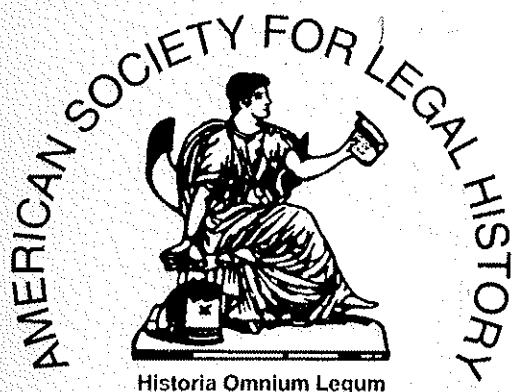

ASLH NEWSLETTER



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VOLUME 25, NO. 2

WINTER 1995

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NEWS OF THE SOCIETY

ASLH E-Mail and Telephone Information

The ASLH office now has its own separate telephone line and e-mail link-up. The number for the telephone (which has a voice-mail service) is 601-232-5600.

The e-mail address is: hsupload@vm.cc.olemiss.edu-internet or @umsvm-bitnet.

Fax messages should be sent to: 601-232-7033.

1995 Annual Meeting

The 1995 Annual Meeting will be held in HOUSTON, TEXAS, October 19-21. The chairman of the Local Arrangements Committee is CRAIG JOYCE, University of Houston Law Center, Houston, TX 77204-6371 (tel: 713-743-2127, fax: 713-743-2299, e-mail: cjoyce@mail.law.uh.edu). Other Local Arrangements Committee members are Mr. JAMES PAULSEN and Dr. LOUIS MARCHIAFAVA. The hotel for the Meeting is the WYNDHAM WARWICK (tel: 713-526-1991), Houston's landmark hotel, located on Main Street - in the heart of the Art District. The room rate will be \$82.00 (single or double occupancy).

January 15 was the deadline for submitting suggestions for papers or panel sessions to the Program Committee, which is chaired by DONALD NIEMAN, Department of History, Bowling Green State University, Bowling Green, OH, 43403 (tel: 419-372-2030, fax: 419-372-7208). The other members of the Committee are ROBERT COTTRILL (Rutgers-Camden, Law), JOYCE MALCOLM (Bentley), EBEN MOGLEN (Columbia, Law), CYNTHIA NEVILLE (spending this school year at Virginia Beach, VA, tel: 804-671-7559), JUDITH SCHAFER (Murphy Institute, Tulane University) and HARRY SCHEIBER (School of Law, Boalt Hall, California-Berkeley).

A draft copy of the program and registration materials will be mailed out to members and panelists in July.

1994 Annual Meeting

A record breaking total of 319 persons registered for our 1994 Meeting held at the Omni Shoreham Hotel in Washington, D.C. - the previous record attendance was 244, at New Haven in 1992; 240 was the 1993 total in Memphis. The high attendance rate, combined with generous contributions from several D.C.-area law schools and the Cleary, Gottlieb, Steen & Hamilton law firm meant that the Society made a net profit of \$1,333 from the Meeting.

Board of Directors Meeting

As has been the custom for many years, the Officers and members of the Board of Directors of ASLH met at 7:30 p.m. on the opening evening of the Annual Meeting, in the Capitol Room at the Omni Shoreham.

The Meeting was called to order by President HAROLD M. HYMAN. Present were Immediate Past President RICHARD H. HELMHOLZ, Secretary-Treasurer MICHAEL DE L. LANDON, and the following members of the Board of Directors: DAVID J. LANGUM, CORNELIA L. DAYTON, MELVIN U. UROFSKY, JONATHAN LURIE, EMILY Z. TABUTEAU, CONSTANCE B.

BACKHOUSE, HERMAN J. BELZ, MAXWELL BLOOMFIELD, JAMES A. BRUNDAGE, LINDA K. KERBER, DAVID KONIG, KENT NEWMYER, CHRISTOPHER TOMLINS and JAMES OLDHAM. Vice-President PAUL L. MURPHY and Director A. LEON HIGGINBOTHAM were unable to be present.

Also present were SANDRA VANBURKLEO, Chairwoman of the Nominating Committee; MICHAEL J. CHURGIN, Chairman of the Committee on Documentary Preservation; JOSEPH W. MCKNIGHT, representing the Honors Committee; ANN LOWRY, of the University of Illinois Press; MICHAEL GROSSBERG, Editor of LAW AND HISTORY REVIEW; LEWIS BATEMAN, of the University of North Carolina Press; THOMAS A. GREEN and HENDRIK HARTOG, Co-editors of the "Studies in Legal History Series"; JOSEPH BIANCALANA, Chairman of the Sutherland Prize Committee; ROBERT M. GOLDMAN, Chairman of the Committee on Conferences and the Annual Meeting; DANIEL R. ERNST, Chairman of the 1994 Local Arrangements Committee; PHILIP HAMBURGER, Chairman of the 1994 Program Committee; CRAIG JOYCE, Chairman of the 1995 Local Arrangements Committee; and DONALD NIEMAN, Chairman of the 1995 Program Committee.

After the President had greeted those present, the Minutes of the 1993 Meeting were approved. Daniel R. Ernst, for the Local Arrangements Committee, drew the Board's attention to his written report, briefly reviewed the schedule for the upcoming two days, and thanked all those who had assisted him in preparing for the Meeting. Program Committee Chairman Philip Hamburger first thanked all those who had assisted him in putting the program together, and noted that he and his committee had continued the policy, begun by his recent predecessors, of drawing panelists from as wide a constituency as possible.

Donald Nieman said his 1995 Program committee was planning to once again have seven three-panel sessions and that they would continue to strive for diversity both of panel members and of panel topics.

Robert Goldman reported that the Committee on Conferences and the Annual Meeting had decided to recommend that the Society's 1996 Annual Meeting be held in Richmond, Virginia, where Board member Melvin Urofsky, of Virginia Commonwealth University, was willing to serve as the Local Arrangements Chairperson for the Meeting. He also told the Board that the Committee was considering recommending a West Coast site for 1997, possibly Seattle or Vancouver. A motion was moved, seconded and carried to approve the Committee's recommendation with regard to holding the 1996 Meeting in Richmond.

David Seipp's written report on behalf of the Surrency Prize Committee stated that the 1994 prize winner was PHILIP GIRARD, for his article "Themes and Variations in Early Canadian Legal Culture: Beamish Murdoch and His Epitome of the Laws of Nova Scotia", published in number 1, volume 11 of LAW AND HISTORY REVIEW. Joseph Biancalana announced that the Sutherland Prize Committee had selected as the 1994 prizewinner J.L. BARTON, for his article "The Mystery of Bracton", published in number 3, volume 14 in the Journal of Legal History.

On behalf of the Committee on Documentary Preservation, Michael J. Churgin, supplemented a written report by announcing that the Committee had met that morning with a representative of the Attorney General's Office to discuss the reasons why no Justice Department records had been deposited in the National Archives since 1940. They were led to believe that action with regard to both preserving the department's records and making them more readily available to researchers was being taken.

The Secretary-Treasurer reported that the main development in the Society's office during the past year had been the installation of a telephone line and a telephone with voice mail capacity. Also, the office computer was now linked by modem to the Internet system and had its own e-mail address. Thanks were again due to Dean H. Dale Abadie of the University of Mississippi College of Liberal Arts and History Department Chairman, Robert J. Haws, for making an office and various university services available for use by the Society.

Joseph W. McKnight, reporting for the Honors Committee, reminded the Board that during the preceding year the Society's by-laws had been amended so as to stipulate that "distinguished legal historians residing in the United States or Canada" [no matter what their actual nationality might be] were eligible for election as Honorary Fellows of the Society. He also noted with regret that one Honorary Fellow, SAMUEL E. THORNE, and one Corresponding Fellow, FRANZ WIEACKER, of Germany, had died since the Board's last meeting. Finally, he reported that the committee unanimously recommended that A.W.B. SIMPSON, of the University of Michigan, be elected an Honorary Fellow and that PETER LANDAU, of Germany be elected an Corresponding Fellow. Copies of their Curriculum Vitae were shown to the Board. Both recommendations were moved, seconded and approved by acclamation.

For the Nominating Committee, Sandra Van Burkleo reported the results of the balloting to fill five vacancies on the Board of Directors for three year terms beginning January 1, 1995 and running through December 31, 1997, and to fill two vacancies on the Nominating Committee over the same period. She announced that the committee was close to filling all of the vacancies on the Surrency and Sutherland Prize Committees. She commended JOHN V. ORTH for his hard work on behalf of the Committee during the past few years. And on behalf of the Committee, she recommended that Article III, Section 1 of the by-laws be amended whereby--while still maintaining the requirement that "whenever there is a single position to be filled at least three nominees shall be presented to the membership"--normally two candidates should be nominated to fill each vacant position. A motion to that effect was made, seconded and approved. She also recommended and, after considerable discussion, a motion was made, seconded, and approved, that candidates for any office in the Society or for a place on the Board of Directors or Nominating Committee, must be a member of the Society before their names can be placed on a ballot. Because there was a tie vote to fill the fifth position on the Board for a 1995-1997 term--in the absence of Cornelia Dayton who left the room while the matter was settled, and in accordance with Article III, Section I of the by-laws--a motion was made, seconded and unanimously approved to elect Ms. Dayton to the position.

President Hyman then thanked Ms. VanBurkleo for all of her hard work during the previous twelve months as chairwoman of the Nominating Committee, and especially commended her for having compiled, with the aid of her assistant Ms. Gayle McCreedy, a computerized data-base recording all office-holders, directors, committee chairs and committee membership since 1980. A motion was made, recorded and unanimously approved, thanking Ms. VanBurkleo and Ms. McCreedy for their very useful and very considerable contribution to the better governance of the Society.

Reporting for the Publications Committee Craig Joyce noted that copyright issues connected with electronic publishing were likely to be the committee's chief concern in the next few years.

Commenting on the annual report to the Society from the University of Illinois Press, publisher of the Society's journal, LAW AND HISTORY REVIEW, Ann Lowry noted that the subscription/membership level had remained fairly stable during the past year. She also noted that the possibility of publishing electronic versions of the REVIEW had been raised by several interested parties in recent months, including West Publishing, and H-LAW and that William S. Hein had inquired about acquiring the right to publish back issues in CD Rom format. She also reported that her Press was continuing to energetically market the REVIEW and to seek out new advertisers for it. In 1995, they were planning a direct mail campaign to recruit new members for the Society, something which had not been done for three years. She would welcome suggestions as to lists of potential members that might be available. She also noted that, while all articles submitted for publication in the REVIEW were required to be in disk format, that was not true yet with regard to all book reviews. Having everything disk-formatted would be essential if electronic publication was to be undertaken, and also would make it possible for her staff to perform certain desk-top editing chores that would lessen the burden of work for the REVIEW's editors. Responding, Book Review editor Christopher Tomlins stated that more than half of all book reviews were now being sent in electronically formatted, and he was fully confident that soon they would all be.

REVIEW Editor Michael Grossberg, in addition to offering a written report, wished to express his Board's thanks to President Hyman for authorizing expenditure for an editorial Board luncheon to be held on the following day (Friday, October 21). He assured the Officers and Board members that progress towards publishing the REVIEW electronically would not be taken until after their advice and approval had been sought. Presenting a copy of the Fall/94 issue of the REVIEW (volume 12, no.2), he pointed out that -- besides the customary articles and reviews--it also contained the transcript of an interview, conducted by Hendrik Hartog with noted legal historian Willard Hurst, and invited comment on the wisdom of including similar interviews in future issues.

Lewis Bateman referred the Board to his written report on the status of the "Studies in Legal History Series" published for the Society by the University of North Carolina Press. Hendrik Hartog reported that in addition to the list of in-print and forthcoming works listed in his report, several more "substantial manuscripts" were already in the pipeline for 1996 and 1997. He

also noted that, whereas in recent years, the series had mostly published works dealing with some topic in European legal history, most of the upcoming works dealt with American legal history topics. On behalf of the Society, President Hyman thanked co-editors Tom Green and Dirk Hartog for all of their hard work for the Series, which was certainly one of the most important projects carried out by ASLH.

Under the heading of "Old Business," the Secretary-Treasurer reminded the Board that, as he had informed them by letter some months earlier, a permanent home had at last been found for the Society's archives at the University of Illinois Library. The Library's Special Collections Department was in the process of acquiring the archives of the American Association of Law Schools, and, since ASLH had originated as a "Special Interest Section" of the A.A.L.S., it seemed appropriate to deposit our records alongside those of the parent body. With regard to the participation by ASLH in the "Journals for Eastern Europe" program sponsored by the American Council of Learned Societies, the Secretary-Treasurer was encouraged to continue working out with the University of Illinois Press and ACLS an understanding with regard to how LAW AND HISTORY REVIEW should be made available through the program.

With regard to cooperation with the H-Law network on the Internet, M. Les Benedict reminded the Board members that they had called last year for the creation of an ad-hoc committee to look into the matter. The committee's report was now before the Board and he hoped they would give it their approval. After some discussion, it was moved, seconded and approved (nemine contradicente) that ASLH would enter into a formal relationship with the H-Law network in general accordance with all of the proposals included in the committee's report, and especially with regard to the provisions proposed in paragraph #1 of their report and in the first sentence of paragraph #3: "The American Society for Legal History will support and utilize the facilities of H-Law as the electronic list and network serving legal and constitutional historians in the United States. The Secretary-Treasurer, officers of the Society, editor of Law and History REVIEW, and committee chairpersons will coordinate activities with the moderator of H-Law to carry out the suggestions below, so far as possible, and to open new avenues of cooperation. However, this agreement does not grant the Society any final authority over the actions and decisions of the moderator; his or her actions in transmitting material over the network, when made in the capacity of moderator, are exclusively their own and are in no way the responsibility of the Society. In any announcement of the relationship between H-Law and the ASLH, the moderator will include the foregoing disclaimer. The relationship here established may be terminated at any time by either the Society of H-Law or its parent H-Net. ASLH will provide a subsidy of \$1,500 in the first year and \$1,000 per year thereafter to support the activities of the moderator related to H-Law, with activities related to the ASLH/H-Law relationship receiving first priority.

Under "New Business," it was noted that the amendments to the Society's by-laws suggested in the Nominating Committee's report had already been approved earlier in the meeting. With regard to a question that had been raised by some Surrency and Sutherland Prize Committee members as to whether published reports of "roundtable discussions" could qualify for either prize, no

action was taken. The general consensus of the Board was that both prizes were intended to reward original research by individual scholars, but that the widest possible discretion should be left to each year's prize committee members.

With regard to ASLH support for the "Protect Historic America" organization, the Secretary-Treasurer told the Board that, although the proposal for a Disney theme park close by the Manassass Battlefield Historic Site (see Summer/94 NEWSLETTER, pg.16) had been abandoned a few weeks earlier, contacts in the organization had told him that their intention was to remain in being in order to be ready to confront similar crises immediately in the near future. Board members agreed that ASLH should remain in informal contact with the organization.

With regard to the possibility of investing some of the Society's capital funds in the "Charitable Gift Fund" operated by Fidelity Investments of Boston, which had been recommended to its affiliate members by ACLS the Board encouraged the Treasurer to look further into the advantages investment in the fund might bring to the Society and to report back.

Les Benedict presented a report from an ad-hoc committee, consisting of himself, LAW AND HISTORY REVIEW editor Michael Grossberg, and outgoing Publications Committee chairman Craig Joyce, appointed by President Hyman to consider proposals from both William S. Hein and Co., and West Publishing Co. for electronic publication of the REVIEW. After some discussion, the Board accepted the Committee's recommendation that the new Publications Committee should try to negotiate an acceptable agreement with the Hein Co.

There being no further New Business the Board Meeting was adjourned at 9:50 p.m.

Any member of the Society who would like to have a copy of any of the written reports to the Board listed below may request one from the Secretary-Treasurer (Department of History, Bishop 310, University, MS, 38677, tel: 601-232-7105, fax: 601-232-7033, e-mail: hsupload@vm.cc.olemiss.edu or @umsvm-bitnet).

Committee on Documentary Preservation	Honors Committee
Nominating Committee	Publications Committee
University of Illinois Press Report	H-Law Report
Law and History Review Report	Charitable Gift Fund
"Studies in Legal History" Report	Electronic Publications Report

Treasurer's Report

The State of the Society's three funds, as of 12/31/94 was as follows:

General Account

Balance on Hand 12/31/93 \$44,731

Income through 12/31/94

CD/Now Interest	\$ 1,465
Dues/Mailing List	12,704
Annual Meeting	<u>23,808</u>

\$37,977

Expenses through 12/31/94

Salary-Wages	\$ 4,432
Travel (ACLS)	521
Postage/Telephone	2,831
Printing/Binding/Supplies	6,580
Accountant (Tax Return)	85
Annual Meeting	22,475
Dues (ACLS, NHA, etc.)	1,850
H-Law subvention	1,500
Sutherland Fund (donations, etc)	350
Miscellaneous	<u>89</u>

(\$40,713)

Minus Balance

(\$ 2,736)

Balance on Hand 12/31/94

\$41,995

Joseph H. Smith Memorial Fund

Balance on Hand 12/31/93

\$28,758

Income through 12/31/94

FNB, Oxford, MS (NOW Account)	\$ 418
CD Interest	263
Donations	<u>392</u>

\$ 1,073

Expenditures through 12/31/94

FNB Charges	\$ 59
Editorial Stipend	1,000
1994 Surrency Prize	<u>500</u>

(\$ 1,559)

Minus Balance

(\$ 486)

Balance on Hand 12/31/94

\$28,272

Sutherland Prize Fund

Balance on Hand 12/31/93

\$ 8,295

Income through 12/31/94

Nations Bank CD	\$	332	
U.S. Bank		82	
Donations		<u>350</u>	
	\$		764

Expenditures through 12/31/94

1994 Sutherland Prize	(\$	250)	
Account Surplus	\$		514
Balance on Hand 12/31/94	\$		8,809

Notes: A check for \$2680 received from the University of Illinois Press in late January representing a final installment of 1994 income from dues and mailing list sales has made the General Account look much healthier than it was at the end of December.

The main reason for the minus balances in both the General Account and the Smith Fund was the prevailing low interest rates that affected both our NOW Accounts and our certificates of deposits. That situation--thanks to the Federal Reserve Board--has now improved considerably, and chances look good for plus balances in both accounts by the end of 1995. It should also be possible to raise the Sutherland Prize payment back up to \$500 this year.

DONATIONS from members to either or both of our special funds would also, of course, be most helpful. Donation forms are included as inserts in this NEWSLETTER.

1996 Annual Meeting

The Society's 1996 Annual Meeting will be held, October 17-19, in RICHMOND, VIRGINIA at the Omni Richmond Hotel. MELVIN UROFSKY (Virginia Commonwealth University) has agreed to serve as Local Arrangements Chairman and the Program Committee will be chaired by MICHAEL BELKNAP (California Western School of Law). More details will be provided in the next edition of the NEWSLETTER.

ANNUAL MEETING SESSIONS

Telling the Truth: Problems in Evidence in 17 Century England and America

October 21, 1994 8:45-10:15 a.m.

SARAH HARRISON of the University of Michigan reports:

PETER C. HOFFER of the University of Georgia looked anew at Salem, focussing on the 17th-century controversy over "Spectral Evidence in the Salem Witchcraft Trials" Massachusetts decision-makers knew about and discussed writings that were skeptical of witchcraft itself and about reliance on spectral evidence (the testimony of accusers that they were being tormented or controlled by the accused, often accompanied by dramatic courtroom displays of pain or sightings of invisible familiars). Skepticism about witchcraft and skepticism about spectral evidence were not the

same, however -- some legal commentators who believed in the power of witches to do harm pointed out the dangers of conviction on the basis of the victims' uncorroborated testimony. They called for physical evidence, such as the death of animals, or evidence of a pact with the devil that did not come from the accuser. The problem of what to do about crimes committed in secret, and how to understand children's testimony and interpretations of events, were not new in the Salem witchcraft trials, nor did they go away, as evidenced by the current controversy over repressed or false memory of child abuse.

In "Discrediting the King's Evidence: Varieties of Credibility in the Popish Plot" SARAH HARRISON dissected a pamphlet in which Titus Oates responded to criticism of his testimony in the Popish Plot trials. In the face of both trial testimony and pamphlets exposing the inconsistencies in Oates's accounts of the Plot, he argued that his oath as a witness was a guarantee of his reliability that could outweigh the "circumstantial" considerations of consistency and plausibility. He reached this conclusion by manipulating both the new casuist analysis of the nature of lying or truth-telling, and popular fears of casuistry. These fears underscored the difficulty of determining truth in the face of rhetorical arts. They are particularly important to understanding belief in the Popish Plot because they could be directed against either the Catholic defendants or the accusers, who were presumed by contemporaries to be similarly tainted by casuistry as religious dissenters. Fears about the ubiquity of undiscoverable lies made the task of unravelling complex stories in order to test them for consistency and plausibility seem overwhelming; and made Oates's appeal to belief in his oath that much more attractive.

MICHAEL de L. LANDON of the University of Mississippi, tracked down the source of another pamphlet in "Convicted by a Corpse: Serjeant Maynard and the Evidence of the Accusing Cadaver" His subject was an account attributed (by its publisher) to the 17th-century serjeant-at-law John Maynard. The pamphlet described the aftermath of the death of a woman found stabbed in her bed and declared a suicide by the coroner's inquest. Her brother accused her husband of murder (in an appeal) and the body was exhumed, at which point it sat up and pointed at the husband, providing folk evidence of his guilt. The account was probably not written by Serj. Maynard, as it does not occur among his surviving papers. He would have been a student or very young practitioner at the time the proceedings were said to have occurred. But did the event happen? Even more than the question of Maynard's authorship, that is impossible to prove either way. Ample evidence exists, however that the 17th-century English believed in the power of corpses to identify their slayers; and 20th-century forensic science agrees that the actions described would not be impossible in a corpse. MELINDA ZOOK of Purdue University discussed the sources and continuing influence of "The Bloody Assizes: Whig Martyrologies and the Manipulation of Memory." As Foxe's Book of Martyrs had done for early English Protestants, Tutchin's The Bloody Assizes memorialized opponents of James II (especially those who had joined the Duke of Monmouth's unsuccessful rebellion in 1684) as martyrs to "tyranny." The work dramatically recounted the trials and execution speeches of those tried for treason from 1684-88, particularly emphasizing the unfairness and violence of Judge Jeffreys (much of it made up). Despite its clear unreliability, The Bloody Assizes remains a widely-used source even among historians who claim to have rejected the Whig narrative. Its successful mustering of literary technique, the lack of independent sources for Monmouth's rebellion, and the inclusion of many of Tutchin's anecdotes in Bishop Burnet's History (which seems to give

the stories independent corroboration) explains its continued power. Tutchin's account created political legitimacy for the post-Revolutionary Whigs by providing them with a heroic past. It presented the pre-Revolutionary opposition as unified, fearless and the prophetic ancestors of those who replaced James II. Although the accounts are fictitious, the outrage that they expressed was real; and their survival indicates that Whig radicalism was not entirely dead after 1688 -- that stories of heroic resistance to government continued to have an audience.

In comments, RICHARD ROSS of the University of Chicago noted that despite their variety all these 17th century methods of evading uncertainty derived their power from claims of privileged access to the truth. This might take the form of spectral evidence, the oath, the "testimony" of a corpse, or an account of the condemned's "last dying" words on the scaffold. These papers underlined the extent to which what was new in the late seventeenth century was the failure of old ways of discovering truth, rather than the introduction of new ways of doing so. The AUDIENCE suggested significant ways of broadening the stories told in the papers: through consideration of generational conflict in Salem (between Increase and Cotton Mather), of the treatment of suicides, and of how the mythology created around Monmouth's rebels might have been given new life in the West Indies, to which many of them were transported.

City-States under the "Ius Commune" in Late Medieval and Renaissance Italy

October 21, 1994 8:45-10:15 a.m.

OSVALDO CAVALLAR of the University of Chicago began the session with his paper on the "The Pazzi Conspiracy as Legal Problem". Cavallar showed how the heirs of the Pazzi, exiled in the aftermath of the failed attempt to assassinate Lorenzo de' Medici, employed the courts and jurists to retrieve family property. Among the arguments advanced on their behalf was one derived from authoritative figures like Bartolus of Sassoferrato to the effect that Lorenzo had been a tyrant and the legal consequences of a tyrant's rule were reversible. JULIUS KIRSHNER, also of the University of Chicago, then presented a careful study entitled "Conceptualizing Women as Citizens". This paper moved from broad observations of the legal doctrines regarding women's citizenship, from Rome through the Middle Ages, into detailed study of doctrines and cases involving the mulier alibi nupta and her property. LAURA IKINS STERN, from the University of North Texas, in her presentation, "Roman Law, Politics and Procedure: A Comparison between Florence and Venice," examined procedural statutes of the two premier city-states. She concluded that those of Venice, which were not derived from the academic Roman law, allowed for a more flexible form of justice, more liable to be controlled by the ruling nobility and open to political considerations, than was the case for Florence, whose statutes in general procedures specifically were derived from the Roman law tradition. As the three presentations used up the entire ninety-minutes, the chair had to remain content with offering a brief comment on contextual issues regarding each of the papers. The audience was asked to carry discussion out to the coffee break, and they did so with the panelists.

Lawyers and Lawyering in Medieval England

October 21, 1994 10:30 a.m.-12:00 p.m.

Janet S. Loengard writes:

In an unusually cohesive set of papers, SUE SHERIDAN WALKER, PAUL BRAND, and DAVID SEIPP discussed both the nature and frequency of legal representation in the late thirteenth and earlier fourteenth centuries. Brand focussed on who was in the courts - judges, serjeants, attorneys, clerks, apprentices, litigants - and who spoke there. Using the Year Book reports as his primary source, he concluded that most of the talking in the royal courts was done by serjeants, sometimes as many as five to a side in a single case. Most litigants also employed attorneys by 1300, although there was no requirement that they do so. Brand suggested that litigants may or may not have been present: "the whole system worked perfectly well (indeed, perhaps worked better) in their absence" except of course in situations involving wager of law. Brand points out that plea rolls give the impression of a place where people spoke and listened; actually, there must have been non-verbal forms of communication and a great deal of background noise, so that the proceedings in some respect resembled a dramatic performance, with serjeants playing the parts of their clients, with entrances and exits and an audience of apprentices.

SUE SHERIDAN WALKER looked at the problem from the point of view of the "consumer", the litigant, and used plea rolls as the primary source of her evidence. Dealing specifically with widows suing dower claims, she concluded that it is not always possible to be certain when a litigant was using a serjeant but that probably plaintiffs did not always hire them. By late in the reign of Edward I, most dower litigants did have an attorney, increasingly a professional, although not necessarily at the commencement of proceedings. Walker discussed the logistical difficulty raised but the suggestion that most litigants used serjeants. Brand has shown that there were perhaps 30 professional serjeants in the royal courts in 1300. Yet there were, for example, more than a thousand dower entries (306 of them relating to appointments of attorney) in a single term in 1314. She also raised the problem of costs: did the increasing reliance on professionals bar many women from the use of the courts? There are occasional references to "pauper" widows in the rolls, but no suggestion that a lawyer was provided for them. Did medieval English lawyers do *pro bono* work? Did women make arrangements for contingency fees, although the practice was forbidden? Did family or suitor contribute to costs?

DAVID SEIPP, in an entertaining commentary, pointed out that serjeants' roles may have been less formal than supposed; some of the comments they made to each other or the justices may simply have been unofficial, a kind of kibitzing among colleagues. He also suggested - in response to the issue of too many cases for too few serjeants to handle - that possibly serjeants, like judges, simply knew very little about the cases they pleaded, perhaps only what the writ and the count told them. Hence the tendency to hypothetical cases and abstract considerations and the muting of the voices of (among others) the widows who were the actual litigants.

Politics, Labor, and the Constitution: Perspectives on the Thirteenth Amendment

October 22, 1994 8:45-10:15 a.m.

MICHAEL VORENBERG (Harvard University) reports:

In recent years, scholars interested in labor law and civil rights law have turned to the Thirteenth Amendment with a new appreciation of the diverse meanings of slavery and involuntary servitude which that measure prohibited. The panel, chaired by LEA S. VANDERVELDE of the University of Iowa Law School, consisted of two papers that examined the amendment from two different perspectives, locating the measure in two different contexts.

In "'Nor Involuntary Servitude': Antebellum Labor Law and the Meaning of the Thirteenth Amendment," JAMES SCHMIDT, a professor at Northern Illinois University, analyzed the amendment in the light of antebellum laws of poverty and vagrancy. The moderate and radical Republicans in Congress who framed the Thirteenth Amendment drew heavily on the much-studied ideology of free labor. But more importantly, to define exactly what was prohibited by the amendment, Republicans imported concepts of labor law common to the antebellum North, especially laws relating to vagrancy and labor contracts. Democratic charges that the amendment would bring about a social revolution forced its Republican framers to examine the distinct meanings of slavery, servitude, and service. In debates over these issues, Republicans--Senator James Harlan of Iowa in particular--concluded that personal independence could be lost through labor contract bargaining or through vagrancy. However, because the loss was voluntary, they argued, it was not prohibited under the amendment. Instead of focusing on the meaning of "servitude," Congressmen centered on "involuntary," making physical or unequal legal compulsion the key to the amendment. Hence, they avoided the relationships of power and subordination inherent in contract bargaining, vagrancy laws, and other legal means for controlling labor. Yet in doing so, their rhetoric echoed arguments about law made by jurists and social reformers in the antebellum North. Unwilling to face the amendment's legal implications, Congressional Republicans employed conceptions of free labor and labor law in ways that limited the meaning of the amendment, and ultimately, the meaning of freedom in the post-war era.

MICHAEL VORENBERG, a Ph.D. candidate at Harvard University, discussed "The Thirteenth Amendment in the Context of Civil War Politics" politics. First, the paper made the point that a close examination of party politics in late 1863 and 1864 reveals the amendment's rather peculiar beginnings. Usually considered a Republican measure, the amendment owes its origins as much to the Democratic party as to the party of Lincoln. The amendment emerged in part to satisfy the Democrats' demand that emancipation be unquestionably constitutional. Democrats in and out of Congress promoted the amendment even as Republicans, including Lincoln, gave it only lukewarm support. Republicans adopted the amendment to party policy only to prevent some other party, such as John C. Frémont's "Radical Democracy," from stealing too much of the Republicans' antislavery thunder. The paper argued secondly that the amendment's political implications, much more than its legal meaning, dominated the thoughts of politicians in and out of Congress. Republicans deliberately tried to keep the measure free of any suggestion of what it would or would not do for African America, and instead used the amendment as a political decree to the Confederacy that slavery was not a negotiable term of peace.

Meanwhile, those Democrats who supported the amendment thought less about how the measure might reshape civil rights law than about how it would restore their party to its pre-war grandeur.

SALLY HADDEN, a professor at the University of Toledo, noted that both papers were productive searches for meaning within the context of the amendment's original formation. But both papers, because of their narrow focus, substitute majority intent for meaning--a perhaps problematic formulation. Schmidt might expand his range of sources to include more antebellum cases involving those who refused to labor as well as those who were unable to labor. Also, Schmidt perhaps placed too much emphasis on advanced ideological formulations of labor law, such as the Britten doctrine and James Harlan's speech on the Thirteenth Amendment, that outran mainstream doctrine. Hadden recommended a consideration of southern attitudes towards northern concepts of labor law discussed by Schmidt, as well as an investigation of northerners' knowledge of southern labor laws as a motivating force behind the amendment. Vorenberg's paper offers insight into the question of what Republicans knew and when they knew it, but it needs more clarity in distinguishing the varying conceptions of freedom and equality held by those who considered the amendment. The paper has too narrow a focus on Republicans' attitudes towards the amendment before they began to debate it in Congress. Vorenberg might integrate into the story the meanings accorded the amendment once Congressmen of the era had given it full consideration. Both Hadden and VanderVelde suggested that further work still needed to be done in exploring the multiplicity of meanings of the amendment.

Law, Group Practice and Community in Past Societies

October 22, 1994 8:45-10:15 a.m.

EMILY ZACK TABUTEAU (Department of History, Michigan State University) reports:

The common theme uniting the apparently disparate papers in this session was the relationship between legal situation and the perception of local realities. In "Memory, Community, and Law in a Local Society: The Henryków Region and its Historian, 1150-1270" PIOTR GORECKI (Department of History, University of California, Riverside) described how the abbot Henryków used oral evidence to reconstruct the history of the properties of his abbey and how the names of places changed or were reinterpreted to reflect their history and current status. In "'To Prisoners Working in Chains': Crime, Class and Community in the Nineteenth Century Gold Coast," RAY KEA (Department of History, University of California, Riverside) explored relationships between changing definitions of crime and methods of punishment in this part of West Africa between the 1820's and the 1850's and the novel demands for labor created by the colonial structure. In "Forging a Community: The University of Kraków, Conciliar Thought, and the Tradition of the Noble Freedom in Poland," PAUL WENDELL KROLL (Department of History, University of Southern California) noted the role legal proceedings against the Teutonic Order played in shaping a sense of Polish identity and the way in which the conciliar theory of the medieval church, which was strongly advocated at the University of Kraków, provided ideas which underlay the early modern defense of the rights of the Polish nobility. After commentary by JAY SPAULDING (an independent scholar of African history), a lively discussion ensued with the small but enthusiastic audience.

Roundtable of "Stories of Scottsboro:" Legal History and Literary Method

October 22, 1994 10:30 a.m.-12:00 p.m.

An audience of more than 100 attended this session on JAMES GOODMAN's Stories of Scottsboro (New York: Pantheon, 1994), a study of how the trials of nine African American youths for the rape of two white women in the 1930s passed into historical memory. The session was chaired by STANLEY N. KATZ, President of the American Council of Learned Societies. The first commentator was MARY FRANCES BERRY, the Geraldine R. Segal Professor of American Social Thought at the University of Pennsylvania and Chairperson of the U.S. Commission on Civil Rights. Professor Berry commended Goodman on his book and its narrative approach. She also argued that even so momentous a case as the Scottsboro trials needed to be placed in a larger context of lynchings (legal and otherwise). She provided several examples of such "contextualizing" from her own research, including a work in progress tentatively titled "Rape, Sodomy, and the Case of the Pig Farmer's Daughter."

MAXWELL BLOOMFIELD, Professor of Law and History at the Catholic University of America, took Goodman's book as an occasion for considering the strengths and possible pitfalls of narrative technique, which he believed was undergoing a revival in history and law. Professor Bloomfield identified as a strength the book's emphasis on historical memory, how "conflicting historical accounts . . . have hardened over time into self-evident truths" which were then drawn upon by the many groups Goodman follows. The only precinct Goodman did not canvass, Bloomfield noted, were contemporary literary commentators. A problem he identified were the few passages when Goodman relied upon a single, unverifiable source to tell, not what a person believed happened, but what actually happened. "At what point does historical reconstruction shade over into imaginative speculation, and how is the reader to know when that boundary has been crossed?" Bloomfield asked.

MARK TUSHNET, Professor of Law and Associate Dean at the Georgetown University Law Center, observed that in "ordinary historical narrative, the author is omnipresent but disguised behind the veil of objectivity imposed by the declarative statements she or he writes." In Stories of Scottsboro, the author also is omnipresent but disguised behind the various narratives he chose to present. Probably because of the book's publication by a trade press, Tushnet ventured, Goodman could not keep his conceptual apparatus on display, and (particularly when he had only one account of an event, "the distance Goodman needs to maintain between 'my selection of their stories' and 'the story' almost collapses." Finally, like Professor Bloomfield, Tushnet wished to know something of the stories of Scottsboro told in imaginative literature, such as To Kill a Mockingbird and Richard Wright's Native Son.

In response, James Goodman, Assistant Professor of History and of Social Studies at Harvard University, explained that he conceived of the project as an attempt to create a form of historical writing that corresponded to the substance of the new social history, one that acknowledged that experience was multiple. He experimented with inserting himself as a narrator to prevent the blurring that troubled Professor Bloomfield and Tushnet, but he only ended up sounding like the omniscient, privileged narrator he attempted to banish from his work. He acknowledged that his book stood on ground cleared by Dan Carter's Scottsboro: A Tragedy of the American South in that he expected his readers to believe that the alleged rape never took place, as Carter showed. Goodman

pointed out that he had in fact provided some of the context Professor Berry called for, and he denied that his publishing with a trade press seriously constrained his execution of the project. He noted that his decision to omit a single, strong narrator was enough to disqualify it for the selectors of the History Book Club, who felt one would be expected by the general reader.

Many telling points and questions were raised from the floor. BROOK THOMAS noted that the first calls for narrative history from historians such as Lawrence Stone saw it as a way to fashion a grand synthesis out of the particularism of the new history; but instead of looking back to Beard (or earlier), Goodman's shifting perspective seemed inspired by more modern authors. LINDA KERBER commented that Goodman's book showed that in writing for a general audience we need not write for "couch potatoes"; we can ask our readers to do some of the work of making sense of history.

The Courts at Work in Early Modern England

October 22, 1994 1:30-3:30 p.m.

JOHN BEATTIE (University of Toronto) reports:

This excellent, informative session had the advantage of being commentator-free, and as a result the discussion period was lively and interesting. The extremely valuable papers centered on the records of the courts in early modern England. In discussion litigation and the litigants in the Court of Chancery, HENRY HORWITZ (University of Iowa) reviewed and revised existing estimates of the volume of the court's case load between the early seventeenth and early nineteenth centuries. He documented the lengthening average duration of Chancery suits and, in exploring the socio-economic profiles of the litigants, he emphasized the declining proportion of gentlemen among them, and the rising proportion of residents of the metropolis of London. RUTH PALEY (Public Record Office, London) set out the jurisdiction of King's Bench (Crown Side), stressing that it was not a rich man's court -- as received opinion would have it -- but that its case load in the eighteenth and early nineteenth centuries was dominated by trivial offenses, particularly assault and battery. Dr. Paley explained the way the court's processes resulted in high levels of settlements and reparation awards. She also emphasized that those processes required the submission of detailed affidavits and that, as a result, the largely unexplored King's Bench records contain a rich body of evidence on London life. LOUIS KNAFLA (University of Calgary) employed both central and local court records in his examination of the administration of the criminal law in the county of Kent in the early seventeenth century. He discussed the framing and disposition of indictments and the structure of felonious and non-felonious prosecutions at the assizes and the borough and county quarter sessions. In assessing the roles of clerks, judges, and jurors, Dr. Knafla concluded that a small coterie of semi-professional clerks and magistrates determined the changing workloads and relationships of these courts in the face of an ever-increasing criminal calendar. Altogether, an extremely enjoyable and valuable session.

Murphy's Law Revisited

October 22, 1994 3:15-4:45 p.m.

PAUL L. MURPHY (University of Minnesota) reports:

The session, timed to represent 30 years of scholarship since the publication of Paul Murphy's 1964 American Historical Review article "Time to Reclaim: The Current Challenge of American Constitutional History," featured three thoughtful papers on the Murphy contextual approach to Constitutional History. DAVID KONIG (Washington University) read a paper dealing with the lack of attention given to the Founding in recent Constitutional history writing, and attributed that omission to the difficulty that post-1937 liberals have had with that period. He then proposed ways that the changes described by Paul Murphy in The Constitution in Crisis Times might be understood as consistent with, rather than rejection of, the intellectual context of the Founding -- especially the Founders' understanding of historical change as described by John Locke, Adam Smith, and David Hume. MICHAEL KLARMAN (University of Virginia Law School) in his paper "Judicial Review, the Court's Countermajoritarian Capacity, and the Future of Constitutional History" argued that constitutional lawyers and historians generally have overestimated the capacity of the Supreme Court to protect minority rights. He offered a sketch of an alternative history of the twentieth century's civil rights and civil liberties revolution which focused on political, social, and ideological forces, and downplayed the contributions of the Court. HARRY SCHEIBER (University of California at Berkeley, Boalt Hall) discussed the nineteenth century in historical/legal writing over the last few decades, stressing changes in focus as a more contextual approach to judicial behavior was turned to. The session was admirably summarized by SANDRA VAN BURKLEO (Wayne State University), who both commended the quality of the papers and explored ways in which the Murphy approach can be used to open up new perceptions of what affects the law and what the law affects.

NEWS FROM WASHINGTON

National Coordinating Committee for the Promotion of History

At President Hyman's request, Immediate Past President RICHARD HELMHOLZ represented ASLH at the NCC meeting held in conjunction with the Annual Meeting of the American Historical Association in Chicago, the first week in January, and reported that:

"Mainly we were told what the Washington office of the NCC had been doing. As you would guess, most of the talk was about how to counteract attempts to cut the amount of money given to the National Endowment for the Humanities et al. Several of these matters are of interest to our members, and I imagine that many of us would be willing to contact influential people in this effort. The feeling was that random letter writing did more harm than good; the authorities are savvy enough to know that academics want to protect their own special interest as much as the next group. One speaker went so far as to say it was the "kiss of death" in the current climate in Washington. It is thought, however, that where there is a friendship between an academic and a person with influence and where there is a specific bill at issue, intervention by members might well be useful.

No "action" was taken at the meeting, this apparently being the prerogative of the executive council that was to convene after our adjournment, but I gathered that information was to be distributed on H-Law and also on other e-mail means of communications. I imagine this will bring the information to the attention of many of members of the ASLH.

MAX BLOOMFIELD will represent the Society at the NCC meeting to be held in Washington, D.C., March 31, in conjunction with the Organization of American Historians Annual Meeting.

Historian of the House of Representatives

On January 12 last, ASLH President HAROLD HYMAN sent the Honorable Newton L. Gingrich, new Speaker of the House of Representatives the following letter:

Dear Speaker Gingrich:

What follows is not a statement of opinion of the whole membership of the American Society for Legal History, of which I have the honor to be President, for I have not had time to circularize its membership. The Society consists of several hundred law teachers, academic historians, social scientists, and practicing attorneys, here and abroad, who share scholarly interests in American legal and constitutional history. Nevertheless I believe that the great majority of the Society's members will agree with the substance of this communication and with the spirit of T.S. Eliot's advice:

"We shall not cease from exploration
And the end of all our exploring
Will be to arrive where we started
And know the place for the first time."

You will not be surprised that your fellow-historians want the Office of the Historian of the House of Representatives to be staffed wholly with fully-qualified, non-partisan, professional scholars who have established their competency by the best standards of peer-reviewed research and analysis.

Anything less is a disservice to the disciplines you and we serve and to the institution whose majority you head.

I write, therefore, both to express this concern and to offer, initially, my own cooperation in all matters concerning the Office of the Historian of the House, and, I am confident, the cooperation you may, and should later request of the many distinguished members of the American Society for Legal History.

Respectfully,

Harold Hyman
William P. Hobby Professor
of U.S. Legal and
Constitutional History,
and President, American
Society for Legal History

News from NARA

Opening Long Secret Records

As part of its commemoration of the 50th anniversary of World War II, the National Archives and Records Administration last year proposed to complete the declassification of all remaining World War II era records in its holdings. In November, President

Clinton signed an Executive Order calling for the bulk declassification of almost 44 million pages of security-classified records in the National Archives. The action represents a significant step in fulfilling the National Archives goal.

The Executive Order covers approximately 21 million pages of records from World War II and 23 million pages of selected records from the postwar period through the Vietnam War era. This bulk declassification represents approximately 14 percent of the National Archives holdings of classified material and is the largest single group of classified materials ever declassified by NARA. A statement released by the White House Office of the Press Secretary emphasized the Administration's own commitment to "address the backlog of some 325 million pages of records now stored at the National Archives, and hundreds of millions more held in agencies throughout the Executive branch."

The release of these materials in a bulk declassification action is a sign, some archivists and historians agree, that progress is being achieved toward resolving an increasingly burdensome archival challenge - to deal with the backlog of classified materials.

The accumulation of security-classified records in the Federal Government has grown beyond the ability of declassifiers to manage using traditional page-by-page declassification methods. Jessica Mathews, senior fellow at the Council on Foreign Relations, said recently that, because newly-classified documents are accumulating at such a faster pace than declassification, "The widening gap between classified material and actual security...corrodes respect for the system inside government, jeopardizing secrets that do need to be protected."

Twenty-two years ago, President Richard Nixon promised "immediate and systematic declassification" of Vietnam War documents. The current declassification action still leaves closed many records with ongoing security concerns. Nevertheless, the action is a significant achievement in addressing a problem that Acting Archivist Trudy Peterson has called "intolerable." The Executive Order is a major break from the tradition of page-by-page declassification. Agencies continue to have legitimate national security concerns, but they have agreed in this action that the passage of time and the changed international climate make such bulk declassification possible. "This is a most important victory for Federal agencies and scholars alike," said Dr. Peterson. "Making this material available, at long last, will greatly enhance the record of materials relating to World War II and will enhance our understanding of other areas of government, including the Vietnam War. The National Archives remains committed to working toward access to records that lack sensitivity and that no longer meet other security requirements."

The bulk declassification effort was coordinated by MICHAEL KURTZ, Acting Assistant Archivist for the Office of the National Archives, and JEANNE SCHAUBLE, Director of the Records Declassification Division. Based on knowledge gained through previous declassification review and based on reference work on the records themselves, National Archives proposed various series of records that appeared to be suitable for declassification. They purposely did not recommend records known to contain significant amounts of information concerning intelligence sources and methods, atomic energy information of other potentially sensitive subjects. The suggested list of records was referred to interested agencies for evaluation. Certain records that the agencies felt still required page-by-page review were then removed from the list.

Some of the materials made available date to the spring of 1917, when the United States was entering World War I. Subjects

range from various military strategies to such once-sensitive techniques as making invisible-ink.

The World War II documents include hundreds of thousands of index cards from the files of the Office of Strategic Services, the wartime intelligence group; 1.7 million pages on bombing runs of the Army Air Forces, and 9.5 million pages from the European command and the Mediterranean theater of operations. They include records from the Army Air Forces (RG 18) and Allied Operational and Occupation Headquarters, WWII (RG331).

Accessions and Openings of Declassified Materials

National Archives Washington, D.C. Area

Department of State (RG 59, 17 cubic feet) - Special collection of records relating to human rights cases in El Salvador, 1979-1983. Materials open. Contact Civil Reference Branch at College Park (301)-713-7250.

Bureau of Reclamation (RG 115, 106 cubic feet) - Legislative history files, 1945-1968. Materials open. Contact Civil Reference Branch at College Park 301-713-7250.

Supreme Court of the United States (RG 267, 220 cubic feet) - Microfilm copies of dockets, 1990; transcripts of oral arguments, 1993; case files, 1990; and applications for action, 1990. Materials open. Contact Civil Reference Branch (202) 501-5425.

Regional Archives New England Region 617-647-8100

District Courts of the United States *RG 21, 399 cubic feet) - Civil Action Case Files, 1959-65; Criminal Case Files, 1960-65; Civil Action dockets, 1966-68; Bankruptcy Dockets, 1962-67; and Criminal Dockets, 1966-68; for the U.S. District Court of Massachusetts.

Civil Case Files for the U.S. District Court for Maine (Northern Division), 1962-1965. These are accretions to previous holdings. Material open.

Real Property Resources Service (GSA) (RG 291, 9 cubic feet) These Real Property Case Files, 1968, are accretions documenting the sale or donation of Federal surplus property to state or local governments of individuals. The properties include former military installations, public housing projects, veterans' hospitals, Nike missile sites, and other lands, some of which became state parks and national historic sites. The case files consist of memorandums, cost estimates, plot plans, newspaper clippings, appraisal reports, bids, photographs, and copies of legal documents such as deeds. There is also correspondence between various officials and bidders. Material open.

Mid-Atlantic Region 215-597-3000

District Courts of the United States (RG 21, 130 cubic feet) Civil Action Case Files, 1969, from the U.S. District Court for the Western District of Pennsylvania, Pittsburgh Division. Material open.

Department of Justice (RG 60 28.5 cubic feet) Records of the Land Division, Birmingham Field Office. General administration file, 1936-1940; personnel files, 1936-40; reports to the Department of Justice, 1937-1940; correspondence concerning land acquisition for the Department of Agriculture, 1936-1939; attorney's file, 1936-1940; check information file, ca 1936-1939; records relating to general procedures in closing land transactions, 1936-1940; projects file 1936-1940; settlements file,

ca 1936-1940; condemnation file, 1936-1940; tax files, 1936-1940; Forest Service and War Department case files, 1936-1940; miscellaneous documents, 1935-1936; final opinions, 1936-1940; and "Bulletins on Recent Decisions on Federal Rules of Civil Procedure", October 1938-December 14, 1939. Material open.

Office of the Judge Advocate General (Navy) (RG 125, 7.5 cubic feet) Records of the Naval Disciplinary Barracks, Port Royal, SC 1911-15. General correspondence, copies of court martial sentences, copies of weekly reports of detentioners and probationers, copies of enlisted men's service records, and miscellaneous papers, including statements of accounts, charges for Government property, reports of deposits, reports of details, copies of proceedings of deck courts, vouchers, reports of the Marine command, and papers relating to furloughs, punishments, drills and instructions. Materials open.

Great Lakes Region 312-581-7816

District Courts of the United States (RG 21, 16.3 cubic feet) Bankruptcy Docket Books, 1952-69, of the U.S. District Court, Southern District of Ohio at Cincinnati. Materials open.

Central Plains Region

2312 East Bannister Road, Kansas City, MO 64131 tel: 816-926-6272

U.S. District Courts (RG 21, 1208 cubic feet) U.S. District Court, Northern District of Iowa: Civil Case Files, 1959-1967, Sioux City Division; Criminal Case Files, 1967, Sioux City Division; Civil Case Files, 1969-70, Cedar Rapids Division; Civil Case Files, 1969, Fort Dodge Division. U.S. District, Southern District of Iowa: Civil Case Files, 1968, Council Bluffs Division. U.S. District Court, District of Kansas: Civil Case Files, 1958-1969, Wichita Division; Criminal Case Files, 1959-69, Wichita Division; Civil Case Files, 1949-1970, Topeka Division; Criminal Case Files, 1959-68, Topeka Division; Habeas Corpus Files, 1959-68, Topeka Division; Civil Case Files, 1961-71, Kansas City Division; Criminal Case Files, 1959-1970, Kansas City Division. U.S. District Court, Eastern District of Missouri: Civil Case Files, 1967-69, St. Louis Division Criminal Case Files, 1967-69, St. Louis Division; Civil Case Files, 1967, Cape Girardeau Division; Criminal Case Files, 1967, Cape Girardeau Division. U.S. District Court, Western District of Missouri: Criminal Case Files, 1962-65, Springfield Division; Civil Case Files, 1962-65, Springfield Division; Civil Case Files, 1961, Joplin Division; Civil Case Files, 1965-69, Kansas City. U.S. District Court, District of Nebraska: Civil Case Files, 1955-68, Omaha Division; Criminal Case Files, 1960-65, Omaha Division, Civil Case Files, 1958-63, Lincoln Division, Criminal Case Files, 1955-67, Lincoln Division. Materials open.

Rocky Mountain Region

Building 48-Denver Federal Center, Denver, CO 80225-0307, tel: 303-236-0817

Bureau of Indian Affairs (RG 785, 16 cubic feet) The records from the Billings, Montana Area Office consist of timber management plans, 1945-1970, land lease cases, which include farming, grazing, business and mining leases for the Flathead, Blackfeet, Fort Belnap, Fort Peck and Wind River agencies, 1947-69, program mission files which include irrigation and timber programs for the Blackfeet and Flathead agencies, 1946-69 and tribal attorney contract, 1955-74. Records from the Albuquerque, New

E-MAIL/FAX INFORMATION

Name: _____

I do _____ do not _____ have access to e-mail.

If you do not have access to e-mail currently, do you expect to have access within the next year?

_____ yes _____ no _____ don't know

My e-mail address(es) is(are): _____

_____ internet _____

_____ bitnet

My fax number is: _____

BALLOT

Please fold, and return your ballot postpaid.

First Amendment

Article III, Section 1 of the By-laws now reads [in part]:

"The nominee(s) receiving the highest number of votes for the position(s) shall be elected but whenever there is only a single position to be filled at least three nominees shall be presented to the membership."

Amend to read [in part]:

"The nominee(s) receiving the highest number of votes for the position(s) shall be elected. Normally two candidates shall be nominated to fill each vacant position except that, whenever there is only a single position to be filled, at least three nominees shall be presented to the membership."

Approve _____

Disapprove _____

Michael Landon
ASTH
History Department

DONATION FORM

The low interest rates that have prevailed in recent years have had an adverse affect on our Society's two supplementary funds:

1. The Joseph H. Smith Memorial Publication Fund, that underwrites the "Studies in Legal History" series published for the Society by the University of North Carolina Press, volumes in which are available to members at a special discount rate, and from which comes the \$500 for the Erwin C. Surrency Prize given each year for the best article published the previous year in the Society's official journal, LAW AND HISTORY REVIEW.

2. The Donald W. Sutherland Memorial Prize Fund, which awards a cash prize (originally \$500, but only \$250 for the past couple of years because of lowered interest income), for the best article in English legal history published in any of the recognized journals during the previous year.

Michael Landon
ASTH

Michael de L. Landon
ASLH
Bishop 310
History Department
University of Mississippi
University, MS 38677

History Department
University of Mississippi
University, MS 38677

[Note: The Surrency and Sutherland Prize winners each year are chosen by three-year committees whose members are appointed by the Society's elected Nominating Committee.]

Name: _____

I enclose \$_____ as a contribution to

_____ the Joseph H. Smith Memorial Publication Fund

_____ the Donald Sutherland Memorial Prize Fund

_____ both, in which case:

_____ Smith %

_____ Sutherland %

Receipts will be mailed to all contributors. A list of contributors will be published in the next issue of the NEWSLETTER.

Bishop 310
University of Mississippi
University, MS 38677

Second Amendment

A. Renumber the current Article III, section 2, as Article III, section 3, and insert a new "section 2" under Article III which reads

"2. A candidate for any office in the Society or for a place on the Board of Directors or the Nominating committee must be a paid-up member of the Society before that candidate's name can be placed on a ballot."

Approve _____

Disapprove _____

To be counted: Ballots must arrive no later than April 3, 1995.

Mexico Area Office pertain to Indian land lease case files for the Zuni, United Pueblos, Acoma, and Laguna pueblos, 1956-62, and include oil, gas, uranium, and bentonite leases. the tribal attorney contracts may contain restricted records, the rest of the records are open for research.

U.S. Court of Appeals, 10th Circuit Court Denver, Colorado (RG 276m 55 cubic feet) The records consist of case files, 1966-68. Materials open.

Pacific Sierra Region

1000 Commodore Drive, San Bruno, CA 94066. Tel: 415-876-9009

District Courts of the United States (RG 21, 721 cubic feet) Civil Case files, 1967-69, and naturalization case files, 1970-85, of the Northern District of California. District of Hawaii civil case files, 1967. Materials open.]

Alaska Region

654 West 3rd Avenue, Anchorage, Alaska 99501 tel: 907-271-2441

District Courts of the United States (RG 21, 12 cubic Feet) The regional archives has accessioned from the U.S. District Court in Anchorage the following bankruptcy case files: Bankruptcy Case Files, Fourth Division, Fairbanks, Alaska, 1927-60 (3 cubic feet); and U.S. District Court, District of Alaska, Fairbanks, Alaska, 1960-73 (9 cubic feet). Materials open.

A Report from Sheldon Hackney

Late last year National Endowment for the Humanities Chairman, Sheldon Hackney, recently reported to the American Council of Learned Societies (ACLS) as follows:

"As part of my goal of having a simple and effective organizational structure, where programs and offices work closer together and build on each other's achievements, I have initiated a series of organizational changes that will become effective January 1, 1995. The new structure described below will also lead to administrative savings, increased efficiencies, and -- a most important consideration -- better service to our customers.

The main feature of this reorganization is the groupings of similar programs in the divisions where they fit best. As a result, the Division of Fellowships and Seminars will cease to exist, thus reducing the number of division from six to five and creating a simpler, more logical arrangement of functions within the Endowment.

The programs that were in the Division of Fellowships and Seminars will be assigned to the other divisions. The Division of Public Programs and the Division of State Programs will not be affected by this reorganization. I enclose a chart that illustrates the changes.

No programs are being eliminated, and no Endowment employees will lose their jobs as a result of this reorganization. All announced guidelines and deadlines remain in effect. In fact, we intend to phase this process in beginning January 1, 1995, with as little disruption as possible, by implementing the changes as current cycles lapse.

The closing of the Division of Fellowships and Seminars will take place upon the retirement of the present director, Marjorie Derlincourt, on December 31, 1994. I am certain that you and many

of your constituents, who have known Marjorie through the years, join me in recognizing the major ways in which she has contributed to the good work of the Endowment. She certainly will be missed.

As always, your comments and suggestions for the future improvement of the Endowment are welcome. I look forward to our continued association."

NEH Reorganization Chart

<u>Current Structure</u>	<u>Structure After 1/1/95</u>
STATE	STATE
PUBLIC	PUBLIC
Media	Media
Museums	Museums
Libraries	Libraries
Special Projects	Special Projects
EDUCATION	EDUCATION
Elementary & Secondary	Elementary & Secondary
Higher	Higher
Science & Humanities	Science & Humanities
Foreign Languages	Foreign Languages
Teacher Scholar*	Young Scholar*
	Summer Seminars
RESEARCH	RESEARCH
Scholarly Publications	Scholarly Publications
Reference Material***	Reference Materials***
Interpretive Research	Interpretive Research
Centers * IRO	Centers & IRO
	FUT
	FCTIS
	Dissertation Grants
	Summer Stipends
	Study Grants**
PRESERVATION AND ACCESS	PRESERVATION AND ACCESS
Preservation & Access	Preservation & Access
National Heritage	National Heritage
	Guides***
FELLOWSHIP AND SEMINARS	
FUT	
FCTIS	
Dissertation Grants	
Summer Stipends	
Study Grants**	
Young Scholars**	
Summer Seminars	

* The Teacher Scholar Program is in its last cycle.

** The Young Scholar Program and Study Grants will have new formats when their next cycles begin.

*** Guides will be separated from other reference materials.

National Coordinating Committee for the Promotion of History
Legislative and Policy Issues for 1995

National Endowment for the Humanities. With large budget

cuts proposed by the new Congressional leadership, the Endowments are among the most threatened agencies. The House Republican's "Contract With America" recommends major reductions in the next five years for NEH and NEA, and some members of Congress have called for the elimination of the Endowments. Attempts to pass reauthorization legislation for NEH failed in the 103rd Congress; however, NEH was funded in FY'94 and FY'95 without authorization. It is doubtful that the new Congress will allow appropriations to be made without authorization legislation. Building a strong coalition of support for NEH is going to take vigorous and determined grass roots participation.

Selection of a New U.S. Archivist. Since March 1993 the NCC has been working 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 once again stalled.

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 Executive Order 12356 on classification and declassification. The NC testified at public hearings on the President's directive and provided comments on various drafts. The NCC has recommended that most records be opened after 25 years unless an agency head provides in writing specific justification for continued withholding. Although there was strong support in the historical community for a third draft issued in March, there was resistance from several key agencies and no action has been taken.

Support for Agency and Congressional Historical Offices. In October the Department of Agriculture dissolved the historical office which since 1916 has provided the agency with an institutional memory and supplied timely background information for consideration of policy issues. In December the House Republican Transition Team announced a major reorganization plan that could mean the dismantling of the current Office of the Historian. With increased streamlining and cost saving efforts underway, there is a need to stress the important services provided by history offices.

Funding for the National Archives. As agencies face major reductions in appropriations in FY'96, with possible rescission of FY'95 money, the NCC will work to ensure that the National Archives has adequate funding to fulfill its mission of acquiring, appraising, describing, and servicing the records of the federal government.

Grants program of the National Historical Publications and Records Commission. The FY'95 appropriation for NHPRC is \$9 million, a major increase over the current level of \$5.25 million. However, the amount of funds available for competitive grants is actually reduced by \$500,000 in FY'95 because of 3 earmarked grants - \$2 million for the Thomas P. O'Neil, Jr., Library at Boston College, \$2 million for the Dirksen Center, which will be the repository for retiring Minority Leader Robert Michel's papers, and \$250,000 for the promotion of the teaching on the Constitution. NCC will be working to prevent the future inclusion of earmarked grants and to secure a restoration of the competitive grants funds that were lost in FY'95.

INFORMATION SUPER HIGHWAY BILLBOARD

ASLH and H-Law

As reported above under "News of the Society" (p.6), the ASLH Board of Directors, at their meeting in Washington, D.C. on October 21 last, voted to establish a formal relationship between

the Society and "H-Law," a constituent element of the "H-Net" group of electronic networks, on "listserve." Specifically the Board agreed to: "support and utilize the facilities of H-Law as the electronic list and network serving legal and constitutional historians in the United States. They also agreed to "provide a subsidy of \$1,500 in the first year and \$1,000 per year thereafter to support the activities of the moderator related to H-Law, with activities related to the ASLH/H-Law relationship receiving first priority." The first year \$1,500 subsidy has been paid over to H-Law Moderator CHRIS WALDREP (Department of History, Eastern Illinois University) who is an ASLH member.

Present plans for utilization of H-Law include for example, putting the Newsletter on-line; setting up lists for the use of the Board of Directors and committees; helping to secure submissions to the Program; making timely announcements; communicating directly with the membership about issues facing the Society; securing nominations to committees and the Board; and ultimately, establishing an electronic book review.

The ASLH Publications Committee, chaired by LES BENEDICT, and LAW AND HISTORY REVIEW editor, MICHAEL GROSSBERG, now want to know how many ASLH members would have access to book reviews electronically published on H-Law. Also, the Secretary-Treasurer's office would like to begin compiling a list of members' e-mail addresses (and also fax numbers). ALL MEMBERS, therefore, are urgently requested to fill in the inserted "tear out" information form located in the center of this issue of the NEWSLETTER and mail (or fax) it back to the office at the address indicated on it. Thank you.

There is no charge for subscribing to H-Law. ASLH members who have access to the Internet can subscribe to it as follows:

- 1) Address your message to listserv@uicvm.bitnet
- 2) Leave the subject heading blank

3) In the message area, write the following: SUBSCRIBE H-LAW [your first name and surname] [your institution]

Example: SUBSCRIBE H-LAW John Jones Hollow Holler University

- 4) Send the message

Alternatively, use the tearout form and check off your desire to be added to H-Law and the ASLH will subscribe for you. However, we urge members to subscribe by addressing the listserv, both to save us trouble and to gain experience in communicating with the listserver, which is the computer that takes care of housekeeping functions for each list.

National Archives Seeks Comments on Regulations Related to the PROFS Case

The National Archives published in the October 17, Federal Register, pages 52313-52316, a request for comments on General Records Schedule 20. The proposed draft would amend the General Records Schedules which provide agencies with disposal authorization for certain electronic records. Earlier this year the National Archives had sought comment on the development of standards for managing Federal records created or received on electronic mail systems. This request addresses some similar issues. To receive information about the current request for comments contact James J. Hastings, Director, Records Appraisal and Disposition Division, National Archives Tel: 301-713-7110. Of particular concern are the provisions in items 13 and 14 that deal with word processing files and electronic mail. Under this

proposal, all agencies will be permitted to destroy the electronic version of electronic mail and word processing records after they have been copied to paper of microform or copied to an electronic recordkeeping system. At the heart of the Armstrong vs. Executive Office of President, frequently called the PROFS case, is the issue of destroying electronic records and only preserving paper print-outs. During the past five years of litigation in the PROFS case, this has been a crucial point. The deadline for comments on the proposed changes to the General Records Schedules governing electronic records is December 1.

New WWW Service at U.T. Austin

MIKE WIDENERA, Archivist/Rare Books Librarian Tarlton Law Library, University of Texas at Austin, announces a WWW service offering access to resources of the school and Tarlton Law Library. The service is a work in progress which will continue to be refined. The page can be reached at: URL <http://tarlton.law.utexas.edu>. Some of the unique resources planned include student journal information and abstracts, continuing legal education workshop announcements and registration materials, digitization of select resources of the Rare Books & Special Collections, Internet Reference Desk, and other projects developed. The page was developed as part of a Graduate School of Library and Information Science class in Internet Services and is the result of the work of many dedicated students. Many of the pointers and resource ideas were gleaned from other WWW sites and apologies are extended if your site was not explicitly acknowledged but we felt that pointing directly to a resource was preferable to requiring our users to navigate through multiple windows. Any comments, suggestions, or ideas are appreciated and can be forwarded either from the service or directly to myself, Scott Prater (sprater@fiat.gslis.utexas.edu), or to mr_web@tarlton.law.utexas.edu. --TomTom Newell Information Technology Coordinator Tarlton Law Library, 55 Tarlton Law Library, The University of Texas at Austin, School of Law. tel: 512-471-7726. tnewell@mail.law.utexas.edu URL <http://tarlton.law.utexas.edu>

The First Amendment in Cyberspace

"The First Amendment in Cyberspace" will be the subject of the John Henry Faulk Conference on the First Amendment, to be held April 18, 1995 at the University of Texas at Austin. This second Faulk Conference, presented by UT's Center for American History, will explore topics such as the legal definition of free speech on the information superhighway, universal access to the Internet, censorship on line, and new directions for information technologies in the twenty-first century.

The conference will be held in the Joe C. Thompson Conference Center on the UT campus from 1:00 to 5:00 p.m. and will be followed by a public reception at the Center for American History. The Conference Center is located at 26th Street and Red River, and the Center for American History is just south, in Sid Richardson Hall Unit 2.

Participants for the two panels include PETER LEWIS, who covers cyberspace for *The New York Times*; KATIE HAFNER, technology reporter for *Newsweek*, and author of *Cyberpunk: Outlaws and Hackers on the Computer Frontier*; MIKE GODWIN, online counsel for the Electronic Frontier Foundation; JAMES LOVE of the Taxpayers Assets Project; GARY CHAPMAN, project coordinator for the University's LBJ School of Public Affairs' 21st Century Project and former director

of the Computer Professionals for Social Responsibility; JON LOEHMAN, Division Manager for Southwestern Bell Telephone Company; EUGENE VOLOKH, Professor of Copyright and Constitutional law at UCLA Law School; and FREDERICK WILLIAMS, author of "The People's Right to Know: Media, Democracy and the Information Highway." The Faulk Conference is presented in honor of Texas humorist John Henry Faulk, a victim of the blacklist during the McCarthy years. The first Faulk Conference, held in 1992, focused on freedom of the press.

The Faulk Conference is free and open to the public. For more information contact Martha Norkunas at the Center for American History, Austin, TX 78712 (tel: 512-495-4515, fax: 512-495-4542, e-mail: m.norkunas@mail.utexas.edu).

New Video Collection on Civil Rights and the Law

California Newsreel has just released a new collection of award-winning documentaries illuminating the twentieth century revolution in civil rights and liberties. *Super Chief*, *The Road to Brown*, and *Doing Justice* feature the stories of three men respectively - Earl Warren, Charles Houston, and Arthur Kinoy - whose impact on civil rights and civil liberties law changed the course of 20th century American history.

The newest release is *Doing Justice*. Its inspiring subject is Arthur Kinoy - 73 year old "people's lawyer," constitutional scholar, and ardent defender of our constitutional rights. *Doing Justice* retraces some of the key civil rights and liberties cases and social movements of the past four decades - the Rosenbergs and McCarthyism, the Civil Rights movement, the Vietnam War, government wiretapping, Watergate. At each stop, Kinoy was there. Along with colleagues and legal scholars, Kinoy explains the constitutional issues at stake, discloses the creative legal strategies employed, and explores the interplay between the legal system and social reform. Kinoy's legal arguments are incisive and his enthusiasm for the law as an instrument of social justice is contagious.

Super Chief is the Academy Award nominated film on the life and legacy of Earl Warren, the one-time Republican presidential hopeful and advocate of Japanese-American internment who, as Chief Justice, greatly expanded individual rights and liberties. Narrated by Gregory Peck, the film traces Warren's career, revisits key Warren Court decisions, and examines their explosive impact on American society.

The Road to Brown plunges viewers into the world of Jim Crow and then chronicles the saga of Charles Houston's visionary 20-year legal campaign which culminated in the *Brown* decision, finally overturning *Plessy v. Ferguson*. Moving from slavery to civil rights, *The Road to Brown* provides a concise history of African Americans' long road to legal equality under the constitution.

For more information on all three titles, contact California Newsreel, 149 9th Street, San Francisco, CA 94103. Tel: 415-621-6196; fax: 415-621-6522; email: newsreel@ixcom.netcom.com

NEWS NOTES

Conference on Bondage, Freedom and the Constitution

ASLH Board member A. LEON HIGGINBOTHAM, Public Service Professor of Jurisprudence at the John F. Kennedy School of Government, Harvard University, will be the keynote speaker at a conference being held to mark Black History Month this year,

February 19-20, at the Benjamin N. Cardozo School of Law in New York City, entitled "Bondage Freedom & the Constitution: The New Slavery Scholarship and Its Impact on Law and Legal Historiography." Other ASLH members participating in the conference are two of our Honorary Fellows, Judge MORRIS S. ARNOLD, of the U.S. Court of Appeals Eighth Circuit, and ACLS President STANLEY N. KATZ, and also Professor PAUL FINKELMAN of the Virginia Polytechnic Institute.

AIHDI Sessions at the Montreal Congress

The International Association for the History of Law and of Institutions (AIHDI), of which ASLH is an affiliated member, will be sponsoring three sessions on the theme of "The Transplantation of Law to the New World" at the 18th International Congress of Historical Sciences to be held in Montreal, Canada from August 27 to September 3, 1995.

Friday, 1 September 1995

Morning session presided by Professor Richard Helmholz (Chicago) "Reception of European Laws and Institutions in North America"

Speakers: Professor MATTHEW REIMANN (Michigan)
Professor JACQUES VANDERLINDEN (Moncton)

Afternoon session, presided by Professor DeLloyd J. Guth (Manitoba) "The History of Mixed Jurisdictions in North America: Louisiana and Quebec"

Speakers: Professor SHAEL HERMAN (Tulane)
Professor JOHN E.C. BRIERLY (McGill)

At each session a distinguished legal historian will act as commentator.

Saturday, 2 September 1995

Morning Session, presided by Professor ROBERT FEENSTRA (Leiden) Plenary speaker: Professor CHARLES DONAHUE, JR. (Harvard) on "Comparative Legal History in North America (perspectives on both medieval and modern subject-matters)."

This session will be followed by the General Assembly of the Association.

New York University Institute for Law and Society

The Institute for Law and Society is a center for faculty, graduate students, and law students studying in the law and legal institutions from a transdisciplinary standpoint. The Institute sponsors the NYU Law and Society Faculty Colloquium, which meets each academic year to discuss research in progress and major issues in the field with scholars from around the world. Participating faculty come from the School of Law; the Departments of Politics, Sociology, Anthropology, Psychology, Economics, and Comparative Literature; and the American Studies Program. Scholars at other institutions and scholars visiting NYU's Graduate School of Arts and Science and School of Law also actively participate in the Institute's programs. Through the Institute, students in NYU's J.D. and Ph.D. programs may enroll in graduate level courses in law and society. The Institute is in the process of establishing a joint Ph.D./J.D. Law and Society Program to study law and legal institutions within the context of rapidly changing cultural, economic, and political forces worldwide. The Institute also supports conferences, research projects, and a scholars-in-

residence program.

The Graduate Program in Law and Society will locate multidisciplinary studies of law, such as law and politics, legal anthropology, economic analysis of law, sociology of law, criminology and legal history in a coherent academic program at the graduate level. The program will facilitate the educational goals of students who plan careers in a number of academic disciplines including: social science fields; law at the undergraduate level as well as in professional law school; policy analysis; and applied research on law-related issues. There are essentially three student groups who will be served by the program: (1) Ph.D. students seeking a transdisciplinary approach to the study of law; (2) J.D. students who would like to expand their theoretical and empirical knowledge of socio-legal research by obtaining an M.A. in Law and Society; and (3) Students who would like to combine J.D. and Ph.D. studies.

Students who wish to enroll in the joint degree program must apply both to the School of Law and the Institute for Law and Society. Others will apply directly to the Institute. Offering of the Ph.D. program is subject to approval by the New York State Department of Education. The Institute anticipates accepting applications in 1995-96 for fall 1996 admissions.

Courses offered in Law and Society combine theoretical and empirical approaches to studying law in its social contexts. Students may take courses covering basic sociolegal theory, including feminist and critical race approaches and legal history. Students may also take courses focusing on social and legal policy areas such as criminal law, family law, science and technology, and health care. A number of course offerings study law and legal practices from comparative and global perspectives. For further information, contact Institute for Law and Society, New York University, Vanderbilt Hall, 40 Washington Square South, New York, NY, 10012-1099. Tel: 212-998-8536.

Exhibit on African-Americans and the Federal Courts

An exhibit on the role of African Americans in the federal courts opens to the public Saturday, February 4th and runs through April 1, 1995 in the Special Collections Exhibition Hall, 9th floor of the Harold Washington Library Center, 400 South State Street, Chicago, Illinois. The exhibit, entitled "From Slavery to the Supreme Court: The African American Journey Through the Federal Courts" features photographs, documents, and other memorabilia beginning with slavery and exploring the progress of African Americans as litigants, lawyers and judges in the federal courts. The exhibit also highlights the careers of several African American federal judges in Illinois.

The exhibit is co-sponsored by the Chicago Public Library and the Just the Beginning Foundation. JTBF is an independent, not-for-profit public interest group which was created in 1992 by judges, lawyers, and other individuals within our federal judicial system. The foundation's purpose is to educate the public and serve as a repository for historical data on the contributions of African Americans to the federal system. In addition, JTBF awards scholarships to law students and fellowships to public interest attorneys.

During the course of the exhibit, JTBF, the Chicago Public Library and many Chicago area bar associations and legal organizations will mount a series of public educational programs such as films, gallery talks, and lectures. For further information on these forums, call (312) 747-4740. For information on the educational programs being hosted by the local branch

libraries, contact the branches directly. All programs are free and open to the public.

National Archives-Great Lakes Region Workshops

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

Their 1995 Series Workshops are:

- March 16: **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.
- April 18: **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.
- May 11: **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.
- July 6: **Preserving Your Records**. Designed for persons interested in the preservation of historical materials, this workshop is an overview of how to care for books, documents, newspapers, and photographs.

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 \$15 fee covers materials and is due at that time. Sessions last from 9:30 a.m. to 3:30 p.m. Lunch is not provided. For further information contact Beverly Watkins at 312-581-7816, Monday through Friday, 8:00 a.m. until 4:45 p.m. Central Time

Tenth Annual DeBartolo Conference Call for Papers

The 10th Annual DeBartolo Conference will be held on February 22-24, 1996 in Tampa, Florida. Regina Hewitt, Conference Director, invites papers on all aspects of the relationship between law and politics in the "long" eighteenth century (c.1660-1830). Papers might examine the development of copyright law and its affect on writing and reading practices; the status of Blackstone's Commentaries and the nature of legal discourse itself; theories of natural and common law and their influence on the constitutions of French and American nations; concepts of property and the relationship between property and political power.

Papers might also explore the implications of specific courses of legislation, such as those connected with the union of Scotland and Ireland or with the civil rights of Catholics and Dissenters, or of specific political events, such as the French and American Revolutions or the treason trials in Britain; even more particularly, they might assess the accomplishments of specific parties or interest groups (Whigs and Tories, Jacobites and

Jacobins) or of specific leaders or theorists (Rousseau, Paine, Jefferson) in areas where the interface of law and politics comes directly into question.

Please send one-page abstracts of papers with fifteen minute reading times to Regina Hewitt, Conference Director, Department of English, University of South Florida, 4202 E. Fowler Ave., CPR 107, Tampa, Florida, 33620-5550. Abstracts must be received by September 15, 1995.

International Conference on Critical Thinking and Educational Reform

THE FIFTEENTH ANNUAL INTERNATIONAL CONFERENCE ON CRITICAL THINKING AND EDUCATIONAL REFORM will be held from JULY 30-AUGUST 2, 1995 at Sonoma State University in Rohnert Park, California. The conference brings together over 1200 scholars and educators from all levels and domains of education to discuss the theory and practice of critical thinking. The conference theme for this year is Three Waves of Research and Practice in Critical Thinking. Session proposals are requested and must be received by April 15, 1995. For more information on proposal forms or registration, contact: Center for Critical Thinking, Sonoma State University, Rohnert Park, CA 94928 USA; tel: 707-664-2940; fax: 707-664-4101; email: cct@sonoma.edu.

Columbia Law School Lecture Series

Columbia Law School announces that Professor S.F.C. Milsom will deliver the Carpentier Lectures on March 28th, 29th, and 30th, 1995. The lectures, titled "A New Essay in Historical Jurisprudence" will begin at 5 p.m. each day, and will be held in Room B, Columbia Law School, 435 W. 116th St., New York, NY. All welcome to attend. For more information, contact Professor Barbara Black, at Columbia Law School (tel: 212-854-5735; fax: 212-854-7946).

CFP-Midwest Conference on British Studies

The Midwest Conference on British Studies will hold its annual meeting in Ann Arbor, Michigan November 3-4, 1995.

The MWCBS seeks participation by scholars in all areas of British History and culture, including advanced graduate students. Proposals may consist of individual papers, entire sessions, or round table discussions. A proposal should include a 200-word abstract for each paper and one-page curriculum vitae for each participant, including chairs and commentators. The Program Committee chaired by Marc Baer (Donna Andrew (University of Guelph), Robert Bucholz (Loyola University), David Devereux (St. John Fisher College), and Katharine Swett (Ohio State University)) will undertake to find suitable chairs and commentators for sessions proposed without them.

All proposals for papers and sessions should be submitted by March 15, 1995 to: Professor Marc Baer, Program Chair, MWCBS, Department of History, Hope College, Holland, MI 49423-9000; tel: 616-395-7589; fax: 616-395-7134; e-mail: baer@hope.cit.hope.edu. If you have any questions or need further information, please do not hesitate to contact Dr. Pat McCune, Program in British Studies, University of Michigan, 351G Lorch hall, 611 Tappan, Ann Arbor, MI 48109-1220; tel: 313-936-6480; phmccune@umich.edu

MONEY AVAILABLE

NEH Fellowships

NEH Fellowships provide support for work on a project that will make a significant contribution to thought and knowledge in the humanities. These fellowships are awarded through two programs, **Fellowships for University Teachers** and **Fellowships for College Teachers and Independent Scholars**, and the program to which a person applies depends on the individual's institutional affiliation or circumstance. APPLICATION DEADLINE: May 1, 1995. TENURE: Tenure must cover an uninterrupted period of from six to twelve months. The earliest that Fellows may begin tenure is January 1, 1996. The latest that Fellows who are teachers may begin tenure is the start of the spring term of the 1996-7 academic year. The latest that Fellows who are not teachers may begin tenure is April 1, 1997. Maximum stipend: \$30,000. Applicants need not have advanced degrees, but neither candidates for degrees nor persons seeking support for work toward a degree are eligible to apply for these NEH Fellowships. Reviewers consider the significance of the proposed project to the humanities, the quality of the applicant's work, the conception and description of the project, and the likelihood that the work will be accomplished. For further information and application materials contact NEH Fellowships, Room 316, National Endowment for the Humanities, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506. Tel: 202-606-8466 or 202-606-8467.

Camargo Foundation Grants

The Camargo Foundation, an educational trust established under the laws of the State of New York, maintains a center of studies in France for the benefit of scholars, artists, and writers who wish to pursue projects in the humanities and social sciences related to French and francophone cultures. The Foundation offers, at no cost, eleven furnished apartments and a reference library in the city of Cassis which is a half-hour from Marseilles and Aix-en-Provence by car.

Applicants may include: (1) members of university and college facilities, including professors emeriti, who wish to pursue special studies while on leave from their institutions; (2) teachers in secondary schools, public or private, benefitting from a leave of absence in order to work on some pedagogical or scholarly project; (3) graduate students whose academic residence and general examination requirements have been met and for whom a stay in France would be beneficial in completing the dissertation required for their degree; (4) writers, photographers, visual artists, and composers with specific projects to complete.

Candidates for Camargo fellowships are asked to submit an application form, a vita, and a detailed description of their projects, not to exceed 1,000 words. If appropriate, the description should include a paragraph or two designed to locate the project conceptually and/or bibliographically in the context of the most important works available in the field. Research should be at an advanced stage and not require resources unavailable in the Marseilles-Aix-Cassis region. The application deadline is March 1st for the following academic year. For informational brochure and application form write to: The Camargo Foundation, Ricardo Bloch, West 1050 First National Bank Building, 332 Minnesota Street, Saint Paul, MN 55101-1312. Tel: 612-290-2237.

The Alexander von Humboldt Foundation

The Alexander von Humboldt Foundation of Bonn, Germany, provides highly qualified individuals of all nationalities the opportunity to conduct research in Germany. The Foundation's North American Office in Washington, D.C. distributes information on collaborative research support programs to North American scholars. Since 1953 the Foundation has enabled more than 3500 scholars from the United States and Canada to participate in such programs.

The **Research Fellowship Program** provides support to non-German scholars who have earned a doctorate and are under 40 years of age for the conduct of research in Germany in all fields of scholarship for periods of 6 to 12 months. For the past several years, approximately 70 American scholars have been selected annually in worldwide competition. The **Humboldt Research Award** provides internationally recognized scholars with the opportunity to spend between 4 and 12 months conducting research at German institutions; candidates for awards may be nominated only by eminent German scholars and previous awardees. The **Feodor Lynen Fellowship Program** enables German scholars under 38 years of age who have a doctoral degree to spend as many as three years at the home institutions of former Humboldt fellows and awardees. The **Max-Planck Award** permits internationally recognized German and non-German scholars to conduct long-term, project-oriented cooperative research; only senior officials of German research institutions may nominate candidates. The **Bundeskanzler Scholarship Program** provides the opportunity each year for as many as 10 promising young Americans who demonstrate the potential of playing a pivotal role in the future relationship between Germany and the United States to spend a year in Germany on research projects of their own design.

From 1953 to 1994, the Humboldt Foundation's programs have supported approximately 16,000 scholars from 120 nations. The Foundation maintains contact with all of its scholars through its **Follow-Up Program**. Follow-up activities include support for short research stays in Germany, the donation of scholarly literature and scientific equipment (the latter applies only in exceptional cases to U.S. scholars), and grants to cover printing costs and expenses of attending academic conferences in Germany and elsewhere abroad.

Qualified individuals are encouraged to apply for these programs. For more information about the Alexander von Humboldt Foundation and its programs, please contact Dr. Bernard Stein, the Alexander von Humboldt Foundation, Suite 903, 1350 Connecticut Ave., N.W., Washington, D.C. 20036; tel: 202-296-2990; fax: 202-833-8514.

Supreme Court History Prize

The Supreme Court Historical Society now offers a prize for the **best student paper** submitted annually. The Hughes-Gossett Award will carry a cash stipend and publication in the *Journal of Supreme Court History*.

The paper must be on some aspect of the Supreme Court's history, and this includes institutional matters as well as biographical studies of individual Justices. Because the *Journal* is concerned primarily with historical questions, papers focusing mainly on doctrinal matters will not be eligible.

Authors must be students at the time they write the paper, and may be either undergraduate or graduate students, or attending law school. Papers should be submitted on plain paper, with appropriate annotation; if accepted, a diskette will be necessary.

Papers should be submitted **no later than July 1, 1995** to

Jennifer M. Lowe, Managing Editor, *Journal of Supreme Court History*, Supreme Court Historical Society, 111 Second St., N.E., Washington, D.C. 20002.

MLA Award for Letters Editors

The Committee on Honors and Awards of the Modern Language Association invites nominations for the third **Morton N. Cohen Distinguished Edition of Letters**. Open to members and nonmembers, the award was established in 1989 by a gift from Morton N. Cohen, professor emeritus of English at the City University of New York. The award is presented each odd-numbered year. For the current award the committee solicits entries of important collections of letters published in 1993 or 1994. A multivolume edition is eligible if at least one volume has been published during that period. Editors can apply regardless of the fields they and the authors represent.

Under the terms of the award, the winning collection will be one that provides readers with a clear, accurate, and readable text; necessary background information; and succinct and eloquent introductory material and annotations. The edited collection should be in itself a work of literature. The 1993-4 Morton N. Cohen Award, which consists of a check for \$1,000 and a certificate, will be presented to the winning editor at the association's annual convention in December 1995.

To enter an edition into competition, send a letter of nomination and four copies of each eligible volume to the Morton N. Cohen Award, Modern Language Association, 10 Astor Place, New York, NY 10003-6981. **Nominations will be accepted until 1 May 1995.** No book or edition may compete for more than one MLA prize, but a multivolume edition that competed for the Cohen Award in a prior year may compete again if a new volume was published during the award period. For further information, write to Richard Brod, Director of Special Projects, Modern Language Association, or call 212-614-6406.

MLA Prize for a Distinguished Scholarly Edition

The Committee on Honors and Awards of the Modern Language Association invites nominations for the first **MLA Prize for a Distinguished Scholarly Edition**. Open to members and nonmembers, the award was established in 1994. It will be presented in 1995 and each odd-numbered year thereafter. For the current award, the committee solicits submissions of editions published in 1993 or 1994. A multivolume edition is eligible if at least one volume has been published during that period. The prize will be given without regard to the field or language of either the editor or the text presented in the edition.

To qualify for the award, an edition should be based on an examination of all available relevant textual sources; the source texts and the edited text's deviations from them should be fully described; the edition should employ editorial principles appropriate to the materials edited, and those principles should be clearly articulated in the volume; the text should be accompanied by appropriate textual and other historical contextual information; the edition should exhibit the highest standards of accuracy in the presentation of its text and apparatus; and the text and apparatus should be presented as accessibly and elegantly as possible. The prize, which consists of a check for \$1,000 and a certificate, will be presented to the winning editor at the association's annual convention in December 1995.

To enter an edition into competition, send four copies and a letter identifying the work to the MLA Prize for a Distinguished Scholarly Edition, Modern Language Association, 10 Astor Place, New York, NY 10003-6981. Nominations will be accepted until 1 May 1995. Publishers may enter more than one title, but no book or edition may compete for more than one MLA prize. A multivolume edition that competed in a prior year may compete again if a new volume was published during the later award period. For further information, write to Richard Brod, Director of Special Projects, Modern Language Association, or call 212-614-6406.

MONEY AWARDED

Fulbright Visiting Scholars Program

Among the scholars recently funded in the program are:

American History

OLDFIELD, JOHN RICHARD

Lecturer, Department of American History, University of Southampton, Southampton, United Kingdom
Research: Blacks, the Law, and the Administration of Justice in South Carolina, 1865-1925.
University of South Carolina-main campus, Department of Humanities, Columbia, SC 29208 c/o Thitaya Rivera, CIES. Ten and three-quarter months: September 1993-July 1994.

History (non-U.S.)

BRIZIO, ELENA

Ph.D. Candidate, Department of Medieval History, University of Siena, Siena, Italy.
Research: The Legal Concept of Nobility During the 13th and 14th Centuries.
University of Chicago, Department of History, Chicago, IL 60637. c/o Dr. Julius Kirshner. Four Months: November 1993-February 1994.

DEMIRAMON, CHARLES

Ph.D. Student, Department of Historical Anthropology, School of Higher Studies in the Social Sciences, Paris, France.
Research: Medieval Canon Law and the Religious Lay Movements of the 13th Century.
University of California-Berkeley, School of Law, Robbins Religious and Civil Law Collection, Berkeley, CA 94720 c/o Mr. Laurent Mayali. Two months: July 1994-September 1994.

MITTAL, A.K.

Professor, Department of History, Gorakhpur University, Gorakhpur, India.
Research: A Comparative Study of the Slavery Systems of America and the Coolie Beggar System of the Central Himalayas.
University of Illinois-Urbana-Champaign, Program in Arms Control, Disarmament, and International Security, Champaign, IL 61820 c/o Dr. Stephen Cohen Indo-American Fellowship Program. Three months: September 1994-December 1994.

Law

CHOONG, YEOW CHOY

Lecturer and Deputy Dean, Department of law, University of Malaya, Kuala Lumpur, Malaysia
Research: Equality and the Constitution
College of William and Mary, Marshall-Wythe School of Law, The Institute of Bill of Rights Law, Williamsburg, VA 23185. c/o Mr. Rodney A. Smolla. Six months: September 1994-March 1995.

EORDOGH, RICHARD

Researcher, Civil Law Department, Faculty of Law and Political Science, Eotvos Lorand University, Budapest, Hungary.
Research: American Antitrust Law
Harvard University, School of Law, Graduate Division and LL.M. program, Cambridge, MA 02138. c/o Ms. Athena D. Matua, John Marshall Fellowship Program. Ten months: August 1994-June 1995.

GJURCHILOVA, PENELOPA

Lawyer, Partner Invest, Ltd., Skopje, Former Yugoslav Republic of Macedonia
Research: Business and Government
University of Connecticut-Hartford, School of Law, Graduate Studies, Hartford, CT 06105-2290. c/o Dr. Gerardo M.C. Valero John Marshall Fellowship Program. Nine months: August 1994-May 1995.

IPP, DAVID ANDREW

Justice, Supreme Court of Western Australia, Perth, Western Australia, Australia.
Research: Judicial Intervention in the Pre-Trial and Trial Processes
University of Virginia, School of Law, Charlottesville, VA 22906. c/o Dr. Daniel J. Meador. Four months: September 1994-December 1994.

LANGBERG, LAURA ARACELI

Associate Professor, Department of Public Law, School of Law, University of Buenos Aires, Buenos Aires, Argentina
Research: Women's Rights in the Law School Curriculum; Legal Aid Services, Legal Clinics, and Other Agencies Dealing with Violence Against Women.
American University, International Studies Program, Washington, D.C. 20016. c/o Marilyn Saks-McMillion, CIES. Dates to be determined.

MARTIN, GAULTIER

Teaching Assistant, Department of Public Law, Faculty of Law Jean Monnet, University of Paris XI, Paris, France.
Research: Upholding the "Due Processes of Law" Clauses in the United States.
CUNY-Graduate and University Center, Ph.D. Program in Political Science, New York, NY 10036 c/o Dr. Bernard E. Brown. Four months: June 1994-October 1994.

MATSURA, ITSUKO

Professor, Faculty of Law, Aichi University, Aichi-ken, Japan.
Research: Historical Transformation of the Theory of Causation in American Tort Law, 1920s-1990s.
Stanford University, Law School, Stanford, CA 94305 c/o Dr. Robert Gordon. Eight and one-half months: January 1995-September 1995.

SANTEJ, BORUT

Advisor to the Minister, Ministry for the Environment and Town and Country Planning, Ljubljana, Slovenia
 Research: Constitutional Review in Environmental Law
 Georgetown University Law Center, Orientation in the U.S. Legal System, Washington, D.C. 20057. c/o Dr. Dorothy M. Mayer. John Marshall Fellowship Program. Ten and one-half months: July 1994-May 1995.

VAN KAMPEN, PETRA

Junior Researcher, Leyden Institute for Law and Public Policy, Leiden, Netherlands
 Research: Criminal Law and the Law of Evidence
 University of Michigan-Ann Arbor, Law School, Ann Arbor, MI 48109. c/o Dr. S.R. Gross. Six months, September 1995-February 1996.

Public Administration

JUN, SANG-KYUNG

Associate Professor, Department of Public Administration, College of Social Sciences, Dong-A University, Pusan, Korea.
 Research: Property-Tax Policy and Tax Revolts in U.S. State and Local Governments: Focus on California's Proposition 13
 University of California-Berkeley, Department of Economics, Berkeley, CA 94720. c/o Dr. John M. Quigley. Six Months: July 1994-January 1995.

MUTA, SHOHEI

Program Officer, Department of Research and Documentation, Japan Center for International Exchange, Tokyo, Japan.
 Research: Democracy and Access to Government Information in the United States.
 Library of Congress, Congressional Research Service, Washington, D.C. 20540. c/o Dr. Harold Relyea. Nine Months: September 1994-May 1995.

Humboldt Foundation Awards

The Peer Selection Review Committee of the Alexander von Humboldt Foundation in Bonn, Germany, recently awarded the Humboldt Research Award for Foreign Scholars to, among others, these American scholars:

Dr. DAVID CURRIE University of Chicago General Field: Law

The Committee also recently selected the following outstanding young scholars to receive a research fellowship for a long-term collaborative research project in Germany.

Dr. ROBERT M. FRANKS Clarion University
 General Field: Law
 Specific Area: History of Law

Dr. JOHN WITTE Emory University
 General Field: Law
 Specific Area: History of Law

Camargo Foundation Grant

ALEC STONE SWEET of the University of California, Irvine political Science Department, has been awarded a Camargo Foundation Fellowship Grant in the fall of 1993. His project is a book, to be co-authored by Louis Favoreu (University of Aix-Marseilles) on the jurisprudence of the Constitutional Council, France's constitutional court. Virtually unknown until the 1970s, the Council today occupies a central and highly visible position at the heart of the French state. The Council's audacious exercise of constitutional review - the power to strike down legislation as unconstitutional - has transformed French political life. As important, and for the first time in the nation's history, French constitutional law is now fundamentally the Council's case law. The first part of the book provides a general introduction to French constitutional politics, conceptualized as the complex interaction between the government, parliament, the Constitutional Council, and the scholarly community in the making of public policy and the building of constitutional law. The bulk of the book is comprised of abridged translations of 15 of the Council's most important decisions, including those on: *Freedom of Association* (1971), which incorporated a bill of rights binding on the parliament; *Abortion* (1975); the *Right to Strike* (1979); *Nationalizations* (1982) and *Privatizations* (1986), the leading decisions on property rights and relationship between public and private ownership in a market economy; *Electoral Quotas* (1982), the leading affirmative action case; *Redrawing of Electoral Boundaries* (1986), the constitutionalization of electoral law; and the *European Union* (1992) which elaborated a theory of sovereignty compatible with membership in the European Community. A wide-ranging commentary follows each decision. Commentaries address the concerns of both legal scholars and political scientists: each decision is analyzed both with respect to legal innovations at hand and to its impact on politic-legislative outcomes. The most important decisions not only settle immediate controversies about the constitutionality of pending legislation, but also serve to structure future legislative processes. They therefore also examine the impact of decisions on subsequent policymaking.

AID Seminar and Special Program

The Junior Faculty Development Program with Russia: A non-Fulbright program funded by the U.S. Agency for International development under the Freedom Support Act and administered through the U.S. Information Agency. Current participants in this program, who receive support for professional enrichment include:

ANTOCHTENKO, ALEXANDRE V. Professor, Department of History and Law, Petrozavodsk State University, Petrozavodsk, Russia.

HABAROV, SERGEI A. International Law Chair, Russian Academy of Administration, Moscow, Russia.

KARASSEVA, MARINA V. Lecturer, Law Faculty, Voronezh State University, Voronezh, Russia.

MAIFAT, ARKADI V. Associate Professor, Department of Civil Law, Juridical Academy, Ekaterinburg, Russia.

NOSIREVA, ELENA I. Docent, Law Faculty, Voronezh State University Voronezh, Russia.

PAVLOVETS, EKATERINA VALERIEVNA. Lawyer, Graduate School of Economic Law, Moscow International University, Moscow, Russia.

PRONKIN, VICTOR N. Rector, St. Petersburg Higher Law School, St. Petersburg, Russia.

ROODICK, PETER L. Assistant Professor, Law School, Moscow State Jewish Academy, Moscow, Russia.

SALIKOV, MARAT SABIRYANOVICH. Reader, Department of Constitutional Law, Ural State University, Ekaterburg, Russia.

SHALIMOV, PIOTR BORISOVICH. Lecturer, Department of Social Sciences and Law, College of Humanities, Moscow, Russia.

SHIRIAEV, DANILA SERGEEVICH. Senior Teacher, Theory of State and Law Department, Higher Military College, Novosibirsk, Russia.

SOROKIN, ALEXANDR SERGEEVICH. Scientific Researcher, Department of Law, Moscow State University, Moscow, Russia.

National Archives and Research Administration Grant

DONALD L. FIXICO (Western Michigan University), has received a grant to study "American Indian Self-Determination and Tribal Sovereignty: 1970 to 1992" at the Gerald R. Ford Library/

RECENT PUBLICATIONS OF INTEREST

William P. Alford. To Steal a Book is an Elegant Offense: Intellectual Property Law in Chinese Civilization. Stanford: Stanford University Press, 1994.

Mark A. Allee. Law and Local Society in Late Imperial China: Northern Taiwan in the Nineteenth Century. Stanford: Stanford University Press.

David Bell. Lawyers and Citizens: The Making of a Political Elite in Old Regime France. New York: Oxford University Press, 1994.

Kathryn Bernhardt and Philip C. C. Huang, eds. Civil Law in Qing and Republican China. Stanford: Stanford University Press, 1994.

Geoffrey Best. War and Law Since 1945. New York: Oxford University Press, 1994.

Randall W. Bland. The Black Robe and the Bald Eagle: The Supreme Court and the Foreign Policy of the United States, 1789-Present. Bethesda, MD: Austin & Winfield, 1994.

Allen D. Boyer, "Light, Shadow, Science, and the Law," Michigan Law Review, 92 (May 1994): 1622-1636.

Allen D. Boyer, "Samuel Williston's Struggle with Depression," Buffalo Law Review, 42 (Winter 1994): 1-45.

Jon W. Bruce and James W. Ely, Jr. Cases and Materials on Modern Property Law. 3rd ed. St. Paul, MN: West Publishing Co., 1994.

Ann M. Butler, "Women's Work in Prisons of the American West, 1865-1920," Western Legal History 7 (Summer/Fall 1994): 201-222.

Colm Campbell. Emergency Law in Ireland, 1918-1925. New York: Oxford University Press, 1994.

Richard Chused. Private Acts in Public Places: A Social History of Divorce in the Formative Era of American Family Law. Philadelphia: University of Pennsylvania Press, 1994.

Blue Clark. Lone Wolf v. Hitchcock: Treaty Rights and Indian Law at the End of the Nineteenth Century. Lincoln: University of Nebraska Press, 1994.

Michael Clark and Catherine Crawford, eds. Legal Medicine in History. New York: Cambridge University Press, 1994.

Edwin S. Cohen. A Lawyer's Life: Deep in the Heart of Taxes. Arlington, Virginia: Tax Analysts, 1994.

George Cooper. Lost Love: A True Story of Passion, Murder, and Justice in Old New York. New York: Pantheon, 1994.

Daniel R. Coquillette, "Radical Lawmakers in Colonial Massachusetts: The 'Countenance of Authority' and the Laws and Liberties," New England Quarterly 67 (June 1994): 179-211.

Trevor Dean and K. J. P. Lowe, eds. Crime, Society, and the Law in Renaissance Italy. New York: Cambridge University Press, 1994.

Paul Finkelman, ed. Slavery and the Law. Madison, WI: Madison House, 1994.

David Frederick. Rugged Justice: The Ninth Circuit Court of Appeals and the American West, 1891-1941. Berkeley: University of California Press, 1994.

Martin L. Friedland. The Death of Old Man Rice: A True Story of Criminal Justice in America. New York: New York University Press, 1994.

V. A. C. Gatrell. The Hanging Tree: Execution and the English People, 1770-1868. New York: Oxford University Press, 1994.

Donald F. Gerardi, "Zephaniah Swift and Connecticut's Standing Order: Skepticism, Conservatism, and Religious Liberty in the Early Republic," New England Quarterly 67 (June 1994): 234-256.

Kate Greene, "Torts Over Tempo: The Life and Career of Judge Burnita Shelton Matthews," Journal of Mississippi History 56 (August 1994): 181-210.

Sir John Habakkuk. Landowners: Marriage, Debt, and the Estates System 1650-1950. New York: Oxford University Press, 1994.

Sidney Haring. Crow Dog's Case: American Indian Sovereignty, Tribal Law, and United States Law in the Nineteenth Century. New York: Cambridge University Press, 1994.

Brian Henry. Dublin Hanged: Crime, Law Enforcement, and Punishment in Eighteenth-Century Dublin. Dublin: Irish Academic Press, 1994.

Melvin B. Hill, Jr. The Georgia State Constitution: A reference Guide Greenwood Publishing Group "Reference Guides to the State Constitutions of the United States" Series. No. 21.

Margaret K. Holden, "Gender and Protest Ideology: Sue Ross Keenan and the Oregon Anti-Chinese Movement," Western Legal History 7 (Summer/Fall 1994): 223-244.

John Hudson. Land, Law, and Lordship in Anglo-Norman England. Oxford: Oxford University Press, 1994.

Peter Irons. Brennan versus Rhenquist. New York: Alfred Knopf, 1994.

Herbert A. Johnson. American Legal and Constitutional History: Cases and Materials. Bethesda, MD: Austin & Winfield, 1994.

John Kaminski, ed. A Necessary Evil?: Slavery and the Debate Over the Constitution. Madison, WI: Madison House, 1994.

Morton Keller. Regulating a New Society. Cambridge: Harvard University Press, 1994.

Rande Kostal. Law and English Railway Capitalism, 1825-1875. New York: Oxford University Press, 1994.

Robert Kvasnicka, (compiler). The Trans-Mississippi West, 1804-1912: Part II: A Guide to Records of the Department of Justice for the Territorial Period. Washington, D. C.: National Archives, 1994.

David Langum. Crossing Over the Line: Legislating Morality and the Mann Act. Chicago: University of Chicago Press, 1994.

William Lapiana. Logic and Experience: The Origins of Modern American Legal Education. New York: Oxford University Press, 1994.

Kenneth F. Ledford, "Lawyers, Liberalism, and Procedure: The German Imperial Justice Laws of 1877-79," Central European History, 26 (No. 2): 165-193.

William Leuchtenburg. The Supreme Court in the Age of Roosevelt: Essays on the Constitutional Revolution. New York: Oxford University Press, 1995.

Mansour H. Mansour. The Maliki School of Law: Spread and Domination in North and West Africa, 8th-14th Centuries. Bethesda, MD: Austin & Winfield, 1994.

Charles J. McClain. In Search of Equality: The Chinese Struggle Against Discrimination in Nineteenth-Century America. Berkeley: University of California Press, 1994.

Charles J. McClain, ed. Asian American and the Law: Historical and Contemporary Perspectives, 4 vols. New York: Garland Press, 1994.

Theodor Meron. Henry's Wars and Shakespeare's Laws: Perspectives on the Law of War in the Later Middle Ages. Oxford: Oxford University Press, 1994.

Arthur P. Monahan. From Personal Duties Towards Personal Rights: Late Medieval and Early Modern Political Thought, 1300-1600. Montreal: McGill-Queen's University Press, 1994.

Stephen Morewitz. Sexual Harassment and Social Change in American Society. Bethesda, MD: Austin & Winfield, 1994.

James H. Muhn, "Women and the Homestead Act: Land Department Administration of a Legal Imbroglia, 1863-1934," Western Legal History 7 (Summer/Fall 1994): 283-308.

Wolfgang P. Muller. Huquccio: The Life, Works, and Thought of a Twelfth-Century Jurist. Washington, D. C.: Catholic University of America Press, 1994.

Kenneth Murchison. Federal Criminal Law Doctrines: The Forgotten Influence of National Prohibition. Durham: Duke University Press, 1994.

Roger K. Newman. Hugo Black: A Biography. New York: Pantheon Books, 1994.

James M. O'Fallon, "Marbury," Stanford Law Review 44 (January 1992): 219-260.

Peter Onuf and Nicholas Onuf. Federal Union, Modern World: The Law of Nations in an Age of Revolutions, 1776-1814. Madison, WI: Madison House, 1994.

Diane Parkin-Speer. "John Bunyan's Legal Ideas and the Legal Trials in his Allegories," The Baptist Quarterly (July 1994): 324-331.

William G. Ross. Forging New Freedoms: Nativism, Education, and the Constitution, 1917-1927. Lincoln: University of Nebraska Press, 1994.

G. S. Rowe. Embattled Bench: The Pennsylvania Supreme Court and the Forging of a Democratic Society, 1684-1809. Newark: University of Delaware Press, 1994.

Donna C. Schuele, "Community Property Law and the Politics of Married Women's Rights in Nineteenth-Century California," Western Legal History 7 (Summer/Fall 1994): 245-282.

Regina Schulte. The Village in Court: Arson, Infanticide, and Poaching in the Court Records of Upper Bavaria, 1848-1910. New York: Cambridge University Press, 1994.

Barbara Shapiro, "The Concept of 'Fact': Legal Origins and Cultural Diffusion," Albion 26 (Spring 1994): 1-26.

Jonathan Simon. Poor Discipline: Parole and the Social Discipline of the Underclass, 1890-1990. Chicago: University of Chicago Press, 1994.

Steven D. Smith. Foreordained Failure: The Quest for a Constitutional Principle of Religious Freedom. New York: Oxford University Press, 1994.

Henry L. Snyder, "Charges to Grand Juries: The Evidence of the Eighteenth-Century Short-Title Catalog," Historical Research 67 (October 1994): 286-300.

William Wagner. Marriage, Property, and Law in Late Imperial Russia. Oxford: Clarendon Press, 1994.

Alan Watson. The Spirit of Roman Law. Athens: University of Georgia Press, 1995.

Charlotte Wells. Law and Citizenship in Early Modern France. Baltimore: Johns Hopkins University Press, 1994.

Harold Woodman. New South--New Law: The Legal Foundations of Credit and Labor Relations in the Postbellum Agricultural South. Baton Rouge: Louisiana State University Press, 1995.

John R. Wunder and Paula Petrik, "Women, Legal History and the American West," Western Legal History 7 (Summer/Fall 1994): 193-200.

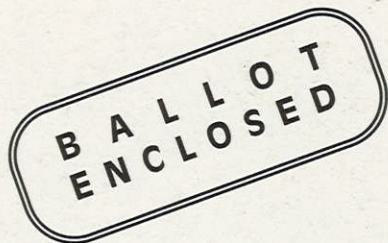
Tinsley Yarbrough. Judicial Enigma: The First Justice Harlan. New York: Oxford University Press, 1995.

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