EVENT: Inaugural Law vs. Antisemitism Conference (virtual; March 14-15, 2022)

Discussion published by Jonah Rank on Saturday, March 12, 2022

The following information has been copied and pasted from https://mckinneylaw.iu.edu/events/current.html?eid=854

Monday, March 14, 2022 - Tuesday, March 15, 2022

Special Event
Law vs. Antisemitism: Inaugural Conference

CLE: 6.0 (IN PERSON ONLY) HOURS

Time: See schedule
Location: Wynne Courtroom and atrium, Inlow Hall, 530 W. New York Street, Indianapolis, IN
Contact: Katherine Lundblade at kathlund@iu.edu or 317-274-1913

SPEAKERS’ MATERIALS UPLOAD

REGISTRATION:

- **Virtual-only attendance** (no CLE available): free; https://mckinneylaw.iu.edu/machform/view.php?id=335809
- **IU faculty, staff, and students** may attend in person at no cost (CLE available): https://mckinneylaw.iu.edu/machform/view.php?id=335809
- **Invited Guests (Jewish Faculty and Staff Council (JFSC) advisory board and others)** may attend in person at no cost (CLE available): https://mckinneylaw.iu.edu/machform/view.php?id=335809

Continental breakfast and box lunch included for all in-person attendees.
*PLEASE NOTE SOME CONTENT WILL ONLY BE AVAILABLE ONLINE. ALL INDIANA CLE CREDIT WILL ONLY BE AVAILABLE FOR IN PERSON ATTENDANCE (IN PERSON SESSIONS WILL ALSO BE AVAILABLE ONLINE BUT NOT FOR CLE CREDIT).
EVENT DESCRIPTION:

Antisemitism is more than a hatred and a practice -- it's a legal phenomenon. Join legal scholars and experts at the Law vs. Antisemitism Inaugural Conference as they discuss how law has been used both to perpetrate and to combat antisemitism, historically and today. US law in particular has been used to fight antisemitism through the constitutional separation of church and state, anti-discrimination laws, and “hate crimes” laws, among other means. Despite these laws, there has been a recent resurgence in anti-Jewish violence and antisemitism more generally, ranging from online...
hate speech to cemetery desecration to attacks on synagogues. What does this tell us about the efficacy of law in combating antisemitism?

The Conference will be held at IU Robert H. McKinney School of Law on March 14-15, 2022, and will be broadcast live online. It will consist of the panels and speakers listed below. It is hosted by IU McKinney and the Indiana Journal of Law and Social Equality. The Conference conveners are Robert Katz, IU McKinney Professor of Law and John S. Grimes Fellow and Prof. Diane Klein, Visiting Professor of Law (remote), Southern University Law Center. The Conference is presented by the Law vs. Antisemitism Project, a nonprofit organization founded by Professors Katz and Klein.

The Conference is sponsored by the Indiana State Bar Association, the Indianapolis Bar Association, and the IUPUI Jewish Faculty and Staff Council. Additional support is provided by Cohen & Malad, LLP, Hoover Hull Turner LLP, Ice Miller LLP, the Indianapolis Jewish Community Relations Council, Katz Korin Cunningham PC, Kosene & Kosene Development Co., Mitchell Dick McNelis LLC, and the Academic Engagement Network (AEN). Breakfast and lunch provided by Bagel Fair and Shapiro's Delicatessen.

The conference program includes the following sessions (as of February 16, 2022):

PRELIMINARY/DRAFT AGENDA (subject to change):

MONDAY, MARCH 14, 2022
IN PERSON SCHEDULE WITH CLE - IU Robert H. McKinney School of Law
Wynne Courtroom, Inlow Hall
VIRTUAL OPTION: Monday's in-person content is also available virtually, but not for CLE credit
*Note all times are Eastern Daylight Savings Time
Participants in virtual events must register to receive access

8:00 - 8:45am
Registration/Breakfast
Continental Breakfast donated by Bagel Fair
WELCOME REMARKS:
IUPUI, Robert H. McKinney School of Law, and Bar Associations
Zoom Registration
• Robert Katz, Conference Convener, Professor of Law, IU McKinney School of Law

8:45 - 9:05am
• Karen Dace, Ph.D., IUPUI Vice Chancellor for Diversity, Equity and Inclusion
• Michael J. Pitts, J.D., Vice Dean, IU McKinney School of Law
• Amanda Siegel, Ph.D., IUPUI Jewish Faculty and Staff Council
• Clayton Miller, J.D., President, Indiana State Bar Association
• Rebecca W. Geyer, President, Indianapolis Bar Association
PLENARY SESSION 1 - What is Antisemitism?
Zoom Registration
• Introduction by Diane Klein, Visiting Professor of Law (Remote), Southern University Law Center
• Derek Penslar, "What is antisemitism? Comparing the IHRA, Nexus, and Jerusalem Declaration Definitions", William Lee Frost Professor of Jewish History, Harvard University
### 10:05 - 10:15am  
**Morning Break**

### 10:15 - 11:15am  
**Fighting Antisemitism: The View from Indiana & The Midwest**

*Zoom Room A Registration*

- **Robert Katz** (IU McKinney School of Law)
- **Dr. Dennis Sasso**, Senior Rabbi of Congregation Beth-El Zedeck, Indianapolis
- **Rabbi Brett Krichiver**, Senior Rabbi of Indianapolis Hebrew Congregation
- **Trent Spoolstra**, Associate Regional Director, Jewish Community Engagement & Young Leadership Development, Anti-Defamation League Midwest
- **Grant Mendenhall**, Community Security Director for the Indianapolis Jewish Community; former FBI Special Agent

*Secure Community Network Video*

- **Miriam Dant**, Board President, Indianapolis Jewish Community Relations Council (JCRC)

### 11:15am - 12:00pm  
**LUNCH Break**

Lunch donated by Shapiro's Delicatessen

### 12:00pm - 1:00pm  
**PLENARY SESSION 2- Antisemitism: A View From The Bench**

*Zoom Registration*

- **The Hon. Randall Shepard**, Chief Justice (ret.), Indiana Supreme Court, “Using State Law and State Constitutions to Fight Antisemitism”
- Introduction by Hon. **Ezra Friedlander**, Senior Judge, Indiana Court of Appeals
- **Moderator: Robert Katz** (IU McKinney School of Law)

### 1:00 - 1:15pm  
**1st Afternoon Break**

### 1:15 - 2:15pm  
**Post-Holocaust Litigation and Reparations**

*Zoom Room A Registration*

- **Moderator: Jennifer Thuma** (State of Indiana DLGF)
- **Richard Shevitz**, Cohen & Malad, LLP; Holocaust Claims Litigator
- **Reut Yael Paz, Ann-Kathrin Steger, and Anna Pingen**, “Combating Antisemitism in Court: Germany, France, Poland and the UK 1945-1955” (Justus-Liebig-Universitat Giesen (Germany))

### 2:15 - 2:30pm  
**2nd Afternoon Break**

### 2:30 - 3:30pm  
**Jews in American Courts in the Late 19th/Early 20th Century**

*Zoom Room A Registration*

- **Moderator: Robert Katz** (IU McKinney School of Law)
- **Britt Tevis**, “The Ubiquitous Jewish Shyster and the Myth of Disproportionality” (IU Bloomington)
- **Mia Brett**, “The Oath of a Jew’: Anti-Jewish Bigotry and Stereotypes in Criminal Courtrooms in the United States” (independent scholar)
- **David Schraub**, Epistemic Antisemitism” (Lewis & Clark School of Law)

### 3:30 - 3:45pm  
**Final Afternoon Break**
Hate Speech and Its Regulation Under the 1st Amendment
Zoom Room A Registration
- Moderator: Robert Katz  (IU McKinney School of Law)
- Discussant: Kenneth L. Marcus  (Louis D. Brandeis Center for Human Rights Under Law)
- Michael Conklin, “The Overlooked Benefits of Allowing ‘Hate Speech’: A Case Study” (Angelo State University, Texas)
- Steven Resnicoff, “Regulating Harmful Speech: Revising Brandenburg For the 21st Century” (DePaul University School of Law)

3:45 - 4:45pm
(M-6A)

MONDAY, MARCH 14, 2022
VIRTUAL WEBINAR SCHEDULE WITH NO CLE - IU Robert H. McKinney School of Law
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WELCOME REMARKS:
IUPUI, Robert H. McKinney School of Law, and Bar Associations
Zoom Registration
- Robert Katz, Conference Convener, Professor of Law, IU McKinney School of Law
- Karen Dace, Ph.D., IUPUI Vice Chancellor for Diversity, Equity and Inclusion
- Michael J. Pitts, J.D., Vice Dean, IU McKinney School of Law
- Amanda Siegel, Ph.D., IUPUI Jewish Faculty and Staff Council
- Clayton Miller, J.D., President, Indiana State Bar Association
- Rebecca W. Geyer, President, Indianapolis Bar Association

PLENARY SESSION 1 - What is Antisemitism?
Zoom Registration
- Moderator: Diane Klein, Visiting Professor of Law (Remote), Southern University Law Center
- Derek Penslar, “What is antisemitism? Comparing the IHRA, Nexus, and Jerusalem Declaration Definitions” (Harvard University)

9:05 - 10:05am
(M-1P)

10:05 - 10:15am
Morning Break

Jews and the Legal Profession in Europe Before WWII
Zoom Room B Registration
- Moderator: Eli Wald (University of Denver, Strum College of Law)
- Barbara Lorenz, “Between Austria and the United States: The Life of Marianne Beth (1890-1984), the First Female Austrian Lawyer“ (University of Graz (Austria))
- Péter Buchmüller, “The Social and Intellectual History of the Hungarian Far-Right Association of Lawyers” (Central European University (Austria))

10:15 - 11:15am
(M-2B)

11:15am - 12:00pm LUNCH Break
PLENARY SESSION 2 - Antisemitism: A View From The Bench  
**Zoom Registration**

12:00pm - 1:00pm  
(M-3P)  
**The Hon. Randall Shepard**, Chief Justice (ret.), Indiana Supreme Court  
“Using State Law and State Constitutions to Fight Antisemitism”  
• Introduced by Hon. **Ezra Friedlander**, Senior Judge, Indiana Court of Appeals

1:00 - 1:15pm  
1st Afternoon Break

International Boycotts of Israel  
**Zoom Room B Registration**

1:15 - 2:15pm  
(M-4B)  
• **Bashar Malkawi**, “The League of Arab States Trade Boycott of Israel: Impractical and Unjust” (University of Arizona, James E. Rogers College of Law)  
• **Batsheva Neuer**, “Is Israel A Superpower?” (Hebrew University of Jerusalem)  
• **Monika Polzin**, “Wine and Prejudice: The Psagot Case” (Wirtschaftsuniversität Wien (Austria))

2:15 - 2:30pm  
2nd Afternoon Break

Author Meets Reader:  
**Zoom Room B Registration**

2:30 - 3:30pm  
(M-5B)  
• **Jared Goldstein**, Real Americans (2021)  
• **Jared Goldstein**, (Roger Williams University School of Law)  
• **Jason Neidleman**, (University of La Verne)

3:30 - 3:45pm  
Final Afternoon Break

Hate Speech and Its Regulation Under the 1st Amendment  
**Zoom Room B Registration**

3:45 - 4:45pm  
(M-6B)  
• **Eli Wald**, “Jewish Lawyers and the Fight Against Antisemitism” (University of Denver School of Law)  
• **Steve Ross**, “The War Against Hate: American Resistance to White Supremacy After 1945” (University of Southern California)

TUESDAY, MARCH 15, 2022  
**LAW vs. ANTI-SEMITISM VIRTUAL WEBINAR**  
**IU Robert H. McKinney School of Law**  
*Note all times are Eastern Daylight Savings Time*  
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**T-1A: Jews and Adoption Law**  
*Zoom Room A Registration*  
- Moderator: **Robert Katz** (IU McKinney School of Law)  
- **Elizabeth Katz**, “Religion and Child Welfare Placements” (Washington University St. Louis School of Law)  

**9:00 - 9:50 am**  
**Break**

**T-1B: Protecting Jews Under UK Civil Rights Law**  
*Zoom Room B Registration*  
- Moderator: **David Fraser** (University of Nottingham, UK)  
- **Lesley Klaff**, “The Legal Construction of Jewish Identity as a ‘Protected Characteristic’ in Section 26 Equality Act 2010 (UK)” (Sheffield Hallam UK)  
- **Clément Labi**, “Are Jews Protected as an ‘Ethnic,’ A ‘Religious’ or an ‘Ethnoreligious’ Group in the Eyes of UK Civil Rights Law?” (University of Luxembourg)

**10:00 - 11:00 am**  
**T-2A: German Law, Then and Now**  
*Zoom Room A Registration*  
- Moderator: **Jennifer Thuma** (State of Indiana DLGF)  
- **Reut Yael Paz**, “Friedrich Carl von Savigny (1779–1861)” (Justus-Liebig-Universität Gießen (Germany))  
- **David Patterson**, “Legalizing Murder: Antisemitism, the Holocaust, and Nazi Notions of Law” (University of Texas at Dallas)  
- **Shawn Boyne**, “‘Stumbling Over the Past’: What Lessons does the Re-Birth of Anti-Semitism in Germany hold for the U.S.?” (Iowa State University)

**T-2B: Looking (Too) Jewish: Antisemitism and Visual Representations of Jewish Identity**  
*Zoom Room B Registration*  
- Moderator: **Diane Klein** (Southern University Law Center)  
- **Jonah Rank**, “In Fashions & Out Fashions: Jewish Textual and Communal Responses to the Illegalization of Appearing Jewish” (Education Director at Kehilat HaNahar, Pennsylvania)  

**11:00 - 11:10 am**  
**Break**
T-3A: Antisemitism on College Campuses: Legal and Non-Legal Interventions

**Zoom Room A Registration**

- **Moderator:** [Shawn Boyne](#)
- **Miriam F. Elman,** “BDS as a Threat to Academic Freedom and Campus Free Speech in the U.S.” (Syracuse University and the Academic Engagement Network)
- **Daniel Gordon,** “Academic Freedom and the Limits of Law in Combating Antisemitism on Campus” (University of Massachusetts Amherst)
- **Mattie Harris,** “Experimental Estimates of the Impacts of a Study Abroad Program to Israel on Perceptions and Knowledge of Antisemitism” (University of Arkansas)
- **Ethan Katz,** “Antisemitism in Our Midst: Past and Present” (University of California Berkeley)
- **Kenneth L. Marcus,** “The Federal Government’s Role in Combating Antisemitism on Campus” (Louis D. Brandeis Center for Human Rights Under Law)

11:10am - 12:40pm

12:40 - 1:40pm  **LUNCH Break**

1:40 - 2:50pm  **T-4A: Antisemitism and the First Amendment Religion Clauses: Theory and Practice**

**Zoom Room A Registration**

- **Moderator:** [Andy Klein](#) (IUPUI Interim Chancellor, IU McKinney School of Law)
- **Stephen Feldman,** “A Brief History of Changing Conservative (Judicial) Politics, and the Transformation of Supreme Court Religious Freedom Cases” (University of Wyoming College of Law)
- **Robert Katz,** “The Cincinnati Bible War of 1869 and the Origins of the Separationist Creed” (IU McKinney School of Law)
- **Yitzhak Mor,** “Catholic Neo-Conservative Criticism of the Jewish ‘Separationist Faith’: Antisemitism and the First Amendment to the Constitution” (Hebrew University of Jerusalem)

T-3B: Anti-Zionism and Antisemitism

**Zoom Room B Registration**

- **Moderator:** [Derek Penslar](#) (Harvard University)
- **Assaf Derri,** “Combating Anti-Semitism Through Improved Understanding of the Law of Self-Determination” (College of Management Academic Studies, Rishon Lezion Israel)
- **Mark Goldfeder,** “Antisemitism and Anti-Zionism” (American Center for Law and Justice)
- **Kenneth Stern,** “Anti-Zionism, Antisemitism, and the Fallacy of Bright Lines” (Bard College)
- **Russell Shalev,** “Anti-Zionism and Critical Race Theory” (Kohelet Policy Forum, Israel)
- **Lothar Zechlin,** “Anti-Semitism and Criticism of Israel. A Sensitive Distinction in the Light of German and International Jurisprudence” (Universität Duisburg Essen (Germany))
- **Stephen Zunes,** “Anti-Semitism and the Palestine Solidarity Movement: What’s Real, What’s Not, and Why It Matters” (University of San Francisco)

**T-4B: No Space for Jews [Jews and Public Accommodations/Zoning Law]**

**Zoom Room B Registration**

- **Moderator:** [Diane Klein](#) (Southern University Law Center)
- **Britt Tevis,** “Reincorporating American Jews into Public Accommodations Scholarship” (IU Bloomington)
- **Michael Lewyn,** “Avoiding Zoning Conflicts Through ‘Smart Growth’ Strategies For Haredim” (Touro Law Center)
- **Alan Weinstein,** “The Use of Zoning and Land-Use Law by and against Jewish Communities, The Regulation of Physical Space for Jews in America” (Cleveland Marshall College of Law, Cleveland State University (emeritus))

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2:50 - 3:00pm
Break

T-5A: Using Law Against Antisemitic Speech
Zoom Room A Registration
- Moderator: Robert Katz (IU McKinney School of Law)
- Victoria Woeste, “The Henry Ford Libel Trial, the International Jew, the Protocols, and ‘fake news’” (independent scholar)
- Carol King and Gaylen Ross, “Sapiro: The Jew Who Sued Henry Ford”
- David Fraser, “People v. Edmonson (N.Y. 1938): Criminal Libel as a Strategy of Jewish Legal Self-Defense Against Antisemitic Nazi Speech” (University of Nottingham, UK)
- Tanya Gersh, “Tanya Gersh v. Andrew Anglin, Publisher of the Daily Stormer (D. Montana 2018)”

3:00 - 4:20pm
T-5B: Critical Race Theory (CRT), Jews, and Antisemitism
Zoom Room B Registration
- Moderator: Diane Klein (Southern University Law Center)
- Jonathan Judaken, “Is Anti-Semitism Racism?” (Rhodes College)
- Daniel Rubin, “HebCrit: A New Dimension of Critical Race Theory” (University of California Riverside (Extension))
- David Schraub, “White Jews: An Intersectional Approach” (Lewis & Clark School of Law)

4:20 - 4:30pm
Break

4:30 - 5:45pm
T-6P: PLENARY SESSION 3: Blind Justice in the Golden Land & CLOSING REMARKS
Zoom Registration
- Lila Corwin Berman (Temple University)
- James Loeffler (University of Virginia)
- Robert Katz (IU McKinney School of Law)
- Diane Klein (Southern University Law Center)