

2<sup>nd</sup> biennial conference  
of the  
**Canadian initiative in Law, Culture & the Humanities**

12-14 October 2007  
Carleton University  
Ottawa, Canada

**PROGRAMME**

Unless otherwise indicated, all rooms used for the Conference are in the University Centre on the Carleton University campus.

**FRIDAY 12 OCTOBER**

**8:00 a.m., outside Rooms 133 and 134**

Registration Desk opens.  
Coffee, tea, juice and breakfast will be available.

**8:45 – 9:00 a.m., Room 133**

Welcome and opening remarks.

**9:00 – 10:30 a.m. – Session 1**

**Panel 1-1, Room 133**

**Interpretation and Generating Judgment**

**Sieglinde Pommer**, Faculty of Law, McGill University

“Legal Hermeneutics: On the Role of Legal Translation for Understanding Bi- and Multilingual Law”

**Rémi Samson**, Legal Counsel, Supreme Court of Canada

“Legal Interpretation and Judgment Writing: A Critical Discourse Analysis Perspective”

**Elizabeth Judge**, Faculty of Law, University of Ottawa

“Precedent and Individual Opinion: Judges Judging Judgements and the Construction of Originality Within the Legal Canon”

**Panel 1-2, Room 134**

**Pain and Remembering**

**Alan Hunt**, Departments of Law and Sociology & Anthropology, Carleton University  
“Law and Emotion”

**Christiane Wilke**, Department of Law, Carleton University

“Unruly Shadows: The Legal and Social Afterlife of the Holocaust Trials”

**Doris Buss**, Department of Law, Carleton University

“The Search for the *Prime Suspect*: Doing International Justice after the Holocaust”

**10:30 - 11:00 a.m. – Refreshment Break, outside Rooms 133 and 134**

Light refreshments will be provided.

**11:00 a.m. – 12:30 p.m. – Session 2**

**Panel 2-1, Room 133**

**Binary Dilemmas: Law and Lawlessness in the Wild West**

**Karin Doerr**, Department of Classics, Modern Languages and Linguistics, Concordia University

“Victimhood in a Perpetrator Nation: The Case of Germany”

**Dianne George**, Department of Law, Carleton University

“Bear Experience: The Power of Ursus Major in Cree Thought”

**Diana Young**, Department of Law, Carleton University

“Law and the Foucaultian Wild West in Michael Cimino’s *Heaven’s Gate*”

**Panel 2-2, Room 134**

**Blood, Identity, and Conflict**

**Shoshana Magnet**, Institute of Communications Research, University of Illinois at Urbana-Champaign

“Making the U.S.-Canada Border Newly Visible”

**Neil Gerlach**, Department of Sociology and Anthropology, Carleton University, and

**Sheryl Hamilton**, Department of Law and School of Journalism and Communication, Carleton University

“Supernatural Bureaucracy: Controlling Excess with Legal Rationality in Dark Fantasy Literature”

**Debra Thompson**, Department of Political Science, University of Toronto

“The Purity of Blood: The (Multi-)Racial Discourses of Harry Potter”

**12:30 – 2:00 p.m. – Lunch Break, Room 133**

A light buffet luncheon will be provided outside Rooms 133 and 134 for all conference participants. During lunch, a short discussion will take place in Room 133 to inform conference participants about ongoing plans for the Canadian Initiative in Law, Culture & the Humanities.

**2:00 – 3:30 p.m. – Session 3**

**Panel 3-1, Room 133**

**Once Upon a Time in the Law: Legal Story Telling**

**Eric H. Reiter**, Department of History and Law and Society, Concordia University

“Fact, Narrative, and the Legal Uses of History”

**Erika Chamberlain**, Faculty of Law, University of Western Ontario

“More than ‘mere rhetorical flourish’: Lord Atkin’s use of the Good Samaritan parable in *Donoghue v. Stevenson*”

**Jonathan McKay**, Department of English, Queen’s University

“Pre-Text and Precedent: The Turn to Literature in the Legal Allegories of Derek Bell and the Dworkin-Fish Debate”

**Panel 3-2, Room 134**

**Regulating Culture and Communication**

**Oumar Kane**, Communication Studies, University of Québec at Montréal

“Telecommunications ‘Regulation’ and the Senegalese Postcolonial State: A Transdisciplinary Approach”

**Andrew McDougall**, Lang Michener, Toronto

“Where’s UNTOC? The Role of the *United Nations Convention Against Transnational Organized Crime* in Controlling the Global Underground Art Market”

**Aliaa Dakroury**, School of Journalism and Communication, Carleton University

“Telecommission Studies (1969-1971): A History of the Right to Communicate in Canada”

**3:30 – 4:00 p.m. – Refreshment Break, outside Rooms 133 and 134**

Light refreshments will be provided.

**4:00 – 5:30 p.m. – Session 4**

**Panel 4-1 – Room 133**

**Roundtable on Current Issues in Copyright**

**Samuel Trosow**, Faculty of Law and Faculty of Information and Media Studies,  
University of Western Ontario

**Laura J. Murray**, Department of English, Queen’s University

**Sheryl Hamilton**, Department of Law and School of Journalism and Communication,  
Carleton University

**Teresa Scassa**, Faculty of Law, University of Ottawa

**Participant 5** – to be announced

**5:30 – 7:00 p.m. – Conference Reception, Atrium Level**

A wine and cheese reception will be held for all conference participants.

**7:30 p.m. Dinner at an Italian restaurant. Location to be announced.**

**Pre-notification required. See Registration Form.**

**SATURDAY 13 OCTOBER**

**8:30 a.m., outside Rooms 133 and 124**

Coffee, tea, juice and breakfast will be available.

**9:00 – 10:30 a.m., Session 5**

**Panel 5-1, Room 133**

**Imagining Rights**

**Maya Sabatello**, School of Continuing and Professional Studies, New York University

“Legislating Sexuality in the Context of International Disability Rights”

**Maneesha Deckha**, Faculty of Law, University of Victoria

“Defining the Human Through the Animal Other: Commodification and Species Anxiety in the *Assisted Human Reproduction Act*”

**Irina Mihalache**, School of Journalism and Communication, Carleton University

“From Culture to ‘Cultural’ Regulation in France: 1980s and the Socialists”

**Panel 5-2, Room 134**

**(Re)Negotiating Cultural Pluralism I**

**Ellen Desmond**, In-House Counsel, New Brunswick Energy Utility Board

“One Law for All – The Demise of Religious Arbitration”

**Marie Ashe**, Suffolk University Law School

“‘Women Question(s)’ for Law & Religion: A Post-Pluralism Project”

**Vaughan Black and Sheila Michelle Wildeman**, both of the Faculty of Law, Dalhousie University

“Culture and Damages”

**10:30 – 11:00 a.m., Refreshment Break, outside Rooms 133 and 134.**

Light refreshments will be provided.

**11:00 a.m. – 12:30 p.m., Session 6**

**Panel 6-1, Room 133**

**Constituting Legal History**

**Ed Morgan**, Faculty of Law, University of Toronto

“Sunshine Cases of a Little Constitution”

**Nicole O’Byrne**, Faculty of Law, University of Victoria

“The Constitutional Responsibility of Métis Scrip: A Study of Political and Legal Culture”

**Frances Widdowson**, Department of Politics, Trent University

“The Political Economy of Aboriginal ‘Customary Law’”

**Panel 6-2, Room 134**

**(Re)Negotiating Cultural Pluralism II**

**Marie Hockenhull-Smith**, Sheffield Hallam University

“‘A slave in your turn’: Marivaux, Freud and Reparation”

**Kerri A. Froc**, Legislation and Law Reform Directorate, Canadian Bar Association

“Multidimensionality and the Matrix -- A New Theoretical Model of Oppression for *Charter* Cases”

**Christina M. Harrison Baird**, Department of Law, Carleton University

“‘Exhausting the Alternatives’: Efforts by the US Government to Circumscribe the Prohibition of Torture: An Examination of International Law, US Policy and Modern American Culture”

**12:30 – 2:00 p.m. – Lunch Break, outside Rooms 133 and 134**

A light buffet luncheon will be provided for all conference participants.

**2:00 – 3:30 p.m., Session 7**

**Panel 7-1, Room 133**

**Kids and Crimes**

**Reza Barmaki**, Department of Sociology, York University

“The Canadian Dream, Capitalism and the Canadian State: The Structural Conditions of Youth Gambling in Canada”

**Charlene Elliott**, School of Journalism and Communication, Carleton University

“Kid-visible: Childhood Obesity, Body Surveillance and the Techniques of Care”

**Aaron Doyle**, Department of Sociology and Anthropology, Carleton University

“The Mediatization of Criminal Justice: Contemporary Examples”

**Panel 7-2, Room 134**

**States, Exceptions, and Universality**

**Susan Brophy**, Social and Political Thought, York University

“Lawless Sovereignty: Challenging the State of Exception”

**Anne Quéma**, Department of English, Acadia University

“Authority and Authorship: Interaction Between Law and Deliberative Democracy”

**Peter Swan**, Department of Law, Carleton University

“Nomos and Normativity: Law, Social Theory and the Humanities”

**3:30 – 4:00 p.m., Refreshment Break, outside Rooms 133 and 134**

Light refreshments will be provided.

**4:00 – 5:30 p.m., Session 8**

**Panel 8-1, Room 133**

**Visualizing Forms of Justice**

**João Velloso**, Criminology, University of Ottawa

“From Secret Evidence to Alternative Dispute Resolution – notes about the heterogeneity of the institutional forms”

**Jennifer Schulz**, Faculty of Law, University of Manitoba

“Law and Popular Culture: Where are the Mediators?”

**Panel 8-2, Room 134**

**The Esoteric Dialogue Between Carl Schmitt and Leo Strauss**

**Adam Sitze**, Department of Law, Jurisprudence and Social Thought, Amherst College

“The Miracle as a Problem for the Philosophy of Law”

**Barret Weber**, Department of Sociology, University of Alberta

“Challenging Consensus: Strauss, Schmitt and Hobbes”

**Craig McFarlane**, Department of Law, Carleton University

“Hobbes and the Theologico-Political Problem”

**6:30 – 11:00 p.m.**

**“Dinner and a Movie”, room to be announced, Les Suites Hotel, 130 Besserer Street (at Dalhousie).**

**Note: Pre-Registration required for this event. See Registration Form.**

Buffet East Indian dinner will be available from 6:30 – 7:30 p.m. Following dinner, **Orit Kamir** of Hebrew University and author of *Framed: Women in Law & Film* (Duke University Press, 2006) will introduce the movie *Nuts* (1987) followed by a viewing of the film and a discussion lead by Prof. Kamir.

## **SUNDAY 14 OCTOBER**

**9:00 a.m., outside Rooms 133 and 134**

Coffee, tea, juice and breakfast will be available.

**9:30 – 11:00 a.m., Session 9**

### **Panel 9-1, Room 133**

#### **The Legal Imaginary in the Novels of Thomas Hardy**

**Diana Majury**, Department of Law, Carleton University

“The Symbolic Significance of Law in *Desperate Remedies*”

**Logan Atkinson**, Department of Law, Carleton University

“The Firmity-Woman and the Magistrate: Law and Perception in *The Mayor of Casterbridge*”

**Neil Sargent**, Department of Law, Carleton University

“Living Common Law in Thomas Hardy’s Wessex: Between the Real and the Imaginary of Law”

### **Panel 9-2, Room 134**

#### **Authors and Authenticity**

**Laura J. Murray**, Department of English, Queen’s University

“Copyright’s Counterparts: Thoughts on Non-market Citation Economies”

**Samuel Trosow**, Faculty of Law and Faculty of Information and Media Studies,  
University of Western Ontario

“The Role of Incentives in a Critical Theory of Intellectual Property Policy”

**Caroline Habluetzel**, Department of Art History and Communication Studies, McGill  
University

“Signatures: The Changing Legal and Cultural Appreciation of Physical  
Authenticity”

**11:00 – 11:30 a.m., Refreshment Break, outside Rooms 133 and 134**

Light refreshments will be provided.

**11:30 a.m. – 1:00 p.m., Session 10**

### **Panel 10-1, Room 133**

#### **The Rules of Representation**

**Marie-Eve Sylvestre**, Faculty of Law, University of Ottawa

“Policing Disorder in Montreal and Rio de Janeiro: The Interaction Between  
Law, Politics, Culture and Practices and their Promise for Ensuring Homeless  
People’s Rights and for Social Change”

**John McKay**, Osgoode Hall of York University

“The Filmic *Favela*, Street Knowledge, and the (Im)possibility of Law”

**Susan Haslip**, Faculty of Law, University of Ottawa, and **Victoria Edwards**,

Department of National Defence, Government of Canada

“Addressing the Appropriation of Aboriginal Symbols: The Intersections  
Among Law, Culture and the Humanities”

**Panel 10-2, Room 134**

**Knowers, Knowing and the Known: Legal Methodology**

**Angela Campbell**, Faculty of Law, McGill University

“Feminist Method in Bountiful”

**Angela Cameron**, Faculty of Law, University of Victoria

“Methodology in Socio-Legal Projects: Dorothy Smith on Interviewing and Reading”

**Gillian Calder**, Faculty of Law, University of Victoria

“Embodied Law: Theatre of the Oppressed in the Law School Classroom”

**1:00 – 1:15 p.m., Room 134**

Closing comments.