“WE MUST FIRST TAKE ACCOUNT”:

A Conference on Race, Law, and History in the Americas

Friday & Saturday, April 1–2, 2011

Friday
The William L. Clements Library

Saturday
University of Michigan Law School

University of Michigan Law School
Program in Race, Law & History
“To get beyond racism, we must first take account of race,” is the well-remembered phrase from Justice Harry Blackmun’s opinion in the 1978 Bakke decision. Blackmun’s view may remain controversial in debates about constitutional jurisprudence. But for historians of law it is axiomatic. In the generation since Bakke, scholars have indeed taken account, mining legal culture’s archives to explain the origins and endurance of race. Today race is at the core of interpreting the history of law in the Americas. Understood as a set of ideas that rely upon religion, culture, labor, biology, and politics, race has organized profound inequality and galvanized movements for social justice. Race has been linked to slavery and its abolition, immigration and exclusion, and the status of indigenous peoples, shaping the emergence of democratic states, imperialism, labor relations, social welfare policy, and movements for civil and human rights. Legal historians have debated the relationship of law to these transformations while exploring how race and law have shaped home, family, marriage, gender, and sexuality. “We Must First Take Account” explores new scholarship in race, law, and history from early career scholars in transnational and comparative across North America, the Caribbean, Latin America, and Brazil.
Friday, April 1
The William L. Clements Library 909 S. University Avenue

2:00–2:15 p.m. Welcome
Martha S. Jones
University of Michigan, Law School, Department of History & Center for Afroamerican and African Studies

Panel 1: Slavery
2:15–3:45 p.m.
Chair, Martha S. Jones
University of Michigan, Law School, Department of History & Center for Afroamerican and African Studies

Sarah Levine-Gronningsater
University of Chicago, Department of History
Black Children and the Law: Race, Age, and Freedom in New York, 1799-1841

Graham T. Nessler
University of Michigan, Department of History
“The Shame of the Nation:” The Force of Re-Enslavement and the Law of “Slavery” under the Regime of Jean-Louis Ferrand in Santo Domingo, 1804-1809

Michael A. Schoeppner
University of Florida, Department of History
Quarantine and Race in the Antebellum South

Comment:
Daniel W. Hamilton
University of Illinois, College of Law

Edlie L. Wong
University of Maryland, Department of English

Keynote Address
4:00–5:00 p.m.
Sherrilyn Ifill
Professor of Law
University of Maryland School of Law

5:00–6:00 p.m. Welcome Reception
**Panel 2: The Body**

9:00 – 10:30 A.M.

**Chair, Richard Ross**
University of Illinois at Urbana-Champaign, Department of History & College of Law

**Silvia Capanema P. de Almeida**
Université Paris 13-Nord
*Counting the Colors: A Study of the Racial Classifications and Racism in the Early 20th Brazilian Navy*

**Michelle A. McKinley**
University of Oregon School of Law
*The Unbearable Lightness of Being (Black): Legal and Cultural Constructions of Race and Nation in Colonial Latin America*

**Tera Agyepong**
Northwestern University Department of African American Studies & School of Law
*The “Most Vicious and Depraved”*: The Construction of African American Girls at the Illinois State Industrial School for Girls & Their Exclusion from the Rehabilitative Ideal

**Comment:**

**Sueann Caulfield**
University of Michigan, Department of History, Residential College, & Latin American and Caribbean Studies Program

**Susanna Blumenthal**
University of Minnesota Law School & Department of History

**Panel 3: Belonging**

10:45 A.M.-12:15 P.M.

**Chair, Jelani Jefferson Exum**
University of Michigan Law School

**Allison Gorsuch**
Yale University, Department of History
*Before Dred Scott: Citizenship in the Midwestern Territories*

**Gwen Jordan**
University of Illinois-Springfield, Department of Legal Studies
*Reconsidering Passing at the Intersection of Racial and Sexist Oppression: The Story of Ida Platt, Esquire 1863-1928*
Beth Kressel
University of Michigan Law School
Creating a Community of Equal Public Rights Activists in Reconstruction-era New Orleans

Comment:
Rebecca J. Scott
University of Michigan, Department of History & Law School

Barbara Y. Welke
University of Minnesota, Department of History & Law School

Lunch Plenary
12:30-2:00 p.m.
Juan Perea
Cone, Wagner, Nugent, Johnson, Hazouri & Roth Professor of Law
University of Florida Levin College of Law

Panel 4: Civil Rights
2:15-3:45 p.m.
Sherie Randolph
University of Michigan, Department of History and Center for Afroamerican and African Studies

Millington Bergeson-Lockwood
University of Michigan, Department of History
Resisting the Right to Exclude: African Americans and the Regulation of Public Accommodation in Boston, Massachusetts, 1865-1885

Megan Ming Francis
Pepperdine University, Department of Political Science
The NAACP, Mob Violence, and the Unexpected Breakthrough in Constitutional Law

Nicole Frisone
University of Minnesota, Department of History
Designing the Modern Community: Morris Milgram and Quota Driven Integration in Housing

Comment:
Matt Lassiter
University of Michigan, Department of History

Christopher Schmidt
Chicago-Kent College of Law & The American Bar Foundation
Panel 5: Borders

4:00-5:30 p.m.

Chair, Anthony Mora, University of Michigan Department of History & Program in American Culture

Kristina M. Campbell
University of the District of Columbia David A. Clarke School of Law
Rising Arizona: The Legacy of the Jim Crow Southwest on Modern Immigration Law and Policy

H. Timothy Lovelace Jr.
University of Virginia, Department of History & School of Law
Fair Play for William Worthy: Cuba, Human Rights, and Worthy v. United States

Chantel Rodriguez
University of Minnesota, Department of History

Comment:
Kif Augustine-Adams
Brigham Young University Law School

William J. Novak
University of Michigan Law School
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University of Pennsylvania Law School

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American Society for Legal History

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For additional information about the Program in Race, Law & History at the University of Michigan Law School visit
www.law.umich.edu/centersandprograms/racelawhistory