



Research Centers Newsletter, October 2019



Wisconsin Law Review Symposium, October 24-25, 2019

The Wisconsin Law Review will host its annual symposium on October 24 and October 25, 2019. The two-day symposium, chaired by Professor Andrew Coan (University of Arizona James E. Rogers College of Law) and co-sponsored by Professor David Schwartz (University of Wisconsin Law School), is entitled, "**Rationing the Constitution: How Judicial Capacity Shapes Supreme Decision-Making.**" The Symposium will explore the structural organization of the judiciary, the constraints of the Supreme Court, and the implications on U.S. Constitutional Law. The Symposium will be a public event consisting of 5 panels.



More information, including the schedule of events and a list of participants and sponsors, is available on the [Symposium website](#).

South Asia Legal Studies Workshop, October 17, 2019



The 13th Annual South Asia Legal Studies Workshop will take place from 8:45am - 5:30pm on Thursday, October 27 at the Law School. The brainchild of **Professor Mitra Sharafi**, this workshop is the only U.S. based annual workshop on South Asian legal issues. The first workshop was held in 2007, and since then it has attracted scholars and practitioners from across North America, South Asia, and Europe representing multiple disciplines.

The workshop's objective is to overcome a number of divides between scholars- particularly between researchers inside vs.

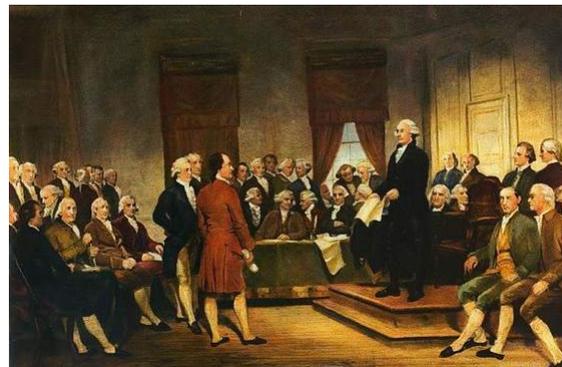
outside of law schools; inside vs. outside of South Asian institutions; and working on colonial vs. post-colonial subjects. The workshop facilitates interaction among junior and senior scholars; students and faculty; and academics and non-academics. Participation is through a call for papers.

[Register for the Fall 2019 Workshop by October 10, 2019](#)

[Learn more about the South Asia Legal Studies Workshop](#)

Wisconsin Discussion Group on Constitutionalism

The **Wisconsin Discussion Group on Constitutionalism**, hosted over the years by Professors Heinz Klug and David S. Schwartz at the Law School and Professor Howard Schweber in the Political Science Department and Legal Studies Program, is one of a series of events for a Discussion Group that has been meeting for more than two decades at various law schools across the country. Known informally as the "Schmooze," the workshop provides an opportunity for an informal conversation among constitutional scholars on a topic that is interesting and provocative. This is the eleventh year that a meeting of the Discussion Group is being held at Wisconsin.



The topic for this year's session is "**2019: Enumerationism and Its Discontents.**" This year's session will be hosted by **Professor David S. Schwartz**, Foley & Lardner-Bascom Professor of Law. Participation for this event is by invitation only. All UW Law faculty are eligible to participate and should register in advance.

For information about this year's workshop, please visit the **[Wisconsin Discussion Group on Constitutionalism Event Page](#)**.

For information on past workshops, please visit the **[UW Law School Repository](#)**.

Selected Upcoming Events

- **October 3, 2019:** Annual J. Jobe and Marguerite Jacqmin Soffa Lecture (GLS/HRP)
- **October 7, 2019:** GLS/HRP Speaker Carmen Gonzalez (GLS/HRP)
- **October 9, 2019:** Ideas & Innovations and Compliance Initiative Speaker Reuel Schiller (Dean's Office)
- **October 16, 2019:** Ideas & Innovations Speaker Kate Shaw (Dean's Office)
- **October 18-19, 2019:** Wisconsin Discussion Group on Constitutionalism (Dean's Office)
- **October 24-25, 2019:** Wisconsin Law Review Symposium (ILS)

For a complete list of upcoming events, visit: <http://law.wisc.edu/researchcenters/events.html>

Faculty Spotlight

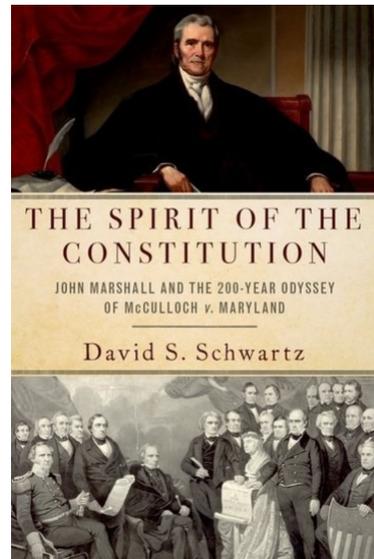
David Schwartz

David S. Schwartz is Foley & Lardner-Bascom Professor of Law. His research focusses on U.S. Constitutional Law, emphasizing the relevance of legal and political history for present-day constitutional interpretation.

His book titled ***The Spirit of the Constitution: John Marshall and the 200-Year Odyssey of McCulloch v. Maryland***, was just published by the Oxford University Press. The famous 1819 case of McCulloch, which upheld the constitutionality of the Second Bank of the United States, is regarded as one of the most important Supreme Court decisions in history, because it established the doctrine of implied federal powers. Yet, as Professor Schwartz demonstrates, the case almost immediately faded into obscurity for nearly 50 years after it was decided, and was only revived – and reinterpreted – to meet the political demands of later eras. In examining how McCulloch was subjected to changing interpretations throughout U.S. constitutional history, from 1819 to the present day, Professor Schwartz illuminates some of the most fundamental problems of American constitutional law, such as the impact that slavery and racial politics have had on the development of congressional powers jurisprudence.

As he completed the McCulloch project, Professor Schwartz was awarded the 2018 Lubar Research Chair to begin work on his next project, a history of the idea of limited enumerated powers. He has produced a series of papers thus far in 2019 arguing that the original understanding of the Constitution was to grant the federal government a power to address all national problems, whether or not strictly within the enumerated powers. He plans to write a book on this theme in the near future.

Aside from his own research, Professor Schwartz is hosting the 2019 Wisconsin Discussion Group on Constitutionalism as well as the 2019 Wisconsin Law Review Symposium, both in mid-October and featured in this newsletter. On November 22, he will take part in a debate on Originalism and limited enumerated powers co-sponsored by the Federalist Society and the American Constitution Society.



ILS Graduate Fellow Spotlight



Youbin Kang

Youbin Kang, Department of Sociology

Youbin Kang is a PhD student in the Department of Sociology. Her supporting faculty members are Gay Seidman and Jane Collins. Her research interests look at the intersections of work, regulation, and space. Her previous project looked at how transnational and national regulations have contributed to ameliorating working conditions for workers in the garment supply chain. In her dissertation project, she plans to examine how urbanization and technological development affects the regulation of public transportation in metropolitan areas.

With the ILS funds, Youbin translated a data-set of grievances filed by garment workers through a legal aid NGO in Bangladesh from 2004-2017 in order to look at how Rana Plaza, a building collapse that killed more than 1000 workers, affected workers' legal activity. The bulk of the money went towards further fieldwork in Dhaka in January 2019. Through interviews, she was able to pry deeper into the change in legal logic used by lawyers and judges, as well as

the attitude of workers that decide to file cases in court after the Rana Plaza disaster. During this time, she completed interviews with 30 individuals including lawyers, a judge, workers, NGOs, and trade union representatives.

Youbin enjoys the ILS Graduate Fellows Program because of the great mentorship, reading interdisciplinary work, and the community it provides.

News and Announcements

- The **Tommy G. Thompson Center Director (and Law School Affiliate) Ryan Owens** and **Professor Kenneth Mayer** recently released a **[podcast on impeachment](#)**.
- The **Wisconsin International Law Journal** has issued a call for proposals for the **2020 Wisconsin International Law Scholars Conference (WILSC)**. Proposals are due **October 15th**. Details are available on the **[WILJ webpage](#)**.
- **Save the Date:** The **Spring 2020 Mildred Fish Harnack Lecture** will take place on **Thursday, April 16th** at the Pyle Center.
- **Save the Date:** The **2020 ILS Midwest Law & Society Retreat** will take place **11/13 - 11/14** at the Pyle Center.
- Check out the new **[Wisconsin Law in Action podcast](#)** on the **Law School Library's** website.

