

INSTITUTE FOR LEGAL RESEARCH
UNIVERSITY OF CALIFORNIA, BERKELEY

AND

WILLIAM S. BOYD SCHOOL OF LAW
UNIVERSITY OF NEVADA, LAS VEGAS

A SYMPOSIUM ON
“LAW, WAR, AND HISTORY”
AT BOALT HALL SCHOOL OF LAW

FRIDAY AND SATURDAY
FEBRUARY 16 - 17, 2007

Goldberg Room, 297 Boalt Hall
University of California, Berkeley

Conference organizers:

Harry N. Scheiber
University of California, Berkeley

David S. Tanenhaus
University of Nevada, Las Vegas

FRIDAY, FEBRUARY 16

Continental Breakfast – 8:30 am-9:00 am

Goldberg Room, 297 Boalt Hall, UC Berkeley

MORNING SESSION – 9:00 am-12:00 pm

Welcoming Remarks

Howard A. Shelanski, Associate Dean of Boalt Hall School of Law, UC Berkeley

Harry N. Scheiber, Director of the Institute for Legal Research and Professor of Law, UC Berkeley

David S. Tanenhaus, Professor of Law, University of Nevada, Las Vegas

Joan W. Howarth, Associate Dean of the Boyd School of Law, University of Nevada, Las Vegas

Keynote Speech

John Witte, Jr., Jonas Robitscher Professor of Law, and Director, Center for the Study of Law and Religion, Emory University

“Religion, Rights, and Resistance: Original Protestant Contributions to Western Theories of Revolution”

1. Law, War, and Moral Codes in the Ancient World

Chair: Maria Mavroudi, History, UC Berkeley and Princeton University

Adriaan Lanni, Harvard Law School

“The Laws of War in Ancient Greece”

Clifford Ando, Classics, University of Chicago

“Law, War, and Empire in Republican Rome”

Lunch – 12:00 pm-1:30 pm

Faculty Lounge, 336 Boalt Hall

AFTERNOON SESSION – 1:30 pm-4:30 pm

2. War and Religion: Comparative Perspectives

Chair: John T. Noonan, Jr., Judge, U.S. Court of Appeals for the Ninth Circuit

Lena Salaymeh, History, UC Berkeley

“Warfare in Early Islamic History: Jurisprudential Precedents”

David Holland, History, UNLV

“Covenants and Cataclysm: A Religious Interpretation of the American Civil War and Its Slavery Amendments”

3. Imperialism, Colonialism, and Legal Rights

Chair: David Lieberman, Law, UC Berkeley

Lauren Benton, History, New York University

“The Trouble with Quasi-Sovereignty: Indian Princely States and the Limits of Imperial and International Law”

Benedict Kingsbury and Kirsty Gover, Law, New York University

“Embedded Pluralism: Globalization and the Reappearance of Indigenous Peoples’ Cartographies”

3. Imperialism, Colonialism, and Legal Rights (continued)

Jennifer M. Spear, History, UC Berkeley

“Using the Faculties Conceded to Her by Law’: The Legal Acuity of Slaves in Spanish Louisiana”

Comment: Lawrence M. Friedman, Law, Stanford University

SATURDAY, FEBRUARY 17

Continental Breakfast – 8:45 am-9:15 am

Goldberg Room, 297 Boalt Hall, UC Berkeley

MORNING SESSION – 9:15 am-12:00 pm

4. Law and Justice After World War II

Chair: Richard Abrams, History, UC Berkeley

Elizabeth Borgwardt, History, Washington University

“Nuremberg Revisited: Historical Perspectives on Transitional Justice and the Rule of Law”

Yuma Totani, History, UNLV

“The Trial of Emperor Hirohito?: The Allied Occupation Policy”

Rande W. Kostal, Law, University of Western Ontario

“Laying Down the Law: The Legal Reconstruction of Germany and Japan, 1945-1952”

5. Law, War, and Human Rights

Chair: Raquel Aldana, Law, UNLV

Rosemary Foot, International Relations, St. Antony’s College, Oxford University

“Exceptionalism Again: The Bush Administration, the ‘Global War on Terror’ and Human Rights”

Eyal Benvenisti, Law, Tel Aviv University

“The Evolution of the Concept of Belligerent Occupation”

Lunch – 12:00 pm-1:30 pm

Faculty Lounge, 336 Boalt Hall

AFTERNOON SESSION – 1:30 pm-3:00 pm

6. The Law and Institutions of Conflict Resolution in International Law

Chair: John Briscoe, Briscoe Ivester & Bazel LLP

Christopher L. Blakesley, Law, UNLV

“Prosecution and Punishment as Institutions”

Richard M. Buxbaum, Law, UC Berkeley

“The Institutional Features of International Reparations”

Comment: Jonathan Simon, Law, UC Berkeley

The organizers gratefully acknowledge the contributions
of the following institutions and individuals:

Major Co-Sponsors

Office of Dean Christopher Edley, Jr.
Boalt Hall School of Law, UC Berkeley

Center for the Study of Law and Society
UC Berkeley

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