Faculty Scholarship
2016 to 2019
Message from the Dean

Dear Colleagues,

We are pleased to update you on the scholarship produced by our faculty since 2016. Situated on the flagship campus of a premier, research-intensive public university, University at Buffalo School of Law has long been associated with innovative, interdisciplinary research and critical approaches to the study of law. Many of our faculty members hold doctorates in areas other than law, and the thoughtful scholarship catalogued here reflects this rich and diverse background. We hope you enjoy getting to know their work.

Yours sincerely,

Aviva Abramovsky
Dean

law.buffalo.edu/faculty
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My research is focused on insurance law with emphasis on re-insurance. I am particularly interested in global insurance products and disaster and catastrophe liability. Insurance is a gatekeeper for all corporate behavior and as such the industry’s laws and policies are relevant to every aspect of the world’s economy.”

Aviva Abramovsky
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BA, Cornell University

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Areas of Interest
Insurance Law
Commercial Law
Regulation of Financial Entities
Legal Ethics

Books

Chapters
AREAS OF INTEREST
FIRST AMENDMENT
LEGAL HISTORY
MASS MEDIA LAW

BOOKS
Morris Ernst: Civil Liberties Pioneer (University of Chicago Press forthcoming).


ARTICLES


CHAPTERS

LEADING AN INTERDISCIPLINARY CHARGE

Intellectual cross-pollination is what the Baldy Center for Law & Social Policy – UB School of Law’s signature scholarship engine – is all about.

With Professor Samantha Barbas as its new director, the center moves into its fifth decade looking to cast its net even wider. Barbas, who holds a doctoral degree in history as well as a J.D., embodies the center’s philosophy in her own scholarship. She has written three books on media law and history.

“Buffalo Law has a very long tradition of being a center of interdisciplinary scholarship,” Barbas says. “That is part of our identity, this intellectual scholarly production.”

Among her plans for the Baldy Center: expanding its intellectual reach to even more disciplines, including history; engaging more student involvement; expanding the center’s visibility through social media; and reaching out to the wider community with public-facing lectures by well-known intellectuals.

“"
My research is in civil procedure, specifically the tension between class actions’ enforcement potential and heightened procedural and evidentiary rules. On the one hand, judicial resources are far from absolute, and such rules can promote judicial efficiency. On the other hand, a raft of new procedural hurdles threaten class actions’ potential to regulate corporate behavior. It is now harder to get into court; harder to plead a claim; and harder to certify a class. I analyze how such hurdles impact class actions, and then identify ways to balance efficiency and enforcement goals. Because rule interpretation is primarily left to the judiciary, my work analyzes judicial interpretation and decision making.”
**AMICUS BRIEFS**


My recent work examines the relationship between law, technology and advertising. Through a variety of mechanisms, including intellectual property law, privacy law, contract law and the First Amendment, the legal system is struggling to set an appropriate balance between commercial freedom and consumer protection in the midst of a modern marketing revolution. Figuring out where this balance should be set is a difficult project. My approach is to mine psychology, which tells us how consumers think, and history, which tells us how lawmakers approached similar questions in the past, to help assess the costs and benefits of advertising in new forms and new spaces.”
AREAS OF INTEREST
ADMINISTRATIVE LAW AND
COMPARATIVE ADMINISTRATIVE LAW
ADMINISTRATIVE PRACTICE IN
DEMOCRACIES
LAW AND SOCIETY
ASIAN LEGAL CULTURES
JURISDICTION & CIVIL PROCEDURE

ARTICLES
Interpenetration of Powers: Channels
and Obstacles for Populist Impulses,
28 Washington International

Porous Bureaucracy: Administrative
Culture in Taiwan, Law & Social
Inquiry 1, 1-24 (2019).

Democratizing Interpretation,
60 William and Mary Law

Before Interpretation,
84 University of Chicago Law

Bureaucratic Speech: Language Choice
and Democratic Identity in the Taipei
Bureaucracy, 40 PoLAR: Political and
Legal Anthropology Review

Differentiating Deference, 33 Yale
Journal on Regulation 1, 1-53 (2016).

CHAPTERS
Agency in State Agencies, in DISTRibuted
Agency: The Sharing of Intention,
Cause, and Accountability (N.J.
Enfield & Paul Kockelman, eds.,

The Songs of Other Birds, in Insiders,
Outsiders, Injuries, and Law:
Revisiting the Oven Bird’s
Song (Mary Nell Trautner, ed.,
Oxford University Press 2017).

BOOK REVIEWS
Regimes of Expertise and the Law,
PoLAR Online: Political and
Legal Anthropology Review
(2016) (reviewing The Clinic and
the Court (Ian Harper, Tobias Kelly
& Akshay Khanna, eds., Cambridge
University Press 2015) and The
Role of Social Science in Law
(Elizabeth Mertz, ed., Ashgate 2008)).

“I study the cultures of
bureaucracies and courts, the
institutions that implement
and interpret the law. We
sometimes take the legitimacy
of democratic governance for
granted, but legitimacy is not
something that inheres in a
particular political form. It’s
a dynamic, culturally specific
outcome of continuous work
by numerous participants. So
I’m particularly interested in
how bureaucrats and judges
legitimize their actions in
democracies. I use ethnography,
interview, and textual
analysis to illuminate how
government actors understand,
describe, and shape law and
governance. In recent work,
I’ve uncovered presuppositions
about communication and
democracy in judicial opinions
and interviewed government
administrators in the U.S.
and Taiwan about how they
give law life on the ground.”
My book, *The Oxford Introductions to U.S. Law: Criminal Law* explains the key concepts and persistent controversies in American criminal law in light of its history. The English common law of crimes enforced a royal peace by conditioning punishment on unauthorized force and harm to particular victims. The story of American criminal law has been the emergence of a utilitarian conception of criminal offending as the imposition of risk or the violation of consent, combined with culpability. Yet to understand contemporary criminal law, we must also remember the model of offending as trespass against sovereignty out of which it emerged.

**Areas of Interest**
- Criminal Law
- Jurisprudence
- Law and Literature

**Books**

**Articles**


**Chapters**

**Book Reviews**
Areas of Interest
Gender, Sexuality, & Law
Family Law
Constitutional Law
Criminal Law
Legal History

Articles


Book Reviews

I study the law of marriage, family, gender, and sexuality, often from a historical perspective. My research engages multiple bodies of legal doctrine—most importantly constitutional, criminal, and family law—and a number of disciplines outside of law and history, including sociology, anthropology, philosophy, critical theory, and literary studies. My historical work focuses mainly on LGBT identities, communities, and politics in Britain and the United States since the mid-nineteenth century.”
Areas of Interest
Animal Studies
Nature and Conservation Biology
Israel/Palestine
Law and Geography
Law and Genetics
Legal Ethnography
Law and Society
Science and Technology Studies

Books


Coral Whisperers: Scientists on the Brink (The University of California Press 2018).


Articles


Fish Encounters: Aquariums and their Veterinarians on a Rapidly Changing Planet, 11 Humanimalia (Fall 2019).


Uprooting Identities: The Regulation of Olive Trees in the Occupied West Bank, 71 OPEN ANTHROPOLOGY (March 2019).


Saving Species One Individual at a Time: Zoo Veterinarians between Welfare and Conservation, 9 HUMANIMALIA 1, 1-27 (Spring 2018).


Biopolarity: Coral Scientists between Hope and Despair, 8 ANTHROPOLOGY NOW 26, 26-40 (2016).

Bleached!: Managing Coral Catastrophe, 92 FUTURES 12, 12-28 (2016).


CHAPTERS


My research currently focuses on the intersection of corporate bankruptcy, bankruptcy trusts and mass tort litigation. Recent articles include a study outlining the performance of 32 bankruptcy trusts and the implications for future asbestos personal injury victims, an analysis of individual plaintiffs’ roles in multidistrict mass tort litigation, and the practices that underlie specious claim patterns in comprehensive settlements and the use of stratified and targeted sampling to address these practices. My next article discusses the use of the debtor’s settlement history in the bankruptcy estimation process in asbestos related bankruptcies.”
Areas of Interest
Animal Cruelty Laws
Criminal Law
Criminal Procedure
Torts
Jurisprudence

Articles


My research lies at the intersection of criminal law, philosophy and comparative law. Drawing from my experience teaching and lecturing about criminal law in the United States, Canada, Latin America, Europe and Asia, my work aims to understand and critique domestic criminal law doctrines by looking at how other countries approach basic concepts of criminal theory.”
Kim Diana Connolly

PROFESSOR
VICE DEAN FOR ADVOCACY AND EXPERIENTIAL EDUCATION
DIRECTOR OF CLINICAL LEGAL EDUCATION

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AREAS OF INTEREST
ADMINISTRATIVE LAW
CLINICAL LEGAL EDUCATION
ENVIRONMENTAL LAW
INTERNATIONAL LAW
LAW AND SCIENCE
LAW AND SOCIAL SCIENCE
LEGAL EDUCATION
LEGISLATION
NATURAL RESOURCES LAW

BOOKS
The Big Thaw: Policy, Governance and Climate Change in the Circumpolar North (Kim Diana Connolly, Errol Meidinger & Ezra B.W. Zubrow, eds., SUNY Press 2019).

Climate Change and Hope in the Arctic

GLOBAL CLIMATE CHANGE IS transforming the world’s ecosystems, and nowhere is that happening faster than in the Arctic region. A major new book, co-edited by Professors Kim Diana Connolly and Errol Meidinger, takes a widely interdisciplinary look at how warming temperatures are affecting the landscape and the peoples of the Arctic.

The Big Thaw: Policy, Governance, and Climate Change in the Circumpolar North (SUNY Press) includes contributions by legal scholars, biologists, anthropologists and other social scientists with expertise in the Arctic, which scientists find is warming at almost twice the rate of areas elsewhere on the globe. It grows out of a seminal conference at the School of Law’s Baldy Center for Law & Social Policy.

The book’s interdisciplinary approach sheds new light on a much-discussed topic. “Not only did we talk about what’s going on in the United States in the usual policy sphere,” says Meidinger, “but we also tried to place it in terms of how it looks from different perspectives, such as those of indigenous people, the global power struggle among nation-states, and the relationship between climate governance and arctic governance. Global issues and local issues are completely intertwined — everything that’s done globally has huge impacts in the Arctic.”

My substantive research focuses on a number of related areas, including wetlands law and policy as well as other environmental regulatory and related subjects. More recently I have added an interest in how the mass media covers environmental law and policy matters. I have also conducted research on student learning and andragogical issues, including work on experiential and interdisciplinary learning. In all cases, I seek to bring serious scholarly study to pressing issues facing people and ecosystems on various levels.”
My research studies the relationship between law and economic inequality. While we may well condemn inequality as an injustice in itself, it also has many negative side effects: a corrosion of the political process, skewed public policies, and an unstable financial system, to name a few. While the causes of rising income inequality are many and complex, the law undoubtedly plays a role. Traditionally, the economic analysis of law has focused on efficiency—how the law can make society’s economic pie larger. While using many of the same economist-inspired tools, my research uses a more sociologically-inspired set of questions to ask how the law distributes—slices up—the economic pie.


My research traces the ways in which rights become active, identities are forged, and law is woven into the fabric of day-to-day experiences. One line of work examines the earliest stages of the tort law system, when individuals suffer traumatic physical harms and, in most cases, refuse to lodge a claim or even consult a lawyer. I explain this overwhelming preference for law avoidance by drawing on interdisciplinary studies of injury and cognition. Another line of work explores recent transformations in law, culture, and society in Southeast Asia, with particular attention to Thailand.

"My research traces the ways in which rights become active, identities are forged, and law is woven into the fabric of day-to-day experiences. One line of work examines the earliest stages of the tort law system, when individuals suffer traumatic physical harms and, in most cases, refuse to lodge a claim or even consult a lawyer. I explain this overwhelming preference for law avoidance by drawing on interdisciplinary studies of injury and cognition. Another line of work explores recent transformations in law, culture, and society in Southeast Asia, with particular attention to Thailand."

**AREAS OF INTEREST**

TORTS  
LAW AND SOCIETY  
ASIAN LEGAL CULTURES  
LEGAL ETHNOGRAPHY  
RIGHTS CONSCIOUSNESS

**BOOKS**


**The Myth of the Litigious Society: Why We Don’t Sue** (University of Chicago Press 2016).

**ARTICLES**

*Legal Consciousness in Asia (with Lynette Chua)*, 5 Asian Journal of Law and Society 1, 1-4 (2018) (Editor’s Note to Special Issue).


**CHAPTERS**


Recognition for a Lifetime of Insight

The Law and Society Association, the world’s premier organization of scholars who use the tools of the social sciences to study law, honored Emeritus Professors David M. Engel and Lynn Mather with its inaugural Legacy Awards. The awards recognize lifetime achievement by individuals in the field, both for their scholarship and their contributions to the Law and Society Association.

Engel, who previously received the association's highest honor, the Harry S. Kalven Prize, served as the group’s president in 1997-98. He has long studied and written about American tort law and Asian legal cultures, with particular interest in the culture of Thailand.

Mather was president of the Law and Society Association in 2001-02, and built ties with the organization’s counterpart north of the border, the Canadian Law and Society Association.
My research focuses on the gender-based impact of seemingly neutral tort doctrines. I am studying caps on non-economic damages to demonstrate that caps have a disparate impact on women, the elderly, and children’s death cases. I’m also exploring why non-economic damages are an under-sustained challenge, and why women tend to receive greater proportions of their tort awards in non-economic damages, as well as other important empirical questions about the hidden or unintended consequences of tort reform, including how it will affect lawyers’ case selection and settlement strategies. Better understanding of the actual consequences of legal change on the institutional players and the people who seek access to the civil justice system can lead to sounder and more equitable law reform.”
AREAS OF INTEREST
ANTHROPOLOGY OF LAW
COMPARATIVE LAW
LAW AND RELIGION
PROPERTY LAW AND SOCIAL SCIENCE
BUDDHISM AND LAW

ARTICLES
The Anthropology of Religion and Law, 45 RELIGIOUS STUDIES REVIEW 153, 153-61 (July 2019).


Editor’s Introduction, 1 BUDDHISM, LAW AND SOCIETY vii, vii-xvii (2016).

CHAPTERS
Is There Such a Thing as a Buddhist Legal Tradition?, in GROSS NATIONAL HAPPINESS AND THE LAW (Kristen DeRemer, ed., forthcoming).

In the course of my investigation of the Tibetan legal system, I discovered a gaping hole in the substantial discipline of Religious Legal Studies — the study of Buddhist legal systems. Incredibly, almost nothing has been written on the legal systems that were influenced by Buddhism, one of the largest world religions with a 2,500 year history and 500 million followers. My project for the last few years has been to write in this area and to organize a wide array of international scholars to talk, think and write about this exciting new subject matter.”
Americans have long fretted about the disjunction between our high aspirations for the democratic electoral process and the desultory reality of the modern election campaign. My research examines the role of the law in constituting this disjunction. I am interested in how the law regulating campaigns operates in its actual institutional setting; how the findings of empirical social science determine what kinds of campaigns the law might feasibly aspire to institutionalize; and how democratic theory addresses the normative desirability of these institutional options.”


Practice-Driven Changes to Constitutional Structures of Governance, 68 ARKANSAS LAW REVIEW 335, 335-69 (2016).

BOOK CHAPTERS


BOOK REVIEWS
I have concentrated my research on arbitration, an alternative dispute resolution method. I am particularly interested in the rapidly evolving legal doctrines governing and affecting arbitration in the labor, employment and commercial arenas. As a labor arbitrator, I have also authored many arbitration awards (decisions) in cases in which the parties have asked me to resolve their disputes under a collective bargaining agreement.”

AREAS OF INTEREST
LABOR AND EMPLOYMENT LAW
ARBITRATION
PUBLIC POLICY
ADMINISTRATIVE LAW

ARTICLES
AREAS OF INTEREST
WORKPLACE LAW
IMMIGRATION LAW
CIVIL RIGHTS
LAW AND SOCIAL MOVEMENTS

ARTICLES


I am broadly interested in how law either promotes or impedes collective action and power-building in subordinated communities. Specifically, I study how the decline of labor unions has spawned experimentation by immigrant workers into new forms of organizing, collective bargaining, and worker protection. I am also interested in how immigration law leads to the exploitation and subordination of immigrant communities.”
Meredith Kolsky Lewis
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VICE DEAN FOR INTERNATIONAL AND GRADUATE PROGRAMS
DIRECTOR OF THE CROSS-BORDER LEGAL STUDIES CENTER
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A R E A S O F I N T E R E S T
INTERNATIONAL ECONOMIC LAW
INTERNATIONAL TRADE LAW
INTERNATIONAL DISPUTE SETTLEMENT
FREE TRADE AGREEMENTS
WORLD TRADE ORGANIZATION LAW

B O O K S

A R T I C L E S

The United States’ Path to Concluding the Trans-Pacific Partnership: Will TPA + TAA = TPP?, 7 EUROPEAN YEARBOOK OF INTERNATIONAL ECONOMIC LAW 495, 495-505 (Bungenberg et al., eds., 2016).

C H A P T E R S


My research focuses on international trade law, particularly issues relating to the World Trade Organization, free trade agreements, dispute settlement and trade policy. My scholarship is influenced by my background in international relations and economics. I also have a strong interest in the Asia-Pacific, a result of having lived and worked in New Zealand and Japan.”


**OTHER**


My research investigates how we should regulate government authority in contexts where secrecy is common and public deliberation is often limited. Recent work examines the problem of secret rules and methods in the national security and law enforcement programs, and explores strategies for vindicating values of transparency, free speech, and democratic deliberation in these domains. I am also particularly interested in the accountability and transparency challenges that are posed by new and emerging information technologies.

**Areas of Interest**

- Civil Rights/Civil Liberties
- Freedom of Speech
- Information Privacy
- Transparency Law
- Technology Law
- National Security Law

**Articles**


**Amicus Briefs**

- Brief of AI Now Institute, ACLU, EFF, NYU Center on Race, Inequality, and the Law, and Knight First Amendment Institute at Columbia University as Amici Curiae Supporting Food Marketing Institute v. Argus Leader, Inc. (Sup. Ct. 2019) (No 18-481).
- Brief of Law Professors as Amici Curiae Supporting Plaintiffs’ Opposition to the Motion to Dismiss, Microsoft v. Department of Justice, 233 F. Supp. 2d 887 (W.D. Wash. 2017).
**AREAS OF INTEREST**

LAW AND ECONOMICS
WELFARE LAW
GENDER AND LAW
CRITICAL LEGAL STUDIES
HEALTH LAW
EMPLOYMENT LAW
FAMILY LAW
DISABILITY LAW
CIVIL RIGHTS LAW
RACE AND THE LAW
INSURANCE AND THE LAW
OCCUPATIONAL SAFETY AND HEALTH
GOVERNMENT ETHICS
REGULATION
ENERGY LAW
HIGHER EDUCATION LAW
FINANCE

**ARTICLES**


Are We Economic Engines Too? Precarity, Productivity and Gender, 49 TOLEDO LAW REVIEW 631, 631-56 (Spring 2018) (Symposium Issue, Gender Equality: Progress and Possibilities).


Defining the Economic Pie, Not Dividing or Maximizing It, 5 CRITICAL ANALYSIS OF LAW 77, 77-98 (April 2018).


Framing Middle Class Insecurity: Tax and the Ideology of Unequal Growth, 84 FORDHAM LAW REVIEW 2699, 2699-2720 (2016).


**CHAPTERS**


My interest is in exploring questions of economic policy and regulation from outside the conventional boundaries of ‘private’ law and neo-classical economics. I am interested in how law and politics shape markets and in how economic policies reflect and reproduce ideas about citizenship and social status. I draw on critical perspectives of legal theory to examine the relationships between questions of economics and questions of race, gender, class, sexuality and disability status. My work challenges the divide between economic and moral or social regulation.”
A Distinguished Title

RECOGNIZING HIS FAR-REACHING SCHOLARSHIP PARTICULARLY in environmental law, the State University of New York has awarded Professor Errol Meidinger its highest faculty rank, the title of SUNY Distinguished Professor.

The honor recognizes “individuals who have achieved national and/or international prominence and a distinguished reputation within their chosen field.”

Errol Meidinger
SUNY DISTINGUISHED PROFESSOR
MARGARET W. WONG PROFESSOR
HONORARY PROFESSOR, UNIVERSITY OF FREIBURG, GERMANY
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JD, Northwestern University School of Law
MA, Northwestern University
BA, University of North Dakota
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AREAS OF INTEREST
ADMINISTRATIVE LAW
ENVIRONMENTAL LAW
INDIGENOUS PEOPLES’ LAW
INTERNATIONAL BUSINESS TRANSACTIONS
INTERNATIONAL ENVIRONMENTAL LAW
INTERNATIONAL TRADE AND ENVIRONMENT
LEGAL THEORY
SOCIOLGy OF LAW

BOOKS


ARTICLES
FORWARD: TEMPERING POWER, 67 BUFFALO LAW REVIEW 519, 519-26 (May 2019).

CHAPTERS

The Trans-Pacific Partnership Agreement and Environmental Regulation, in MEGAREGULATION CONTESTED: GLOBAL ECONOMIC ORDERING AFTER TTP 175, 175-95 (Benedict Kingsbury, et al., eds., Oxford University Press 2019).

OTHER
Environmental Principles in U.S. and Canadian Law (with Daniel A. Spitzer & Charles W. Malcomb), in ELGAR ENCYCLOPEDIA OF ENVIRONMENTAL LAW 405, 405-23 (Edward Elgar Publishing 2018).

“My research focuses on how non-governmental actors interact with each other and with governments to establish and maintain transnational regulatory programs in fields where governments have typically been the main regulators — e.g., environmental protection, human rights, and food safety. I am studying how effective, fair, and democratic the emerging governance ecosystems are, and particularly, how competition and cooperation among the different regulators affects the overall system. It is important to understand these processes because the nation states have had great difficulty in creating effective international environmental and social regulatory programs. As non-governmental programs become more important, we may also need to revise some of our main assumptions about what counts as law and how law is made and implemented.”

Selection criteria include the honoree’s impact on his field of study, typically through research, and work that essentially raises the bar for his academic colleagues.

“Dr. Meidinger has catalyzed a group of scholars worldwide to transform our understanding of the relationships among and between citizens, institutions and the environment, and to expand strategies for meeting critical environmental challenges,” the university system said in its announcement.

“His work has influenced not only this area of study but also the practice of policy, both nationally and internationally.”
My work is inspired by much of the activism (both recent and historical) around the pursuit of human dignity, democracy, justice, and prosperity. My scholarship focuses specifically on issues related to racial, economic and gender justice. In it, I seek to map the mechanisms by which law, together with other social structures, works to both hinder and support these justice pursuits.”
Makau W. Mutua
SUNY DISTINGUISHED PROFESSOR
FLOYD H. AND HILDA L. HURST FACULTY SCHOLAR
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LLM, Harvard Law School
LLM, University of Dar-es-Salaam (Tanzania)
LLB, University of Dar-es-Salaam (Tanzania)
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AREAS OF INTEREST
PUBLIC INTERNATIONAL LAW
HUMAN RIGHTS
INTERNATIONAL BUSINESS TRANSACTIONS
POST-COLONIALISM
THIRD WORLD APPROACHES TO INTERNATIONAL LAW (TWAIL)
STATE RECONSTRUCTION
POST-CONFLICT SOCIETIES
CONSTITUTION-MAKING
TRANSITIONAL JUSTICE

BOOKS

ARTICLES
Africa and the Rule of Law, 23 International Journal of Human Rights (Revista Internacional de Direitos Human) 1, 1-6 (2016).

CHAPTERS

My scholarship has centered on state legitimacy, postcolonialism, constitutionalism and the critiques of the human rights idiom. In a world that is increasingly defined by relativism — and the expansion of the meaning and content of freedom — shackles of state power are constantly being loosened. Human rights is the medium of choice for this discourse which has become indispensable in postcolonial societies, by far the overwhelming majority of the earth’s inhabitants. How societies resolve the questions I tackle may very well determine the pace at which the chasm between power and powerlessness shrinks or grows.”
Tolulope F. Odunsi
LE chocolates IN LAW, LEGAL ANALYSIS, WRITING AND RESEARCH
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AREAS OF INTEREST
LEGAL RESEARCH AND WRITING
EMPLOYMENT DISCRIMINATION LAW
CIVIL RIGHTS LAW
CRITICAL RACE THEORY
DIVERSITY IN LEGAL PRACTICE

ARTICLES
Breaking the Silence in the Face of Racial Injustice, 8 Defense Research Institute, Diversity Insider 3, 3-4 (2016).

CHAPTERS

My work focuses on understanding intersectional analysis to address the legal and administrative systems that perpetuate inequality in all facets of society. Since much of the law related to discrimination focuses on single-axis analysis, my work also explores the ways in which legal systems and other institutions have not caught up in recognizing the intersections of race, gender, ethnicity, citizenship, physical ability, and socioeconomic status.”
Much of my research lies at the intersection of criminal procedure and structural constitutional law. I am currently exploring how political and economic conditions affect the capacity of courts to solve difficult doctrinal problems. Using a methodological approach that integrates doctrinal analysis with legal theory and social science, my work challenges some common assumptions concerning how institutional pressures shape both constitutional and statutory interpretation.”

**Areas of Interest**
- Criminal Law and Procedure
- Constitutional Law
- Legislation
- Statutory Interpretation
- Legal Theory

**Articles**
Stephen J. Paskey  
LECTURER IN LAW, LEGAL ANALYSIS, WRITING AND RESEARCH  
JD, University of Maryland School of Law  
BA, Michigan State University  
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AREAS OF INTEREST
LAW AND NARRATIVE  
LAW AND RHETORIC  
REFUGEE AND ASYLUM LAW

ARTICLES

We tend to think of law as a logical system of rules, but legal rules are ultimately made of words and the relationships between them. My work focuses on the implications of that simple fact, using concepts from rhetorical theory, narrative theory, cognitive linguistics, and other disciplines to question the conventional understanding of what legal rules are, how they work, and how lawyers, judges, and juries reason in real-world cases.”
My current research encompasses three topics. First, along with other innovators in the field of Mindfulness and Law, I have integrated mindfulness meditation into my substantive teaching and plan to collaborate on empirical research into the efficacy of mindfulness techniques for improved cognitive functioning, emotional regulation and stress management. Second, I am co-teaching a series of seminars in African-American legal history, with a related book project. Third, I continue to develop my expertise in theologies of religious pluralism, as applied to the constitutional framework for managing religious diversity.

**A R E A S O F I N T E R E S T**

- Mindfulness and Law
- African-American Legal History
- Conflict of Laws
- Law and Religion
- Critical Race Theory

**A R T I C L E S**

AREAS OF INTEREST
LEGAL HISTORY OF THE AMERICAN ECONOMY
CORPORATE FINANCE
ECONOMIC REDEVELOPMENT OF RUST BELT CITIES

ARTICLES


CHAPTERS


BOOK REVIEWS


I am at work on a book about law and economy in the 1950s. What fascinates about this now long passed time is that its understanding of what makes up a ‘good economy’ is so unlike our own, and yet, that lost understanding structures so much of the debate about today’s economy. Such nostalgia for an unrecoverable past is pathological, but there may be a theme here. Most of my earlier work is directed toward recovering pasts that have been pathologically distorted in our presents.”
My central research interest is the development of legal institutions and ideas. I am currently at work on an intellectual history of the separation of powers.”

**AREAS OF INTEREST**

CONSTITUTIONAL LAW

LEGAL THEORY

**BOOKS**

CONSTITUTIONAL LAW: SOURCES AND PROBLEMS (ChartaCourse 2017) (digital casebook).

**ARTICLES**


Mateo Taussig-Rubbo

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Areas of Interest

Anthropology of Law
Constitutional Law
Criminal Law
Comparative Law
Contracts
Social and Political Theory

Articles


“Interweaving my concerns as a legal scholar with my training in cultural anthropology, my work has focused on a set of legal and theoretical challenges posed by changes in the nature of state sovereignty in an era of privatization and globalization. In two geographical areas, I consider these changes by examining both institutional forms (law and policy) and moral, ethical and social values. In my U.S.-focused work, and especially my work on the military, I examine what happens when the logic of market exchange collides with sectors of our society organized around such ideas as service, honor and sacrifice. In more recent work in East Africa, I examine the way that sovereignty is defined through relationships with external actors.”
Now that the financial crisis has settled and our wars have become interminable, I’m again taking a longer view. I am thinking about the possibilities for social thought ‘After Globalization.’ Global capitalism has transformed our structures of meaning in deep ways, so I’m trying to get a handle on the contemporary through a number of projects. I’m working with Amy Deen Westbrook on the significance of developments in the equity markets and corporate governance; with anthropologist Mark Maguire on counterterrorism, bureaucracy, and how we experience security; and with computer scientist Perry Alexander on what ‘computing’ means. I’ve also written and spoken about the changing ontology of ‘the university.’ In addition, I’ve drafted a book about the rise of commercial country music as an American response to the contemporary. More, and pictures, available at davidawestbrook.com.”

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**David A. Westbrook**

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**CO-DIRECTOR OF THE NEW YORK CITY PROGRAM ON FINANCE AND LAW**

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**AREAS OF INTEREST**

- Globalization and the Contemporary
- Corporations and Capital Markets
- Environmental Law and Technology
- Political Economy and Social Theory

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**ARTICLES**

**Snapchat’s Gift: Equity Culture in High-Tech Firms** (with Amy Deen Westbrook), *Florida State University Law Review* (Summer 2019).


**Unicorns, Guardians, and the Concentration of the U.S. Equity Markets** (with Amy Deen Westbrook), *96 Nebraska Law Review* 688, 688-741 (Spring 2018).


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**CHAPTERS**

**Magical Contracts, Numinous Capitalism**, in *Magical Capitalism* 45, 45-63 (Brian Moeran & Timothy Malefyt, eds., Palgrave July 2018) (substantially revised from the article).


James A. Wooten  
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AREAS OF INTEREST  
EMPLOYEE BENEFIT PLANS  
LEGAL HISTORY  
LEGISLATION  
RETIREMENT POLICY  
TAXATION  

ARTICLES  
The Venue Shuffle: Forum Selection Clauses & ERISA (with Christine P. Bartholomew), 66 UCLA LAW REVIEW 862, 862-910 (April 2019).  

“My research focuses on employee-benefits law and policy and, especially, the regulatory regime created by the Employee Retirement Income Security Act of 1974. ERISA is a large and complicated statute that governs private-sector pension and welfare plans. ERISA’s sweeping preemption clause has been particularly controversial. I am currently writing a series of articles that explain the political and policy concerns that led lawmakers to include broad preemption language in ERISA.”
O U R  P O S T D O C T O R A L  F E L L O W S

Baldy Postdoctoral Fellows are highly promising scholars from a variety of disciplines who have completed or are pursuing their PhDs and/or JDs at other universities, but have not yet commenced tenure track positions. Chosen in an extremely competitive process, they carry out their scholarly projects with the full array of UB research resources and participate regularly in Baldy Center talks, discussions, workshops, and conferences.

Sarah Ludin
2019–2021 POSTDOCTORAL FELLOW
PHD, UNIVERSITY OF CALIFORNIA AT BERKELEY
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A SOCIO–LEGAL HISTORIAN OF THE EARLY MODERN German-speaking lands, Ludin’s research focuses on law and language, secularity and secularism, law and religion, and Reformation history. Her dissertation, “The Reformation Suits: Litigation as Constitution-Making in a German Imperial Court, 1521–1555” reconsiders the role of civil litigation in the early Reformation in Germany, long regarded as an instance of the instrumentalization of law by “old-faith” authorities against the Protestants.

Daniel Platt
2018–20 POSTDOCTORAL FELLOW
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MA, University of Connecticut
BA, Loyola University, Chicago
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PLATT’S RESEARCH CONSIDERS THE HISTORY OF CAPITALISM in the United States, asking how commodities are created by the law and how race and gender ideologies shape such fabrications, particularly when they implicate the integrity of labor and the home. These concerns lie at the heart of his current manuscript, The Debt Question in Modern America, under contract with University of Chicago Press.

O U R  2 0 1 9 – 2 0  S E N I O R  F E L L O W S

Baldy Senior Fellows are accomplished academics and professionals, usually faculty members at other universities, who pursue intensive scholarly projects closely related to the mission of the Baldy Center. They utilize UB’s extensive research resources, participate regularly in Baldy Center events, and share their expertise with the larger Baldy community.

Khohchahar Chuluu
2019–2020 SENIOR FELLOW
ASSOCIATE PROFESSOR, UNIVERSITY OF TOKYO, JAPAN
LLD, LLM Kyoto University
Env.Sc.M., Aomori University
LLB, Inner Mongolia University

CHULUU’S RESEARCH CENTERS ON COMPARATIVE ASIAN law and history, with a focus on Mongolian legal history and hunting law. His work at the Baldy Center will include a study of laws regulating hunts in Eurasian history, focusing specifically on the hunting institutions and their associated rules, from northeast Asia to some kingdoms in Western Europe. This study aims to clarify how hunting laws related to laws in general and how they promoted socio-political order throughout history.

Marie Jauffret-Rousteide
SPRING 2020 SENIOR FELLOW
RESEARCH FELLOW, FRENCH NATIONAL INSTITUTE OF HEALTH AND MEDICAL RESEARCH, FRANCE
PhD, Paris XI University
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JAUFFRET-ROUSTIDE IS THE LEADER OF AN INTERNATIONAL comparative research project on the history of harm reduction between France and the United States. As a Senior Baldy Fellow, she will analyze three representative contemporary drug policy issues affecting both North America (specifically the United States) and partially Europe (France): the history of opioid substitutive treatments, the opioid overdose crisis, and the controversy on drug consumption rooms.

Learn more about our Baldy Fellows at law.buffalo.edu/baldycenter
Areas of Scholarly Interest

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