

A focus on scholarship

Vice Dean Meidinger advocates for UB Law scholars

“The world of law school scholarship is expanding very rapidly. All of our competitors are stressing scholarship. This makes it more important that we do a good job at disseminating our full profile, so that it is clear that in this growing cacophony of research-oriented law schools, Buffalo stands out.”

So says Professor Errol Meidinger, vice dean for research and faculty development, whose administrative role increasingly is devoted to getting the word out about UB Law faculty research and publications.

The research and writing that UB Law faculty members do, he says, benefits the school in two ways.

“The value added that faculty bring is to develop innovative and incisive understandings of the legal system and of legal institutions,” Meidinger says. “That is why we have academic law schools. If you have professors at the cutting edge, then what students learn is that much more helpful over the long term.”

“Anybody can repeat the nostrums of the past. The quality of the school is heavily dependent on having faculty members who, day in and day out, are trying to develop deeper understandings.”

“Second, faculty scholarship is the currency for respect and recognition in the larger world. What matters is that you are seen as generating new ideas and deeper understandings. But historically we have not been very good about promoting ourselves.”

That is changing, especially with the now-annual publication of a UB Law faculty scholarship brochure, created in the Law School Office of Communications, that is sent to all legal academics, partners of hiring law firms, judges, students and “anyone else interested in the work that is being done here.”

The brochure, Meidinger says, lists recent publications by UB Law faculty, but also describes what they are working on and where their research is headed.

“It allows the reader to see what a very interesting and impressive collection of faculty members we have, how diverse their work is and how much of the broad world of legal research is represented here,” he says.

Beyond the faculty scholarship brochure, the Law School has expanded its workshop series in which faculty exchange ideas about their current research; begun a Buffalo Legal Studies Series as part of the online Social Sciences Research Network; and worked to keep faculty fully informed of outside opportunities for research funding.

“Scholarship benefits everybody,” Meidinger says. “A serious research program improves the teaching for students, sometimes in fairly hard-to-see ways. It is a core part of the mission of the university-based law school, and it is absolutely essential to our stature in the larger law school world.”



“Faculty scholarship is the currency for respect and recognition in the larger world.”

RECOMMENDED READING

Faculty publications from 2002 to the present include 53 books, 140 articles, 101 book chapters, 22 book reviews, and 13 reports and electronic publications.

Here is a small sampling of recent faculty scholarship:

Kenya’s Quest for Democracy: Taming Leviathan (L. Rienner Publishers), by Dean Makau W. Mutua

Tracing the trajectory of postcolonial politics, Dean Mutua – a native of Kenya who is intimately familiar with that nation’s politics – maps the political forces that have shaped contemporary Kenya. He also critically explores efforts to reform the state by both civil society, which he sees as a key player in Kenya’s hoped-for renaissance, and the political opposition.

In the wake of rioting that followed Kenya’s hotly contested December 2007 election, violence that left hundreds dead, Mutua argues that the failure to form a common national identity has hamstrung efforts to create democratic rule. The nation’s “lazy and opportunistic” political class, he says, has been unable to overcome ethnic cronyism and tribal manipulation.

Analyzing the tortuous efforts that have been made to create a sustainable democratic state since the East African nation gained its independence from Great Britain, Mutua uses the struggle over constitutional reform as a window for understanding the larger struggles confronting Kenyan society.

Insanity: Murder, Madness, and the Law (Oxford University Press), by Professor Charles Patrick Ewing

One of the nation’s leading experts on the insanity defense, Professor Ewing here conveys the psychological and legal drama of 10 landmark insanity cases. His case studies include “Son of Sam” killer David Berkowitz; John Gacy, who killed at least 30 boys and young men in Chicago; Jack Ruby, killer of Lee Harvey Oswald, President Kennedy’s assassin; and Andrea Yates, who drowned her five children in the family’s bathtub.

The book also debunks myths of popular opinion regarding the insanity defense. “In those rare instances in which a defendant is actually found insane, the public is usually outraged,” Ewing says. “In homicide cases especially, they believe that the defendant ‘got away with murder.’” In reality, he says, “the defense is rarely raised, rarely applicable and even more rarely successful. And when it does succeed, the defendant usually loses his or her liberty for many years, sometimes for life.”

Between Citizen and State: An Introduction to the Corporation (Paradigm Publishers), by Professor David A. Westbrook

In David Westbrook’s view, the corporation can be seen as theater, as a play with three main characters – stockholders, directors and managers – each with their own set of complementary and conflicting motivations, goals and powers. This textbook of how corporations work, designed for law students, has garnered attention from sociologists and anthropologists seeking a window on the inner workings of the corporation.

“While people do interesting and often funny things inside their companies, their actions are rarely truly surprising,” Westbrook writes. “Corporate actors have typical motivations and conflicts, and their conflicts tend to be solved in customary ways.”

“Corporation law tells stories, or presents plays, that people actually live through in their economic lives. What this book tries to do is make those characters and their plots accessible. If you understand the plays, then you understand some important things about how our society gets constructed, which after all is what the social sciences are all about.”

Cambridge History of Law in America (Cambridge University Press), with essays by Professors Alfred Konefsky, Elizabeth B. Mensch and John Henry Schlegel

Three UB Law professors – one per volume – are represented in a project its publisher calls “the most comprehensive and authoritative account possible of the history of American law.” The massive three-volume *Cambridge History of Law in America* seeks to summarize and synthesize the history of law in America.

The UB Law contributors cover topics as diverse as law and religion in colonial America (Mensch); the nature of the legal profession in the 18th and 19th centuries (Konefsky); and the role of law in the changing American economy of the 20th century (Schlegel).

Says project co-editor Christopher L. Tomlins: “It is most definitely not intended to be an encyclopedia, but rather a collaborative work of scholarship involving numerous scholars, each with the expertise to write an original synthesis of work in his or her particular field of endeavor. ... Everybody has produced very good, very original work, the kind of work you would expect from highly experienced, highly skilled scholars, for which Buffalo is well-known. The Buffalo Law School has a tremendous interest in critical and unique thinking. It is most certainly not a standard law school.”



Download a copy of the Faculty Scholarship brochure at law.buffalo.edu/facultyscholarship08.pdf

