



THE BALDY CENTER  
for LAW & SOCIAL POLICY



# 2010 – 2011

## Annual Report

The Baldy Center for Law & Social Policy  
SUNY Buffalo Law School  
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# I. Center overview

## History

Created nearly 30 years ago under a bequest from Buffalo attorney Christopher Baldy, the Baldy Center for Law & Social Policy supports research on the interdisciplinary study of 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 located in the University at Buffalo Law School.

## Organization and Center Staff

### Baldy Advisory Council

Sharmistha Bagchi-Sen, Geography  
Guyora Binder, Law  
Robert Granfield, Sociology  
Stephanie Phillips, Law  
Kenneth Shockley, Philosophy  
Mateo Taussing-Rubbo, Law  
James Wooten, Law

### Baldy Center Staff

Errol Meidinger, Director  
Laura Wirth, Assistant Director  
Anita Mazurek, Administrative Assistant

### Student Assistants

Anikroma Bekoe  
John Che  
Ashley Sydnor

## II. Research Support and Fellowships

### Faculty Research Grants

#### Annual Research Grants

Christina Boyd, Political Science

*Empirical Insights into Federal District Court Decision Making*

Irus Braverman, Law

*Zoo Bureaucracies*

Susan Cole, Classics

*Freedom and Restraint: Dionysiac Institutions and the ancient Greek Community*

Colleen Culleton, Romance Languages and Literatures

*Hardened by the Rain: Moving Water, Making Metaphors, and Imagining the Rural in Modern Catalonia*

Joshua J. Dyck, Political Science

*The Scope and Nature of Panhandling and the Related Crime*

Rebecca R. French, Law

*Translating the Tibetan Law Codes*

Joyce Hwang, Architecture

*Re-Zoning Buffalo: Visualizing Potential Effects of Urban Agriculture*

Charles M. Lamb, Political Science

*Fair Housing in the Twentieth Century*

Susan Mangold, Law

*The Impact of Child Welfare Funding on Child Welfare Outcomes in Ohio*

Teresa Miller, Law

*Documenting Buffalo's Abortion Wars*

Teresa Miller, Law

*Doing Life: An Ethnographic Documentary of Attica Prison*

Vasiliki Neofotistos, Anthropology

*Law, Martyrdom and Albanian Identity in the Republic of Macedonia*

Justin Read, Romance Languages and Literatures

*Alternative Functions: The Modernization of Urbanization of Latin America*

Judy Scales Trent, Law

*Survival and Success under Apartheid: the Life and Work of William Johnson Trent*

Ramya Sreenivasan, History  
*Formations of Community in Early Modern North India: Legal Regulations and Caste Boundaries*

Mateo Taussig Rubbo, Law  
*The Pirate Trials in Mombasa, Kenya*

Sue Winton, Leadership and Policy  
*Engaging Citizens in Education Policymaking: The Effects of Online and Face-to-Face Policy Dialogues*

## Small Research Grants

James Beebe, Philosophy  
*Chance and Harm*

Thomas Burkman, Asian Studies  
*Post-Pacific War Repatriation and War Memory in East Asia*

Sarah Elder, Media Study  
*Surviving Arctic Climate Change [A documentary film]*

Michael Halberstam (Law School)  
*Redistricting Research Initiative*

Junhao Hong (Communications)  
*Communication Rights, Press Freedom, and Social Transformation in China*

Bruce Jackson (English)  
*Texas Death Row*

Eiichiro Kazumori (Economics)  
*US Spectrum Allocation Policy: Theory and Experiments*

Lynn Mather (Law)  
*Lawyers in Practice: Ethical Decision Making in Context*

Lynn Mather (Law)  
*Indexing Project*

Martha McCluskey (Law)  
*Criminalizing Economic Inequality: ClassCrits Workshop*

Carl Nightingale (American Studies)  
*Segregation is Everywhere: A World History of Urban Color Lines*

Yoshiko Nozaki (Education, Leadership and Policy)  
*Educational Technology, Educational Opportunity Programs, and the Gendered (and Raced and Classed) Identities among U.S. College Students*

Jessica Owley (Law )

*Private Land Conservation in a Changing Climate: Adaptation and Vulnerability Assessment*

Jessica Owley (Law)

*Collaborative Conservation Easement Research*

Sasha D. Pack (History)

*Europe's Deepest Border: The Strait of Gibraltar Region since 1870*

Harvey Palmer (Political Science)

*University Affiliations of Supreme Court Justices and Attorneys: How Educational Networks Influence Court Decisions*

Stephanie Phillips (Law)

*Reforming Legal Education in Light of the Revolution in Neuroscience*

Qingyan Shang (Economics) and Jessie P.H. Poon (Geography)

*Skilled immigrants and US exports before and after the AC21 Act*

Robert Silverman (Urban and Regional Planning)

*Developing Planning and Policy Strategies for a Small American Indian Nation: The Case of the Unkechaug Nation*

Mary Nell Trautner (Sociology)

*Procedural and Legal Outcomes of Appearance-Based Employment Discrimination Lawsuits*

Lois Weis (Department of Educational Leadership and Policy)

*Maintaining Advantage: How Affluent Schools, Parents and Students Work to Position for College/University Entrance Under Conditions of Massification*

## I. Collaboration and Community

### Baldy Center Distinguished Speakers:

November 15-16, 2010

*Paradoxes of Regulating Corporate Capitalism: Property Rights and Hyper-Regulation*

**Sol Picciotto**, Director of the Oñati International Institute for the Sociology of Law

March 28, 2011

*Domestic Violence and Women's Security from Owning Property*

**Bina Agarwal**, Director and Professor of Economics at the Institute of Economic Growth, Delhi University

April 8-11, 2011

*Using Just One Drug Makes Them Guilty: The Two Faces of Law in HIV Clinics*

**Carol Heimer**, Professor of Sociology at Northwestern University and Research Professor at the American Bar Foundation

April 19, 2011

*NSF Funding Opportunities for Research on Law*

**Scott Barclay**, Associate Professor, SUNY Albany Department of Political Science

### Co-sponsored events:

September 22, 2010

*Living with the Enemy: Insights from the Manchurian Diary of Jin Yufu, 1931-1935*

Professor Annping Chin, Yale University

Faculty Organizers: Asian Studies faculty

October 29-31, 2010

*The Mindful Lawyer: Practices & Prospects for Law School, Bench, and Bar*

Faculty Organizers: Stephanie Phillips, UB Law, Charles Halpern, Berkeley Law, Len Riskin, University of Florida, Rebecca French, UB Law

November 5, 2010

*Rethinking the Amistad Rebellion*

Marcus Rediker, History, University of Pittsburgh

Faculty Organizer: Jennifer Gaynor, History

February 17 – April 1, 2011

*15th annual International Women's Film Festival 2011*

Organized by: Institute for Research and Education on Women & Gender

February 11, 2011

*Academic Freedom in Contexts of Experiential Learning and Community-Based Research*

Peter Joy, Washington University Law

Faculty Organizer: Kim Connolly, Law

February 23, 2011

*Pro Bono and the Public Good: Institutionalizing the Private Interest in Public Practice*

Robert Granfield, UB Sociology

Organized by: UB 2020 Civic Engagement & Public Policy (CEPP) Initiative

March 4, 2011

*Are Supreme Court Justices Merely 'Legislators in Robes'?*

Jeffrey Segal, SUNY Stony Brook

Faculty Organizers: Lynn Mather, Law; Christina Boyd, History

March 10, 2011

*The Role of the Trans-Atlantic Slave Trade in Contemporary Anti-Human Trafficking Discourse*

Karen Bravo, A Columbia Law School Harlan Fiske Stone Scholar

Organized by: The Feminist Research Alliance

March 10, 2011

Film Screening

*The Sun Behind the Clouds: Tibet's Struggle for Freedom*

Organized by: Asian Studies Program

March 24, 2011

*Is 'Family-Friendly' also Women-Friendly? Corporate Family Leave Policies, the Family & Medical Leave Act, & Women's Occupational Standing in US Firms"*

Erin Kelly, Associate Professor of Sociology at the University of Minnesota

Organized by: Steve Hoffman, Sociology

April 1, 2011

*Middle East Uprisings: How the Past Informs the Present*

Robert Tignor, Princeton History Department

Organized by: Jennifer Gaynor, History

April 7, 2011

*"Social Antagonisms (and their discursive construction)"*

Ernesto Laclau, Distinguished Visiting Professor, Political Science, Northwestern University

Organized by: Department of English

## II. Presentations, Conferences and Workshops

### Book Manuscript Workshops:

October 19, 2010

*The Power of Association: Collective Goods, Selective Incentives, and Predatory States*

Dinissa Duvanova, Political Science, University at Buffalo

Commentators: Scott Gehlbach, Political Science, University of Wisconsin–Madison;

Peter Rutland, Professor of Government, Wesleyan University

May 10, 2011

*Zooveillance: The Institution of Captivity*

Irus Braverman, Associate Professor of Law and Adjunct Professor of Geography at UB

Commentators: Jody Emel, Associate Director of the Graduate School of Geography at Clark

University; David Delaney, Senior Lecturer in Law, Jurisprudence and Social Thought at Amherst

College; David Murakami Wood, Associate Professor in the Department of Sociology at Queen's

University, Canada

### Working Group Presentations:

October 29, 2010

Environmental Stewardship Working Group

*Who is Building the Better Green Energy Mousetrap? A Comparison of Canadian and US Approaches to Renewables, Energy Efficiency, and Smart Distribution*

Scott Pasternack, Supervisor for Policy Development, Toronto Environment Office

November 30, 2010

Law, Place and Space Baldy Center Working Group

*Zooveillance: Controlling to Conserve*

Irus Braverman, UB Law

April 4, 2011

Children, Families and the Law Working Group

*The Vanishing Trial in State and Federal Courts: A Discussion of the Trend over the Past Decades, Possible Reasons for the Decline, and Implications for the Field*

Lynn Mather, UB Law School, Hon. Kevin Dillon, Erie County Supreme Court Justice

### Conferences, Workshops and Lectures:

August 9-10, 2010

*The Proposed Remediation of Nuclear Materials at the Lake Ontario Ordinance Works: The Fernald Ohio Experience*

Nathalie A. Wall, Ph.D. Assistant Professor, Washington State University

Faculty Organizer: Nils Olsen, UB Law and Joseph A. Gardella, Jr., Chemistry

September 30, 2010

*Stratification, Segmentation, Fragmentation: The Research University in the 21st Century*

Faculty Organizers: Lois Weis, Graduate School of Education; Sharmishta Bagchi-Sen, Geography

March 18, 2011

*Workshop on Urban Farming in Buffalo, Contamination, Zoning and Land Use*

Faculty Organizer: Joseph Gardella, Chemistry

March 28 and March 29, 2011

*Hydrofracking: Exploring the Legal Issues in the Context of Politics, Science, and the Economy"*

Faculty Organizers: Errol Meidinger, Kim Connolly, Jessica Owley, Robert Berger, UB Law

April 2, 2011

*The Quote's Thing: Negotiating Copyright in Literary Criticism*

Faculty Organizers: Mark Bartholomew, Law; Cristanne Miller, English

April 28 and April 29, 2011

*Realizing Europe: The Treaty of Lisbon in Perspective*

Faculty Organizers:

Deborah Reed-Danahay, Anthropology; Michael Halberstam, Law; Vasiliki Neofotistos, Anthropology

### III. Publications

#### SSRN Buffalo Legal Studies Research Paper Series

The Baldy Center and the UB Law School sponsor an on-line 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.

UB editors of the Buffalo series:

**Errol Meidinger**, UB Law

**Guyora Binder**, UB Law

Governing with Clean Hands: Automated Public Toilets and Sanitary Surveillance

*Buffalo Legal Studies Research Paper No. 2011-001*

*SSRN Abstract No. 1680477*

Irus Braverman

Book Review: Africa: Mapping New Boundaries in International Law

*Buffalo Legal Studies Research Paper No 2011-002*

*SSRN Abstract No. 1684057*

Makau Mutua

The International Criminal Court in Africa: Challenges and Opportunities

*Buffalo Legal Studies Paper No. 2011-003*  
*SSRN Abstract No. 1684147*  
Makau Mutua

Tort, Custom, and Karma: Globalization and Legal Consciousness in Thailand  
*Buffalo Legal Studies Paper No. 2011-004*  
*SSRN Abstract No. 1694179 (Abstract only)*  
David Engel  
How the Biological/Social Divide Limits Disability and Equality  
*Buffalo Legal Studies Paper No. 2011-005*  
*SSRN Abstract No. 1711883*  
Martha McCluskey

Thinking Like Wolves: Left Legal Theory After Right's Rise  
*Buffalo Legal Studies Paper No. 2011-006*  
*SSRN Abstract No. 892565*  
Martha McCluskey

From Popular Sovereignty to Constitutional Sovereignty  
*Buffalo Legal Studies Paper No. 2011-007*  
*SSRN Abstract No. 1587350*  
Abad i Ninet

Anonymity and Democratic Citizenship  
*Buffalo Legal Studies Paper No. 2011-008*  
*SSRN Abstract No. 1743742*  
James Gardner

Efficiency and Social Citizenship: Challenging the Neoliberal Attack on the Welfare State  
*Buffalo Legal Studies Paper No. 2011-009*  
*SSRN Abstract No. 457860*  
Martha McCluskey

Lessons Learned, Lessons Lost: Immigration Enforcement's Failed Experiment with Penal Severity  
*Buffalo Legal Studies Paper No. 2011-010*  
*SSRN Abstract No. 1738665*  
Teresa Miller

New Frontiers of State Constitutional Law: Dual Enforcement of Norms  
*Buffalo Legal Studies Paper No. 2011-011*  
*SSRN Abstract No. 1739774*  
James Gardner

Conservation Easements at the Climate Change Crossroads  
*Buffalo Legal Studies Paper No. 2011-012*  
*SSRN Abstract No. 1743883*  
Jessica Owley

The Sony Legacy: Secondary Liability Perspectives

*Buffalo Legal Studies Paper No. 2011-013*  
*SSRN Abstract No. 178986*  
Robert Reis

Rights and Remedies Post *Ebay v. Mercexchange* - Deep Waters Stirred  
*Buffalo Legal Studies Paper No. 2011-014*  
*SSRN Abstract No. 1789873*  
Robert Reis

Checks, Balance and Judicial Wizardry: Constitutional Delegation and Congressional Legislation  
*Buffalo Legal Studies Paper No 2011-015*  
*SSRN Abstract No. 1789874*  
Robert Reis

Religion, Land, and Rights  
*Buffalo Legal Studies Paper No. 2011-016*  
*SSRN Abstract No. 180445*  
Winnifred Sullivan

Joan's Two Bodies: A Study in Political Anthropology  
*Buffalo Legal Studies Paper No. 2011-017*  
*SSRN Abstract No. 1815360*  
Winnifred Sullivan

From the Welfare State to the Militarized Market: Losing Choices, Controlling Losers  
*Buffalo Legal Studies Paper No. 2011-018*  
*SSRN Abstract No. 1846818*  
Martha McCluskey

How the "Unintended Consequences" Story Promotes Unjust Intent and Impact  
*Buffalo Legal Studies Paper No. 2011-019*  
*SSRN Abstract No. 1846848*  
Martha McCluskey

Specious Claims and Global Settlement  
*Buffalo Legal Studies Paper No. 2011-020*  
*SSRN Abstract No. 1783792*  
Todd Brown