2011-2012 Annual Report

Baldy Center for Law & Social Policy

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I. Center Overview

History

Created 35 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 University at Buffalo Law School.

Organization and Center Staff

Baldy Advisory Council for 2011 - 2012
- 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 (Fall, 2011)
- Ashley White, Events Assistant (Spring, 2012)
- Rebecca Ott, Research Assistant (Spring, 2012)

Student Assistants
- Anikroma Bekoe (Biomedical Sciences)

Baldy Center Technical Team
- Michael Masset, Web/Design Team
- Caryn Sobieski-Vandelinder
- Jeffrey Till
II. Research Support and Fellowships

Faculty Research Grants

Annual Research Grants

Christina Boyd (Political Science) Analyzing Litigation in the Federal District Courts
Irus Braverman (Law) Noah’s Ark: Ideologies of Nature in Israel/Palestine Zoos
Catherine Cornbleth (Learning & Instruction) How State Agencies, National Accreditation Organizations, and Advocacy Corporations Shape the Education of Professionals: The Case of Teacher Education
Sarah Elder (Media Studies) Surviving Arctic Climate Change: A Documentary Film
Charles Lamb (Political Science) Fair Housing in the Twentieth Century
Lynn Mather (Law School) Lawyers in Practice: Ethical Decision Making in Context
Jessica Owley (Law) Enforceability of Exacted Conversation Easements
Yoshiko Nozaki (Educational Leadership & Policy) Comfort Women, Historical and Legal Issues, and Education: Views from Japanese College Students
Stephen Paskey (Law) Telling Refugee Stories: Truth, Narrative, and the Asylum Adjudication Process
Mateo Taussig-Rubbo (Law) Pirate Trials in Mombasa, Kenya

Small Research Grants

Sharmistha Bagchi-Sen (Geography) The Role of Policy in the Creation of the US Renewable Energy
Samantha Barbas (Law) The Privacy Paradox: Law, Media, and Intimate Life in Modern America
Ellen Berrey (Sociology) Bottom-Line Diversity: Race and Productive Pluralism in the Post-Civil Rights Period
Diane Christian (English) Death Row on DVD
Dinissa Duvanova (Political Science) Regulatory Policy and Bureaucratic Discretion: Business Environment in Post-Communist Eastern Europe and Eurasia
Michael Halberstam (Law) NYS Clearinghouse for Local Government Representation
Trina Hamilton (Geography) Constructing Ethical Spaces for the Global Diamond Trade
David Herzberg (History) Prescription for Trouble: Pharmaceuticals and Drug Abuse in the 20th Century
Eiichiro Kazumori (Economics) Design of Spectrum Allocation Mechanism for the US Telecommunication Policy
Patricia Logan-Greene (Social Work) Risk and Protective Factors Among Youth in the Juvenile Justice System: Fitting the Needs of High Risk Youth with Services to Improve Outcomes
Robert Silverman (Urban & Regional Planning) Evaluation of the Implementation of the Plan to Remove Impediments to Fair Housing in the City of Buffalo
Deborah Waldrop (Social Work) Call 911: How Public Health Policy Influences Emergency Decision-Making at Life’s End
Claude Welch (Political Science) Human Rights NGOs and India’s Dalits
Marion Werner (Geography) Value Chains and Neoliberal Regulation: Focus on the Americas

Baldy Fellowships in Interdisciplinary Legal Studies

The Baldy Center instituted a new Fellowship program for scholars pursuing important topics in law, legal institutions, and social policy. More than fifty applications were received from junior and senior scholars from law, the humanities, and the social sciences. Four fellowships were awarded for the 2012-2013 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.

**Graduate Student Fellowships**

*Gilbert D. Moore Fellowships*

The Baldy Center administered three continuing Gilbert D. Moore Fellowships in 2011-2012.

**Anthony Giannetti** (JD & PhD, Philosophy)

**Scott Ptak** (JD & PhD, Geography)

**Robert Vanwey** (JD & PhD, History)

**III. Speakers and Visitors**

**Distinguished Speaker Series**

“The Future of Interdisciplinary Legal Scholarship: Predictions and Prescriptions”

September 9, 2011

*Future Directions in Law and Social Sciences*

**Scott Barclay**, Drexel University

September 23, 2011

*Race and Representation: Researching Employment Civil Rights Litigation in the Post Civil Rights United States*

**Robert Nelson**, Northwestern University, American Bar Foundation

October 6, 2011

*The Confused Place of Mercy in Legal Discourse*

**Robert Ferguson**, Columbia University

**Cosponsored Events**

September 7, 2011

*A Tale of Two Countries and the Ways They Treat Their Cities: A Bi-National Conversation on French and American Urban Policy*

Organized by:

**Carl Nightingale**, University at Buffalo, Department of Transnational Studies

**Deborah Reed-Danahay**, University at Buffalo, Center for European Studies

October 7, 2011

*Finding a New Foundation for Justice in China*

**Flora Sapio**, Visiting Scholar, New York University School of Law, Centre for Advanced Studies on Contemporary China, Turin, Italy

Cosponsored with UB Asian Studies Program
October 14, 2011  
*Maritime History*  
**Michael Pearson**, University of New South Wales  
Cosponsored with UB Department of History

March 10-11, 2012  
*Buffalo Workshop on Ethics and Adaptation*  
**Kenneth Shockley**, University at Buffalo, Philosophy Department  
Cosponsored with the UB Department of Philosophy

October 21, 2011  
*Beyond Legal Mobilization: Rethinking How Law Matters in the Transpacific Struggles of Filipino Cannery Workers*  
**Michael McCann**, University of Washington. President, Law and Society Association

December 2, 2011  
*Asia’s Rise, Asian Legal Studies, and the Future of Legal Interdisciplinary*  
**Andrew Harding**, University of Victoria

March 2, 2012  
How the Earth Became a Collection of Land Uses -- or Did It? Reflections on Doing Sociolegal Research in a Post-Theoretical Age  
**Mariana Valverde**, University of Toronto

April 18, 2012  
*Interdisciplinary Legal Scholarship: Experiences, Probabilities and Suggestions*  
**Franz von Benda-Beckmann**, Max Planck Institute for Social Anthropology

**IV. Workshops and Conferences**  
**Research Development Workshops**

December 9, 2011  
*Legal Forms of Religious Life*  
**Helge Arsheim**, University of Oslo

March 9, 2012  
*Istwa: History, Memory and Cultural Production in Haiti.*  
**Toni Pressley-Sanon**, UB Transnational Studies

**Book Manuscript Workshops**

May 23, 2012  
*Within the Double Bind: Black Girlhood and Subjectivity in Jim Crow New Orleans*  
**Lakisha Michelle Simmons**, UB, Global Gender Studies  
Commentators: **Rhonda Williams**, Associate Professor of History and Director, Social Justice Institute, Case Western Reserve University and **Thadious Davis**, Professor of English, University of Pennsylvania

**Conferences and Workshops**

September 11-13, 2011  
*40 Years After the Attica Uprising: Looking Back, Moving Forward*  
Organized by:  
**Teresa Miller**, Law School
October 14-15, 2011
Major Developments in Redistricting
Organized by:  Michael Halberstam, Law School, James A. Gardner, Law School, Rick Su, Law School

October 24, 2011
Implementing Truth and Reconciliation: Comparative Lessons for Korea
Sponsored by the Baldy Center for Law & Social Policy, the Asian Studies Program, and the Buffalo Human Rights Center
Organized by: Tara Melish, Law School, Errol Meidinger, Law School, Mark Nathan, History

April 6, 2012
Judging Children as Children, A Juvenile Justice Workshop

April 19-20, 2012
Where Now? Moving Beyond Traditional Legal Geographies
Organized by: Irus Braverman, Law School

April 26-27, 2012
Beyond Jurisdiction: Wetlands Policy for the Next Generation
Organized by: Kim Diana Connolly, Law School

May 18-19, 2012
The Future of Heritage: Law, Ethics and Sustainability
Organized by: Peter Biehl, Anthropology

V. 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 editor of the Buffalo series: Errol Meidinger, Law School

"How the Movies Became Speech"
Samantha Barbas

"Justice Jackson’s 1946 Nuremberg Reflections at Buffalo: An Introduction”
Buffalo Legal Studies Research Paper 2012-047
Tara J. Melish and Alfred S. Konefsky

"A Tale of Two Zoos"
Environment and Planning A, 2012, Forthcoming
Buffalo Legal Studies Research Paper No. 2012-046
Irus Braverman

"Why Context Matters”
Buffalo Legal Studies Research Paper No. 2012-045
Lynn Mather and Leslie C. Levin (University of Connecticut School of Law)
"Lawyerly Fidelity: An Ethical and Empirical Critique"
NOMOS-American Society for Political and Legal Philosophy, Forthcoming
Buffalo Legal Studies Research Paper No. 2012-044
Lynn Mather

"Smithers, What’s the Name of this Gastropod? King-Size Homer and the Social Security Administration’s Subjective Evaluation of Fatness"
Georgia State University Law Review, Forthcoming
Buffalo Legal Studies Research Paper No. 2012-043
Chris Pashler

"Checkpoint Watch: Reflections on Israel’s Border Administration in the West Bank"
Journal of Social and Legal Studies, Forthcoming
Buffalo Legal Studies Research Paper No. 2012-042
Irus Braverman

"Value of Valor: Money, Medals, and Military Labor”
Buffalo Legal Studies Research Paper No. 2012-41
Mateo Taussing-Rubbo

“Exacted Conservation Easements: Emerging Concerns with Enforcement”
Buffalo Legal Studies Research Paper No. 2012-040
Jessica Owley

“How to Do Things with Boundaries: Redistricting and the Construction of Politics”
Buffalo Legal Studies Research Paper No. 2012-039
James A. Gardner

“Zootopia: Utopia and Dystopia in the Zoological Garden”
Buffalo Legal Studies Research Paper No. 2012-038
Irus Braverman

“Hidden in Plain View: Legal Geography from a Visual Perspective”
Buffalo Legal Studies Research Paper No. 2012-037
Irus Braverman

“Looking at Zoos”
Cultural Studies, Forthcoming
Buffalo Legal Studies Research Paper No. 2012-036
Irus Braverman

“Zoo Registrars: A Bewildering Bureaucracy”
DUKE ENVIRONMENTAL LAW & POLICY FORUM, Vol. 21, No. 165, 2010
Buffalo Legal Studies Research Paper No. 2012-035
Irus Braverman

“The Enforceability of Exacted Conservation Easements”
Vermont Law Review, Vol. 36, 2011,
Buffalo Legal Studies Research Paper No. 2012-034
Jessica Owley

“The Unsacrificeable Subject?”
WHO DESERVES TO DIE?, p. 131, Austin Sarat & Karl Shoemaker, eds., University of Massachusetts Press, 2011
Buffalo Legal Studies Research Paper No. 2012-033
Mateo Taussing-Rubbo

RETHINKING TRANSITIONS: EQUALITY AND SOCIAL JUSTICE IN SOCIETIES EMERGING FROM CONFLICT, pp. 31-45, Gaby Ore Aguilar & Felipe Gomez Isa, eds., 2011
Buffalo Legal Studies Research Paper No. 2012-032
Makau W. Mutua
"Election Law as Applied Democratic Theory"
St. Louis University Law Journal, Forthcoming
Buffalo Legal Studies Research Paper No. 2012-031
James A. Gardner

"If Not a Commercial Republic? Political Economy in the United States after Citizens United”
Buffalo Legal Studies Research Paper No. 2012-030
David A. Westbrook

“The Myth of 'Conquered Provinces': Probing the Extent of the Voting Rights Act’s Intrusion on State and Local Autonomy”
Michael Halberstam

“States of War: Defensive Force Among Nations”
Buffalo Legal Studies Research Paper No. 2012-024
Guyora Binder

“Critical Legal Studies”
A COMPANION TO PHILOSOPHY OF LAW AND LEGAL THEORY, pp. 267-278, D. Patterson, ed., 2010 , Buffalo Legal Studies Research Paper No. 2012-023
Guyora Binder

“Law and Literature”
JOHNS HOPKINS GUIDE TO LITERARY THEORY AND CRITICISM, Michael Groden, Martin Kreiswirth, Imre Szeman eds., 2006, Buffalo Legal Studies Research Paper No. 2012-022
Guyora Binder

“Pirate Trials, the International Criminal Court, and Mob Justice: Reflections on Postcolonial Sovereignty in Kenya”
Buffalo Legal Studies Research Paper No. 2012-021
Mateo Taussig-Rubbo

"Constitutional Gaps in Bankruptcy Adjudication"
Buffalo Legal Studies Research Paper No. 2012-020
S. Todd Brown

Buffalo Legal Studies Research Paper No. 2012-019
Errol Meidinger and Tara J. Melish

“Point & Counterpoint: Should the Home Mortgage Interest Tax Benefit Be Reduced?”
American Bar Association – Section of Taxation News Quarterly, Vol. 25, No. 2, Winter 2006,
Buffalo Legal Studies Research Paper No. 2012-018
Stuart Lazar and Deborah A. Geier

“The Rhetoric of Motive and Intent”
Buffalo Legal Studies Research Paper No. 2012-017
Guyora Binder

“The Origins of American Felony Murder Rules”
Buffalo Legal Studies Research Paper No. 2012-016
Guyora Binder
“The Definition of Voting Stock and the Computation of Voting Power Under Sections 368(c) and 1504(a): Recent Developments and Tax Lore”
Virginia Tax Review, Vol. 17, p. 103, 1998,
Buffalo Legal Studies Research Paper No. 2012-014
Stuart Lazar

“Aesthetic Judgment and Legal Justification”
Studies in Law, Politics, and Society, Vol. 43, pp. 79-112, 2008,
Buffalo Legal Studies Research Paper No. 2012-015
Guyora Binder

“Lessinger, Peracchi, and the Emperor’s New Clothes: Covering a Section 357(c) Deficit with Invisible (or Nonexistent) Property”
The Tax Lawyer, Vol. 58, p. 41, 2004,
Stuart Lazar

“Schooling Congress: The Current Landscape of the Tax Treatment of Higher Education Expenses and a Framework for Reform”
Buffalo Legal Studies Research Paper No. 2012-012
Stuart Lazar

“The Unreasonable Case for a Reasonable Compensation Standard in the Public Company Context: Why it is Unreasonable to Insist on Reasonableness”
Buffalo Legal Studies Research Paper No. 2012-011
Stuart Lazar

“The Meaning of Killing”
MODERN HISTORIES OF CRIME AND PUNISHMENT, pp. 88-114, Markus D. Dubber, Lindsay Farmer, eds., 2007, Buffalo Legal Studies Research Paper No. 2012-010
Guyora Binder

“The Culpability of Felony Murder”
Guyora Binder

“Victims and Significance of Causing Harm”
Guyora Binder

“Making the Best of Felony Murder”
Boston University Law Review, Vol. 91, p. 403, 2011,
Buffalo Legal Studies Research Paper No. 2012 - 007
Guyora Binder

“Sexual Orientation and Human Rights: Putting Homophobia on Trial”
Makau W. Mutua

Lise Gelernter

“Tribes as Conservation Easement Holders: Is a Partial Property Interest Better than None?”
Jessica Owley
“Distributed Graduate Seminars: An Interdisciplinary Approach to Studying Land Conservation”
Jessica Owley and Adena Rissman

“Progress, Innovation and Technology: A Delicate ‘Google’ Balance”
Robert I. Reis

“The Spirits Were Always Watching’: Buddhism, Secular Law, and Social Change in Thailand”
David M. Engel

“States of Exemption: The Legal and Animal Geographies of American Zoos”
Irus Braverman

“Creating the Public Forum”
Samantha Barbas