

## SUSANNA BLUMENTHAL

### *ACADEMIC APPOINTMENTS*

---

#### **University of Minnesota**

Law School and Department of History                      Associate Professor (with tenure), 2007-present

Courses taught include Criminal Law; American Legal History; The Concept of the Person; Law, State, & Society; and the Legal History Workshop.

Lampert Fesler Fellow, 2007-2008

#### **University of Michigan**

Assistant Professor, 2000- 2006

Law School

Courses taught include Criminal Law; American Legal History; The Concept of the Person; and the Legal History Workshop. I have also supervised independent study with a number of law and history graduate students, and currently serve on the committee of JD-PhD student. Law school service has included: Clerkship Coordinator; Admissions/Financial Aid Committee; Clinics Committee. University service has included: Advisory Board, UM Initiative on Disability Studies; Faculty Associate, Science, Technology, Medicine & Society Program.

Edwin N. West Faculty Recognition Award, 2003

L. Hart Wright Award for Excellence in Teaching, Nominee, 2001-2002

### *AWARDS and FELLOWSHIPS*

---

Sargent-Faulx Fellow, Radcliffe Institute for Advanced Study at Harvard University, Cambridge, MA. 2003-2004

Andrew W. Mellon Fellowship for Junior Faculty, American Council of Learned Societies. 2003-2004

American Academy of Arts & Sciences Fellowship, Cambridge, MA. 2003-2004 – declined

Lloyd Lewis Fellowship in American History, Newberry Library, Chicago, IL. 2003-2004 – declined

Postdoctoral Fellowship, Princeton Center for the Study of Religion, Princeton, NJ. 2003-2004 – declined

Faculty Fellowship, Institute for the Humanities, University of Michigan, Ann Arbor, MI. 2003-2004 – declined

Pew Program in Religion and American History Dissertation Fellowship, Yale University, New Haven, CT. 1998-1999

Samuel I. Golieb Fellowship, New York University School of Law, New York, NY. 1996-1997

Olin Foundation Summer Research Fellowship, Yale Law School, New Haven, CT. Summer 1996

Legal History Fellow, Yale Law School, New Haven, CT. 1995-1996

Travel Grant for Research, Yale University, Department of History. Fall, 1996

John F. Enders Research Grant, Yale University. 1996

Andrew W. Mellon Fellowship, Center for the Study of New England History, Massachusetts Historical Society. September 1997

## PUBLICATIONS

---

### ***Books***

*Law and the Modern Mind: Consciousness and Culpability in American Legal Culture* (forthcoming, Harvard University Press)

*The Apprehension of Fraud in Nineteenth-Century American Law* (work-in-progress)

### ***Articles***

“Domesticity and Distrust: Discerning Deceit in the Nineteenth-Century Courtroom.” (work-in-progress)

“Death by his own hand’: Accounting for Suicide in Nineteenth-Century Life Insurance Litigation.” (work-in-progress)

“The Presumption of Sanity,” (forthcoming, Queen’s Law Journal, symposium issue from the conference, “Emerging Paradigms of Rationality: Theory and Applications”)

“Moral Sense and Insensibility: The Excuse of Moral Insanity,” (forthcoming, Brooklyn Law Review, symposium issue from the conference, “Is Morality Universal and Should the Law Care?”)

“The Mind of the Moral Agent’: Scottish Common Sense and the Problem of Responsibility in Nineteenth-Century American Law,” 26 *Law and History Review* (Spring 2008), pp. 99-159, appearing as the issue’s “forum” essay, along with two commentaries by other scholars and my response)

“Metaphysics, Moral Sense, and the Pragmatism of the Law,” 26 *Law and History Review* (Spring 2008)(response to commentators), pp. 177-85.

“The Default Legal Person.” 54 *UCLA Law Review* (June 2007), pp. 1135-1265.

“The Deviance of the Will: Policing the Bounds of Testamentary Freedom in Nineteenth-Century America,” in 119 *Harvard Law Review* (February 2006), pp. 959-1034.

“Law and the Creative Mind, 74 *Chicago-Kent Law Review* (1998) (published in 2000), pp. 151-228.

“‘The Tempest in My Mind’: Cultural Interfaces between Psychiatry and Literature, 1844-1900,” in *The Journal of the History of the Behavioral Sciences* (January 1995), pp. 3-34.

## EDUCATION

---

**Yale University**, Department of History

Ph.D.; November, 2001

*Dissertation Topic:* “Law and the Modern Mind: The Problem of Consciousness in American Legal History”; Committee: David Brion Davis, (Director); Jon Butler; Robert W. Gordon

*General Examination Fields:*

American Politics, Culture, and Society, 1776-1870; David Brion Davis  
Transatlantic Christianity, 1650-1850; Jon Butler  
American Legal History; Robert W. Gordon

*Teaching Experience:* American Cultural and Intellectual History from the Revolution to World War I (teaching assistant for David Brion Davis). Spring 1995

*Awards:* George Washington Eggleston Historical Prize (awarded for best dissertation in American history); Gaye G. Dominick Fellowship in U.S. History; A. Bartlett Giamatti Fellowship

**Yale Law School**

J.D.; June 1996

*Activities:*

Editor, *Yale Law Journal*  
Submissions Editor, *Yale Journal of Law and Humanities*  
Supervisor, Poverty Clinic, Yale Legal Services Organization  
*Board of Directors*, Student Parent and Family Services, Inc.

*Teaching Experience:* Coker Fellow (teaching assistant for Akhil Amar’s Constitutional Law)

*Awards and Honors:* Legal History Fellow, 1995-1996

**University of Oxford, University College**

1990-1991

*Rotary International Foundation Scholarship.* Coursework in philosophy, jurisprudence, and political theory.

**Harvard University**, Department of Government

A.B., *magna cum laude*; June, 1990

*Senior Honors Thesis:* “The Secularization of Toleration”; Judith N. Shklar, Advisor

*Awards and Honors:* Phi Beta Kappa, John Harvard Scholarship, Elizabeth Agassiz Award,  
Thomas T. Hoopes Prize (for senior honors thesis)

#### *OTHER WORK EXPERIENCE*

---

|   |                           |
|---|---------------------------|
| <b>The Chambers of Judge Kimba Wood</b><br>New York, NY | Law Clerk<br>1997-1998    |
| <b>Debevoise &amp; Plimpton</b><br>New York, NY         | Summer Associate<br>1994  |
| <b>Covington &amp; Burling</b><br>New York, NY          | Summer Associate<br>1993  |
| <b>American Civil Liberties Union</b><br>New York, NY   | Summer Law Intern<br>1992 |

#### *PAPERS DELIVERED*

---

“Law and the Modern Mind: Consciousness and Responsibility in American Legal Culture,” Stanford Legal History Workshop; Stanford, CA; March 2009.

“Domesticity and Distrust: Discerning Deceit in the Nineteenth-Century Courtroom,” University of Minnesota Workshop on the Comparative History of Women, Gender, and Sexuality; Minneapolis, MN; November 2008.

“The Presumption of Sanity.” University of Minnesota Law School Institute for Law & Rationality: “Emerging Paradigms of Rationality: Theory and Applications”; Minneapolis, MN; October 2008.

“Moral Sense and Insensibility: The Excuse of Moral Insanity” Brooklyn Law School Symposium: “Is Morality Universal and Should the Law Care?”; Brooklyn, NY; September 2008.

“Death by his own hand’: Accounting for Suicide in Nineteenth-Century Life Insurance Litigation.” NYU Legal History Colloquium; New York, NY; October, 2007; University of Minnesota Legal History Workshop; Minneapolis, MN; January 2008.

“Death by his own hand’: Accounting for Suicide in Nineteenth-Century Life Insurance Litigation.” Amherst College Conference: “Fashioning Responsible Subjects”; Amherst, MA; September, 2007

“The Default Legal Person.” Illinois Legal History Workshop; Champaign-Urbana, IL; March, 2006; Columbia Legal History Workshop; New York, NY; March, 2006

“Unnatural Dispositions: Capacity Contests in the Nineteenth-Century Courtroom.” UCLA Legal History Colloquium; Los Angeles, CA; October, 2004

- “Law and the Modern Mind: The Problem of Consciousness in American Legal Culture.” Boston College Law School; Boston, MA; April, 2004; Boston University Law School; Boston, MA; March, 2004; Radcliffe Institute for Advanced Study at Harvard University; Cambridge, MA; March, 2004
- “No Trust’: Fraud and Imposition in Nineteenth-Century Literature and Law.” Yale Legal History Workshop, Yale Law School; New Haven, CT; December, 2003
- “The Default Legal Person.” Fawley Lunch Series, Michigan Law School; Ann Arbor, MI; November 2003
- “The Problem of Trust in Nineteenth-Century Will Contests.” Junior Faculty Colloquium, Michigan History Department; Ann Arbor, MI; December, 2003
- “The Apprehension of Evil in Nineteenth-Century American Jurisprudence.” Race, Freedom, and Bondage: A Conference in Honor of David Brion Davis; New Haven, CT; May 2002
- “The Parish Will Contest.” Fawley Lunch Series; Michigan Law School; Ann Arbor MI; December 2001
- “Law and the Problem of Trust.” American Society of Legal Historians Annual Meeting; Washington, DC; November 2001
- “The Curious Persistence of Common Sense.” Law, Culture, and Humanities Annual Meeting; Washington, D.C.; March 2000
- “Judicial Consciousness.” Pew Conference on Religion and American History; New Haven, CT; May 1999
- “Duress of the Delusion’: Mental Capacity and the Rules of Responsibility in Nineteenth-Century American Law.” American Historical Association Annual Meeting; Washington, DC; January, 1999
- “Legal Responsibility in Historical Perspective.” New York University School of Law; New York, NY; May 1998
- “Duress of the Delusion’: Mental Capacity and the Rules of Responsibility in Nineteenth-Century American Law.” American Society of Legal Historians Annual Meeting; Minneapolis, MN; October, 1997
- “The Life and Times of the Heroic Judge in American Legal Literature.” Law and Society Association Annual Meeting; St. Louis, MO; May 1997
- “Problem of Judicial Creativity in American Legal Culture.” Legal History Colloquium, New York University School of Law; New York, NY; April 1997

“The Comedy of Consciousness: The Pursuit of Law in American Culture.” Olin Foundation Summer Workshop; Yale Law School; New Haven, CT; August 1996

*INVITED COMMENTS and GUEST LECTURES*

---

Chair of the session, “Revolutions and the Law of Slavery” at the annual meeting of the Organization of American Historians; Seattle, WA; March 2009

Comment on the session “Slavery and the Law” (papers by Alejandro de la Fuente, Jean Hébrard, and Richard Turits) at the conference on “Slavery and Freedom in the Atlantic World: Statutes, Science, and the Seas”; University of Michigan/University of Windsor; Ann Arbor/Windsor; April 2006

Chair of the session “The Morality of Borders” at the annual meeting of the American Society for Legal History; Cincinnati, OH; November 2005

Comment on the session “The Death Penalty in Historical Perspective” at the annual meeting of the Organization of American Historians; San Jose, CA; March 2005

Guest lecture in Professor Tobin Sieber’s “Topics in Disability Studies”; University of Michigan; Ann Arbor, MI; March 2005.

Comment on “Leave of the Court: African American Claims-Making and Citizenship in the Era of *Dred Scot v. Sanford*”, by Martha Jones, University of Michigan Institute for the Humanities; Ann Arbor, MI; October, 2004

Discussant, Colloquium on Religion and Law, Princeton University Program in Law and Public Affairs; Princeton, NJ; February 2003.

Comment on the session “Morality, Economics, Community and Gender in the Fault/Strict Liability Debate” at the annual meeting of the American Society for Legal History; San Diego, CA; November 2002.