



LAW AND HISTORY WORKSHOP: FINAL PROGRAM

Location: Poet's Cove, South Pender Island
www.poetscove.com

Internet: www.HistoryOfRights.com/workshop.html

Date: 8 to 10 February 2008

All sessions take place in the **Seaglass II & III (Ballroom)** (unless otherwise specified).

Legal history is a vibrant and growing field of study, and yet there are a limited number of opportunities for scholars to meet in a single, interdisciplinary forum. The disciplinary divide between law, history, sociology, women's studies, political science and others remain strong. This weekend, scholars from around British Columbia and abroad will gather at Poet's Cove to find common ground and share their research in an interdisciplinary setting. The timing is propitious for holding a Law and History Workshop in British Columbia: The centenary of the British Columbia Court of Appeal is approaching in 2010 and the international Congress for the Social Sciences and Humanities will be hosted by the University of British Columbia in 2008.

The Workshop will encourage research and collaboration in the field of legal history and provide a venue for establishing new research networks. We also hope that the Workshop will be a useful forum for informally discussing prospects for creating a legal history society in Canada, organizing a national conference and developing Law and Society programs. The Workshop is composed of an equal number of early-career scholars and established scholars from numerous disciplines. In keeping with the workshop forum, the papers are available in advance from the conference website and all sessions will be full plenaries. The Workshop will follow this model: Each participant will provide a 15 minute summary of their research, followed by an extended discussion directly on that paper.

WORKSHOP CO-ORDINATORS

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SPONSORS

Osgoode Society for Canadian Legal History

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Vice-President Academic & Provost, UVic

Friday, 8 February 2008

6:00pm to 8:00pm

Informal Dinner and Drinks, Poet's Cove, *Syrens Lounge*

9:00pm – 10:00pm

Introductory Address: Dominique Clément and John McLaren

OPENING SESSION (*Syrens Lounge*): ABORIGINALITY AND THE LAW

Chair: Dominique Clément

- Catherine Bell (Alberta, Law) and Nathalie Kermoal (Alberta, Native Studies): Legal and Historical Foundations of Métis Aboriginal Rights in Northern Alberta

Saturday, 9 February 2008

8:00am to 10:30am	<p style="text-align: center;">BREAKFAST SESSION Sponsored by the Centre for Studies in Religion and Society, University of Victoria</p> <p style="text-align: center;"><i>Syrens Lounge</i></p>
Session # 1 Chair: John McLaren	RELIGION AND THE LAW
8:30am-8:45am	Robert Daum (UBC, Classical, Near Eastern & Religious Studies): Rabbinic Biography: Law and Story in the Case of Zechariah ben Ha- qatsav
8:45am-9:05am Discussion	
9:05-9:20	Andrew Wender (UVic, PolSci & History): Proprietorship as an Act of Faith: The Hidden Religious Meaning of Modern, Secular Property Law
9:20-9:40 Discussion	
9:40-9:55	Charlotte Smith (Law, University of Reading): Ridsdale v Clifton (1877) and the Debate about the Judicial Committee of the Privy Council as the Court of Final Ecclesiastical Appeal
9:55-10:15 Discussion	
10:15am-10:35am	Break: Return to <i>Seaglass Ballroom</i>
Session # 2 Chair: Hamar Foster	CRIME AND PUNISHMENT
10:35-10:50	Jonathan Swainger (UNBC, History): An Acceptable Level of Disorder: Alcohol and Crime in the Peace River Country of Northeastern British Columbia, 1909-1960
10:50-11:10 Discussion	
11:10-11:25	Lyndsay Campbell (UC Berkely, Law): To Sue or Not to Sue: The Sociolegal Context of Defamation Actions in Massachusetts and Nova Scotia, 1820-40
11:25-11:45 Discussion	

11:45-12:00am	Rick Clapton (UBC, Kelowna, History): Feigning Madness: The Mad 'Bastard' at the Top: Rex v. David Murdoch [1932]
12:00am-12:20am Discussion	
12:30pm to 2:30pm	Working Lunch (Sandwich Buffet), <i>Seaglass II & III</i>
Session # 3 Chair: Renisa Mawani	STATE POLICY
2:30-2:45	Doug Harris (UBC, Law): Land, Property, and Condominium in the City
2:45-3:05 Discussion	
3:05-3:20	Mark Willson (UVic, PolSci): The Un-housed in Canadian legal Discourses: A History of Struggle Over Identity and Social Place
3:20-3:40 Discussion	
3:40-3:55	Matt James (UVic, PolSci): Scaling Memory: Reparations, Federal Citizenship, and the Case of British Columbia
3:55-4:15 Discussion	
4:15-4:30	Coffee/Tea Break
Session # 4 Chair: Wes Pue	THE JUDICIARY
4:30-4:45	John McLaren (UVic, Law): The Perils of Judicial Tenure in Britain's Caribbean Colonies in the post-Emancipation Era, 1830-1890
4:45-5:05 Discussion	
5:05-5:20pm	Paul Garfinkel (SFU, History): Law and Order in Fascist Italy: A Juridical Seizure of Power?
5:20-5:40pm Discussion	
6:30pm to 8:00pm	DINNER/BANQUET: <i>Aurora Restaurant</i> HERSTORY WORKING GROUP: Jennifer Woodruff (Canadian Bar Association, Women Lawyers Forum)

Sunday, 10 February 2008

8:00am-8:30am	Continental Breakfast, <i>Seaglass Ballroom</i>
Session # 5 Chair: Andrea Geiger	WOMEN AND THE LAW
8:30am-8:45am	Annalee Lepp (UVic, Women's Studies) : 'Poor Family Men': Desertion, Non-Support, and Criminal Neglect in Late Nineteenth- and Early Twentieth-Century Ontario
8:45-9:05 Discussion	
9:05-9:20	Dominique Clément (UVic, History): Reconciling Human Rights with Feminism: The Dubious Success of Human Rights Law in Prohibiting Sexual Discrimination in British Columbia, 1953-1984
9:20-9:40 Discussion	
9:40-9:55	Dorothy Chunn (SFU – Sociology): "Into the rough of things": Women Lawyers in British Columbia 1912-1930
9:55-10:15 Discussion	
10:15am-10:30am	Coffee/Tea Break
Session # 6 Chair: Andrew Wender	LEGAL PRACTICE AND TRADITION
10:30-10:45	Wes Pue (UBC, Law): Civilizing the Wild Places in Britain & Canada: Lawyers and their Courts
10:45-11:05 Discussion	
11:05-11:20	Arlene Sindelar (UBC, History): Common Attorneys and Royal Patronage: Fourteenth-Century English Attorneys at the King's Command
11:20-11:40 Discussion	
11:40pm-12:30pm	Sandwich Buffet, <i>Seaglass II & III</i>

Session # 7 Chair: Jonathan Swaigner	RACE AND THE LAW
12:30-12:45	Renisa Mawani (UBC, Sociology): Heterogeneity, Interraciality and their Points of Convergence: Mapping Racial Difference in BC's Colonial Contact Zone
12:45-1:05 Discussion	
1:05-1:20	Hamar Foster (UVic, Law): The Power of the Word: Arthur Eugene O'Meara and the First Campaign for Aboriginal Title in British Columbia, 1908-1928.
1:20-1:40 Discussion	
1:40-1:55	Andrea Geiger (SFU, History): Citizenship on the Edges: Asians and Aboriginals in Early 20th Century Canada & the United States
1:55-2:25 Discussion	

*Saltspring Air seaplane will depart the Poet's Cove Marina at 3:00pm

*BC Ferries departs Otter Bay at 5:30pm (Swartz Bay) and 7:10pm (Tsawwassen)

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