

Helena Silverstein

Professor and Head
Department of Government & Law
Kirby Hall of Civil Rights
Lafayette College
Easton, PA 18042-1780
(610) 330-5389
(610) 330-5397 (fax)

silversh@lafayette.edu

<http://sites.lafayette.edu/silversh/>

Education

1992 Ph.D., Political Science, University of Washington
1987 M.A., Political Science, University of Washington
1983 B.A., Political Science and Economics, University of Pennsylvania

Academic Appointments

2007- Head, Department of Government and Law
2006- Professor of Government and Law, Lafayette College
1998-06 Associate Professor of Government and Law, Lafayette College
1992-98 Assistant Professor of Government and Law, Lafayette College
1989-92 Instructor, Political Science, University of Washington

Grants and Awards

2008 Richard King Mellon Foundation/Lafayette College Summer Research Grant
"Faith-Based Pregnancy Counseling and the Risk of State-Sponsored Religious Indoctrination"
2007 Thomas Roy and Lura Forrest Jones Award, Lafayette College
2006 Research Grant, Lafayette College
"Legal Landscapes"
2004 Richard King Mellon Foundation/Lafayette College Summer Research Grant
"The Case Against Mandated Parental Consent in the Abortion Decisions of Pregnant Minors"
2004 Marquis Distinguished Teaching Award, Lafayette College
2003 Research Grant, Lafayette College
"Pro-Life Counseling in the Abortion Decisions of Pregnant Teens"
2000 Thomas Roy and Lura Forrest Jones Lecture Award, Lafayette College
2000 Richard King Mellon Foundation/Lafayette College Summer Research Grant
"Law, Politics, and the Implementation of Parental Involvement in Minors' Abortion Decisions"
1999 Pi Sigma Alpha Best Paper Award, Western Political Science Association
1999 Betty Nesvold Best Paper Award, Western Political Science Association
1998 Aaron Hoff People's Choice Award, Lafayette College
1996 Research Grant, Lafayette College
"The Impact and Implementation of Abortion Laws"
1992 Dissertation Fellowship, University of Washington

Professional Service

Law & Society Association

2012	Graduate and Undergraduate Student Paper Prize Committee (chair)
2005-07	Dissertation Award Committee (chair, 2006-07)
2006	Search Committee for Review Essays Editor (chair), <i>Law & Society Review</i>
2003	Search Committee for Review Essays Editor, <i>Law & Society Review</i>
2001-02	Herbert Jacob Book Prize Committee (chair)
2000-01	Nominations Committee
1999-01	Review Essays Editor, <i>Law & Society Review</i>
1999-01	Board of Trustees (ex officio)
1999-00	Graduate Student Workshop Committee
1998-99	Ad-Hoc Committee on Governance
1998	Editorial Advisory Board, <i>Law & Society Review</i>
1995-96	Herbert Jacob Book Prize Committee

American Political Science Association

2010	C. Herman Pritchett Book Prize Committee, Law and Courts Section
2008	Nominations Committee, Law and Courts Section
2007	American Judicature Society Award Committee, Law and Courts Section
2004	Teacher and Mentoring Award Committee, Law and Courts Section
2001-03	Books and Articles Columnist, <i>Law and Courts Newsletter</i>
2000-03	Ad Hoc Committee to Explore Relations with Law & Society Association

Western Political Science Association

2001-02	Pi Sigma Alpha Paper Prize Committee (chair)
2000-01	Section Chair, Judicial Politics and Public Law

Grant Proposal and Manuscript Reviewer

Harcourt College Publishers; *Gender & Society*; *Law & Social Inquiry*; *Law & Society Review*; National Science Foundation; *Political Research Quarterly*; Roxbury Publishing; SUNY Press; *Studies in Law, Politics & Society*; *Polity*; NYU Press; *Studies in Law, Politics, and Society*;

Media Source

Print: American Prospect, Associated Press, Christian Science Monitor, Express-Times, New York Times, Los Angeles Times, Philadelphia City Paper, Quad City Times, Register Guard, San Antonio Express News

T.V.: CNN's Lou Dobbs, ABC News, WFMZ News

Radio: NPR affiliates: WHYY-Philadelphia, New Hampshire Public Radio, Utah Public Radio, WBUR-Boston; The Joe Scarborough Show, CBS Radio; The Arnie Arnesen Show, New Hampshire Radio; KAHL, San Antonio; KPSI, Palm Springs

Scholarship

Books

Girls on the Stand: How Courts Fail Pregnant Minors. New York University Press (cloth 2007, paper 2009).

Unleashing Rights: Law, Meaning, and the Animal Rights Movement. Ann Arbor, Michigan: University of Michigan Press (1996).

Articles, Book Chapters, Essays

“Estrangement and Empowerment in Scheingold’s *The Political Novel*.” *Law and Social Inquiry* (forthcoming).

“Novelty and *The Politics of Rights*.” *Studies in Law, Politics and Society* (forthcoming).

“Judicial Waivers of Parental Consent for Abortion: Tennessee’s Troubles Putting Policy into Practice,” with Wayne Fishman, Emily Francis,* and Leanne Speitel.* *Law & Policy* (Volume 27, Number 3, July 2005), pp. 399-428.

“Religious Establishment in Hearings to Waive Parental Consent for Abortion,” with Kathryn Lundwall Alessi. *University of Pennsylvania Journal of Constitutional Law* (Volume 7, Number 2, November 2004), pp. 473-532.

“The Symbolic Life of Law: The Instrumental and the Constitutive in Scheingold’s *The Politics of Rights*.” *International Journal for the Semiotics of Law* (Volume 16, 2003), pp. 407-23.

“‘Honey, I Have No Idea’: Court Readiness to Handle Petitions to Waive Parental Consent for Abortion,” with Leanne Speitel.* *Iowa Law Review* (Volume 88, Number 1, October 2002), pp. 75-120.

“Inconceivable?” *Law and Inequality* (Volume 20, Winter 2002), pp. 141-55.

“In the Matter of Anonymous, A Minor: Fetal Protection in Hearings to Waive Parental Consent for Abortion.” *Cornell Journal of Law and Public Policy* (Volume 11, Fall 2001), pp. 69-111.

“Benign Neglect: Affirmative Action, Same-Sex Marriage, and the Underlying Conservatism of *Baehr v. Lewin*.” *Studies in Law, Politics and Society* (Volume 19, 1999), pp. 39-64.

“Road Closed: Evaluating the Judicial Bypass Provision of the Pennsylvania Abortion Control Act.” *Law and Social Inquiry* (Volume 24, Number 1, 1999), pp. 73-96.

“Rethinking Law’s ‘Allurements’: A Relational Analysis of Social Movement Lawyers in the United States,” with Michael W. McCann. In *Cause Lawyering*, Austin Sarat and Stuart Scheingold, eds. (Oxford University Press, 1998), pp. 261-92.

“Social Movements and the American State: Legal Mobilization as a Strategy for Democratization,” with Michael W. McCann. In *A Different Kind of State? Popular Power and Democratic Administration*, Gregory Albo, David Langille and Leo Panitch, eds. (Oxford University Press, 1993), pp. 131-43.

(*Lafayette College EXCEL Scholar)

Book Reviews

Barry Friedman, *The Will of the People: How Public Opinion Has Influenced the Supreme Court and Shaped the Meaning of the Constitution*. *American Journal of Legal History* (Volume 52, April 2012), pp. 237-240.

Donald L. Drakeman, *Church, State, and Original Intent*, *Law and Politics Book Review* (Volume 20, Number 10, October 2010), pp. 563-568.

Varun Gauri and Daniel M. Brinks, eds., *Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World. Perspectives on Politics* (Volume 7, Issue 03, September 2009), pp. 687-688.

Christopher P. Banks and David M. O'Brien, *Courts and Judicial Policymaking*. *Law and Politics Book Review* (Volume 17, Number 11, November 2007), pp. 811-813.

Gad Barzilai, *Communities and Law: Politics and Cultures of Legal Identities*. *Israeli Studies Forum* (Volume 20, Issue 1, 2005), pp. 83-85.

George I. Lovell, *Legislative Deferrals: Statutory Ambiguity, Judicial Power, and American Democracy*. *Journal of Interdisciplinary History* (Volume 36, number 1, 2005), pp. 113-14.

Carl Wellman, *The Proliferation of Rights: Moral Progress or Empty Rhetoric?* *American Political Science Review* (Volume 93, Number 4, December 1999), pp. 965-66.

Paul W. Kahn, *The Reign of Law: Marbury v. Madison and the Construction of America*. *American Political Science Review* (Volume 92, Number 2, June 1998), p. 439.

David S. Caudill and Steven Jay Gold, eds., *Radical Philosophy of Law: Contemporary Challenges to Mainstream Legal Theory and Practice*. *Law and Politics Book Review* (Volume 7, Number 11, November 1997), pp. 496-99.

Steven Vago, *Law and Society*, Fourth Edition. *Law and Politics Book Review* (Volume 5, Number 2, February 1995), pp. 75-78.

Mary Ann Glendon, *Abortion and Divorce in Western Law*, and Martha Minow, *Making All the Difference*. *Women & Politics* (Volume 12, Number 4, 1992), pp. 112-15.

Miscellaneous Publications

"Abortion," *Encyclopedia of Science and Technology Communication*, Sage Publications (2010).

"Justice Bypassed," with Wayne Fishman. *The American Prospect, Online Edition* (July 27, 2006).

"All Eyes on Kennedy," with Wayne Fishman. *The American Prospect* (July/August 2006), pp. 18-20.

"The Ground Game: Dismantling Rule of Law Ideology." *AMICI*, Newsletter of the Sociology of Law Section of the American Sociological Association (Summer 2006).

"People for the Ethical Treatment of Animals." *World Book Encyclopedia* (Chicago: World Book Publishing, Inc., 2003), p. 277.

"'Child Custody Protection Act' Based on Mistaken Assumption." Opinion editorial distributed by Knight Ridder/Tribune News Service. Published in *Houston Chronicle* (April 18, 2002), p. 31A.

"Legal Status of Nonhuman Animals." Conference proceedings published in *Animal Law* (Volume 8, Number 1, 2002), pp. 1-76.

"Demystifying Law's Radiance." *Focus on Law Studies* (Volume 14, Number 1, Fall 1998), pp. 6-7.

Invited Presentations

- “Myth-Guided Policy: Judicial Involvement in Minors’ Abortion Decisions”*
Maxwell School of Citizenship and Public Affairs, Syracuse University (April 2010)
- “Ignorance, Misinformation, and the Rights of Pregnant Minors”*
Conference on Reproductive Rights and the Right to Information, Harvard Law School Human Rights Program and the Center for Reproductive Rights, Harvard Law School, Boston, MA (October 2009)
- “Girls on the Stand: How Courts Fail Pregnant Minors”*
Conference on the Judicial Bypass Process, National Partnership for Women & Families, Washington, DC, (December 2008)
- “The Case of Mandated Parental Involvement in Minors’ Abortion Decisions”*
Conference on Law’s Interventions in Private Domains on Behalf of Minors, Case Western Reserve University, Cleveland, OH, June 2008
- “Casey and the Clockwork Orange Moment: On the Constitutionality of Mandated Ultrasound Viewing”*
The Baldy Center for Law and Social Policy, SUNY Buffalo (October 2007)
- “Law Bypassed: Constitutional Rights and State Mandated Parental Consent for Abortion”*
Princeton University (February 2004)
- “Variations on a Theme: Judicial Handling of Petitions to Waive Parental Consent for Abortion”*
University of Maryland (April 2002)
- “Judicial Construction of Hearings to Waive Parental Consent for Abortion”*
University of Massachusetts, Amherst (March 2002)
- “Your Civil Liberties Today”*
Northampton County Bar Association, Bethlehem, PA (November 2001)
- “Abortion, Pregnant Teens, and Constitutional Rights: Evaluating Pennsylvania’s Parental Consent Requirement”*
Thomas Roy and Lura Forrest Jones Lecture, Lafayette College (February 2001)
- “The Politics of Rights and the Legacy of Stuart Scheingold”*
University of Washington (December 2000)
- “Green Politics in Court: Suing for the Environment”*
Brown University (September 2000)
- “Salvager’s Guilt: A ‘Therapeutic’ Reconsideration of Rights”*
The Baldy Center for Law and Social Policy, SUNY, Buffalo (April 2000)
- “Animals and Law”*
New York Bar Association, New York, NY (September 1999)
- “Animals Before the Law”*
Hampshire College (March 1997)
- “The ‘Lure of Litigation’ and Other Myths About Movement Lawyers in the United States”* (with Michael W. McCann)
Amherst College (August 1994)

Conference Papers

“Estrangement and Empowerment in Scheingold’s The Political Novel”

American Political Science Association, Seattle, WA (September 2011)

“Novelty and the Politics of Rights”

Law and Society Association, San Francisco, CA (June 2011)

“‘Providence for the Unborn’: Religious Practices in Hearings to Waive Parental Consent for Abortion,” (with Kathryn Lundwall Alessi)

Southern Political Science Association, New Orleans, LA (January 2004)

Law & Society Association, Pittsburgh, PA (May 2003)

“You Better Shop Around: Court Preparedness to Handle Petitions to Waive Parental Consent for Abortion,” (with Leanne Speitel and Emily Francis)

Western Political Science Association, Denver, CO (March 2003)

Southern Political Science Association, Savannah, GA (November 2002)

“‘Our Judge Doesn’t Do It’: Court Readiness to Handle Petitions to Waive Parental Consent for Abortion,” (with Leanne Speitel)

Law & Society Association, Vancouver, Canada (May 2002)

“In the Matter of Anonymous, A Minor: Fetal Representation in Hearings to Waive Parental Consent for Abortion”

Western Political Science Association, Long Beach, CA (March 2002)

“The View from the Bench: Judging Parental Consent Bypass Requests in Alabama”

Western Political Science Association, Las Vegas, NV (March 2001)

“Resistance or Capitulation? Explaining the Behavior of Abortion Providers and Pro-choice Advocates”

Western Political Science Association, Seattle, WA (March 2000)

“Road Closed: Evaluating the Judicial Bypass Provision of the Pennsylvania Abortion Control Act”

Western Political Science Association, Seattle, WA (March 1999)

Received Pi Sigma Alpha Best Paper Award, Western Political Science Association

Received Betty Nesvold Best Paper Award, Western Political Science Association

“Revisiting the Logic of Equal Protection: Insights from Baehr v. Lewin”

Western Political Science Association, Los Angeles, CA (March 1998)

Law & Society Association, St. Louis, MO (May 1997)

“The Impact and Implementation of the Parental Consent Requirement for Minors Seeking Abortions”

Law & Society Association, Glasgow, Scotland (July 1996)

“The ‘Lure of Litigation’ and Other Myths About Movement Lawyers in the United States,” (with Michael W. McCann)

Western Political Science Association, Portland, OR (March 1995)

Law and Society Association, Chicago, IL (May 1993)

“Animals in the Courtroom: Litigating for Social Change”

American Political Science Association, New York, NY (September 1994)

“Expanding the Discourse: Rights Talk and Social Movement Strategy”

Law & Society Association, Phoenix, AZ (June 1994)

“Social Movements in the Courts: Power and the Problems of a Legal Strategy,” (with Robert Van Dyk)

Law & Society Association, Madison, WI (June 1989)

Panel Discussant and/or Chair

- “Author Meets Reader: All Judges Are Political, Except When They Are Not, by K. Bybee”*
Law and Society Association, San Francisco, CA (June 2011)
New England Political Science Association, Hartford, CT (April 2011)
- “Author Meets Reader: Framing Equal Opportunity: Law and the Politics of School Finance Reform, by M. Paris”*
Law and Society Association, Chicago, IL (May 2010)
- “Gender, Privacy, and Human Rights”*
Law and Society Association, Chicago, IL (May 2010)
- “Law, Society, and Social Control”*
Western Political Science Association, San Francisco, CA (March 2010)
- “Author Meets Reader: The Founding Fathers, Pop Culture, and Constitutional Law: Who’s Your Daddy, by S. Burgess”*
American Political Science Association, Boston, MA (August 2008)
- “Author Meets Reader: Girls on the Stand: How Courts Fail Pregnant Minors by Helena Silverstein”*
Law and Society Association, Montreal, Canada (June 2008)
- “Social Movements in a Moment of Conservative Hegemony”*
Northeast Law and Society Association, Amherst, MA (July 2007)
- “Sovereignty, the State, and the Indigenous”*
American Political Science Association, Philadelphia, PA (August/Sept 2006)
- “Author Meets Reader: Same Sex Marriage by K. Hull; Confronting Sexual Harassment by A.M. Marshall”*
Law & Society Association, Baltimore, MD (July 2006)
- “Rights of Inclusion: Law and Identity in the Life Stories of Americans with Disabilities”*
Law & Society Association, Chicago, IL (May 2004)
- “Neglected Policies: New Learning from Constitutional Law”*
Law & Society Association, Pittsburgh, PA (May 2003)
- “State Attorneys General: Developing Legal Practices in the Context of Political Lawyering”*
Western Political Science Association, Denver, CO (March 2003)
- “‘Special’ Rights, the New Right, and the Politics of Resentment: On the Cultural Limits of a Politics of Rights”*
Law & Society Association, Vancouver, Canada (May 2002)
- “Critical Feminist Theory and Public Law”*
Western Political Science Association, Long Beach, CA (March 2002)
- “Human Rights”*
Law & Society Association, Miami, FL (May 2000)
- “Protecting Women?”*
Western Political Science Association, Seattle, WA (March 2000)
- “The Assessment of Rights”*
Law & Society Association, Chicago, IL (May 1999)
- “The Rights Stuff: A Roundtable”*
Western Political Science Association, Seattle, WA (March 1999)

- “The Gendered Basis of Welfare Reform”*
Western Political Science Association, Seattle, WA (March 1999)
- “A Reappraisal of What Rights Do”*
Law & Society Association, Aspen, CO (June 1998)
- “Cause Lawyering and the State”*
Law & Society Association, Aspen, CO (June 1998)
- “Courts and Judges”*
Law & Society Association, Glasgow, Scotland (July 1996)
- “The Ethical Treatment of Non-humans”*
American Philosophical Association Pacific Division, Seattle, WA (April 1996)
- “Theories of Social Change”*
Western Political Science Association, San Francisco, CA (March 1996)
- “Legal Mobilization and Social Reform”*
Law & Society Association, Toronto, Canada (June 1995)
- “Cause Lawyering”*
Law & Society Association, Toronto, Canada (June 1995)
- “Reforming the System, Reforming the Lawyers”*
Law & Society Association, Phoenix, AZ (June 1994)
- “The Courts and Political Identity”*
Western Political Science Association, Albuquerque, NM (March 1994)
- “Law and Social Change”*
Western Political Science Association, Seattle, WA (March 1991)
- “New Directions in Feminist Theory”*
Pacific Northwest Political Science Association, Spokane, WA (October 1987)

Teaching and College Service

Courses

First Year Seminar: Facing the Fetus: Perspectives on Abortion
 First Year Seminar: Contemporary Political Controversies
 Introduction to Politics
 Introduction to United States Politics
 Introduction to Political Theory
 Modern Political Thought
 Law and Society
 American Constitutional Law
 Equality in the United States: Constitutional Law and Politics
 First Amendment in the United States: Constitutional Law and Politics
 Liberty in the United States: Constitutional Law and Politics
 Implementation of Judicial Policy
 United States Supreme Court
 Seminar: Law and Social Movements

Public Lectures

- “(Cyber)Bullying, Privacy and LGBTQ Youth Suicide” (Fall 2010)
“Navigating Controversial Water” (Fall 2009)
“Girls on the Stand: How Courts Fail Pregnant Minors” (April 2008)
“Why Should You Care About South Dakota?” (Spring 2006)
“Lawrence v. Texas and Gay Rights” (Fall 2003)
“Diversity in the Balance: The Uncertain Future of Affirmative Action” (Spring 2003)
“Civil Liberties in the Wake of 9/11” (Spring 2002)
“The Case Against Animal Experimentation” (Fall 1999)
“Simpson Civil Suit” (Spring 1997)
“Same Sex Marriage and Other Queer Legal Issues” (Fall 1996)
“Parental Consent and Abortion” (Fall 1996)
“The Impact of Pennsylvania’s Parental Consent Law” (Fall 1996)
“Contemporary Legal Issues Concerning Gays, Lesbians, and Bisexuals” (Fall 1995)
“Animal Testing” (Spring 1995)
“Sexual Harassment” (Fall 1994)
“Rape and Sexual Harassment” (Fall 1993)

Forums

- “The John Roberts Nomination” (Fall 2005)
“The Death Penalty: Do We Have a Right to Play God?” (Spring 1997)
“Various Perspectives on Feminism” (Spring 1997)
“Affirmative Action: Good or Bad for Me?” (Spring 1996)
“Obfuscating Justice: Separating the Wheat from the Chaff in the Simpson Case” (Spring 1995)
“Rodney King and the Los Angeles Trial Verdict” (Spring 1993)
“Racism, Culture, and the Politics of Difference” (Spring 1993)
“Hate Speech and its Implications” (Fall 1992)
“Elections Postmortem: A Conversation with Members of the Government and Law Department” (Fall 1992)

Administrative Activities

2007-	Head, Government and Law Department
2010-	Grand Challenges Scholars Program, Steering Committee (co-chair)
2010-11	Appeal and Grievance Committee
2009-11	Faculty Compensation Committee
2008-10	Graduate Studies and Fellowships Advisory Committee
2008-09	Ethics Project Advisory Committee
2008-09	Policy Studies Advisory Committee
2008-09	Governance Committee (chair)
2008	Professional Recruitment Committee, Department of Government and Law
2006-07	Governance Committee

2006-07	Strategic Plan Steering Committee
2006-07	Strategic Plan Steering Committee, Subcommittee on the Faculty (chair)
2005-07	Student Conduct Committee (chair, 2006)
2005-07	Parliamentarian
2004-07	Legal Professions Advisory Committee (chair)
2006	Professional Recruitment Committee, Department of Government and Law
2005-06	Appeal and Grievance Committee
2005-06	Athletics Working Group
2001-06	Marquis Scholars Advisor
2005	Assistant Department Head
2004	Acting Department Head
2001-04	Promotion, Tenure, and Review Committee
1997-03	Ethics Project Advisory Committee
2000	Professional Recruitment Committee, Department of Government and Law
1999-00	Student Appeals Committee
1996-00	Faculty Resident Advisor, McKelvy Scholars Program
1998-99	Ad Hoc Committee to Revise the Tenure Appeals Process
1998	Professional Recruitment Committee, Department of Philosophy
1997-98	Curriculum Review Subcommittee, Department of Government and Law
1996-98	Legal Professions Advisor
1996-97	Professional Recruitment Committee, Department of Government and Law
1993-97	Women's Studies Advisory Committee
1995-96	Professional Recruitment Committee, Department of Government and Law
1995	PEW Roundtable Participant
1995	Women and Law Symposium (co-coordinator)
1994-95	Facilities Master Planning Recreation Group
1993-95	Academic Council
1994	Peer Evaluation Subcommittee, Department of Government and Law
1993-94	Professional Recruitment Committee, Department of Philosophy
1993	Co-coordinator, Professional Women at Lafayette
1993	Co-advisor, Students Organized Against Racism
1992-93	Professional Recruitment Committee, Government and Law Department

Miscellaneous Service

2005	Ad Hoc Committee for President Rothkopf's Farewell
1995, 03, 05	New Student Orientation
1996, 97, 98	Presentation for Prospective Marquis Scholars
1998	Experience Lafayette Presentation
1995	Comprehensive Writing Program Presentation
1995	Presentation on Women and Careers