

HURST SUMMER INSTITUTE IN LEGAL HISTORY



JUNE 12-24, 2011

SPONSORED BY
THE INSTITUTE FOR LEGAL STUDIES
AT THE UNIVERSITY OF WISCONSIN LAW SCHOOL
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2011 HURST SUMMER INSTITUTE IN LEGAL HISTORY

FINAL PROGRAM

Monday, June 13th

Chair: Barbara Young Welke (University of Minnesota)

Topic: Introduction and Overview: The Work Law Does

Reading for am session #1: Hendrik Hartog: "Pigs and Positivism"

Reading for am session #2: Matthew H. Sommer, *Sex, Law, and Society in Late Imperial China* (Stanford: Stanford University Press, 2000 (Title page, Table of Contents, Introduction pp 1-2 ("Issues"), Ch. 5 "Widows in the Qing Chastity Cult: The Nexus of Sex and Property in Law and in Women's Lives" pp 166-209, Ch. 8 "Conclusion" pp. 305-311, 316-320 + relevant pages for footnotes for intro pp, ch. 5, and conclusion.

Agenda:

8:30 Coffee in Lower Lounge

9:00-12:00 AM Sessions

12:00 Buffet Lunch at Pyle Center Dining Room

3:30-4:30 Optional orientation tour of the Wisconsin Historical Society Library.

Convene in the Library lobby at 3:25 to meet with Librarian Nancy Mulhern.

Tuesday, June 14th

Guest Scholar: Sarah Barringer Gordon (University of Pennsylvania)

Topic: "The Spirit of the Law: Religious Voices and the Constitution in Modern America"

Readings: Gordon: *The Spirit of the Law* (Preface, Ch. 1, Ch. 4, & endnotes).

Agenda:

8:30 Coffee in Lower Lounge

9:00-12:00 AM Sessions

12:00 Buffet Lunch at Pyle Center Dining Room

Wednesday, June 15th

Chair: Barbara Young Welke

Topic: Willard Hurst and American Legal History

AM Session 1: Law and Economy

Readings: James Willard Hurst: *Law and Economic Growth, The Legal History of the Lumber Industry in Wisconsin, 1836-1915*. (Title page, preface (vii-xv), contents, introduction (pp. 1-5), pp. 9-12 (Part I: Property, Introduction The Constitution of Power), pp. 62-93 (Ch. II The Disposal of the Public Timberlands in Wisconsin), pp. 285-288 (Part II: Contract Introduction The Constitution of the Market), pp. 427-28 Part III: The Police Power Introduction The Adjustment of Continuing Relations), pp. 569-570 (Part IV Political Economy Introduction Policy For a Region), 571-591 (ch. 10 "Reassessments of Law's Role in the Economy of Northern Wisconsin") + relevant pages of footnotes, and pp. 607-09 (Retrospect).

AM Session 2: Situating Hurst I

Readings: Christopher Tomlins: "What Would Langdell Have Thought? UC Irvine's New Law School and the Question of History" (Pp. 191-207, 210-240, & 242-247)

PM Session at Law School in Lubar Commons (Room 7200): Situating Hurst II
Guest Scholars: Lawrence M. Friedman (Stanford University) and Robert W. Gordon (Yale)
Readings: Friedman and Davies: "California Death Trip"
Gordon: "J. Willard Hurst and the Common Law Tradition in American Legal Historiography" (Pp. 9-14 & 44-55)

Agenda:

8:30 Coffee in Lower Lounge
9:00-12:00 AM Sessions
12:00-1:00 Box Lunch Delivered
3:30-6:00 Special Session followed by reception and informal dinner with law faculty.

Thursday, June 16th

Guest Scholar: Dylan Penningroth (Northwestern University)
Topic: "Reconsidering the Legacies of Slavery in Africa: The Case of Colonial Ghana"
AM Readings: "Legacies of Slavery in Colonial Ghana"
Glassman's "The Bondsman's New Clothes" (Pp. 277-88 & 310-12)
Santeng v. Darkwa and *Beng v. Dako*

PM Readings: Barbara Young Welke
(1) Original Manuscript;
(2) Letter and Reviews;
(3) "Playing with Fire: Childhood, Cowboy Suits, and Owning Hazard in the Twentieth Century U.S. Consumer Economy"

Agenda:

8:30 Coffee in Lower Lounge
9:00-12:00 AM Sessions
12:00 Buffet Lunch at Pyle Center Dining Room
2:00-3:30 PM Session

Friday, June 17th

Guest Scholar: Lauren Benton (New York University)
Topic: "Abolition and Imperial Law, 1780-1820"
Readings: Draft article with same title.

Agenda:

8:30 Coffee in Lower Lounge
9:00-12:00 AM Sessions
12:00 Buffet Lunch at Pyle Center Dining Room

6:15 Convene in Lowell Lobby and walk to Orpheum Theatre.
6:30 Dinner at Orpheum Lobby Restaurant, 216 State Street.

Saturday, June 18th/Sunday, June 19th: Free time.

PROGRAM FOR WEEK 2

Monday, June 20th

Agenda:

- 8:30 Coffee
- 9:00-10:30 Fellow Presentation #1: Fahad Ahmad Bishara
"Inscribing Obligation: Fiction and Finance in the 19th-Century Western Indian Ocean"
- 10:30 Break
- 10:45-12:15 Fellow Presentation #2: Keramet Reiter
"The Most Restrictive Alternative: The Origins, Functions, and Control of the Supermax Prison, 1976-2010"
- 12:15-1:30 Box Lunch Delivered
- 1:30-3:00 Fellow Presentation #3: Felicity Turner:
"Narratives of Infanticide: Mothers, Murder, and the State in Nineteenth-Century America"

Tuesday, June 21st

Agenda:

- 8:30 Coffee
- 9:00-10:30 Fellow Presentation #4: Rohit De
"The Republic Without a Pub is a Relic': Prohibition and Everyday Life of Constitutional Law in the Indian Republic (1949-1962)"
- 10:30 Break
- 10:45-12:15 Fellow Presentation #5: Kimberly Welch
"Slandorous Tongues,' 'Malicious Words,' and 'Licentious Wrongs': Reputation, Power, and Honor in the Antebellum Southern Courtroom"
- 12:15-1:30 Buffet Lunch at Lowell Center Dining Room
- 1:30-3:00 Fellow Presentation #6: Leia Casteneda
"The Filipinization of American Colonial Government, 1913-1921"

- 5:00 Convene in Lowell Center Lobby for taxi to dinner event
at Otto's Restaurant, 6405 Mineral Point Road. (Returning about 7:45)

Wednesday, June 22nd

Agenda:

- 8:30 Coffee
- 9:00-10:30 Fellow Presentation #7: Arthur (Mitch) Fraas
Book Proposal: *Foreign Lands and Familiar Laws: Indian Settlements and the British Imperial Constitution 1639-1774.*
- 10:30 Break
- 10:45-12:15 Fellow Presentation #8: Howard Pashman
"The Secret of the Auctions: A New Perspective on Revolutionary Law in New York"
- 12:15-1:30 Box Lunch Delivered
- 1:30-3:00 Fellow Presentation #9: Ari Bryen
"A Case of Violence in Roman Egypt"

Thursday, June 23rd

Agenda:

- 8:30 Coffee
- 9:00-10:30 Fellow Presentation #10: Orna Alyagon Darr
“Experiments in the Courtroom: Social Class and Proof in Early Modern English Witchtrials”
- 10:30 Break
- 10:45-12:15 Fellow Presentation #11: Will Hanley
“The Pinnacle of Legal Pluralism: Egypt's Late Nineteenth Century Justice System”
- 12:15-1:30 Box Lunch Delivered
- 1:30-3:00 Fellow Presentation #12: Nate Holdren
“Screening For ‘Physical Crooks’: Workplace Injury Law, Medical Examinations, and Disability at the Pullman Company in the Early 20th Century United States”

Friday, June 24th

Chair: Barbara Young Welke

Guest Scholar: Christopher Tomlins

Agenda:

- 8:30 Coffee
- 9:00-10:30 Fellow Presentation #13: Alison Lefkowitz:
“Men in the House: Race and Domestic Obligation in the United States, 1961-1978”
- 10:30 Break
- 10:45-12:15 Christopher Tomlins (University of California-Irvine School of Law)
Topic: “‘Strange Order of Things!’ Ending Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865” (Cambridge Univ. Press, 2010)
Readings from *Freedom Bound*: Prologue (Pp. 1-17) & Ending (Pp. 509-69).
- 12:15-1:30 Box Lunch Delivered
- 1:30-3:00 Christopher Tomlins
Topic: “Legal History and Critique--Past and Future Directions”
- 3:00-6:00 Break
- 6:00 Convene in Lowell Center lobby; walk to Edgewater Hotel, 666 Wisconsin Avenue.
- 6:15-6:30 Group photo shoot in Lobby or near Lobby entrance
- 6:30-8:30 Reception and Closing Banquet in The Admiralty Dining Room.

Saturday June 25th: Depart