



THE BALDY CENTER
for LAW & SOCIAL POLICY

*Advancing Interdisciplinary
Legal Scholarship since 1978*

ANNUAL REPORT: 2016-2017

The Baldy Center for Law & Social Policy
SUNY Buffalo Law School
511 O'Brian Hall
Buffalo, NY 14260
Tel: 716-645-2102
Fax: 716-645-2900
E-mail: baldyctr@buffalo.edu

2016-2017 Annual Report

Baldy Center for Law and Social Policy

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I. Center Overview

History

Created nearly 40 years ago under a bequest from Buffalo attorney Christopher Baldy, the Baldy Center for Law & Social Policy supports interdisciplinary research on law, legal institutions and social policy throughout the University at Buffalo. The Center not only engages faculty and students campus-wide, it also has national and international impact through the scholarly publications, conferences, workshops, and other activities described in this report. The center is housed at the SUNY Buffalo Law School.

Organization and Center Staff

Baldy Advisory Council for 2016-2017

Anya Bernstein (Law)
Irus Braverman (Law)
Trina Hamilton (Geography)
Hal Langfur (History)
Jonathan Manes (Law)
Matteo Taussig-Rubbo (Law)
Mary Nell Trautner (Sociology)

Baldy Center Staff

Errol Meidinger, Director
Laura Wirth, Assistant Director
Caroline Funk, Research Associate
Amy Hothow, Technical Accounting
Matthew McLeskey, Research Assistant
Yaqi Yuan (Sam), Research Assistant

Baldy Center Technical Team

Michael Massett, Print Designer
Debra Kolodczak, Web Designer

II. Research Support and Fellowships

Faculty Research Grants

Annahita Ball, Elizabeth Bowen, and Annette Semanchin-Jones, Social Work:
Improving Educational Outcomes for Homeless and Child Welfare-Involved Youth in Greater Buffalo through Cross-Systems Collaboration

Samantha Barbas, School of Law:
The Most Loved, Most Hated Magazine in America: Confidential Magazine and the Transformation of Freedom of the Press

Anya Bernstein, School of Law:
Administrative Law from the Administrative Perspective in Taiwan

Irus Braverman, School of Law:
The Law of the Land: Nature Reserves in the Occupied Palestinian Territories

Jang Wook Huh, English and Asian Studies Program:
School Cross-Racial Justice in the Pacific

Charles Lamb, Political Science:
Presidents, Bureaucracy, and Fair Housing in America

Christopher Mele, Sociology:
The Entrepreneurial Turn in Housing Policy: Effects on the Provision of Affordable Rental Housing

Athena Mutua, School of Law:
Black Power on Trial: The Kansas Nine

Anthony O'Rourke, School of Law:
Civil and Criminal Discovery

Erkin Ozay, Architecture:
Building a Public Institution: The Case of Henderson-Hopkins School and Middle East Baltimore

Deborah Reed-Danahay, Anthropology:
Being French in London: National Science Space and European Mobility Regimes

Lauren Sassoubre, Civil, Structural and Environmental Engineering, and Jessica Owley, School of Law:
Exploring the Legal and Scientific Feasibility of Using Recycled Water from Dairy Farms for Agricultural Irrigation

Robert Silverman, Urban and Regional Planning:

Model Community Benefits Agreements (CBAs): An Emerging Tool for Negotiating Equitable Development

Jessica Su, Sociology:

Labor Market Conditions and Unintended Pregnancy

Gwynn Thomas, Global Gender Studies/Transnational Studies:

Hidden Activists: The Role of Civil Servants in Promoting Gender Equality in Latin America

Marion Werner, Geography:

Trade and Agro-Food Systems Regulation in the Caribbean

Li Yen, Urban and Regional Planning:

Spatial Clustering of Abandonment and Demolition: A Case Study in Buffalo, New York

Ezra Zubrow, Anthropology:

Cultural Heritage as a Human Right

Baldy 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 2016-2017 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 SUNY 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.

The 2016-2017 Senior Fellow was:



Catherine Connolly is Professor of Gender and Women's Studies at the University of Wyoming (UW), where she served nine years as the department director. Dr. Connolly earned a J.D. (cum laude, 1991) and a Ph.D. (Sociology, 1992) from the University at Buffalo. As a graduate student at UB, she was a Baldy Center fellow.

The 2016-2017 Postdoctoral Fellows were:



[Camilo Arturo Leslie](#), 2015-17 Postdoctoral Fellow, has a PhD in Sociology from the University of Michigan, where he previously earned a JD. His dissertation research combines legal sociology, economic sociology, and a theoretical focus on trust and trustworthiness to account for the ruinous “success” of history’s second largest Ponzi scheme: the \$5.5 billion Stanford Financial Group fraud. At the Baldy Center, Camilo is revising his dissertation into a book manuscript tentatively titled *Untangling the Knotted Roots of Trust: Trustworthiness and Jurisdiction in the Stanford Financial Group fraud*.



[Justin L. Simard](#), 2015-17 Postdoctoral Fellow, earned his JD and his PhD in History at the University of Pennsylvania. His dissertation examines how American lawyers in the 19th century helped build the American economy. Using day books, ledgers, and letters, the dissertation provides a bottom-up history of an elite profession. At the Baldy Center, Justin continued his research on the work of 19th century American lawyers and published “The Birth of a Legal Economy: Lawyers and the Development of American Commerce,” which appeared in the *Buffalo Law Review*.

III. Speakers and Visitors

Distinguished Speaker Series

September 9, 2016

[Kenneth Abbott](#), Jack E. Brown Professor of Law, Arizona State University Sandra Day O’Connor College of Law.

“Experimentalist Governance 2.0: Taking ‘Experiments’ (More) Seriously”

October 14, 2016

[Ahmed White](#), Professor of Law, University of Colorado Law School.

“It’s Own Dubious Battle: The Impossible Defense of an Effective Right to Strike”

February 10, 2017

[Ana Mariella Bacigalupo](#), Professor, Department of Anthropology, University at Buffalo, SUNY.
“The Spirit of Law in Chile: Judge Karen Atala’s Transformative Shamanic Vision and Her LGBT Rights Child Custody Case”

March 3, 2017

[Mitra Sharafi](#), Associate Professor of Law, University of Wisconsin Law School.

“Corruption and Forensic Experts in British India”

March 10, 2017

[Erin Delaney](#), Associate Professor of Law, Northwestern University Law School.

“A Federal Case of Judicial Review: From Structure to Rights”

March 17, 2017

[Douglas Nejaime](#), Professor of Law & Faculty Director, Williams Institute, UCLA School of Law.

“Assimilating Difference”

March 31, 2017

[Margaret Boittin](#), Assistant Professor of Law, York University Osgoode Hall Law School.

“Enforcement and Accommodation: Tier-Based Patterns in the Policing of Prostitution in China”

April 14, 2017

[Hiroshi Motomura](#), Susan Westerberg Prager Professor of Law, UCLA School of Law.

“Migrants, Refugees and Citizens: What’s Next for Immigration Law and Policy?”

Co-Sponsored Events

February 12, 2017

[“Day of Celebration and Solidarity.”](#) A party to honor and celebrate international scholars, students, immigrants and refugees. Organized by the UB Gender Institute and co-sponsored with nearly 100 community and university partners.

April 28, 2017

[Allison Weiner Heinemann, Professor, ILR School, Cornell University:](#) *“‘I Have a Peaceful Place’: Redefining Disability, Trauma, and Access in Law and Education.”* Organized by the UB Center for Disability Studies.

April 29, 2017

[“The Professor Claude Welch Retirement Celebration.”](#) A mini-conference in honor of Claude Welch’s (SUNY Distinguished Service Professor of Political Science) distinguished career. Co-sponsored with the UB Honors College, the UB Humanities Institute, the Office of International Education, and the College of Arts and Sciences.

IV. Conferences and Workshops

Conferences

September 30 - October 1, 2016

“[Buddhist Law and State Law in Comparative Perspective](#).” Organized by Rebecca French, UB Professor of Law, and Benjamin Schonthal, Associate Professor of Buddhism/Asian Religions, University of Otago.

October 21-22, 2016

“[Gene Editing: Life and Law Beyond the Human](#).” Organized by UB Professor of Law Irus Braverman.

November 5, 2016

“[Global Governance and the Trans-Pacific Partnership \(TPP\)](#).” Organized by Trina Hamilton, Associate Professor, Abigail Cooke, Assistant Professor, Marion Werner, Assistant Professor, UB Department of Geography, and Meredith Kolsky Lewis, Professor and Vice Dean, UB International and Graduate Programs, School of Law.

February 23-24, 2017

“[Ocean Legalties: The Law and Life of the Sea](#).” Organized by UB Professor of Law Irus Braverman.

March 10-11, 2017

“[The Changing Climate: Reflections on Current Law, Policy, Justice, and Regulation](#).” Organized by Kim Connolly, UB Professor of Law.

V. Publications

SSRN Buffalo Legal Studies Research Paper Series

The Baldy Center and the SUNY Buffalo Law School 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 editor of the series is Errol Meidinger, UB School of Law.

“Exorcising the Clergy Privilege”

Virginia Law Review, Vol. 103, 2017, University at Buffalo School of Law Legal Studies Research Paper No. 2016-44

[Christine Bartholomew](#)

“The Political Economy of Celebrity Rights”

38 Whittier Law Review 1 (2018), University at Buffalo School of Law Legal Studies Research Paper No. 2016-048

[Mark Bartholomew](#)

“Penal Incapacitation: A Situationist Critique”

American Criminal Law Review, Vol. 54, No. 1, 2017, University at Buffalo School of Law Legal Studies Research Paper No. 2016-037

[Guyora Binder](#)

“Why Law Matters for Our Obligations”

Critical Analysis of Law 2:2 (2015), University at Buffalo School of Law Legal Studies Research Paper No. 2016-032

[Guyora Binder](#)

“What Is Criminal Law About?”

Michigan Law Review, Vol. 114, p. 1173, 2016, University at Buffalo School of Law Legal Studies Research Paper No. 2016-027

[Guyora Binder and Robert Weisberg](#)

“Capital Punishment of Unintentional Felony Murder”

Notre Dame Law Review, Vol. 92, p. 1141, 2017, University at Buffalo School of Law Legal Studies Research Paper No. 2016-045, Stanford Public Law Working Paper

[Guyora Binder, Robert Weisberg and Brenner Fissell](#)

“Is Assisted Procreation an LGBT Right?”

Wisconsin Law Review, Vol. 2016, No. 6, 2016, University at Buffalo School of Law Legal Studies Research Paper No. 2016-42

[Michael Boucai](#)

“The Pet Keeping Industry in the American City”

Squaderno 42: 51-55. ISSN 1973-9141, University at Buffalo School of Law Legal Studies Research Paper No. 2016-035

[Irus Braverman](#)

“Anticipating Endangerment: The Biopolitics of Threatened Species Lists”

BioSocieties (2016). DOI: 10.1057/s41292-016-0025-0, University at Buffalo School of Law Legal Studies Research Paper No. 2016-034

[Irus Braverman](#)

“Pet Subjects”

Times Literary Supplement, October 6, 2016, University at Buffalo School of Law Legal Studies Research Paper No. 2016-033

[Irus Braverman](#)

“Biopolarity: Coral Scientists between Hope and Despair”

Anthropology Now. Volume 8, Issue 2, December 2016 (Forthcoming), University at Buffalo School of Law Legal Studies Research Paper No. 2016-031

[Irus Braverman](#)

“Mega-Regional Trade Agreements and Global Environmental Governance: The Case of the Trans-Pacific Partnership Agreement”

University at Buffalo School of Law Legal Studies Research Paper No. 2016-038

[Errol Meidinger](#)

“Textual Vagueness and Institutional Divergence in Constitutional Decisionmaking”

William & Mary Bill of Rights, Forthcoming, University at Buffalo School of Law Legal Studies Research Paper No. 2016-040

[Anthony O’Rourke](#)

“Public Access to Spatial Data on Private-Land Conservation”

22(2) Ecology & Society 24 (2017), University at Buffalo School of Law Legal Studies Research Paper No. 2016-046

[Adena R. Rissman](#), [Jessica Owley](#), [Andrew L’Roe](#), [Amy Morris](#) and [Chloe Wardropper](#)

“Sez Who? Critical Legal History Without a Privileged Position”

Forthcoming in the Oxford Handbook of Historical Legal Research, Markus D. Dubber and Christopher Tomlins, editors, University at Buffalo School of Law Legal Studies Research Paper No. 2016-039

[John Henry Schlegel](#)

“Wesley Newcomb Hohfeld: On the Difficulty of Becoming a Law Professor”

Forthcoming in The Legacy of Wesley Hohfeld: Edited Major Works, Select Personal Papers, and Original Commentaries (Shyam Balganes, Ted Sichelman & Henry Smith eds., Cambridge University Press, 2018)., University at Buffalo School of Law Legal Studies Research Paper No. 2016-036

[John Henry Schlegel](#)

“The Birth of a Legal Economy: Lawyers and the Development of American Commerce”

Buffalo Law Review Vol. 64 (2016), University at Buffalo School of Law Legal Studies Research Paper No. 2016-041

[Justin Simard](#)

“Unicorns, Guardians, and the Concentration of the U.S. Equity Markets”

Volume 96:3 of the Nebraska Law Review, Forthcoming, University at Buffalo School of Law Legal Studies Research Paper No. 2016-43

[Amy Westbrook](#) and [David A. Westbrook](#)

“The Paradigm Sways: Macroeconomics Turns to History”

Westbrook, D. A. (2017), The Paradigm Sways: Macroeconomics Turns to History. Int Finance, 20 (2017, Forthcoming), University at Buffalo School of Law Legal Studies Research Paper No. 2016-047

[David A. Westbrook](#)