



University at Buffalo

Baldy Center for Law
and Social Policy

School of Law

ANNUAL REPORT: 2020-2021

The Baldy Center for Law and Social Policy

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I. Center Overview

a. History

Created in 1978 under a bequest from Buffalo attorney Christopher Baldy, The Baldy Center for Law and Social Policy supports interdisciplinary research on law, legal institutions and social policy throughout the University at Buffalo. The Center engages faculty and students campus-wide, and has national and international impact through the scholarly publications, conferences, workshops, online multimedia, and other activities described in this report. The Center is housed in the School of Law, University at Buffalo.

b. Organization and Staff

Baldy Center Advisory Council 2020-2021

Anya Bernstein, Law

Guyora Binder, Law

Matthew Dimick, Law

Trina Hamilton, Geography

Rachael Hinkle, Political Science

Joanne Song McLaughlin, Economics

Mateo Taussig-Rubbo, Law

Baldy Center Staff 2020-2021

Long term staff

Samantha Barbas, Director

Caroline Funk, Associate Director

Laura Wirth, Assistant Director

Short term student assistants

Julia Merante, Blog Producer, Magazine Writer

Edgar Girtain, Blog Producer, Magazine Writer

Rebecca Dingle, Social Media Producer, Magazine Writer

Aldiana Anthony, Podcast Producer

Cecilia Meyer, Podcast Producer, Blog Producer

Azalia Muchransyah, Blog Producer, Magazine Writer

Work Study Students: Jay Carreira, Alexis Cohen, Temara Cross, Ivomir Georgiev and Tony Jiang

Baldy Center Technical Team

Debra Kolodczak, Website Designer

II. Research Support and Fellowships

a. Faculty Conference Grants

Irus Braverman (UB School of Law), Jim Bono (UB History), Paul Vanouse (UB Art), and Lucinda Cole (University of Illinois, English):

Medical Posthumanities: Governing Health Beyond the Human

Matthew Dimick (UB School of Law):

Marx and Legal Theory

b. Faculty Research Grants

Sharmistha Bagchi-Sen (UB Geography):

Contextualizing shrinking places within the broader U.S. economy

Anya Bernstein (UB School of Law):

The Human State: Making Regulation and Policy in Germany

Irus Braverman (UB School of Law):

Beastly Legalities: Wild Life and Law in Palestine/Israel

Fiona Critelli (UB School of Social Work):

#MeToo and the Implementation of Sexual Harassment Legislation in
Pakistan: Moving from Law to Practice

Rebecca French (UB School of Law):

Buddhism and Law Reader



Amy Semet (UB School of Law):

Law An Empirical Analysis of Intellectual Property Law and the
Administrative State

[c. Baldy Center Fellowships in Interdisciplinary Legal Studies](#)

The Baldy Center continued its fellowship program for scholars pursuing important topics in law, legal institutions, and social policy during the 2020-2021 academic year, with Sarah Ludin completing the second year of her Baldy Postdoctoral Fellowship. Fellows are expected to participate regularly in Baldy Center events, but otherwise have no obligations beyond vigorously pursuing their research. Fellows receive standard university research privileges (library, Internet, office space, computer, phone) and are encouraged to develop collaborative research projects with University at Buffalo faculty members where appropriate. Those who wish to teach a course to aid their research or gain teaching experience are accommodated on a case-by-case basis.

[2020-2021 Postdoctoral Fellows](#)

Sarah Ludin, 2019-2021 Postdoctoral Fellow, earned her Ph.D. in Jurisprudence and Social Policy at the University of California, Berkeley, School of Law. She is a socio-legal historian of the early modern German-speaking lands, with a special interest in law and religion, secularity and secularism, legal phenomenology and difference, and law and language. Her dissertation, "The Reformation Suits: Litigation as Constitution-Making in a German Imperial Court, 1521-1555" reconsiders the role of civil litigation in the early Reformation in Germany, long regarded as an instance of the instrumentalization of law by "old-faith" authorities against the Protestants. Sara's research shows how experimental uses of mundane, formulaic legal instruments of Roman law civil procedure fused with the legal culture and legal pluralism of the German lands,

such that the litigation context became an unexpected proxy for the most pressing constitutional questions of the early Reformation.

Ludin used her time at The Baldy Center to revise her dissertation into a book manuscript, to complete a journal article based on material from her dissertation, and to begin to develop her next research project.

2019-2020 Postdoctoral Fellows

Daniel Platt, Baldy Center Postdoctoral Fellow 2018-2020, earned his Ph.D. in American Studies at Brown University. His research considers the history of capitalism in the United States, asking how commodities are created by the law and how race and gender ideologies shape such fabrications, particularly when they implicate the integrity of labor and the home. These concerns lie at the heart of his current manuscript, *The Debt Question in Modern America*, under contract with University of Chicago Press. The study examines how a diverse galley of Gilded Age and Progressive Era Americans, including freed people, feminists, and social reformers, debated what could be pledged in the financial marketplace and what should be forbidden. As these figures wrestled over the morality of mortgaging land, home goods, and labor power, all under the long shadow of slave emancipation, they confronted rivalrous notions of the economic freedoms understood to be most natural to men and women, black people and white. *The Debt Question in Modern America* traces how deeply conservative visions of social hierarchy were summoned to legitimize an expanding realm of financial exchange. Further, it shows how such hierarchies were nourished in stride by a new discourse of financial risk.

Portions of this research have appeared or are forthcoming in the *Journal of American History* and *History of the Present*. A paper, entitled “The Problem of Peonage,” was shared at The Baldy Center in March 2019.

Following his term at The Baldy Center, Platt was appointed assistant professor, University of Illinois Springfield, Legal Studies.

2020-2021 Senior Fellows



Marie Jauffret-Roustide, a Baldy Center Senior Fellow until Spring 2022, is a Research Fellow at the French National Institute of Health and Medical Research (Inserm) in France, Paris. She has a multidisciplinary background: she holds a Master's Degree in Political Science, a PhD in sociology and social science and an “Habilitation” to supervise research in public health and social science. She is the leader of an international comparative research on the history of harm reduction between France and the United States. Dr. Jauffret-Roustide will analyze three representative contemporary drug policy issues affecting both North America (specifically the United States) and partially Europe (France)

during her Baldy Center fellowship: the history of opioid substitutive treatments, the opioid overdose crisis, and the controversy on drug consumption rooms. Jauffret-Roustide is an Awardee of the 2019 French Scholar Lecture Series, Peter Wall Institute, University of British Columbia, Vancouver, Canada.



2020-2021 Research Fellows

Matthew Bach is researching the changing role of oil and gas firms in climate change governance with a focus on the factors driving their engagement, the positions that they are taking, and the mechanisms and pathways that they are deploying in relation to climate crisis governance.

Since 2017, Matthew has been a governance programme officer for ICLEI – Local Governments for Sustainability, a global city network, where he leads a Horizon 2020 grant from the European Commission, which develops solutions for sustainable and just cities.



Daniel Brantes Ferreira is a professor at Universidade Cândido Mendes and Vice-President for Academic affairs at the Brazilian Center of Arbitration and Mediation (CBMA), where he is an arbitrator.

Daniel is also President of the Brazilian Bar Association, Rio de Janeiro Section, Legislative Affairs Commission. Research topics: legal theory, legal history, legal education, comparative studies, and Alternative Dispute Resolution (ADR). Daniel is a partner at Bruno Freire Law Firm where he practices labor law and torts. At The Baldy Center he is researching American Legal Realism. In January 2021, Brantes Ferreira was interviewed by Brazil's major newspaper, *Estadão*, about his perspective on Trump's call to Raffensperger and its legal repercussions.



Jennifer L. Gaynor works on Southeast Asia and its surrounding seas from the seventeenth century to the present. The author of [*Intertidal History in Island Southeast Asia: Submerged Genealogy and the Legacy of Coastal Capture*](#) (Cornell University Press, 2016), she has contributed chapters to

a number of books, including *Blue Legalities* (Duke University Press, 2020), edited by Irus Braverman and Elizabeth R. Johnson. Building on her previous research, her current book projects examine the history of capture, slavery, and piracy in maritime Asia, as well as the recent history of global land reclamation.



Paul Linden-Retek is a UB Law Lecturer in Law & Society and a Research Fellow at The Baldy Center for Law and Social Policy. Paul earned his Ph.D. in Political Science from Yale University in 2018 and his J.D. from Yale Law School in 2012. He is a Schell Center Visiting Human Rights Fellow at Yale Law School. In 2019-20, Paul was a Post-doctoral Emile Noël Global Fellow at the Jean Monnet Center for International and Regional Economic Law & Justice, New York

University School of Law.

Charles J. Whalen, an economist with a career spanning three decades, has contributed to national economic policy discussions, equitable regional development, and business success. During his appointment at The Baldy Center, Whalen has been active—as president (2018), past president (2019), and trustee (2020-)—in the Association for Evolutionary Economics. Last

year, Whalens AFEE presidential address—on reclaiming the right to work as a progressive cause—appeared (in versions of varying length) in *Buffalo Legal Studies Research Paper Series*, *Journal of Economic Issues*, and *Challenge* (an economics bimonthly). Whalen is currently editing two books.

III. Multimedia and Cosponsored Events

The Baldy Center moved online during the 2020-2021 academic year due to the Covid-19 pandemic. Social distancing and travel restrictions interrupted our normal dynamic, in-person talks, workshops, and conferences for the foreseeable future, but our community of scholars still are actively engaged in research and writing. We were pleased to launch new online initiatives.

a. Multimedia and Outreach

Podcast

The Baldy Center launched its blog in the Fall, 2020 semester, produced by Azalia Muchransyah, Spring 2021 Media Studies PhD recipient, filmmaker, writer, and scholar from Indonesia. The podcast highlights UB faculty research and perspectives on current issues and events. We focus on UB's interdisciplinary scholars of law, legal institutions, and social policy. 2020-2021 Podcast Episodes:

Episode 1: Mark Bartholomew discusses contact tracing

Episode 2: Irus Braverman discusses medical posthumanities

Episode 3: David Westbrook and Mark Maguire discuss airport security and counterterrorism

Episode 4: Amanda Hughett discusses the history of prisoner labor unions

Episode 5: Jennifer Gaynor discusses maritime Southeast Asia

Episode 6: David Gerber and Bruce Dierenfield discuss disability rights and religious freedom

Episode 7: Daniel Platt discusses "The Domestication of Credit"

Episode 8: Sarah Ludin discusses the socio-legal history of the Early Reformation in Germany

Episode 9: Jessica Castner, "Nurse-Initiated Protocols in Emergency Departments"

Episode 10: Waverly Duck and Anne Rawls discuss their new book, Tacit Racism

Episode 11: Erkin Özay discusses his new book, Urban Renewal and School Reform in Baltimore: Rethinking the 21st Century Public School

Episode 12: Marie Jauffret-Roustide discusses harm reduction as an effective response to the opioid overdose crisis

Episode 13: Victoria-Idongesit Udondian discusses her sculptural work “The Republic of Unknown Territory” and immigration

Episode 14: Sustaining the Alison Des Forges International Symposia

Episode 15: Athena Mutua discusses ClassCrits origins and goals

Blog

The Baldy Center launched its blog in the fall, 2020 semester, produced by Aldiana Anthony, who completed her Law Degree during Spring, 2021 semester. The blog features interdisciplinary perspectives on research and current events from interdisciplinary UB scholars whose work intersects with law, legal institutions, and social policy. New blogs are generally released twice a month during each semester. 2020-2021 Blog posts:

Blog 1. Silverman, Patterson, Wang: Taking on Stereotypes to Protect Fair and Affordable Housing Policies

Blog 2. Jinting Wu, Disability Segregation in an Age of Inclusion: Navigating Educational Pathways through Special Education Schools in Contemporary China

Blog 3. Matthew Steilen, The Place of Norms in Separating Power

Blog 4. Jaekyung Lee and Namsook Kim, “Aliens” on College Campuses: Immigrant and International Students’ Educational Opportunities and Challenges

Blog 5. Nadine Shaanta Murshid, Unprecedented Times

Blog 6. Elizabeth Bowen and Nicole Capozziello, A Human Rights Perspective on Homelessness and COVID-19

Blog 7. Laina Y. Bay-Cheng, No Choice But “Yes”: Strategic Consent to Unwanted Sex

Blog 8. Aldiana Anthony reflects on a study by Anya Bernstein, “Interpenetration of Powers: Channels and Obstacles for Populist Impulses”

Blog 9. Rachael K. Hinkle, Unintended Consequences. How the Publication Norm as a Tool of Compromise Reduces the Influence of Female and Minority Judges

Blog 10. Aldiama Anthony reflects on the article “School definitely failed me, the system failed me” — Identifying opportunities to impact educational outcomes for homeless and child welfare-involved youth

Blog 11. James Gardner reflects on the question "Is Democracy Possible Here?"

Blog 12. Matthew Steilen: Canon, Anticanon, and Anti-canonization in Constitutional Law

Blog 13. Aldiama Anthony reflects on the article, "Institutional Economics and Chock-Full Employment" by Charles J. Whalen

Blog 14. Matthew Dimick, Using Legal Rules to Reduce Income Inequality

Blog 15. Alexandra Harrington, COVID and Prisons: Grappling with the Effects of the Pandemic on Incarceration

[Magazine](#)

The Baldy Center launched its inaugural issue of the Baldy Center Magazine during the Fall, 2020 semester and its second issue during the Spring, 2021 semester. Fall magazine topics and themes addressed the resilience of the Center’s affiliates in adapting to advancing their important research in new and creative ways, since the start of the pandemic. The spring issue features the work of the Center’s affiliated scholars and shares an array of topics and subjects, all focused on themes of crisis and resolution.

[Fall 2020 Issue](#)

[Articles:](#)

A Double Pandemic: Domestic Violence During COVID-19, by Aldiama Anthony

Baldy Center Podcast, Blog, and more

Living with Pervasive Agrichemicals, by Caroline Funk, PhD

Morris Ernst – Civil Liberties Pioneer, by Cecilia Meyer

From ‘Sight’ to ‘Site’: Wading the Waters of the Niagara River Corridor Ramsar Designation, by Laura Wirth

True Cost of a Pandemic: Bursting the Neoliberalist Bubble, by Cecilia Meyer

Insight Articles:

New Buddhist Outlooks from Old Buddhist Sources, by Rebecca Dingle

Reflecting on Two Years at the Baldy Center, by Daniel Platt, PhD, Baldy Center
Postdoctoral Fellow in Interdisciplinary Legal Studies, 2018-2020

The problem is clearly multifaceted: police brutality and juror decision making, by Laura
Wirth

Law and Policy Graduate Student Research Spotlight, Renee Mapp and her “From
Welfare to College Degree: Reducing Aid Recidivism by Increasing Degree
Attainment” study.

From the Fellows: Issues and developments in law and social policy, with comments
from Daniel Brantes Ferreira, Jennifer Gaynor, Paul Linden-Retek, and Charles
Whalen.

Demographics and Developing Social Policy, by Rebecca Dingle

[Spring 2021 Issue](#)

[Articles:](#)

Why is there a War on Drugs? By Caroline Funk, PhD

When I Must Speak for You, How Will I know? By Laura Wirth

Alison Des Forges: A passion for justice, by Debra Kolodczak

Spring 2021 Baldy Center Podcast and Blog

Catalyzing New Law and Social Policy Research at UB

Intersectional Discrimination, with Joanne Song McLaughlin, by Rebecca Dingle

New Scholars in law and social policy at UB

b. Co-sponsored Events

March 5, 2021, Online Book Talk

Hadar Aviram, UC Hastings Law

"Yesterday's Monsters The Manson Family Cases and the Illusion of Parole"

March 11, 2021, Center for Diversity Innovation Talk

William A. Darity, PhD, and A. Kirsten Mullen

"From Here to Equality: Reparations for Black Americans in the 21st Century"

May 27, 2021, Symposium (Annual)

Ellen Dussourd and Shaun Irlam (committee co-chairs), Roger Des Forges (Professor Emeritus)

"COVID-19: Human Rights and International Cooperation"

IV. Conferences and Workshops

April 14-16, 2021

"Medical Posthumanities: Governing Health Beyond the Human."
Organized by Iru Braverman.

June 25, 2021

Workshop on Marx, Law, and the Administrative States. Organized by Matthew Dimick.

V. Publications

2021 Symposium Issue

“Serious Fun: A conference with and around Schlegel!”

Organized by David A. Westbrook.

SSRN Buffalo Legal Studies Research Paper Series

The Baldy Center and the UB School of Law co-sponsor an online series of working papers, called the Buffalo Legal Studies Research Paper Series. It is hosted and distributed by SSRN (Social Science Research Network) and provides an international, interdisciplinary audience for the law-related work of UB faculty and visiting scholars. The series is managed by John Beatty, Faculty Scholarship Outreach Librarian, Charles B. Sears Law Library, UB School of Law. Professor Samantha Barbas is the main editor, additional editors include Professor Guyora Binder and Professor Emeritus Errol Meidinger.

“Citation Databases for Legal Scholarship”

39 Legal Reference Services Quarterly 56 (2020), University at Buffalo School of Law Legal Studies Research Paper No. 2019-014

John Beatty

“Democratic Legitimacy under Conditions of Severely Depressed Voter Turnout”

University at Buffalo School of Law Legal Studies Research Paper No. 2-016

James A. Gardner

“Conceptions of Politics in Comparative Perspective”

In Comparative Election Law (James A. Gardner, ed., Edward Elgar 2021 Forthcoming), University at Buffalo School of Law Legal Studies Research Paper No. 2019-017

James A. Gardner

“Liberalism’s Identity Politics: A Response to Professor Fukuyama”

23 U. Pa. J.L. & Soc. Change 27 (2020), University at Buffalo School of Law Legal Studies Research Paper No. 2019-019

[Athena Mutua](#)

“Academic Law Library Director Status Since the Great Recession: Strengthened, Maintained, or Degraded?”

Law Library Journal, Vol. 112, p. 117, 2020, University at Buffalo School of Law Legal Studies Research Paper No. 2019-018, U. of Pittsburgh Legal Studies Research Paper No. 2020-20

[Elizabeth G. Adelman, Karen L. Shephard, Richard J. Patti and Robert M. Adelman](#)

“Illiberalism and Authoritarianism in the American States”

University at Buffalo School of Law Legal Studies Research Paper No. 2020-001, 70 Am. U. L. Rev. 639 (2021)

[James A. Gardner](#)

“Fair Housing’s Third Act: American Tragedy or Triumph?”

Heather R. Abraham, Fair Housing's Third Act: American Tragedy or Triumph?, 39 Yale L. & Pol'y Rev. 1 (2021)., University at Buffalo School of Law Legal Studies Research Paper No. 2020-007

[Heather R. Abraham](#)

“Strongmen and Neurotics: Visible Struggle and the Construction of Judicial Ethos”

Justice Anthony M. Kennedy: The Rhetoric of Liberty (David M. Frank and Francis J. Mootz, III, eds.) (PSU Press, 2021 Forthcoming), University at Buffalo School of Law Legal Studies Research Paper No. 2020-002

[James A. Gardner](#)

“Judicial Populism”

University at Buffalo School of Law Legal Studies Research Paper No. 2020-005, 109 Minnesota Law Review ____ (Forthcoming 2021)

[Anya Bernstein and Glen Staszewski](#)

“Disbanding Police Agencies”

121 Columbia Law Review (2021, Forthcoming), UNC Legal Studies Research Paper, University at Buffalo School of Law Legal Studies Research Paper No. 2020-004

[Anthony O’Rourke, Rick Su, and Guyora Binder](#)

“The Illiberalization of American Election Law: A Study in Democratic Deconsolidation”

University at Buffalo School of Law Legal Studies Research Paper No. 2020-003

[James A. Gardner](#)

“Copyright and the Brain”

Washington University Law Review, Vol. 98, No. 2, 2020, p.525, University at Buffalo School of Law Legal Studies Research Paper No. 2020-006

[Mark Bartholomew](#)

“Normativity and Objectivity in Historical Writing (My Dinner with Schlegel)”

Buffalo Law Review Vol. 69, No. 1

[Matthew J. Steilen](#)

“Don’t Blame Stokely Carmichael”: The Need for Federal Fair Housing Leadership”

29 J. Affordable Housing & Community Dev. L. 555 (2021), University at Buffalo School of Law Legal Studies Research Paper No. 2020-008

[Heather R. Abraham](#)

“Technologies of Language Meet Ideologies of Law (Symposium: Law, Language, and Technology)

Michigan State Law Review, Vol. 2020, 2021, University at Buffalo School of Law Legal Studies Research Paper 2020-011

[Anya Bernstein](#)

“What Counts as Data? (Symposium on Data-Driven Methods in Legal Interpretation)

Brooklyn Law Review, Vol. 86, 2021, University at Buffalo School of Law Legal Studies Research Paper No. 2020-010

[Anya Bernstein](#)

“Law and Economics Against Feminism”

Accepted for OXFORD HANDBOOK ON FEMINISM AND LAW IN THE U.S., Deborah L. Brake, Martha Chamallas, and Verna L. Williams, eds. , University at Buffalo School of Law Legal Studies Research Paper No. 2020-009

[Martha T. McCluskey](#)

“Ethical, Legal, and Social Issues in the Earth BioGenome Project”

[Jacob S. Sherkow](#), [Katharine Barker](#), [Irus Braverman](#), [Bob Cook-Deegan](#), [Richard Durbin](#), [Carla Easter](#), [Melissa Goldstein](#), [Maui Hudson](#), [W. John Kress](#), [Harris Lewin](#), [Debra J.H. Mathews](#), [Catherine McCarthy](#), [Ann McCartney](#), [Manuela da Silva](#), [Andrew W. Torrance](#) and [Henry T. Greely](#)

“Fleshy Encounters: Meddling in the Lifeworlds of Zoo and Aquarium Veterinarians”

University at Buffalo School of Law Legal Studies Research Paper No. 2020-012, Humanimalia 11(2): 49-75 (2020).

[Irus Braverman](#)

Zoo Veterinarians Gone Wild: Meddling as Methodology in Times of Crisis”

Irus Braverman. (2021). “Zoo Veterinarians Gone Wild: Meddling as Methodology in Times of Crisis.” In Irus Braverman, Zoo Veterinarians: Governing Care on a Diseased Planet (Routledge)., University at Buffalo School of Law Legal Studies Research Paper No. 2020-015

[Irus Braverman](#)

“Environmental Justice, Settler Colonialism, and More-than-Humans in the Occupied West Bank: An Introduction”

Environment and Planning E 4(1): 3-27 (special issue)., University at Buffalo School of Law Legal Studies Research Paper Forthcoming

[Irus Braverman](#)

“Nof Kdumim: Remaking the Ancient Landscape in East Jerusalem’s National Parks”

Environment and Planning E 4(1): 109-134 (special issue)., University at Buffalo School of Law Legal Studies Research Paper Forthcoming

[Irus Braverman](#)

“Corona and Climate: One Planet, One Health”

Sydney Environment Institute. Opinion. , University at Buffalo School of Law Legal Studies Research Paper Forthcoming

[Irus Braverman](#)

“Animals”

Irus Braverman. (2020). “Animals.” In Mariana Valverde (ed.). Routledge Handbook for Law and Society (forthcoming)., University at Buffalo School of Law Legal Studies Research Paper Forthcoming

[Irus Braverman](#)

“Oculta a plena vista: la geografía jurídica desde una perspectiva visual [Hidden in Plain View: Legal Geography from a Visual Perspective]”

Irus Braverman. (2020). “Oculta a Plena Vista: La Geografía Jurídica Desde Una Perspectiva Visual.” In Braverman, Irus, Richard T. Ford, Mariana Valverde, and Maria Victoria Castro Cristancho. Derecho Y Geografía: Espacio, Poder Y Sistema Jurídico, 251-280. Bogotá D. C.: Siglo Del Hombre Editores., University at Buffalo School of Law Legal Studies Research Paper Forthcoming

[Irus Braverman](#)

“Federalism and the Limits of Subnational Political Heterogeneity”

Wisconsin Law Review, Forthcoming, University at Buffalo School of Law Legal Studies Research Paper No. 2020-017

[James A. Gardner](#)

End.