



University at Buffalo

Baldy Center for Law  
and Social Policy

School of Law

# ANNUAL REPORT: 2021-2022

The Baldy Center for Law and Social Policy

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# Baldy Center 2021-2022 Annual Report Contents

## I. Center Overview

- a. History
- b. Organization and Staff

## II. Research Support and Fellowships

- a. Faculty Research Grants
- b. Baldy Center Fellowships in Interdisciplinary Legal Studies

## III. Speakers and Cosponsored Events

- a. Speakers
- b. Co-Sponsored Events

## IV. Conferences and Workshops

## V. Publications

# 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 2021-2022

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 2021-2022

#### *Professional leadership and staff*

Samantha Barbas, Director

Caroline Funk, Associate Director

#### *Student assistants*

Julia Merante, Blog Producer, Magazine Writer

Edgar Girtain, Blog Producer, Magazine Writer

Rebecca Dingle, Social Media Producer, Magazine Writer

Alexis Cohen, Office Assistant

Sheba DeLozier, Office Assistant

Work Study Students: Jay Carreira

*Baldy Center Technical Team*

Debra Kolodczak, Website Designer

## II. Research Support and Fellowships

### a. Faculty Conference Grants

**Marion Werner** (UB Geography), Christian Berndt (University of Zurich Geography), Becky Mansfield (Ohio State University Geography): Global Glyphosate: New Challenges in Regulating Pervasive Chemicals in the Anthropocene

Giovanna Di Chiro (Swarthmore College Environmental Studies), **Christopher Mele** (UB Sociology/Geography): Looking Back, Moving Forward: Law, Policy and Environmental Justice

Rustgi Conference, Faculty Sponsor **Walter Hakala** (UB English): 2022 Rustgi Undergraduate Conference on South Asia

**Martha T. McCluskey** (UB Law): Exploring The Law and Political Economy Difference

### b. Faculty Research Grants

Jordan Fox Besek (UB Sociology): Life Finds a Way: The Limits to the Social Control of Nature

Irus Braverman (UB School of Law): The Green Patrol: Policing Nature in Palestine/Israel

Abigail Cooke (UB Geography): Wading Through Administrative Burdens: Responses and Strategies of Refugee Communities for Long-Term Refugee Socioeconomic Integration

Christopher Dennison (UB Sociology): He/She/They: Gender Pronouns and Gender Bias in Student Evaluations of Teaching

Linda Kahn (UB Family Medicine): Impacts of Covid-19 on drug treatment courts: adaptations to remote technology

Yunmei Lu (UB Sociology): Cross-National Assessment of the Gender-gap in Violent Crime: How Does Social Context Matter?

Joanne McLaughlin (UB Economics): Educational Impacts of Making College Tuition Free

Amy Semet (UB Law and Political Science): Diversity and Inclusion in Intellectual Property Law

Tanya Shilina-Conte (UB English): "This Video Does Not Exist": Film Censorship as Social Practice and Elective Mutism in Minority Cinema

Robert Silverman (UB Urban and Regional Planning): Some public housing authorities (PHAs) get it right: successful implementation of the U.S. Department of Housing and Urban Development's (HUD's) small area fair market rent (SAFMR) rule.

### c. Baldy Center Fellowships in Interdisciplinary Legal Studies

The Baldy Center experienced a brief hiatus in the residential fellowship programs for scholars pursuing important topics in law, legal institutions, and social policy during the 2021-2022 academic year, due to pandemic related constraints. Research fellows maintained an active presence. 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.

#### 2021-2022 Research Fellows



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 Postdoctoral 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, Whalen's 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).

### III. Multimedia and Cosponsored Events

The Baldy Center continue online programming during the 2021-2022 academic year, adapting to hybrid and flexible pandemic related uncertainties.

#### a. Multimedia and Outreach

##### Podcast

The Baldy Center continued its podcast in 2021-2022, produced this year by Edgar Girtain, a PhD student in the music department at University at Buffalo. 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 18: Samantha Barbas discusses her new book The Rise and Fall of Morris Ernst: Free Speech Renegade*

*Episode 19: Helen Drew and Marissa Egloff discuss diversity, equity, and inclusion in major sports leagues*

*Episode 20: David Herzberg discusses repeated waves of addiction to pharmaceutical opioids and other medicines*

*Episode 21: John Henry Schlegel and David A. Westbrook discuss "the adventure of thinking"*

*Episode 22: Jordan Fox Besek on climate change and life finding a way*

*Episode 23: Devonya Havis discusses the nature of truth and community practices for resistance*

*Episode 24: Daniel Brantes Ferreira discusses sports betting arbitration in Brazil and beyond*

*Episode 25: Victoria Wolcott discusses the Long Civil Rights Movement and utopianism*

*Episode 26: Rachael Hinkle discusses how briefs and lawyer experience can influence Supreme Court decisions*

*Episode 27: Seth Parker Woods discusses the positioning of the cello in art performance installations*

*Episode 28: Episode 28: Matthew Dimick discusses wealth redistribution, income tax, Pareto optimality, and Marxism*

*Episode 29: Episode 29: Anya Bernstein discusses judicial populism and the cultures of bureaucracy*

## [Blog](#)

The Baldy Center continued its blog in 2021-2022, produced by Julia Merante, a second year law student at University at Buffalo. 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 were released twice a

month during each semester.

2021-2022 Blog posts:

*Blog 16. Catherine Cook-Cottone: The Mindful Lawyer*

*Blog 17. R. Lorraine Collins: Medical and Recreational Cannabis Laws are being passed even though we do not know about its effects*

*Blog 18. Carole Emberton: Monuments to the Enslaved*

*Blog 19. Paul Linden Retek: "Safe third countries" and our obligations to others*

*Blog 20. G. James Lemoine: Why are so many political leaders unethical and what can we do about it?*

*Blog 21. Arabella Lyon: The Paradoxes of Precarity: Buffalo Refugees Reconsidered*

*Blog 22. Edward Steinfeld: Why is it so difficult to ensure equality of access to public toilets for all?*

*Blog 23. Letitia Thomas: Integrating Social Justice Theory into Engineering Practice*

*Blog 24. Holly Buck: Do we need a fossil fuel non-proliferation treaty?*

*Blog 25. Joe Atkinson: Decision Support for Lake Ontario Water Quality Management*

*Blog 26. Judith Olin: Intimate Partner Violence in the Pandemic and Beyond*

*Blog 27. Robert M. Adelman: Growing Population and Diversity in Buffalo, New York*

*Blog 28. Barbara Wejnert: Russian Invasion of Ukraine is intricately linked to the struggle for democracy against autocracy*

*Blog 29. Trina Hamilton: Why can't we buy our way to a more ethical diamond market*

*Blog 30. Korydon Smith: Barriers (and Paths) to Achieving Universal Human Rights for People with Disabilities*

## [Magazine](#)

The Baldy Center continued to publish the online Baldy Center Magazine with Fall 2021 and Spring 2022 editions. 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 2021 Issue

Diversity and Inclusion in Patent Law, by Caroline Funk

Film Censorship as Social Practice by Jay Carreria

Obscenity Law and Performance by Alexis Cohen

Power and Possibility in Women's Social Movements, by Laura Wirth

New Scholars: Gabriella Nassif and Hilary Vandembark

#### Spring 2022 Issue

Personhood, Agency, Law, and Justice, by Jay Carreira

Forging Autonomy in West Africa, by Rebecca Dingle

The Language of Law and Bureaucracy, by Rebecca Dingle

Remote Technology and Drug Courts, by Alexis Cohen

New Scholars: Das, Khahaifa and Lebens-Higgins

#### b. Co-sponsored Events

OCTOBER 25, 2021: CO-SPONSORED SPEAKER:

Ehlimana Memisevic (Fulbright Scholar, Vanderbilt University):

Transitional Justice and Reconciliation: Challenges in Bosnia and Herzegovina

NOVEMBER 3, 2021 — CO-SPONSORED SPEAKER:

WANG FENG (UC Irvine)

China's Age of Abundance: Origins, Ascendants, and Aftermaths

MARCH 10, 2022 — CO-SPONSORED SPEAKER:

Mical Raz, PhD, (HUMANITIES INSTITUTE)

"Fixing Parents or Fixing Poverty? Lessons from Child Welfare Policy History"

APRIL 7, 2022 — CO-SPONSORED EVENT:

Alison Des Forges Annual Symposium

Today's Socialism and Human Rights

APRIL 22, 2022 — CO-SPONSORED SPEAKER:

Lenni Bensen (New York Law School)

Understanding Children Who Migrate Alone: U.S. Law and Policy

APRIL 26, 2022 — CO-SPONSORED SPEAKER:

David Hernández (Mount Holyoke College)

Whiplashed: Refugees, Detention and the "Trump Era"

APRIL 29 and 30, 2022 — CO-SPONSORED EVENT:

Rustgi Undergraduate Conference on South Asia

MAY 10, 2022 — CO-SPONSORED EVENT:

DSSN Symposium: Indigenous Data Sovereignty and Digital Archives

## IV. Conferences and Workshops

NOVEMBER 11 - 12, 2021 — WORKSHOP:

Global Glyphosate: New Challenges in Regulating Pervasive Chemicals in the Anthropocene, organized by Marion Werner, UB Associate Professor of Geography.

DECEMBER 3, 2021 - BOOK MANUSCRIPT WORKSHOP:

*Moral Debt in Modern America*, Daniel Platt, Assistant Professor of Legal Studies at the University of Illinois Springfield, Baldy Center Postdoctoral Fellow in Interdisciplinary Legal Studies 2019-2021.

APRIL 22 - 23, 2022 — CONFERENCE WEBINAR:

Looking Back, Moving Forward: Law, Policy and Environmental Justice, organized by Christopher Mele. Co-sponsored by Swarthmore College.

MARCH 11, 2022 — DISTINGUISHED SPEAKER:

Anna Lvovsky (Harvard Law School): The Double Lives of Police Professionalism

APRIL 1, 2022 — DISTINGUISHED SPEAKER:

Michael J. Nelson (Pennsylvania State University): The Elevator Effect: Contact and Collegiality in the American Judiciary

APRIL 15, 2022 — DISTINGUISHED SPEAKER:

Nate Holdren (Drake University): Workplace injury, social murder, and law

## V. Publications in the SSRN Buffalo Legal Studies Research Paper Series

Christine Bartholomew. 2022. "Antitrust Class Actions in the Wake of Procedural Reform," *Indiana Law Journal*, 2022 Forthcoming; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-007*.

Christine Bartholomew & Anya Bernstein. 2022. "Ford's Underlying Controversy," 99 *Washington University Law Review* \_\_ (2022); *University at Buffalo School of Law Legal Studies Research Paper No. 2021-005*.

Mark Bartholomew. 2021. "Copyright and the Creative Process," *Notre Dame Law Review*, Vol. 97, No. 1, pp.357-416, 2021; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-009*.

Mark Bartholomew. Forthcoming. "Nonobvious Design," *Iowa Law Review*, Vol. 108 (Forthcoming); *University at Buffalo School of Law Legal Studies Research Paper No. 2021-012*.

Irus Braverman. 2021. "Der Jüdische Nationalfonds, Bäume und Öko-Zionismus™ [The Jewish National Fund, Trees, and Eco-Zionism™]," *In Jüdischer Almanach, Natur (Gisela Dachs, Leo Baeck Instituts Jerusalem, ed.) [in German]*; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-003*.

Irus Braverman. 2022. "Correlations: Back to the Breath," *Queensland Review* 28(2): 1–4.; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-010*.

James A. Gardner. 2022. "Introduction: Election Law – Universal or Particular?" *In Comparative Election Law (James A. Gardner, ed.) (Edward Elgar, forthcoming 2022)*; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-001*.

James A. Gardner. 2022. "The Concept of "Equilibrium" in Federal Constitutions," *In The Law and Politics of Federalism (Erin F. Delaney, ed.) (Edward Elgar, forthcoming*

2022).; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-002*.

James A. Gardner. 2022. "Equilibrium and Sustainability in Federal Systems," *In Colino, Handbook of Federations and Federal Studies (Edward Elgar, forthcoming 2022)*; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-004*.

Anthony O'Rourke. Forthcoming. "The Ostensible (and, at Times, Actual) Virtue of Deference," *Yale Law Journal Forum, Forthcoming*; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-008*.

Matthew J. Steilen. 2022. "Life and Afterlife in the Steel Seizure Case," *Buffalo Law Review Vol. 70 (2022)*, 875-911.

Su, Rick, Anthony O'Rourke & Guyora Binder. Forthcoming. "Defunding Police Agencies," *Emory Law Journal, Forthcoming*; *UNC Legal Studies Research Paper*; *University at Buffalo School of Law Legal Studies Research Paper No. 2021-006*.

End.