BOSTON COLLEGE
Law School

Legal History Roundtable 2014-15

For the 2014-2015 academic year, Professor Mary Sarah Bilder, Professor Daniel R. Coquillette, Professor Frank Herrmann and Professor James S. Rogers are conveners. With the exception of the inaugural Constitution Day lecture (see below), the Roundtable meets in the afternoon at 4:30 in the Library Conference Room of the Boston College Law School Library. Refreshments are available beginning at 4:15 pm. Papers will be available on the Roundtable's website shortly before each presentation. http://www.bc.edu/schools/law/fac-staff/scholarlyevents/roundtable.html. For further information, contact Judy Yi (judy.yi@bc.edu).

Wednesday, Sept. 17, 2014: John Fabian Witt

Allen H. Duffy Class of 1960 Professor of Law Yale Law School



"Two Humanitarianisms"

In honor of Constitution Day, the BC Law School Legal History Roundtable and the BC Clough Center for the Study of Constitutional Democracy are co-sponsoring a public lecture on Tuesday September 17, 2014 at 3:30pm in Room 120 Law School East Wing.

John Fabian Witt is Allen H. Duffy Class of 1960 Professor of Law at Yale Law School. His most recent book Lincoln's Code: The Laws of War in American History was awarded the 2013 Bancroft Prize, was a finalist for the Pulitzer Prize, was selected for the American Bar Association's Silver Gavel Award, and was a New York Times Notable Book for 2012. Previous writing includes Patriots and Cosmopolitans: Hidden Histories of American Law (Harvard University Press, 2007), and the prizewinning book, The Accidental Republic: Crippled Workingmen, Destitute Widows, and the Remaking of American Law (Harvard University Press, 2004), as well as articles in the American Historical Review, the Columbia Law Review, the Harvard Law Review, the Yale Law Journal, and other scholarly journals. He has written for the New York Times, Slate, and the Washington Post. In 2010 he was awarded a John Simon Guggenheim Memorial Foundation Fellowship for his project on the laws of war in American history. Professor Witt is a graduate of Yale Law School and Yale College and he holds a Ph.D. in history from Yale. He is a fellow of the American Academy of Arts and Sciences. He served as law clerk to Judge Pierre N. Leval on the United States Court of Appeals for the Second Circuit.

Wednesday, Oct. 22, 2014: Daniel J. Sharfstein

Professor of Law, Co-director, Social Justice Program, Vanderbilt Law School

"The Administrative State in the Wilderness: Chief Joseph's Advocacy for Nez Perce Tribal Land, 1872-1875"



Daniel Sharfstein's scholarship focuses on the legal history of race in the United States. He received a 2013 Guggenheim Fellowship to support his work on a book-length exploration of post Reconstruction America, "Thunder in the Mountains: The Clash of Two American Legends, Oliver Otis Howard and Chief Joseph of the Nez Perce." His book, The Invisible Line: Three American Families and the Secret Journey from Black to White (Penguin Press, 2011), won the 2012 J. Anthony Lukas Book Prize for excellence in non-fiction as well as the Law & Society Association's 2012 James Willard Hurst Jr. Prize for socio-legal history, the William Nelson Cromwell Book Prize from the American Society for Legal History, and the Chancellor's Award for Research from Vanderbilt. His article, "Atrocity, Entitlement, and Personhood in Property" won the Association of American Law Schools 2011 Scholarly Papers Competition. His writing has also appeared in the Yale Law Journal, Minnesota Law Review, New York Times, Slate, Washington Post, Economist, American Prospect and Legal Affairs. For his research on civil rights and the color line in the American South, Professor Sharfstein was awarded an Alphonse Fletcher, Sr., fellowship and a National Endowment for the Humanities fellowship, and he was the inaugural recipient of the Raoul Berger Visiting Fellowship in Legal History at Harvard Law School. He has twice won the Law School's Hall-Hartman Outstanding Professor Award. A graduate of Harvard College and Yale Law School, he clerked for the Honorable Dorothy W. Nelson, United States Court of Appeals for the Ninth Circuit, and the Honorable Rya W. Zobel, United States District Court for the District of Massachusetts. He was also an associate at Strumwasser & Woocher, a public interest law firm in Santa Monica, California. Prior to law school, he worked as a journalist in West Africa and Southern California. Before joining Vanderbilt's law faculty in fall 2007, he was a Samuel I. Golieb Fellow in Legal History at New York University School of Law.

Tuesday, Nov. 11, 2014: Stewart Jay
Pendleton Miller Endowed Chair of Law, University of Washington School of Law

"Original Error: The Lasting Consequences of Early Judicial Misinterpretations of the Privileges and Immunities Clause"



Professor Jay has taught at the UW law school since 1980. Prior to coming to Washington he taught at the University of North Carolina for two years. Before entering teaching, Professor Jay clerked for two years, first with the U.S. District Court for the District of Columbia and then for U.S. Supreme Court Justice Warren E. Burger. His teaching and research interests include constitutional law and constitutional history. Professor Jay is the author of Most Humble Servants: The Advisory Role Of Early Judges (Yale 1997). He has worked extensively to assure the reproductive rights of women, particularly access to safe and legal abortions. During 1984-85 he was a visiting professor at Georgetown University Law Center.

Thursday, Jan. 22, 2015: Elizabeth Papp Kamali

"Mens Rea and the Meaning of Felony in Medieval England"



Elizabeth Papp Kamali is a PhD candidate in history at the University of Michigan, where she is completing her dissertation, entitled A Felonious State of Mind: Mens Rea in Thirteenth- and Fourteenth-Century England. After receiving her A.B. from Harvard College, she worked as a consultant for Wall Street broker/dealers and volunteered as a Court Appointed Special Advocate for children in foster care. She then received her J.D. from Harvard Law School. In 2013, she was awarded the Kathryn T. Preyer Award for best paper by an early career scholar by the American Society for Legal History, as well as the Medieval Academy of America Graduate Student Prize for best graduate student paper.

Wednesday, Mar. 25, 2015: Tomiko Brown-Nagin
Daniel P.S. Paul Professor of Constitutional Law, Harvard Law School
Professor of History, Harvard Graduate School of Arts & Sciences
Co-Director, Program in Law and History

"Constance Baker Motley: Race and Gender at Work"



Tomiko Brown-Nagin is an award-winning legal historian and expert in constitutional law and education law and policy. Her 2011 book, Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement (Oxford), won the Bancroft Prize in US History, the highest honor awarded annually to a work in the field of history. Prior to joining the Harvard faculty, Brown-Nagin held joint appointments in law and history at the University of Virginia and at Washington University. Before entering academia, Brown-Nagin clerked for the Honorable Robert L. Carter of the U. S. District Court, Southern District of New York, and for the Honorable Jane Roth of the U.S. Court of Appeals for the Third Circuit. She also worked as a litigation associate at Paul, Weiss, Rifkind, Wharton & Garrison in New York City. Brown-Nagin currently is at work on two book projects. One book argues that in today's hypercompetitive admissions environment, selective institutions of higher education are obligated to ensure access for talented, first-generation and economically disadvantaged college students. The second book is a biography of the Honorable Constance Baker Motley. Brown-Nagin earned a law degree from Yale, where she served as an editor of the Yale Law Journal, a doctorate in history from Duke, and a B.A. in history, summa cum laude, from Furman University.