Learner Robinson  
Howard University

Panelist Lief Carter  
Colorado College

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: Faculty Dining Room

**4.6 Food, Culture, and Law III (Roundtable)**

Panelist Amy Dillard  
University of Baltimore

Panelist Penelope Pether  
Villanova

Panelist Elizabeth Williams  
Southern Food and Beverage Museum

Panelist Doris Witt  
University of Iowa

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: 365

**4.7 Reading Trials**

Chair Bernadette Meyler  
Cornell

Discussant Bernadette Meyler

- Cornell
- Panelist Rex Ferguson  
Glasgow  
*The Good Soldier and The Guilty Narrator*
- Panelist Marianne Constable  
Berkeley  
*The Justification is Perfect: Chicago Husband-Killing and the New Unwritten Law, 1905*
- Panelist Kathryn Balsley  
Stanford  
*The Performance of Justice in Latin Literature*
- Panelist Bennett Capers  
Hofstra  
*The Trial of Peter Grimes.*

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: Alumni Room

#### **4.8 Lacan avec Law, Culture, and Humanities**

- Chair Paul Passavant  
Hobart-Smith
- Discussant Maria Aristodemou  
Birkbeck
- Panelist Maria Aristodemou  
Birkbeck  
*Does The Letter of The Law Always Arrive at Its Destination?*
- Panelist Jodi Dean  
Hobart-Smith  
*Lacan's Drive as a Political Concept*
- Panelist William McNeil  
Griffith  
*Bleak House as Legal Theory*

Friday, April 3, 2009  
4:00 pm-5:45 pm  
Room: Function Room

#### **4.9 Constantine's Sword: Religion, Law and Violence**

- Chair Linda Meyer  
Quinnipiac
- Discussant Terry Aladjem

Panelist Catherine Kellogg  
Alberta

Panelist Mattio Taussig  
Buffalo

Friday, April 3, 2009  
6:00-7:30 pm  
Function Room

**Plenary Session: James Carroll, Distinguished Scholar-in-Residence at  
Suffolk University: The Violence of God?**

**Friday Night Reception  
Announcement of Mezey and White Awards**

*Please join us for drinks and light dinner immediately following the Plenary  
in the Great Hall (First Floor Atrium)*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: 205

## 5.1 The Ban: Constitutive Acts of Exclusion in Early America

- Chair            Mark Antaki  
                  McGill
- Panelist        Nan Goodman  
                  University of Colorado, Boulder  
                  *Banished on Pain of Death: Seventeenth-Century Quakers and the Birth of the  
                  Social Criminal*
- Panelist        Edlie Wong  
                  Rutgers University  
                  *Fictions of Free Travel: Black Exclusion and the Law of Passports*
- Panelist        Susan Brophy  
                  University of York  
                  *The Dehumanizing Effects of Sovereign Power in Agamben and Fanon*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: 295

## 5.2 Law, History and Humanism

- Chair            Patrick Hanafin  
                  Birkbeck
- Discussant     Julia Chryssostalis  
                  Westminster
- Panelist        Elizabeth Sturgeon  
                  Mount St. Mary's  
                  *The Waning of Common Law Reform in the Renaissance*
- Panelist        Dominique Goy-Blanquet  
                  University of Picardie  
                  *The More Part*
- Panelist        Elena Loizidou  
                  Birkbeck  
                  *Anarchism: an art of living*
- Panelist        Piyel Haldar  
                  Birkbeck  
                  *Bull*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: 245

### 5.3 Harry Potter, the Law and Their Culture

- Chair Jeffrey Thomas  
University of Missouri at Kansas City
- Panelist Sue Liemer  
Southern Illinois University  
*Bots and Gemots: Anglo-Saxon Legal References in Harry Potter*
- Panelist Eric Gouvin  
Western New England  
*The Magic of Money and Banking*
- Panelist Danaya Wright  
University of Florida  
*Hogwarts, the Family and the State: Forging Identity and Virtue*
- Panelist Mark Burge  
Texas Wesleyan  
*Who Wants to be a Muggle?*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: 305

### 5.4 Labor, Ownership and Regulation

- Chair Jeffrey Lipshaw  
Suffolk University
- Panelist Catherine Fisk  
California Irvine  
*Claiming Credit for Intellectual Property in the Mid-Twentieth Century: A Case Study of the J. Walter Thompson Advertising Agency*
- Panelist Heide Solbrig  
Bentley University  
*ERPI: Sound Technology and the Legal Regimes of Industrial Creativity*
- Panelist Matthew Stahl  
University of Western Ontario  
*Indentured Servants, Rich Whiners, Workplace Democrats: Recording Artists and the California Labor Code*
- Panelist Nicole Aylwin  
York  
*Intellectual Property Rights and the 'Culture' of Commodities: Moving beyond commodification towards cultural policy.*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: 325

## 5.5 Constituting Sovereignty

- Chair Jill Stauffer
- Discussant Jill Stauffer
- Panelist Irus Braverman  
SUNY Buffalo  
*"Civilized Borders": A Study of Israel's New Crossing Administration*
- Panelist Shubhankar Dam  
*Sovereignty in the Pakistani Constitution*  
Singapore Management University School of Law
- Panelist Eden Osucha  
*Exceptional Subjects: Disability, Biopower, Law*  
Bates College
- Panelist Gregory Fried  
*Aristotle and Locke on Executive Law-Breaking*  
Suffolk

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: Faculty Dining Room

## 5.6 Explorations in Law, Science and Governance

- Chair Jennifer Hamilton  
Hampshire
- Discussant Carlos Novas  
Carleton
- Panelist Jennifer Hamilton  
Hampshire  
*Ethical Provenance and Governance of Human Genetic Variation Research*
- Panelist Michael Mopas  
Carleton  
*Fighting BAC! Animating bacteria in food safety education*
- Panelist Sheryl Hamilton  
Carleton  
*Doubly Anxious: Worrying about human clones in law and popular culture*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: 365

## 5.7 Negotiating the Legal Boundaries of Religion



- Chair Kathleen Moore  
University of California, Santa Barbara
- Discussant Kathleen Moore  
University of California, Santa Barbara
- Panelist Isaac Weiner  
University of North Carolina  
*Religion and Noise*
- Panelist Annalise Glauz-Todrank  
University of California, Santa Barbara  
*Religion and Race*
- Panelist Jenna Gray-Hildenbrand  
University of California, Santa Barbara  
*Religion and Crime*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: Alumni Room

### 5.8 Imagining Immigration Authority: a Family Affair

- Chair Philomila Tsoukala  
Georgetown
- Discussant Philomila Tsoukala  
Georgetown
- Panelist Sarah Abramowicz  
Wayne State  
*The Forgotten Child: Reframing the Legal Canon*
- Panelist Kerry Abrams  
University of Virginia  
*Spousal Sponsorship*
- Panelist Juliet Stumpf  
Lewis and Clark  
*Obeying Immigration Law: The Compliance Conundrum*
- Panelist Leila Kwar  
Bates College  
*Legality and [Dis]membership: Removal of Citizenship and the Creation of "Immigrants" in the 1967 Israeli Occupied Territories and Post-Colonial France*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: Function Room

### 5.9 Law and Loss I

- Chair            Ravit Reichman  
Brown
- Discussant     Patricio Boyer  
Notre Dame
- Panelist        Augusta Rohrback  
Washington State  
*Behind the Palmetto Fan: Mary Surratt, Presidential Assassin*
- Panelist        Lisa Silverman  
University of Wisconsin  
*Law, Loss, and the 'Austrian Dreyfus Affair'*
- Panelist        Emily Balic  
NYU  
*Where is my car tire? Grappling with property loss in the shifting legal framework of the Holocaust*

Saturday, April 4, 2009  
8:30 am-10:15 am  
Room: 355

#### **5.10 Author Meets Readers: Francis J. Mootz III, Rhetorical Knowledge in Legal Practice and Critical Legal Theory**

- Chair            Eileen Scallen  
William Mitchell
- Panelist        Silvia Niccolai  
Jean Monnet Chair of European Law  
Cagliari
- Panelist        David Frank  
Oregon
- Panelist        Eugene Garver  
St. John
- Panelist        Jay Mootz  
UNLV

Saturday, April 4, 2009  
10:30 am-12:15 pm  
Room: 205

#### **6.1 Law on Reality TV**

- Chair            Louis Sheffield
- Discussant     Louis Sheffield
- Panelist        Nancy Marder  
Chicago-Kent  
*Judging Judge Judy*

Panelist Marilyn Terzic  
McGill  
*Reality-Based Courtroom TV: Impact on Legal Awareness and Knowledge*

Panelist Freya Kodar  
Victoria  
*Til Debt Do Us Part: Reality TV and Debt Regulation*

Panelist Amy Adler  
NYU  
*To Catch a Predator*

Saturday, April 4, 2009  
10:30 am-12:15 pm  
Room: 295

## 6.2 Conceptualizing Punishment and Criminality

Chair/Discussant Robin Charlow

Panelist Garen Murray  
Graduate Theological Union/University of California Berkeley  
*Sorting Out the Trash: Considering the Category of "White Trash" in Capital Sentencing*

Panelist James McGrath  
Texas Wesleyan  
*A Prisoner's Dilemma; Transgendered Persons in Prison*

Panelist Christopher Buccafusco  
University of Illinois  
*Happiness and Punishment*

Panelist Joshua Price  
Emory  
*Prison and Social Death*

Saturday, April 4, 2009  
10:30 am-12:15 pm  
Room: 245

## 6.3 Psychological and Historical Perspectives on the Family

Chair Anne Dailey  
University of Connecticut  
*Bringing Up Autonomous Citizens*

Panelist Clare Huntington  
Colorado  
*Flourishing Families: Positive Psychology and Contemporary Family Law*

Panelist Kristin Collins  
University of Boston

*A School for Republicanism: Social Provision for Families in the Early Twentieth Century*

Saturday, April 4, 2009  
10:30 am-12:15 pm  
Room: 305

**6.4 Nineteenth-Century Law and Literature**

- Chair            Carla Spivack
- Discussant     Carla Spivack
- Panelist        Alexandria Marzano-Lesnevich  
Emerson  
*Romancing the Nursery to Turn the Screw: A Critique of Juvenile Sex Offender Classification*
- Panelist        Cathrine Frank  
University of New England  
*Before Wigmore Made His List: Law and Literature in the Nineteenth-Century Periodical*
- Panelist        Sarah Salih  
Toronto  
*Law, Love, and Slavery in Wilkie Collins*
- Panelist        Anat Rosenberg  
Tel Aviv  
*Contrasting Conceptions of Contract in Victorian Law and Literature*

Saturday, April 4, 2009  
10:30 am-12:15 pm  
Room: 325

**6.5 Taxing Justice: Narratives of Evasion and Avoidance**

- Chair            Roger Berkowitz  
Bard
- Panelist        Darien Shanske  
Hastings
- Panelist        David Gamage  
University of California Berkeley
- Panelist        Ann Mumford  
London
- Panelist        Meredith Conway  
Suffolk
- Panelist        Brian Galle  
Georgetown

Saturday, April 4, 2009  
10:30 am-12:15 pm  
Room: Faculty Dining Room

## 6.6 Law and Local and Transnational Knowledge

- Chair Karin van Marle  
University of Pretoria
- Discussant Karin van Marle  
University of Pretoria
- Panelist Alecia Simmonds  
Sydney/Birkbeck  
*'Friendly Fire: Forced friendships and violent embraces in Tahitian-British first contact narratives'*
- Panelist Barry Collins  
East London  
*Constitutional Discourse and the Politics of Postnationalism*
- Panelist Li Chen  
Toronto  
*History and Intercultural Politics: China in the Narrative of Legal Modernity*

Saturday, April 4, 2009  
10:30 am-12:15 pm  
Room: 365

## 6.7 Borrowing Doctrine

- Chair Lief Carter  
Colorado College
- Discussant Lief Carter  
Colorado College
- Panelist Josephine Ross  
Howard  
*Why Criminal Defendants Are Told They Asked For It*
- Panelist Robert Tsai and Nelson Tebbe  
American Brooklyn  
*Constitutional Borrowing*
- Panelist Benjamin Berger  
*Justice Against the Law: Compassion and the Exception in Modern Criminal Law*  
Victoria

Saturday, April 4, 2009  
10:30 am-12:15 pm

Room: Alumni Room

## 6.8 Aesthetics, Democracy and Law

Chair Jennifer Culbert

Discussant Jennifer Culbert

Panelist Helge Dedek  
McGill  
*Suspensions of the "Modern Mind": Scholastic Jurisprudence And "Irrational Formality"*

Panelist Jeremy Elkins  
Bryn Mawr  
*Law and Sacrifice*

Panelist Steve Winter  
Wayne State  
*Law Culture and Humility*

Panelist Julen Etxabe  
Michigan  
*Antigone and Democracy*

Saturday, April 4, 2009

10:30 am – 12:15 pm

Room: Function Room

## 6.9 Law and Loss II

Chair Lisa Silverman  
Wisconsin

Discussant Ananya Vajpeyi  
University of Massachusetts Boston

Panelist Ravit Reichman  
Brown  
*Writing in Dispossessed Times*

Panelist Nomi Stolzenberg  
University of Southern California  
*Facts on the Ground*

Panelist Susan Schmeiser  
University of Connecticut  
*Lost objects, lost selves*

Saturday, April 4, 2009

10:30 am-12:15 pm

Room: 355

## 6.10 Humanistic Critiques of Legal Education

- Chair Charles Marvin  
Georgia State
- Panelist Francis J. Mootz III  
UNLV  
*Vico, Llewellyn and the Task of Legal Education*
- Panelist Maxsymilian Del Mar  
Edinburgh  
*Beyond Text in Legal Education: Art, Ethics and the Carnegie Report*
- Panelist Randy Gordon  
Gardere Wynne Sewell  
*How Lawyers (Come to) See the World: A Narrative Theory of Legal Pedagogy*
- Panelist Panu Minkkinen  
Leicester  
*The Academic Lawyer vs. the Legal Academic: A Humanistic Tradition in Law Revisited*
- Panelist Zenon Bankowski  
Edinburgh  
*Beyond Text in Legal Education*

Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: 205

### 7.1 Reel Women in Law: Victims, Aggressors and Conflict Resolvers as Heroes and/or Anti-Heroes

- Chair Rebecca Johnson  
Victoria
- Discussant Rebecca Johnson  
Victoria
- Panelist Ummni Khan  
Toronto  
*Reel Women: Aggressors*
- Panelist Orit Kamir  
Hebrew University  
*Reel Women: Victims*
- Panelist Jennifer Schulz  
Manitoba  
*Reel Women: Conflict Resolvers*
- Panelist Monica Lopez  
Michigan  
*Judging Law, Performing Justice: Pedro Almodóvar's High Heels*

Saturday, April 4, 2009

2:00 pm-3:45 pm  
Room: 295

## 7.2 Corruption, Suffering, Scandal and Violence

- Chair William McNeil
- Discussant William McNeil
- Panelist Annette Houlihan  
Griffith  
*Stranger Danger?: Cultural Victimology and the Myth of Sadistic Serial Killers*
- Panelist Karen Crawley  
McGill  
*Between Art and Lies: The Media and the James Frey/Oprah Winfrey Affair*
- Panelist Dawn Moore  
Carleton  
*"Court of the absurd: The theatre of drug treatment court."*
- Panelist Melicent Arig  
UPCMC Grad Soc'y  
*Ideologies Behind Indie Films That Treat Issues of Corruption*
- Panelist Suzanne Bouclin  
McGill  
*Cinematic Prisons for Women*

Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: 245

## 7.3 Fathers, Paternalism, Parenthood

- Chair Ruth Miller  
U Mass-Boston
- Discussant Ruth Miller  
U Mass-Boston
- Panelist Clifford Rosky  
Utah  
*Stereotypes about Gays and Lesbians in Child Custody Cases*
- Panelist Allison Tait  
Yale  
*Paternal Justice and State Interest*
- Panelist Anna Marie Smith  
Columbia  
*Obama on Fatherhood Policy*
- Panelist Maya Sabatello  
NYU  
*Transgender Parenthood: Science and Family Life*



Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: 305

#### **7.4 Mythologizing Relationships: The "Old Bachelor" Of Polk County, The Perfect Family And The Perfect Storm**

- Chair            Desiree Kennedy  
                  Touro
- Discussant     Desiree Kennedy  
                  Touro
- Panelist        Judy Cornett  
                  University of Tennessee  
                  *The "Old Bachelor" Of Polk County*
- Panelist        Desiree Kennedy  
                  Touro  
                  *Law As Fiction & The Mythology Of Families*
- Panelist        Carol Parker  
                  University of Tennessee  
                  *The Perfect Storm, The Perfect Story*
- Panelist        Chantal Nadeau  
                  Concordia  
                  *Unreasonably Queer*

Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: 325

#### **7.5 Getting to Truth**

- Chair            Ben Yost  
                  Berkeley
- Panelist        James Maguire  
                  *Confessional Discourse in Modern Police Interrogation*  
                  Harvard
- Panelist        Cheryl Suzack  
                  Victoria  
                  *Storytelling, Consultation, and Aboriginal Communities*
- Panelist        Steven Macias  
                  Cal Western  
                  *Uselessness in Early American Legal Culture: The Beauty and Seriousness of  
                  Legal Science*
- Panelist        Marty Slaughter  
                  Kent  
                  *Penance and Equity*

Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: Faculty Dining Room

## 7.6 Law in Contemporary Fiction (Roundtable)

Chair           Alafair Burke  
                  Hofstra

Panelist       Alafair Burke  
                  Hofstra

Panelist       Kermit Roosevelt  
                  University of Pennsylvania

Panelist       Lori Andrews  
                  Chicago-Kent

Panelist       Marianne Wesson  
                  University of Colorado

Discussant    Bennett Capers  
                  Hofstra

Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: 365

## 7.7 Law, Place and Property

Chair           Sylvia Schafer  
                  University of Connecticut

Discussant    Sylvia Schafer  
                  University of Connecticut

Panelist       Mohamed Mahgoub  
                  Alexandria University  
                  *"Woman's Rights in the Customary Laws of Awlad Ali Tribes  
                  Of the Western Desert of Egypt"*

Panelist       Brian Gilmore  
                  Howard  
                  *Castles in the Ghetto: James Baldwin, Housing and the Destruction of the Ghetto*

Panelist       Matthew Festa  
                  South Texas  
                  *Property Ownership in America from Jefferson to the Mortgage Crisis and  
                  Beyond*

Panelist       Anna Hartnell  
                  Birmingham  
                  *Post-Katrina New Orleans and the language of human rights*

Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: Alumni Room

**7.8 Author Meets Readers: Terry Aladjem, *The Culture of Vengeance and the Fate of American Justice***

Roundtable Terry Aladjem  
Harvard

Verity Smith  
Harvard

Chris Sturr  
Prison Scholar

Roger Berkowitz  
Bard College

Saturday, April 4, 2009  
**1:00 pm-4:00 pm**  
Room: Function Room

**7.9 The Third Crossing: A Play About Race (Begins at 1:00 pm)**

Chair Debora Threedy  
Utah

Discussant Debora Threedy  
Utah

Saturday, April 4, 2009  
2:00 pm-3:45 pm  
Room: 355

**7.10 Law and Religion**

Chair Steve Winter  
Wayne State

Discussant Steve Winter  
Wayne State

Panelist Matthew Anderson  
University of New England  
*Reading law in the Book of Job*

Panelist Frank Ravitch  
Michigan State  
*Intelligent Design*

Panelist Mark Modak-Truran  
Mississippi College  
*Beyond Theocracy and Secularism (Part II): The New Religious Pluralism and a Post-Secular Paradigm for Law and Religion*

Panelist Eugene Garver  
St Johns  
*You Have the Right to Remain Silent. I Have the Right Not to Listen to You*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: 205

### **8.1 Performing Resistance/ Resistant Performance**

Chair Freya Kodar  
Victoria

Discussant Rebecca Johnson  
Victoria

Panelist Gillian Calder  
Victoria  
*The Jane Doe Coffee Table Book of Rape– Reflections on Rebellious Writing and Teaching*

Panelist Sharon Cowan  
Edinburgh  
*"Stay Away From Jazz and Liquor": The Construction of Gender and Sexuality in Chicago*

Panelist Ruth Buchanan  
Osgoode Hall  
*Is Another Legal World Possible? Transnational Civil Society, Resistance and the Limits of International Law*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: 295

### **8.2 Living in the past, dreaming of the future? Investigating temporality and the home**

Chair Helen Carr  
Kent

Discussant Brenna Bhandar  
Kent

Panelist Anne Bottomly  
Kent  
*Mundane Utopias – complex configurations of/in time and property.*

Panelist Mark Vacher  
Copenhagen  
*Container of Eternity— an analysis of the relationship between time and home*

Panelist Helen Carr  
Kent  
*The making of Octavia Hill*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room 245

### 8.3 Speech and Regulation

Chair Sieglinde Pommer  
Harvard

Discussant Sieglinde Pommer  
Harvard

Panelist Zahr Stauffer  
Virginia  
*In Defense of Embedded Advertising*

Panelist Anne Kornhauser  
CUNY  
Thinking about Regulation in Twentieth-Century America

Panelist Akilah Folami  
Hofstra  
*Deliberative Democracy on the Air: Reinvigorating Localism – Resuscitate Radio’s Subversive Past*

Panelist Thomas Beebee  
Penn State  
*Censorship from Below: Pathways of Canonicity in the Weimar Republic*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: 305

### 8.4 Issues in International Law

Chair Jinee Lokaneeta  
Drew University

Discussant Jinee Lokaneeta  
Drew University

Panelist Caroline Davidson  
Willamette  
*Bail for Genocide?*

Panelist Riddhi Dasgupta

Cambridge  
*'[A] rose ... [b]y any other name would smell as sweet': Boumediene v. Bush and Extraterritorial Habeas Corpus in Wartime*

Panelist Shawn Boyne  
Indiana  
*Reevaluating the German Model of the Prosecutorial Function*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: 325

### **8.5 Genres of Critique: Literature and Liminality in Post-Apartheid South Africa**

Chair Stewart Motha  
Kent

Discussant Karin van Marle  
Pretoria

Panelist Karin van Marle  
Pretoria  
*Between law, politics, critique*

Panelist Jaco Barnard  
Cape Town  
*Post-apartheid politics, post-apartheid sexuality?*

Panelist Stewart Motha  
Kent  
*After Critique*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: Faculty Dining Room

### **8.6 Copyright, Privacy, and Law in Transition**

Chair Matthew Festa  
South Texas

Discussant Matthew Festa  
South Texas

Panelist Yaniv Zaid  
Haifa  
*Legal Rhetoric in the Era of Technological Change*

Panelist Doris Long  
John Marshall  
*User-Generated Content and the Mythology of "Difference"*

Panelist Becky Lentz

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: 365

## 8.7 Law and Indigenous Identity

- Chair Breann Swann  
Arizona State
- Discussant Wenona Benally  
Arizona State
- Panelist Timothy Linnins  
Arizona State  
*Peyote Regulation and Intolerance*
- Panelist Nicholas Natividad  
Arizona State  
*Drawing a Line in the Land*
- Panelist Breann Swann  
Arizona State  
*Indigenous Peoples and the "World of Work"*
- Panelist Lisa Fishbayn  
Brandeis  
*Migrancy, Identity and Legal Change: Jewish Women and Ritual Head Covering  
in America*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: Alumni Room

## 8.8 Existentialism: Relational Constructs of the Self

- Chair Reginald Robinson  
Howard
- Discussant Rhonda Magee  
University of San Francisco
- Panelist Reginald Robinson  
Howard  
*Racial Identity and Human Trauma: Does Racializing a Child Repress Her  
Natural Sense of Self*
- Panelist Anthony Farley  
Albany  
*Blackness as the Second Sex*
- Panelist Lissa Lincoln

American University of Paris  
*Uncertain Justice : Albert Camus' Politics of Creating Dangerously*

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: Function Room

**8.9 Roundtable on the Role of Narrative in Legal Scholarship**

- Chair            Debra Threedy  
                  University of Utah
- Panelist        Susan Ayres  
                  Texas Wesleyan
- Panelist        Erika George  
                  Utah
- Panelist        Daniel Medwed  
                  Utah
- Panelist        Bethany Berger  
                  University of Connecticut

Saturday, April 4, 2009  
4:00 pm-5:45 pm  
Room: 355

**8.10 Thinking about Billy Budd**

- Chair            Carla Spivack  
                  Oklahoma City
- Discussant     Richard Bernstein  
                  New York Law School
- Panelist        Jon-Cristian Suggs  
                  City University New York  
                  *Something About the Boy: Race, Comedy, and Law in Billy Budd*
- Panelist        Lawrence Friedman  
                  New England School of Law  
                  *Billy Budd: Law, Violence, and the Fear of Disorder*
- Panelist        George Dargo  
                  New England School of Law  
                  *Neither Law nor Justice: Captain Vere as Failed Jurist*

**Saturday, April 4, 2009**  
**6:00-7:00 pm**  
**Function Room**



**Association for the Study of Law, Culture and Humanities, Brainstorming  
2010**