

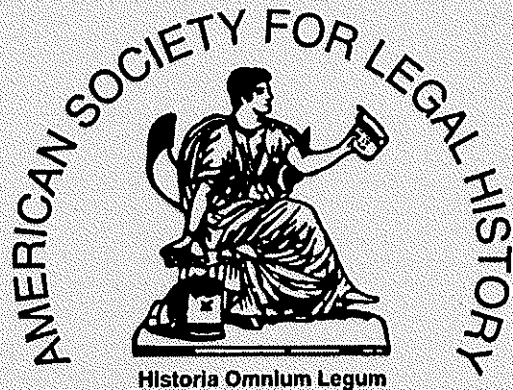
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# ASLH NEWSLETTER

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## **PRESIDENT**

Harold M. Hyman  
Department of History  
Rice University

## **VICE-PRESIDENT**

Paul L. Murphy  
Department of History  
University of Minnesota

## **SECRETARY-TREASURER**

Michael de L. Landon  
Department of History  
University of Mississippi

## **EDITOR**

Robert J. Haws  
Department of History  
University, MS 38677

A.C. COOK—Editorial Assistant

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## NEWS OF THE SOCIETY

The following are the Officers and Directors of the Society for 1994:

Harold M. Hyman -- President      Paul L. Murphy -- Vice President

Michael de L. Landon -- Secretary-Treasurer

Richard H. Helmholtz, University of Chicago (Immediate Past President)

Cornelia L. Dayton, University of California, Irvine (1994)

David J. Langum, Cumberland School of Law (1994)

Jonathan Lurie, Rutgers University (1994)

Emily Z. Tabuteau, Michigan State University (1994)

Melvin U. Urofsky, Virginia Commonwealth University (1994)

Constance B. Backhouse, University of Western Ontario Faculty of Law (1995)

Herman J. Belz, University of Maryland (1995)

Maxwell Bloomfield, Catholic University of American History Dept. (1995)\*

James A. Brundage, University of Kansas (1995)\*

Linda K. Kerber, University of Iowa (1995)\*

A. Leon Higginbotham, Paul, Weiss, Rifkind, Wharton & Garrison Attorneys-at-Law (1996)

David Konig, Washington University (1996)

Kent Newmyer, University of Connecticut (1996)

James Oldham, Georgetown University Law Center (1996)

Christopher Tomlins, American Bar Foundation (1996)

\*Executive Committee Member

### 1993 Annual Meeting

Altogether, 240 persons (only four fewer than 1992's record-breaking total) registered for the Meeting which was held at the Peabody Hotel in Memphis, Tennessee, October 21-23.

The Officers and Board of Directors met at 7:30 on October 29 in the Brinkley Room of the hotel. President RICHARD H. HELMHOLTZ chaired the meeting. Also present were Vice-President HAROLD M. HYMAN, Immediate Past President LAWRENCE M. FRIEDMAN, Secretary-Treasurer MICHAEL DE L. LANDON and the following members of the Board of Directors: CONSTANCE B. BACKHOUSE, MICHAEL LES BENEDICT, MAXWELL BLOOMFIELD, JAMES A. BRUNDAGE, DAVID J. LANGUM, JONATHAN LURIE, PAUL L. MURPHY, HARRY N. SCHEIBER, EMILY TABUTEAU, MARK TUSHNET and SUE SHERIDAN WALKER. Board Members unable to be present were ALAN WATSON, MELVIN UROFSKY, HERMAN J. BELZ and LINDA KERBER. Others present included MARY DUDZIAK, Chairwoman of the 1993 Program Committee; JAMES OLDHAM, representing the 1994 Local Arrangements Committee; ROBERT GOLDMAN, Chairman of the Committee on Conferences and the Annual Meeting; JOHN V. ORTH, Chairman of the Nominating Committee, MICHAEL GROSSBERG, Editor of LAW AND HISTORY REVIEW; THOMAS A. GREEN and HENDRICK HARTOG, co-editors of the "Studies in Legal History" Series; and LEWIS BATEMAN, representing the University of North Carolina Press.

The Minutes of the Board of Directors Meeting held October 22, 1992 in New Haven, Connecticut, were approved as written.

The Secretary-Treasurer reviewed arrangements for the current Annual Meeting that had been put together by the Local Arrangements Committee, chaired by ROBERT J. HAWS. Program Committee Chairwoman, Mary Dudziak, reported on some of the problems she had encountered in putting a program together and said that she would pass on a written list of procedural recommendations to Philip

Hamburger, Chairman of the 1994 Program Committee, especially with regard to reaching out, in co-ordination with the Membership Committee and the Nominating Committee, to various groups that presently were not well-represented among the Society's membership. Board Members commented on the excellent job she had done in planning the program for the current year and welcomed her proposal to pass a written list of suggestions on to her successor.

There was no report from the 1994 Program Committee beyond the fact that they were going ahead with putting a program together. Robert Goldman presented a written report from the Committee on Conferences and the Annual Meeting. With regard to his report, Board Members discussed the desirability of adopting a formal policy with regard to selecting Annual Meeting sites. A motion by Paul Murphy - that in considering future sites the Committee should give first priority to maintaining a policy of geographical diversity and should always avoid having two convention meetings in close regional proximity to one another - was seconded and unanimously approved. Also, after some discussion as to who might serve as Local Arrangements Chairperson there, it was moved by Harold Hyman, seconded and approved, that the 1995 Annual Meeting should be held in Houston, Texas.

John V. Orth, commenting on his report from the Nominating Committee noted first, that the Committee had taken very seriously the Board's urging, at the two previous meetings, that greater efforts be made to actively include more minorities in the work of the Society. They also had begun putting into operation a policy whereby the members of the two prize committees would serve three-year staggered terms, with the third-year member serving as the committee chair.

The report from the Committee on Documentary Preservation was briefly discussed. The Secretary-Treasurer announced that the Commission on Preservation and Access in Washington D.C. had recently received a federal grant to examine problems connected with documentary preservation. He had already put their president PATRICIA BATTIN, in touch with our Committee chairman, MICHAEL CHURGIN, and steps were being taken to include them in one of the sessions in next years meeting program.

With regard to the ASLH NEWSLETTER, the Board voted unanimously to thank and commend all those concerned in editing and publishing it and urged them to keep up the good work, [Thanks--Eds.].

The Secretary-Treasurer reported that again, as usual, thanks were due to the University of Mississippi for providing the Society with free office space and a computer as well as various support services to the office. With regard to the Society's various accounts, he commented that the General Account was in a very healthy state, as was shown by the fact that it had been possible to pay back into the Smith Memorial Fund the \$3,500 that had been taken out of that Fund in 1992 for subventions to the Studies in Legal History Series. With regard to the Smith Fund itself, he inquired whether Board Members saw a problem with putting \$15,000 of it into CD's in order to earn more interest, which they did not. He also reported that he was planning to close out the small portion of the Smith Fund that was presently invested in the Bradford Money Market Fund which was currently making only a very tiny profit. Finally, with regard to the Sutherland Prize Fund, he noted that low interest rates had made it necessary to lower the amount of the prize to \$250 per year. An appeal published in the two latest numbers of the NEWSLETTER had brought in small donations to both it and the Smith Fund, but not enough to make any major difference.

The Membership Committee had no report to make at this time. The Honors Committee report requested a clarification as to whether foreign scholars residing and working in the United States or Canada should be considered as eligible for honorary fellowship or corresponding fellowships. After some discussion, a motion was made, seconded and unanimously approved that the by-laws should be amended so as to make a legal historian's place of residence rather than his or her nationality the determining factor in deciding whether he or she might be elected to "honorary" or "corresponding" fellowship status.

A written report from ANN LOWRY of the University of Illinois Press, was presented to the committee and also a written report from Lew Bateman of the University of North Carolina Press. Michael Grossberg, the new editor of the Society's journal LAW AND HISTORY REVIEW, presented a written report and told the Board that since taking office he had been very agreeably pleased both by the very high caliber of the articles being offered for publication and by the willingness of Society members to co-operate with and assist him by serving on the REVIEW's editorial staff. Studies in Legal History Series Co-Editors, Tom Green and Dirk Hartog, presented a written report and told the Board that the new co-editor arrangement was working out satisfactorily and was definitely making the editorial process swifter and more efficient. They also reported that they were receiving excellent co-operation and support from Lew Bateman and every one at the University of North Carolina Press.

Under the heading of "Old Business" the Secretary-Treasurer reported with regard to the problem of finding a permanent storage place for the Society's archives that he had learned at the ACLS Annual Meeting, held in Williamsburg last April, that both the University of Illinois and the Organization of American Historians were interested in establishing collections of archives of learned societies in the United States, and he promised to look further into both possibilities.

The Board next took up a previously circulated proposal for Committee Membership Rotation from President Helmholtz. Helmholtz also presented to the Board two specific proposals from Michael Churgin. After some discussion, the board, by a formal motion unanimously approved the first part of Churgin's proposal -- that all committee appointments should be for staggered three-year terms -- as an amendment to the Society's by-laws. Further, it was agreed that the policy suggested in the second part of his proposal that -- because: "On many committees, an institutional memory is quite important." and also "Some individual represent important constituencies" -- renewal appointments should be allowed but not encouraged, should be put into effect immediately by the President.

With regard to the criteria for the Sutherland Prize, after some discussion an amended motion was made, seconded and unanimously approved that the Prize Committee should in future consider any articles on an English legal history topic that are listed in one or more of the standard indexes or that are submitted for consideration by an author, editor, or publisher.

Under "New Business", with regard to Michael Les Benedict's proposal for co-operation with the newly created "H-Law" e-mail network, President Helmholtz announced that he would immediately appoint a committee, including the Secretary-Treasurer, to look into the matter further. With regard to cooperation by the Society with the ACLS's "Journals for Overseas" Programs, there was general agreement with a suggestion by the President that the matter be referred to the Executive Committee. Finally, a motion was made, seconded and formally approved by the Board to amend the

Society's by-laws so that, beginning in 1995, an Incoming President of the Society would begin his or her term of office immediately after the conclusion of the Annual Meeting, rather than, as presently the rule, on the following first of January.

There being no further business, the Meeting was adjourned at 9:35 p.m.

Note: Any member of the Society who would like to have a copy of any of the written reports, or of the current by-laws, may request one from the Secretary-Treasurer, Department of History, University, MS 38677. Tel: 601-232-7148; Fax: 601-232-7033; e-mail: hslandon@vm.cc.olemiss.edu.

#### 1994 Annual Meeting

The 1994 Annual Meeting will be held in Washington, D.C., October 20-22 at the Omni-Shoreham Hotel.

Room rates at the Omni-Shoreham for the meeting are \$110 single, \$130 double. Reservation requests can be made directly to the hotel by calling 202-234-0700. To get the special Meeting rate, callers must identify themselves as attending the ASLH Meeting.

Full information about the Meeting and a draft program will be mailed out to all members during the summer. The Local Arrangements Chairman for the meeting is DANIEL R. ERNST, whose address is Georgetown University Law Center, 600 New Jersey Avenue., NW, Washington, DC, 20001. Tel: 202-662-9475; Fax: 202-662-9444.

The Program Chairman for the meeting is PHILIP HAMURGER of the George Washington University National Law Center in Washington, DC, who reports that the program is now complete and that he regrets that the Committee had to "disappoint some people whose proposals [were] by no means unattractive".

#### 1995 Annual Meeting

The Society's 1995 Annual Meeting will be held, October 19-21 in Houston, Texas. The Local Arrangements Chairman is CRAIG JOYCE, University of Houston Law Center, Houston, TX 77204-6371. Tel: 713-743-2127. The Program Chairman will be DONALD G. NIEMAN of the Clemson University, Department of History.

#### Nominating Committee

The 1994 Nominating Committee will consist of:

SANDRA VAN BURKLEO  
Dept. of History  
Wayne State University  
3094 F.A.B.  
Detroit, MI 48202  
--serving through 1994

NORMA BASCH  
Dept. of History  
Rutgers University  
175 University Avenue  
Newark, NJ 07102  
--serving through 1994

JOYCE MALCOLM  
Dept. of History  
Bentley College  
Waltham, MA 02254  
--serving through 1995

JOHN V. ORTH  
University of North Carolina  
School of Law  
Van-Hecke-Wettach Hall 064A  
Chapel Hill, NC 27599  
--serving through 1995

JOHN WUNDER  
Dept. of History  
University of Nebraska  
-Lincoln  
Lincoln, ME 68588  
--serving through 1996

Treasurer's Report

## GENERAL ACCOUNT

Balance on hand 12/31/92		\$ 48,131.00	
Income through 12/31/93			
CD/NOW Interest	\$ 1,125.00		
Dues/Mailing List	15,357.00		
Annual Meeting	<u>12,900.00</u>		
		\$ 29,382.00	
Expenses through 12/31/93			
Salary (A. Cook - 40% time)	\$ 4,655.00		
Travel (ACLS)	739.00		
Postage/Telephone	2,509.00		
Printing/Binding/Supplies	4,285.00		
Dues (ACLS, NHA, etc.)	1,500.00		
Accountant (IRS return)	75.00		
Refund of 92 Subvention	3,500.00		
Annual Meeting	<u>15,519.00</u>		
			(\$32,782.00)
Minus Balance			(\$ 3,400.00)
Balance on hand 12/31/93		\$ 44,731.00	
SMITH MEMORIAL FUND			
Balance in hand 12/31/92			
FNB, Oxford, MS	\$21,525.00		
Bradford Money Fund	<u>4,378.00</u>		
		\$ 25,403.00	
Income through 12/31/93			
UNC Press	392.00		
Donations	250.00		
FNB NOW Interest	665.00		
Bradford Fund Dividends	110.00		
Subventions Refund	<u>3,500.00</u>		
		\$ 4,917.00	
Expenditures through 12/31/93			
FNB service charges	\$ 62.00		
Editorial stipend-Green	500.00		
Editorial stipend-Hartog	500.00		
Surrency Prizes (/92 and/93)	<u>1,000.00</u>		
		\$ 2,062.00	
Balance on hand 12/31/93			
FNB, Oxford, MS	\$24,271.00		
Bradford Fund	<u>4,487.00</u>		
		\$ 28,758.00	
Surplus Balance		\$ 2,855.00	

## SUTHERLAND PRIZE FUND

Balance on hand 12/31/92		\$ 8,401.00	
Income			
Donations	\$ 175.00		
Interest	<u>352.00</u>		
		\$ 527.00	
Expenditure			
Bank charges	\$ 33.00		
1993 Prize	<u>250.00</u>		
		(\$ 283.00)	
Balance on hand			
NationsBank CD	\$ 6,000.00		
U.S. Bank, Oxford, MS	<u>2,645.00</u>		
		\$ 8,645.00	
Surplus Balance		\$ 244.00	

Our Journal in Africa

ASLH is one of 24 ACLS-affiliated societies that are part of the 87-member "Joint Sub-Saharan Africa Journals Distribution Program." We are presently donating free copies of LAW AND HISTORY REVIEW for the following African Universities:

University of Khartoum	University of Zambia
University of Ghana Balme Library	University of Zimbabwe
National University of Lesotho	Kenyatta University
University of Dar-es-Salaam	Addis Ababa University
Universite de Yaounde	University of Nigeria (Nsukka)
University of Nairobi	University of Ibadan
University of Benin	Ahmadu Bello University
University of Lagos	University of Maiduguri
Universite Cheikh Anta Diop de Dakar	Makerere University
Obafemi Awolowo University	

Membership Report

AS of the end of 1993, ASLH had 761 individual members and 351 institutional members. The individual membership total included 55 "sustaining" memberships, 9 "sponsoring" memberships, 31 "life" memberships, 56 "student" membership and 30 "emeritus" memberships.

By-Laws Amendments

As reported above, the Officers and Board of Directors at the 1993 Annual Meeting unanimously recommended three changes in our Societies by-laws. Article V, section 8 of those by-laws reads "Amendments to these by-laws shall be upon recommendation of directors and officers and a two-thirds vote of those members voting."

A tearout ballot is included in this NEWSLETTER, and members are asked to mark and return by the indicated deadline: **April 1, 1994.**

Note: With regard to the recommended change in the day upon which the Society's president and vice-president shall take office, the reason for continuing the practice whereby an outgoing Secretary-Treasurer remains in office until the close of the calendar year is that she or he always has several follow-up responsibilities after the Annual Meeting, including paying the bills, which take several weeks to complete.

Any member who would like to have a copy of our by-laws may request one at any time from the Secretary-Treasurer (address, etc. on page 4 above).

#### ANNUAL MEETING SESSIONS

Thanks to the Panel Chairs who sent in these reports. We hope to have a few more for the Summer NEWSLETTER.

##### "Gay and Lesbian Rights in Recent American History"

October 22, 1993 8:30-10:00 a.m.

MARY LOU FELLOWS (University of Minnesota Law School), reports

MARC STEIN, who is a Ph.D. candidate in the Department of History at the University of Pennsylvania, delivered a paper titled "Boutillier Revisited: Lesbian-Gay Law Reform and the Limits of Sexual Liberalism on the Warren Court." His paper explored the status/conduct distinction while investigating the political and legal strategies of those persons and groups resisting the immigration laws on behalf of Boutillier. PATRICIA CAIN, who is a law professor at the University of Iowa, delivered a paper titled "From the Black Cat Bar to the Department of Defense: A Historical Perspective on the Legal Construction of 'Homosexual Conduct'." Her paper also investigated the status/conduct distinction through her analysis of police practices and criminal and civil cases litigated over the last forty years. The commentators, MARC FAJER (University of Miami Law School) and ELVIA ARRIOLA (University of Texas Law School), furthered the discussion by exploring issues of sexuality, sexual identity, the private/public dichotomy, and religion.

##### "What Did Medieval English Villagers Mean by 'Customary Law'?"

October 22, 1993 1:15-3:00 p.m.

PAUL HYAMS (Cornell University), reports:

"The Session on 'The Nature of Customary Law in the Manorial Courts' was both very lively and ultimately rather constructive. LLOYD BONFIELD (Tulane Law School) had provoked debate on a topic unduly neglected in the literature with a stimulating recent publication. He opened proceedings with a measured restatement of his contention that what villagers meant by customary so differed from modern concepts as to render dangerous many of the conclusions historians had tried to draw from manorial court rolls. JOHN S. BECKERMAN (Cardozo Law School), in his previous work a pioneer explicator of manorial legal concepts, was broadly critical of the Bonfield view. Both speakers dismissed in no uncertain terms some points made in an unpublished paper by the moderator, Paul Hyams (Cornell). The first discussant, SANDRA VAN BURKLEO (Wayne State University), an American legal historian, suggested a number of questions current in her field which she thought medievalists ought to be posing. ROBERT C. PALMER (University of Houston) then explained why all previous speakers, the moderator expressly not excepted, were largely mistaken in both their approaches and conclusions. There ensued a spirited discussion including a wide variety of informed and pertinent points. If there was a better one at the meeting, I did not witness it."

##### "Property Rights and Economic Development in the Early Republic"

October 22, 1993 1:15 - 3:00 p.m.

NORMA BASCH, (Rutgers-Newark) reports:

Both papers in this spirited session focused on eminent domain and addressed when and how the principle of just compensation was applied in the early republic. Starting with a Maryland iron works act of 1719, JOHN HART went on to argue that the transfer of property from owners to developers was "consciously confiscatory" in both colonial America and the early republic. Thus the expansive use of eminent domain in post-Revolutionary America had its roots deep in the colonial period. JOHN MAJEWSKI, by contrast, who looked at eminent domain proceedings in Virginia and Pennsylvania between 1790 and 1860, suggested that transportation corporations did not exploit landowners and millowners, in part because they received most of their support from the localities they served. The audience participated actively in devising ways to account for these interpretively divergent papers.

##### "Origins of the Eleventh Amendment"

October 23, 1993 10:30 a.m.-12:00 p.m.

JOHN V. ORTH (University of North Carolina) reports:

The correct understanding of the Eleventh Amendment and of the decision in Chisholm v. Georgia that gave rise to it, continues to concern historians. In a joint paper MAEVA MARCUS and NATALIE WEXLER from the Supreme Court Documentary History Project argue that the well-known description of the decision in Chisholm as falling "upon the country with a profound shock" overstates the reality. While many observers were outraged by Chisholm, opinion was far from unanimous. Professor CHRISTINE DESAN of Harvard Law School argues for a fundamental rethinking of Chisholm and the Eleventh Amendment in terms of a late eighteenth century "legislatively centered" notion of popular sovereignty. Understood in these terms, Chisholm transgressed on the duty of the legislature to settle claims against the state, and the Eleventh Amendment reasserted the legislative prerogative.

##### "Canadian Legal History and Race Discrimination"

October 23, 1993 10:30 a.m.--12:00 p.m.

JOHN MCLAREN (University of Victoria) reports:

The session featured two excellent papers by Canadian scholars, CONSTANCE BACKHOUSE and TINA LOO. Any smug claims that Canada was spared the racism evident elsewhere in North America were dashed by Professor Backhouse's examination of legislation in Saskatchewan prohibiting the employment of white women by Chinese employers, and the subsequent litigation when two Chinese restaurateurs were prosecuted under the statute in the town of Moose Jaw. Backhouse traced the conjunction of concerns among white business about Chinese economic activity, white labour about both Chinese and white female competition in the work place and endemic racism against Chinese immigrants in the passage of this legislation and the attempts to enforce it. With the exception of the two white female employees working at the restaurants run by Quong Wing and Quong Sing who spoke favorable about their treatment by their employers, no one in the community seems to have anything good to say about the accused. The forces of conservatism and progressive reform, men and women, capitalist and worker, religious and secular supported the legislation and demonstrated their antipathy to the restaurant proprietors. The legal system,



administered by judges oblivious to the rule of law and committed to a sterile form of constitutionalism was of no help to the accused. The only solidarity shown was by other members of the Chinese Canadian community in fighting the statute's passage.

Dr. Loo in her paper dealt with another element of the story of race relations in Canada - the application of the criminal law to First Nations populations. Her focus was the case of murders committed by two Kamloops Indians, Paul Splintlum and Moses Paul, in 1911. What her examination of the record indicated is that without the assistance of members of the band, and in particular the Chief, there would have been no arrests, and that the Indians had a clear understanding that their help was conditional. In the first place they expected their efforts to be officially recognized, but more importantly that native notions of justice would be respected and no hangings would occur. The first part of the bargain was kept, the second was not in Splintlum's case, which was a source of great disappointment to the members of the Kamloops Band. The conclusion Dr. Loo draws from this case is that, while there is abundant evidence of Indians in Canada being oppressed by the criminal law, First Nations people were historically not mere pawns in a system which was beyond them. In certain contexts they were in a position to use the legal system to their advantage.

JOHN WUNDER pointed to Peter Hoeg's metaphor of the "tightrope walker" as apt to describe the historical experience of the marginalized. He praised both papers, indicating that for him the session was one of the strongest at the Conference. He raised a number of questions which he thought worth amplifying. In the case of the Backhouse presentation - why, in contrast to the U.S., Canadian middle class women were so hostile to the Chinese, some account of the legislative debates, if extent, and the possible influence of fears about miscegenation as an explanation of the legislation. With regard to Loo's paper, he expressed interest in knowing how far the process of substituted leadership under the Indian Act had affected this Band, as this might explain the eagerness to cooperate. Secondly, he expressed some doubts about her contention that the system of the Department of Indian Affairs retaining "good" lawyers to represent Indian accused necessarily worked in their best interests.

ELIZABETH HIGGINBOTHAM, a sociologist from the Center for Research on Women at Memphis State University also commented. She pointed to the value of comparative work on racism in the law in both the United States and Canada because it demonstrated how the phenomenon in the two countries was affected by the more general politico-legal culture. For an American scholar one interesting feature of these papers was to note the extent to which the story concurred on the one hand with and diverged on the other from the experience of minority communities in the United States. The Backhouse paper had very obvious resonances with the history of how the Chinese were treated south of the 49th parallel, while the Loo presentation suggested differences when it came to the immediate experience of First Nations communities with the dominant legal system. Dr. Higginbotham wondered aloud about the extent to which property explanations were present in the discourse and ideology of racism in Canada. This had of course been central to the experience of black Americans. She also raised the question of why it had taken so long for the Canadian federal authorities to ban entirely the immigration of Chinese labourers.

"Courts and Torts: Hidden Classes of Injury in Victorian America"

October 23, 1993

1:30 - 3:15 p.m.

CHRIS TOMLINS (American Bar Foundation) reports:

Following Saturday's ASLH Luncheon, attendees willing to grapple with the dubious acoustics of the Venetian Room were rewarded by a stimulating session probing, "Hidden Classes of Injury in Victorian America." ARTHUR MCEVOY (American Bar Foundation and, prospectively, Wisconsin Law School) and BARBARA WELKE (American Bar Foundation and doctoral candidate in history at the University of Chicago) presented exceptionally interesting papers each of which reported on-going work on the social history of late nineteenth/early twentieth century tort law.

McEvoy's paper dealt with "The Triangle Shirtwaist Factory fire of 1911." Noting that the Triangle Fire -- in which 146 New York garment workers, mostly young women, were killed -- has long been recognized as a catalytic event in progressive era factory reform movements, McEvoy probed for a more precise understanding of that influence. He argued that the fire destroyed long-standing ideological barriers to factory legislation by working a fundamental change in popular culture's "common sense" apprehension of why industrial accidents took place. By focussing and making tangible causal theories that had been in circulation for some years but never successfully embodied in legislation, the fire helped displace a previously prevailing "common sense" of accident causation embodied in a legal culture of individual responsibility and purely contractual relations. Thus the fire opened an epistemological route to modernity's welfare state.

In her paper, Welke offered a more general investigation of the social foundations for the treatment of non-workplace injuries in negligence doctrine. Like McEvoy's, her goal was an explanation for the course of legal events that acknowledged the interaction between legal and cultural ideologies. But her explanation dwelt not on the dynamics of transformative change but on a fundamental social structural constant: the irreducible significance of sexual difference in negligence law, both in shaping outcomes for plaintiffs and in shaping the course of doctrine. In negligence suits filed across the United States, Welke showed, men and women suffered different kinds of injuries, they followed different litigative strategies, presented different kinds of evidence, and enjoyed different results. Her paper explored how gender (the cultural understanding and social expression of sexual difference) was manifested in injurious events, in legal process, and in outcomes. It offered gender, not economy, as the single most important determining influence on the course of the history of negligence law.

The audience clearly enjoyed both presentations, and then heard thoughtful and vigorous comments from MARTHA CHAMALLAS (Law, Iowa) and MICHAEL GROSSBERG (History, Case Western Reserve). Such was the enthusiasm of the commentators, indeed, that the audience was left with but two minutes to have its say. No one seemed to mind, however, and the session closed with considerable appreciation for the efforts of all participants.

"Seditious Libel and Partisan Politics in Colonial America"

October 23, 1993

1:30- 3:15 p.m.

DEBORAH A. ROSEN, (Lafayette College) reports:

In the first paper, "Before Zenger: Truth and Seditious Speech in the American Colonies, 1607-1700," LARRY ELDRIDGE described the expansion of the role of truth in prosecutions for seditious speech in the seventeenth century. In the first category of seditious speech, scandalous statements about colonial officials (insults and misprision), truth was a defense to slander-like statements, and an evaluation of truth was made before prosecution for statements made about official misconduct. In the second category, words against the government more broadly, appeals of court decisions and petitions describing grievances against the government both were increasingly accepted in the seventeenth century as long as the statements were true and the language was respectful. Finally, in the third category, false news, by the end of the century truth was an automatic truth-ending defense, and the government increasingly dealt with false news by simply declaring the falsity of the rumors.

In the second paper, "Considering Zenger: Constitutional Politics and the Legal Profession in Colonial New York," Eben Moglen described the political context of Zenger, focusing on the crucial interrelationships among New York's lawyers. The lawyers were fighting not so much over free speech itself but over the issue of the constitutionality of the courts, especially the Supreme Court of Judicature (which, contrary to English constitutional tradition, had been established by the legislature rather than by the executive branch) and the Court of Exchequer (which Government Cosby tried to create by executive prerogative without authorization from the colonial legislature). In the end, although the lawyers cared deeply about advancing the interests of their political patrons in factionalized New York, they cared more about upholding principles of liberty and law in the face of Cosby's attempt to control the legal system. The case -- and particularly the often-forgotten critical legal tactics of John Chambers -- illustrated the increasing professionalization of the New York bar, a bar that was increasingly willing to use the law to protect the community, not only in the 1730s but even more assertively in the 1770s.

The commentators, RICHARD ROSS and PETER HOFFER, noted that Eldridge's and Moglen's approaches complement each other: the growing centrality of truth described by Eldridge provided the intellectual background for the arguments used by the Zenger lawyers, and the political context described by Moglen helps explain reasons underlying trends in seditious libel cases over time.

"Dimensions of Supreme Court History In the Nineteenth Century"

October 23, 1993

3:30-5:15 p.m.

KERMIT HALL (The University of Tulsa), reports:

Kermit L. Hall, The University of Tulsa, presided over a lively session on Saturday afternoon. Paul Kens, a political scientist from Southwest Texas State University, offered a shrewd assessment of the role of Supreme Court Justice Stephen J. Field in the presidential election of 1880. Kens argued that Field played a role far more significant than historians had supposed and that his participation was, in some respects, critical to the outcome of that much contested presidential election. Kens also offered the view that an understanding of Field's role in the election was also

critical to understanding his position on the agenda of issues before the Supreme Court. Far from shirking from political involvement, Field welcomed it. Professor JAMES W. ELY, JR., offered a reassessment of the Fuller Court. Like other recent scholars, Ely finds much in the work of Fuller and his colleagues that speaks to us today, especially involving matters of liberty and their relationship to property rights. Ely also offered a sympathetic picture of the role of Chief Justice Fuller, both as a leader of his court and as a proponent of conservative jurisprudential views. R. BEN BROWN, Northwestern University Law School, and LINDA PRZYBYSZWESKI, Department of History, University of Cincinnati, offered thoughtful comments on the two papers, finding much to praise in both, but also raising questions about the significance of figures such as Fuller and Field for our own time. Much of this discussion turned on the relevance of late nineteenth-century conservative jurisprudence and its relationship to liberty. A spirited period of questions and answers followed.

"Social Status and the American Criminal Law"

October 23, 1993

3:30-5:15 p.m.

MILTON KLEIN (University of Tennessee), reports:

The session on "Social Status and the American Criminal Law", chaired by Milton Klein of the University of Tennessee, was a spirited affair, despite the sparse audience at the late hour during which the session was scheduled. Victor Jew's paper dealt with the crime of arson as it was defined legally in late 19th century America. With the development of corporate America, there was a tendency to identify incendiaryism with burning-to-defraud insurance companies. This cultural redefinition involved a broadened and complex sense of social causation and corporate responsibility and reflected anxieties about the relationship between individual responsibility and corporate marketplace behavior. DAVID MORRISON's paper dealt with changing interpretations of Ohio's rape statute during the last quarter of the nineteenth century. His study revealed a growing disbelief in women's testimony in rape trials, especially when it involved members of the new immigrant classes. Arguing that contemporary judges saw rape as a crime of morality, Morrison found that the belief that the state's sizable ethnic communities held low moral standards contributed to judges' desires to examine the character of women who brought rape charges more closely. KATHLEEN PARKER of Waynesburg College also dealt with rape. Her intensive study of Ingham County, Michigan, from 1850 to 1950 revealed that in the male dominated legal system, courts and juries were more likely to accept a woman's claim of rape if she showed signs of strenuous resistance and, in addition, could demonstrate that the accused was a "legitimately refusible" sex partner, i.e. a black man in the case of a white accuser, an older man accused of raping a young woman, or any man raping a physically disabled woman. CAROLYN STRANGE of Carleton University, Ontario, concentrated on the methodological and theoretical issues in all three papers in her commentary. She stressed that each paper in a different way addressed the over-arching question that legal historians who stress the character of the law over the letter of the law are increasingly concerned about: Why does the law change when the laws do not? A lively discussion period was highlighted by the presence of LAWRENCE FRIEDMAN, author of the recently published Crime and Punishment in American History (Basic Books, 1993). Friedman had some complimentary things to say about all the speakers and helped to stimulate audience participation.



## NEWS NOTES

National Coordinating Committee Legislative and Policy Issues for 1994

Dr. Page Putnam Miller of the National Coordinating Committee reports the following:

**Selection of a New U.S. Archivist.** Since March 1993 the NCC has been working with a team within the White House Personnel Office to ensure the selection of an eminently qualified person to assume the position of Archivist of the United States. The selection process appears to be in its final stage. Following the decision on a nominee, the FBI background check will need to be completed. The name will then be forwarded to the Senate Governmental Affairs Committee, which will hold confirmation hearing.

**Declassification of Historical Federal Records.** On April 26, 1993 President Clinton directed the Information Security Oversight Office (ISOO) to head a task force to revise the Executive Order on classification and declassification. The NCC testified at public hearings on the President's directive and provided comments on various drafts. The NCC has advocated that there be only very limited exemptions for continued classification with the priority being placed on openness. The NCC has recommended that most records be opened after 20 years and that all records 30 years old or older be automatically declassified unless an agency head provides in writing, on a document by document basis, a justification for continued withholding.

**Reauthorization of the Grants Program of the National Historical Publications and Records Commission.** Although legislation was introduced in 1993 to reauthorize the grants program of the NHPRC, the Congress failed before the November recess to reconcile the language of the House and Senate bills. In 1994 it is important to work for speedy passage of NHPRC reauthorization legislation.

**National Endowment for the Humanities.** NEH is currently authorized for a five year period that ended with FY'93. Although the House passed a two year reauthorization bill, that legislation was still pending on the Senate calendar at the time of the adjournment of the first session of the 103rd Congress. The NCC supports passage of the House bill.

**Freedom of Information Act.** On October 4 the Justice Department issued new guidance on agency implementation of the Freedom of Information Act. The guidance takes some very positive steps toward increased openness; however, there is a need to monitor the implementation of these new policies.

**Library of Congress.** Claiming the need for increased security and problems of limited funds, the Library of Congress has closed the stacks to all researchers and has closed the Manuscript Reading Room on Saturdays. Reduced hours are also in effect for other reference rooms. The NCC has passed resolutions, met with Library and Congressional staff, and provided testimony at Congressional hearings about the adverse effect of these new policies on scholarly research. But there are no indications that the Library intends to modify any of its new policies.

**Amendments to the National Historic Preservation Act.** In 1992 the President signed into law legislation designed to strengthen the professionalism of all federal employees and contractors involved in historic preservation. The law describes the role of the Office of Personnel Management (OPM) and professional

associations in revising qualification standards for a number of disciplines, including history. The law states that "the standards shall consider the particular skills and expertise needed for the preservation of historic resources" and clarifies that there shall be "equivalent requirements" for all the disciplines. The NCC has been working with the OPM, the National Park Service, and professional associations to ensure effective implementation of this legislation.

**Reconnecting Historians and Archivists.** The NCC has long fostered collaborative efforts between historians and archivists. The NCC played a key role in producing the booklet "Historians and Archivists: Educating the Next Generation," a publication of the Joint Committee on Historians and Archivists of the American Historical Association, the Organization of American Historians, and the Society of American Archivists. The NCC will continue to participate in efforts to increase collaborations between historians and archivists.

**Telecommunications Policy.** The NCC became a regular participant in 1993 in the Telecommunications Policy Roundtable. One of the group's key concerns is that, as the new information highway evolves, non-profit organizations, particularly schools, universities, and libraries, are not priced out by high charges. The policies being developed now for the future electronic highway will undoubtedly have some impact on historical research.

Wanted: Books and Journals for Asia

**Bridge to Asia** seeks donations of books, journals, reference works, newsletters, etc., from the American Council of Learned Societies community, for faculty and students in China, Indochina, the Philippines and other developing countries in Asia. They will ship your material from San Francisco to Shanghai, Haiphong, Manila, Phnom Penh and other distribution points to reach hundreds of universities. The need is immediate and profound; several million books per year are wanted. Content takes priority over condition -- used books are preferable if their content value is higher. Materials should be current (1980+), and journals runs consecutive.

**COLLEGE, GRADUATE AND PROFESSIONAL MATERIALS** (in the following):

Agriculture and Animal Husbandry	Fine Arts	Natural Science
Anthropology	Geography	Performing Arts
Area Studies	History	Philosophy
Computer Science	Law	Physical Science
Economics	Literature	Political Science
Education	Management	Psychology
Engineering	Mathematics	Sociology
English (ESL/TESOL)	Medicine	Women's / Minority Studies

**REFERENCE WORKS:** dictionaries, encyclopedias, almanacs, atlases, glossaries, thesauruses, TOEFL/TESOL books, maps, course catalogues, databases.

**JOURNALS AND MAGAZINES:** (sample list): American Scholar, The Atlantic, Commentary, Commonweal, Daedalus, Dissent, Economist, Foreign Affairs, Hudson Review, Ms., The Nation, National Geographic, New England Journal of Medicine, The New Yorker, Poetry, Salmagundi, Science, UtneReader, Wilson Quarterly, Yale Review.

**OTHER MATERIALS:** "condensed information" (encapsulations of core information, digests, manuals), syllabuses, newsletters, conference proceedings, microform materials, software, sheet music, charts, diagrams, audio/videotapes, etc.

They thank you for whatever you can give, whether a single volume or an entire library.

--- PACKING & SHIPPING INSTRUCTIONS ---

1. Please pack your materials in an envelope or carton--any size will do.
2. Attach a list of contents on the outside, to permit Customs Clearance.
3. Mail donations to their San Francisco warehouse (they cannot reimburse for postage).  
Bridge to Asia, Cargo Services, Pier 19, San Francisco, CA 94111.
4. Finally, please mail a copy of your donation list to their Oakland Office. Bridge to Asia, 1214 Webster Street, Suite F., Oakland, CA 94612.

Bridge to Asia is a non-profit organization supported by private foundations (Henry Luce Foundation, John D. and Catherine T. MacArthur Foundation, Starr Foundation, Lynde and Harry Bradley Foundation, and others), government agencies (China State Educations Commission) and the general public. Donations of materials and funds are tax-deductible to the extent permitted by law. If requested, they will be pleased to acknowledge your gift. Questions? Write to them in Oakland, tel: 510-834-1919/3082, or fax: 510-834-0962.

Manual for International Book and Journal Donations

The American Council of Learned Societies announce publication of a guide designed to help U.S. - based donors place books and journals in appropriate libraries and institutions abroad. It focuses on placement of scholarly materials in the humanities and social sciences, but is applicable to other specialized and general fields.

It offers information for scholarly organizations on how to initiate effective programs to help colleagues in a certain region of the world, and for individuals on how to place a one-time donation, large or small. It also provides an overview of the context in which books are donated in the U.S. and placed in libraries in Africa, Asia, Latin America, and East/Central Europe. Profiles of ten independent non-profit intermediary organizations able to facilitate the placement of such particular and valuable donations, and fifteen donation programs organized by learned societies and federations of professional organizations, are included. A selective, annotated bibliography of resources lists directories of donation programs and useful tax benefit guides for individuals and organizations.

The full text of the 109 page Manual is available via anonymous FTP at BURGUNDY.OAH.INDIANA.EDU [156.56.25.10] in the ACLS subdirectory. For a printed copy, contact the office of Janet Greenberg at ACLS, 228 E. 45th Street, New York, NY 10017-3398. Please include a check made out to ACLS Manual for \$10, to offset costs of production, shipping and handling. If payment is a hardship and the requester has no access to the FTP site, fee will be waived.

Selden Society to publish Dyer Notebook

The Selden Society will publish this spring Professor John H. Baker's two-volume edition of REPORTS FROM THE LOST NOTEBOOKS OF SIR JAMES DYER. The reports, printed soon after Dyer's death in 1582, omitted a substantial part of the contents of Dyer's legal notebooks, some of which were thought too sensitive for publication. Although the autograph notebooks have been lost since the end of the seventeenth century, numerous extracts were taken of the unprinted contents, and from these it has been possible to assemble a substantial edition of over 500 missing cases by Dyer's hand.

Professor Baker's edition will appear as Volumes 109 and 110 in the Society's annual series; copies will be dispatched to members in the late spring. For information about membership in the Selden Society, contact David Warrington; Secretary for the United States; Selden Society; Langdell Hall 512; Harvard Law School; Cambridge, MA 02138; Tel: 617-496-2115; e-mail: warringt@hulaw.harvard.edu

AJLH Editorial Changes

Professor HENRY BOURGUIGNON, University of Toledo College of Law, has decided to step down as book review editor for the AMERICAN JOURNAL OF LEGAL HISTORY. Effective January 1, 1994, Professor CYNTHIA NEVILLE, Dalhousie University, Department of History, Halifax, Nova Scotia, Canada B3H 3J5, phone: 902-494-2011, fax: 902-494-2176, will replace him as the Journal's book review editor for non-American books. Professor JUDITH SCHAFER, Murphy Institute of Political Economy, Tulane University, 108 Tilton Hall, New Orleans, LA 70118-5698, will continue as the Journal's book review editor for American books.

Acting U.S. Archivist named CITRA President

Acting Archivist of the United States TRUDY HUSKAMP PETERSON was elected President of the International Conference of the Round Table on Archives (CITRA) at its 29th meeting, held in Mexico City from September 22 to 24, 1993. Dr. Peterson is the first American elected as President of CITRA and the first woman in CITRA's history to hold that office as well. As President of CITRA, Dr. Peterson will preside over upcoming Round Tables in Greece (1994) and the United States (1995). She will also serve on the Executive Committee of the International Council on Archives (ICA). The CITRA meetings bring together the directors of national archives and of national archives associations to discuss topics of professional interest. The ICA has 1,100 members representing more than 140 countries.

Dr. Peterson has served as Acting Archivist since March 25, 1993, and has been with the National Archives since 1968. She is active in the professional archival community and served as president of the Society of American Archivists from 1990 to 1991. Her recent initiatives at the National Archives include promoting declassification of government records.

✓ Upcoming World Conference of Historians

ASLH is a dues-paying member of the International Association for the History of Law and its Institutions (AIHDI), which has its headquarters in Belgium. The Association's General Secretary, Professor LAURENT WABLKENS, wrote recently to tell us that AIHDI which represents the world of research into legal history in the International Committee of Historical Sciences (CISH, affiliated to

Unesco), is currently preparing the session on legal history at the world conference of historians which will take place in Montreal from 27th August to 3rd September 1995. The theme will be "Transplantation of Law to the New World". They will be working together with law historians from Canada and the United States and will be able to give us more details in the course of 1994.

#### Felix Wubbe Festschrift

In the last issue of the NEWSLETTER we reported the recent publication of a festschrift honoring Professor FELIX WUBBE of the University of Fribourg (Switzerland), Law Faculty. In our report we said that copies of it could be ordered from Professor Yves Le Roy of the same faculty. Professor Le Roy has now advised us that copies should be ordered from: Editions Universitaires, Perolles 42, CH 1700, Fribourg, Switzerland.

#### Renaissance Society Annual Meeting

The Renaissance Society of America's Annual Meeting (Dallas, TX, April 7-10, 1994) will be held concurrently with the South-Central Renaissance Conference sponsored by the University of North Texas. The Bennett lecturer is BARBARA BOWEN (Vanderbilt) For more information, contact SHIRLEY WHITE at the Center for Continuing Education and Conference Management, PO Box 5344, University of North Texas, 76208-0344. Registration Deadline: **March 24, 1994.**

#### A Museum of Law in England

GEOFFREY H. GOLDSMITH, of Reading, England, has informed the NEWSLETTER on a couple of occasions in the past few years of the progress of plans to establish a "Museum of Law" that would "tell the story of the English and Welsh civil and criminal law, the history of the police service and the history of the prison service". He has now written to tell us:

"Various venues were considered, and I am pleased to inform you that the historic parts of **Shire Hall, Nottingham** have been acquired for the National Centre and a local steering group has been formed, which includes lawyers, academics, museum professionals, and others committed to the project. In addition to the museum aspect of the project, it is proposed that the courts and cells will be used for a high quality permanent exhibition, presenting aspects of criminal and civil law, imprisonment and punishment. A Centre for Law Education is also proposed, to work with schools and the general public to raise their awareness of all aspects of the law. The courts would be used for advocacy and professional development training."

"Many artifacts and documents have been promised, including a Great Seal; judicial robes; the Marshall Hall Murder collection; items connected with Crippen, and Armstrong (the only solicitor to hang for murder); Sir Bernard Spilsbury's forensic case notes; artifacts from the Prison Service Museum and case papers from two very famous murder cases on the 1920s and 1930s."

"The cost is estimated at £3.5m and a fundraising campaign has been launched and already over £500,000 has been promised. It may be that members of the legal profession in the United States would be interested in learning more about the project and perhaps supporting it in some way. We are also interested in acquiring any suitable artifacts and documents. Anyone interested should contact Geoffrey H. Goldsmith (Solicitor), 68, Rosehill Park, Emmer Green, Reading RG4 8XF, Berkshire, England."

#### National Archives Workshop

The National Archives-Great Lakes Region sponsors a series of Professional Development Workshops for academics, archivists, librarians, teachers, and other social science professionals.

Their 1994 Series Workshops include:

**April 14: Seeking the Source: Research in Federal Records**  
Directed toward academic researchers, this workshop is an introduction to research in federal records. Participants will "walk through" the process of researching a topic using National Archives finding aids and sources.

**June 23: Archives for Librarians**  
This workshop examines the relationship between archives and libraries, and gives an overview of the holdings and services of the National Archives-Great Lakes Region.

**August 25: Oral History Methods**  
Directed toward persons interested in developing an oral history program for a museum, historical society, or other organization. This workshop covers the basic skills of conducting and recording interviews, and making material accessible to researchers. (Half day only: \$5 fee)

**October 20: Research in Federal Court Records: Beyond the Law Library.**  
Designed for academic researchers, this workshop explores the research potential of federal court records and suggests a strategy for undertaking research in this vast body of primary source material.

All workshops are held at the National Archives-Great Lakes Region (7358 South Pulaski Rd., Chicago, IL). Pre-registration is required and may be done by calling 312-581-7816 and asking for the Archives. Each workshop is limited to 20 participants.

Registration for each workshop begins at 9:00 a.m. The \$10 fee (\$5 for Oral History Methods) covers materials and is due at that time. Sessions last from 9:30 a.m. to 3:30 p.m. (12:30 p.m. for Oral History Methods). Lunch is not provided. For further information contact BEVERLY WATKINS at 312-581-7816, Monday through Friday, 8:00 a.m. - 4:15 p.m. Central Time.

#### Arkansas Seminar on Freedom of Speech

A special three week seminar will be offered **July 5-July 25 at the University of Cambridge, England**, and it is open to **juniors, seniors, graduate students**, and other members of the intellectual community. The seminar will focus on the history and philosophy of freedom of expression, examining the arguments about individual liberty and community order in republics from Plato's to the present. Grades will be based on seminar reports and a final paper, and participants will earn degree credit at the University of Arkansas or for transfer to their home institution (out-of state tuition will be waived).

Cost of the program (including bed and breakfast accommodations in Wolfson College, full tuition, reading materials, all administrative fees, and field trips to the Houses of Parliament, the Royal Courts of Justice, the Inns of Court, Runnymede, and Hyde Park Speakers' Corner) is **\$1,750 plus airfare.**

Enrollment is limited to twelve participants, and the deadline for registration is April 1, 1994. For further information contact: Stephen A. Smith, Department of Communication, 417 Kimpel Hall, University of Arkansas, Fayetteville, AR 72701. Tel: 501-575-3046; Fax 501-575-6734; e-mail: libertas@comp.uark.edu.

#### FUNDS AVAILABLE

##### Fulbright Scholar Awards, 1994-95

The following Fulbright chairs for American historians are available for the 1995-96 academic year. Candidates must be U.S. citizens and have a prominent record of scholarly accomplishment. All lecturing assignments are in English.

Applicants are to submit a detailed letter of interest, including a statement outlining suitability for the appointment preferred and professional reasons for seeing the position, and a comprehensive c.v. by May 2, 1994. The 1995-96 chair appointments include:

**NETHERLANDS - JOHN ADAMS CHAIR IN AMERICAN HISTORY:** the grantee will offer advanced undergraduate courses and graduate seminars in American history. Limited supervision of graduate theses and consultation on curriculum. Lecturing in English will occasional guest lectures at other universities. The Fulbright Commission in Amsterdam will arrange affiliation with one of five Dutch universities which offer specializations in American Studies. Four months, starting September 1995 or January 1996. Benefits: \$20,000 plus international travel for grantee only.

**NETHERLANDS - THOMAS JEFFERSON CHAIR IN THE SOCIAL SCIENCES (FOR JUNIOR SCHOLARS):** the grantee will teach undergraduate and graduate courses in one or more of the social science disciplines within American studies, including historical or contemporary American history, law, economics, or political science. Limited supervision of graduate theses and consultation on curriculum. The grantee will be actively engaged in promoting and expanding knowledge of American society and culture at Dutch universities. Lecturing in English with occasional guest lectures at other universities. This chair was specifically created for promising junior scholars who have not yet achieved an established national reputation. The Fulbright Commission in Amsterdam will arrange affiliation with the most appropriate department (depending on the grantee's area of specialization) at one of five Dutch universities which offer specializations in American Studies. Four months, starting September 1995 or January 1996. Benefits: \$16,000 plus international travel for grantee only.

**FINLAND - BICENTENNIAL CHAIR IN AMERICAN HISTORY:** Grantee will teach a survey of American history and special topics in his or her area of expertise. A teaching load of approximately 6 hours per week in a survey course and a specialized seminar and supervision of graduate theses. Occasional guest lectures at other universities and consultation on curriculum. In the past the chair has alternated between American history and literature with the choice this year in history. Lecturing in English. Department of English, University of Helsinki. Nine months, starting September 1995. Benefits: @ \$50.00 paid in local currency and pending allocation/authorization. There is a travel allowance of \$1,600 for grantee and \$1,600 for one dependent plus \$8,000 for excess baggage.

**IRELAND- MARY BALL WASHINGTON CHAIR IN AMERICAN HISTORY:** The grantee will teach an undergraduate honors survey course, tutorials, a graduate course in area of specialization, and possibly an undergraduate course on some general theme in American

history. Most institution's interest are in American diplomatic history (particularly 20th-century), the U.S. presidency (preferably 20th-century), and modern political history. Other subfields in American history will be considered. Department of Modern History, University College Dublin. Ten months, starting September 1995. Benefits: 42,000 Irish punts from university and \$5,000 U.S. dollar grant (total @ \$55,000).

**ITALY - BOLOGNA CHAIR IN U.S. HISTORY AND POLITICAL SCIENCE:** Grantee will lecture on History and Politics. The university has particular interest in U.S. intellectual or political history, comparative political systems, or U-S political theory. Grantee will provide a series or guest lectures to specialized seminars for advanced undergraduate and graduate students as well as introductory lectures. Occasional guest lectures at other universities. Lecturing in English. Department of Politics, Institutions, and History, University of Bologna. Three months, starting 2/96. Benefits 16.8 million Italian lire. 500,000 lire settling-in allowance, plus international travel for grantee only. (1/94 rate US \$1 = 1,589 lire).

**CANADA - FULBRIGHT-BISSELL CHAIR IN AMERICAN STUDIES:** Grantee will teach graduate and undergraduate courses in a field of American Studies. Preference is for a scholar in contemporary American social science research. Nine months, starting September 1995. Benefits: approximately US \$70,000.00.

For more detailed information on Fulbright chair offerings and special application procedures, contact: DR. KAREN ADAMS, Council for International Exchange of Scholars, 3007 Tiden St. NW, Suite 5M, Box FC-News, Washington, DC 20008-3009. Phone: 202-895-5360.

##### Fulbright Lecture and Research Grants

Fulbright opportunities are available for university lecturing or advanced research in nearly 140 countries. Funding for the Fulbright Program is provided by the **United States Information Agency**, on behalf of the U.S. government, and cooperating governments and host institutions abroad.

Awards range from two months to a full academic year, and many assignments are flexible to the needs of the grantee. Virtually all disciplines participate: openings exist in almost every area of the humanities, social sciences, natural and applied sciences, the arts, and professional fields such as business, journalism, and law. Applications are encouraged from professionals outside academe, as well as from faculty at all types of institutions. The basic eligibility requirements for a Fulbright Scholar award are U.S. citizenship and the Ph.D. or comparable professional qualifications. For lecturing awards, university or college teaching experience is expected. Language skills are needed for some countries, but most lecturing assignments are in English.

A single deadline of **August 1, 1994** exists for research or lecturing grants to all world areas. Other deadlines are in place for special programs.

##### New ACLS Travel Grant Program

Last August, the **American Council of Learned Societies** announced that they had just received funding from the Gladys Kriele Delmas Foundation for a travel grant program for scholars to attend international meetings abroad at about \$85,000 per year for each of the next two years. Additional funding from other sources will be needed to continue the program after that. ACLS President STAN KATZ is optimistic that ACLS will be able to raise new funds to continue.



February 1, was the deadline for application for travel between June 1, 1994 and May 31, 1994. A deadline for 1995-96 applications will be announced soon.

**Scholars & Fields.** Applicants must hold the Ph.D. or its equivalent and must be citizens or permanent residents of the U.S. Scholars of all ranks affiliated with institutions, as well as independent scholars at all stages of their career, are eligible to apply. However, only persons who will read papers or have a major, official role in the meeting are eligible for an award. Preference will be given to individuals reading scholarly papers over those performing bureaucratic functions.

Eligible fields of specialization include but are not limited to: anthropology, archaeology, art history, economics, geography, history, languages and literatures, law, linguistics, musicology, philosophy, political science, psychology, religion, and sociology. Proposals for conferences focused on any geographic region or on any cultural or linguistic group are welcomed. Proposals for conference in interdisciplinary and cross-disciplinary studies are also encouraged. Proposals for conference in social and natural sciences are eligible only if they employ predominantly humanistic approaches.

**Types of Meetings.** The nature and quality of the meetings themselves, as well as the profile of the applicants, will be taken into account: well-planned, broadly international special meetings come first in priority; second, significant international congresses that meet infrequently, and a distant third, if at all, annual meetings (particularly those of membership organizations).

Grantees will be selected by committees of scholars convened for this purpose by individual constituent societies of the ACLS. These committees will review applications for meetings in their general or specific fields. An applicant's membership in any constituent society of ACLS will have no bearing on his or her eligibility.

## RECENT PUBLICATIONS OF INTEREST

- Christopher Adamson, "Wrath and Redemption: Protestant Theology and Penal Practice in the Early American Republic," Criminal Justice History, 13 (1992): 75-111.
- David A. Bell. Lawyers and Citizens: The Making of a Political Elite in Old Regime France. New York: Oxford University Press, 1994.
- David J. Bodenhamer and James W. Ely, Jr., eds. The Bill of Rights in Modern America: After 200 Years. Bloomington and Indianapolis: Indiana University Press, 1993.
- Allen D. Boyer, "Activist Shareholders, Corporate Directors, and Institutional Investment: Some Lessons from the Robber Barons," Washington and Lee Law Review, 50 (Summer 1993): 977-1042.
- James A. Brundage. Law, Sex and Marriage in the Middle Ages. London: Variorum, 1993. Collected Studies Series, No. 397. Seventeen Studies.
- James A. Brundage, "The Politics of Sodomy: Tex v. Pons Hugh de Ampurias (1311)," In iure veritas: Studies in Canon Law in Memory of Schafer Williams, ed. Steven Bowman and Blanche Cody (Cincinnati: University of Cincinnati Law School, 1991), pp. 3-10; reprinted in Sex in the Middle Ages, ed. Joyce E. Salisbury (New York: Garland, 1991), pp. 239-246.
- James A. Brundage, "Sexuality, Marriage, and the Reform of Christian Society in the Thought of Gregory VII," Studi Gregoriani 14 (1991) 69-73.
- James A. Brundage, "Saint Bernard and the Jurists," The Second Crusade and the Cistercians, ed. Michael Gerves (New York; St. Martin's Press, 1992) pp 25-33.
- James A. Brundage, "Widows as Disadvantaged Persons in Medieval Canon Law," Upon My Husband's Death: Widows in the Literature and Histories of Medieval Europe, ed. Louise Mirrer (Ann Arbor: University of Michigan Press, 1992), pp. 193-206.
- James A. Brundage, "Humbert of Romans and the Legitimacy of Crusader Conquests," The Horns of Hattin, ed. B.Z. Kedar (Jerusalem: Yad Izhak Ben-Zvi; London: Variorum, 1992), pp. 302-313.
- James A. Brundage, "Entry to the Ecclesiastical Bar at Ely in the Fourteenth Century: The Oath of Admission," Proceedings of the Eighth International Congress of Medieval Canon Law, ed. Stanley Chodorow, Monumenta iuris canonici, Subsidia, vol. 9 (Citta del Vaticano: Biblioteca Apostolica Vaticana, 1992) pp. 531-44.
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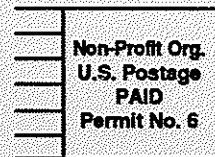
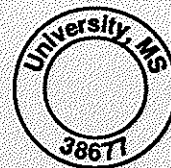


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