



University at Buffalo

Baldy Center for Law
and Social Policy

School of Law

ANNUAL REPORT: 2022-2023

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 2022-2023

Guyora Binder, Law

Anya Bernstein, Law (Fall 2022)

Michael Boucai, Law (Spring 2023)

Matthew Dimick, Law

Trina Hamilton, Geography

Rachael Hinkle, Political Science

Joanne Song McLaughlin, Economics

Mateo Taussig-Rubbo, Law

Baldy Center Staff 2022-2023

Long term staff

Samantha Barbas, Director

Caroline Funk, Associate Director (until December 8, 2022)

Amanda M. Benzin, Assistant Director (as of November 28, 2022)

Short term student assistants

Julia Merante, Blog Producer

Simon Honig, Blog Producer

Sheba DeLozier, Social Media Producer, Office Assistant

Farrah DeLozier, Office Assistant

Work Study Students: Alexis Cohen (until December 31, 2022)

Baldy Center Technical Team

Debra Kolodczak, Website Managing Editor and UX Designer

II. Conference Grants, Research Grants, and Fellowships

a. Faculty Conference Grants

Barbara Wejnert (UB Environment and Sustainability), James A. Gardner (UB School of Law): The State of Democracy and Rise of Autocracy in View of the Russian Invasion of Ukraine

Gwynn Thomas (UB Gender Studies): Visionaries and Troublemakers: Women's, Gender, and Sexuality Studies at 50

Carrie Tirado Bramen (UB Gender Institute): Interventions in Social Reproduction: Labor, Social Justice, and the Value of Human Life

Alison Des Forges Annual Symposium: The Russo-Ukrainian War: Achievements and Limitation of Today's International System

David A Westbrook (UB School of Law): While Waiting for Rain: Community, Law, and Economy in a Time of Change by John Henry Schlegel

Matthew Dimick (UB School of Law): Critical Encounters with Habermas's Legal Theory in BETWEEN FACTS AND NORMS

b. Faculty and Graduate Student Research Grants

Rebecca French (UB School of Law): Building a Research Infrastructure in Buddhism and Law

Veronica Horowitz (UB Sociology): Imprisoned during a Pandemic: Firsthand Accounts from Currently Incarcerated People

Yunju Nam (UB Social Work): Living Through Double Jeopardy: The Economic and Social Impacts of Covid-19 and Asian Hate on Korean American Small Business Owners and Employees in the New York Metropolitan Area

Joanna Pepin (UB Sociology): A Reconsideration of the Link Between Work-Family Arrangements and Mental Health

Amy Semet (UB School of Law): Female and Minority Participation in Patent Law

Mateo Taussig-Rubbo (UB School of Law), Emmanuel Frimpong Boamah (Urban and Regional Planning): Climate change and governance in the postcolony: an empirical study in Ghana

Caitlyn Sears (Graduate Student, UB Geography): Global agrochemical production networks: A study of Malaysia's pesticide production and regulation

Victoria Nachreiner (Graduate Student, UB History): A Marriage of Aesthetics: Afropolitan Consumption, Bodily Practices, and Cis-Atlantic Gendering in Old Calabar, 1840-1940

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 2022-2023 academic year. 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.

2022-2023 Postdoctoral Fellows



Celene Reynolds studies gender inequality in organizations and the laws designed to reduce it. Her current work focuses on Title IX, the US civil rights law that prohibits sex discrimination in education. As a fellow at The Baldy Center, she will complete her book (under contract with Princeton University Press). It documents how and explains why sexual harassment became a form of unlawful sex discrimination under Title IX. She will also make progress on a new project that examines experiences of and institutional responses to sex discrimination in the American academy. Using an original dataset based on letters from the US Department of Education to colleges and universities that have allegedly violated Title IX, the project will illuminate a common - but often veiled - mechanism of inequality.

Before joining The Baldy Center, Reynolds was a Presidential Postdoctoral Fellow at Cornell University. She received her PhD in Sociology from Yale University in 2019. Her award-winning research has appeared in the *American Journal of Sociology*, *Organization*, *Qualitative Sociology*, *Social Problems*, and *Socius*. She has also received support from the National Science Foundation, the National Academy of Education/Spencer Foundation, and the Horowitz Foundation for Social Policy.



Tian Xu, Post Doctoral Fellow at The Baldy Center, earned his PhD in History from the Catholic University of America in 2021 and works on race, law, and social policy in post-Civil War America. His book project, tentatively titled *Navigating Worthiness in America*, compares white attorneys' work in two strands of negotiations between federal authorities and their minority subjects: the distribution of military pensions to African Americans, and the admission of Chinese immigrants to the United States. Both welfare distribution and immigration admission hinged on the state's adjudication of minority virtues and construction of civic ideals. In everyday life and often outside the courtrooms, the lawyers' work served as a nexus of racialized administrative practices, interracial legal actions, creative uses of whiteness, and searches for equality.

Drawing from government and private collections in America and China, Xu's research also sheds new light on the history of the legal profession. It recovers many lawyers' unintended involvement in civil liberties while investigating the heavily racialized marketplace of interracial legal services. His work seeks to historicize both minority agency and white privilege in an age of pervasive racism and inequality. At The Baldy Center, Xu plans to develop and revise his book project through the lens of legal training and critical legal studies.

2022-2023 Senior Fellows



Nick Cheesman, Baldy Center Senior Fellow Fall 2022, is a Fellow in the Department of Political & Social Change and a Fellow in the Coral Bell School of Asia Pacific Affairs at Australian National University in Canberra, Australia. He holds a Masters Degree in Education from University of Western Australia and a PhD from the Department of Political and Social Change at Australian National University. He currently is a series co-editor for the ASAA Southeast Asian Publications Series, and he holds an Australian Research Council grant to study the relation of torture to political order in mainland Southeast Asia. Dr. Cheesman has received numerous awards and prizes for his scholarship and writing. His next book, *Myanmar: Politics and society* is forthcoming from Cambridge University Press.

Dr. Cheesman's areas of expertise include law and society, government and politics of Asia and the Pacific, and political theory and political philosophy. His current major project is entitled "Rules of Law in Thailand and Myanmar in comparative historic perspective." While in residence at The Baldy Center, Cheesman plans to analyze interdisciplinary legal studies on torture, law, and politics. His research "seeks to account for the properties of torture by reference to the political order in which it is imbricated, and in turn, to reveal otherwise obscured particulars of that political order through study of the torture situation and seeks to develop an

interpretation of how torture is made possible in the contemporary world through a variety of juridical and political arrangements.” He plans to offer a new interpretation of the constitutive relationship between torture, law and politics.



Miriam Driessen, 2022-2023 Baldy Center Senior Fellow, is an anthropologist trained at Oxford. Her work explores local courts as global actors. Based on more than a decade of research on Ethiopian-Chinese interactions, she examines the role of lower courts in Ethiopia in disciplining Chinese capital and containing its excesses. At the Baldy Center, she will also work on a second, collaborative project that examines the transnational reach of China’s courts through the analysis of cross-border labor disputes. Dr. Driessen is the author of *Tales of Hope, Tastes of Bitterness: Chinese Road Builders in Ethiopia* and *The Restless Earth: Rural China in Transition*.

2022-2023 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

The Baldy Center worked on moving back in-person during the 2022-2023 academic year after the Covid-19 pandemic. Our community of scholars actively engaged in research and writing. We were pleased to continue our podcast and blog series.

a. Podcast

The Baldy Center continued its podcast, produced by Simon Honig, a third-year law student at UB School of Law. The podcast highlights UB faculty research and perspectives on current issues and events. We focus on interdisciplinary scholars of law, legal institutions, and social policy. 2022-2023 Podcast Episodes:

Episode 30: Judith Olin discusses Erin's Law and advocacy for victims of family violence

Episode 31: Claire Cameron examines the challenge of implementing Erin's Law

Episode 32: Shaun Marq Anderson speaks to the nature of Title IX

Episode 33: Farinacci-Fernós discusses Puerto Rico's Constitutional Paradox

Episode 34: Samantha Barbas provides insight on New York Times v. Sullivan

b. Blog

The Baldy Center continued its blog, produced by Julia Merante, a third-year law student at SUNY Buffalo. The blog features interdisciplinary perspectives on research and current events from interdisciplinary scholars whose work intersects with law, legal institutions, and social policy. 2022-2023 Blog posts:

Blog 31: Julia Merante: Introducing: Erin's Law and Preventing Domestic Violence

Blog 32: Judy Torres: Domestic Violence and the Cycle of Violence

Blog 33: Megan Dudziak: It's Every Adult's Responsibility-Erin's Law- New York State

Blog 34: Kristen Holderle: The HEAL Collaborative – A Medical-Legal Partnership

Blog 35: Lizzy Vinal: Supporting Erin's Law – Children and Domestic Violence

Post 36. Katerina Bezrukova: Those 37 Words and What Comes Next

Post 37. Kathy Jamil: Policy meets practice — Title IX and WNY Girls in Sports

Post 38. Riana Pryor: Equitable Medical Care for High School Student Athletes

IV. Events

a. Co-Sponsored Events

OCTOBER 13, 2022: CO-SPONSORED SPEAKER:

Matthew T. Huber (Syracuse University) "Wither the Green New Deal? The Rise and Fall of a Working Class Climate Politics"

APRIL 5, 2023- CO-SPONSORED SPEAKER:

Dr. Mary Frances Berry (University of Pennsylvania) "History Teaches Us to Resist: Struggle and Progress in Challenging Times"

APRIL 6, 2023- CO-SPONSORED SPEAKER:

Michael Levien (John Hopkins University) "A Green New Deal in Red States?"

2022-2023: CO-SPONSORED CONFERENCE EVENTS:

"Interventions in Social Reproduction: Labor, Social Justice, and the Value of Human Life."

APRIL 24-27, 2023- CO-SPONSORED CONFERENCE:

"Queer and Feminist Yugoslav Diaspora: Art, Film, and Activism"

APRIL 26, 2023- CO-SPONSORED SYMPOSIUM:

"The Russo-Ukrainian War: Achievement and Limitations of Today's International System"

MAY 3, 2023- CO-SPONSORED SPEAKER:

Irus Braverman (UB School of Law)

MAY 5, 2023- CO-SPONSORED SPEAKER:

Celene Reynolds (Baldy Center Postdoctoral Fellow) "Repurposing Title IX: How Sexual Harassment Became Sex Discrimination in American Higher Education"

b. Speakers

SEPTEMBER 23, 2022 – GUEST SPEAKER:

Ewa Gorska (Jagiellonian University) "Exploring Islamophobia and Islam in Poland Through Analysis of Court Decisions"

OCTOBER 7, 2022 – DISTINGUISHED SPEAKER:

Paul Kahn (Yale University) "To be Governed by a Text"

NOVEMBER 3, 2022 – GUEST SPEAKER:

Pornpen Khongkachonkiet (Cross Cultural Foundation, Bangkok) "A new law to prevent torture and enforced disappearances in Thailand"

DECEMBER 9, 2022 – SENIOR FELLOW

Nick Cheesman (Baldy Center Senior Fellow) "A Political Concept of Torture"

APRIL 21, 2023 – UB FACULTY SPEAKER

Veronica L. Horowitz (UB Sociology) "Incarceration During the Covid-19 Pandemic: Compounding the Pains of Imprisonment"

c. Conferences

OCTOBER 28-29 – CONFERENCE

"The State of Democracy and Rise of Autocracy in View of the Russian Invasion of Ukraine" Organized by Barbara Wejnert (UB Environment and Sustainability) and James A. Gardner (UB School of Law).

OCTOBER 28-29 – CONFERENCE

"Visionaries and Troublemakers: Women's, Gender, and Sexuality Studies at 50" Organized by Gwynn Thomas (UB Gender Institute)

APRIL 28, 2023 – CONFERENCE

"While Waiting for Rain: Community, Law and Economy in a Time of Change" Co-Organized by David A. Westbrook (UB School of Law) and Amanda Benzin (Baldy Center)

MAY 26-27, 2023 – CONFERENCE

"Critical Encounters with Habermas' Legal Theory in Between Facts and Norms" Organized by John Abromeit (Buffalo State College), Matthew Dimick (UB School of Law), and Paul Linden-Retek (UB School of Law).

V. Publications

Open Access without Open Access Values: The State of Free and Open Access to Law Reviews
115 Law Library Journal 41 (2023); *University at Buffalo School of Law Legal Studies Research Paper No. 2022-017*

John R. Beatty

Title IX in Historical Context: 50 Years of Progress and Political Gamesmanship
29 William & Mary Journal of Race, Gender & Social Justice 103 (2022); *University at Buffalo School of Law Legal Studies Research Paper No. 2022-015*

Helen Drew, Marissa Egloff & Josie Middione

The Scope of Generic Choice of Law Clauses
UC Davis Law Review, Vol. 56, No. 3, 2023; *University at Buffalo School of Law Legal Studies Research Paper No. 2022-014*

Tanya J. Monestier

Dividing the Body Politic
University of Chicago Law Forum (forthcoming 2023); *University at Buffalo School of Law Legal Studies Research Paper No. 2022-013*

James A. Gardner

Guide to Bill of Attainder Clauses in Article I, sections 9 and 10

Matthew J. Steilen

State University of New York (SUNY) at Buffalo, Law School

Rethinking Economics for Tax Law and Political Economy
83 Ohio St. L.J. Online 94 (2022); *University at Buffalo School of Law Legal Studies Research Paper No. 2022-12*

Martha T. McCluskey

ClassCerts Time? Building Institutions, Building Frameworks
University at Buffalo School of Law Legal Studies Research Paper No. 2022-011; *1 Journal of Law and Political Economy* 333, 2021

Athena Mutua

Contemplations on Dig Safe Markings: Law as Street Art
In Paolo Patelli, Giuditta Vendrame, & Elise Limon (eds). Friction Atlas (2022 Onomatopoeie).; University at Buffalo School of Law Legal Studies Research Paper No. 2022-008

Irus Braverman

The Microbial Zoo: How Small is Wild
In Ben Minter & Harry Greene. A Wilder Kingdom: Rethinking the Wild in Zoos, Wildlife Parks, and Beyond (forthcoming 2023, Columbia University Press). ; University at Buffalo School of Law Legal Studies Research Paper No. 2022-009

Irus Braverman

When and Why Do Lawyer Organizations Seek to Influence Law?

Lawyers in 21st Century Societies: Volume 2 (2022); University at Buffalo School of Law Legal Studies Research Paper No. 2022-007

Lynn Mather & Leslie C. Levin

Introduction to 'Newsworthy: The Supreme Court Battle Over Privacy and Press Freedom'

Samantha Barbas, Introduction. in Samantha Barbas, Newsworthy: The Supreme Court Battle Over Privacy and Press Freedom (2017 Stanford University Press)

Samantha Barbas

Introduction: Our Images, Our Selves

Samantha Barbas, Introduction: Our Images, Our Selves, in Samantha Barbas, Laws of Image: Privacy and Publicity in America (2015 Stanford University Press).

Samantha Barbas

Comparative Election Law

Comparative Election Law (James A. Gardner, ed., Edward Elgar forthcoming 2022), DOI: 10.4337/9781788119023

James A. Gardner

A Hartian Account of Legal Officials

Torben Spaak and Gonzalo Villa Rosas (eds.) Legal Competence: Concept, Norms, Formalization, and Exercise (Springer), Forthcoming; University at Buffalo School of Law Legal Studies Research Paper No. 2022-006

Jorge Luis Fabra-Zamora

Introduction to 'The Laws of the Sea: Interdisciplinary Currents'

In The Laws of the Sea: Interdisciplinary Currents, Irus Braverman (ed.), Routledge, 2022.; University at Buffalo School of Law Legal Studies Research Paper No. 2022-004

Irus Braverman

Genetic Freedom of the Seas in the Age of Extractivism: Marine Genetic Resources in Areas Beyond National Jurisdiction

In The Laws of the Sea: Interdisciplinary Currents, Irus Braverman (ed.), Routledge, 2022.; University at Buffalo School of Law Legal Studies Research Paper No. 2022-005

Irus Braverman

Police Killings as Felony Murder

17 Harvard Law and Policy Review ____ (2022); University at Buffalo School of Law Legal Studies Research Paper No. 2022-003

Guyora Binder & Ekow N. Yankah

The Compatibility of Post-Keynesian Institutionalism and Law and Political Economy

University at Buffalo School of Law Legal Studies Research Paper No. 002, 2022; Prepared for the Law and Political Economy Workshop "Exploring the Law and Political Economy Difference," Co-sponsored by The Baldy Center for Law and Social Policy and the Association for the Promotion of Political Economy and Law (APPEAL) (June 9-10, 2022), 2022

Charles J. Whalen

Election Law and Democratic Theory

In Oxford Handbook of American Election Law, Eugene Mazo, ed. (forthcoming 2023); University at Buffalo School of Law Legal Studies Research Paper No. 2022-001

James A. Gardner

Impacts of COVID-19 on Drug Treatment Court Operations: Lessons Learned Through Normalization Process Theory, Victims & Offenders

Victims & Offenders: An International Journal of Evidence-based Research, Policy, and Practice: Routledge, 2023

Linda S. Kahn, Maximilian J. Brimmer, Diane E. Berdine, Schuyler C. Lawson & D. Lynn Homish

End.