

The Institute for Constitutional History is pleased to announce another seminar for advanced graduate students and junior faculty:

## CAPITAL AS A CONSTITUTIONAL ISSUE: LAND AND MONEY, 1776–1900



### INSTRUCTORS:

Christine Desan is the Leo Gottlieb Professor of Law at Harvard Law School and the author of a new book *Making Money: Coin, Currency, and the Coming of Capitalism* (Oxford University Press, 2014) that seeks to decode the monetary architecture of capitalism. She is co-founder of Harvard's Program on the Study of Capitalism, an interdisciplinary project that brings together classes, resources, research funds, and advising on that subject and has taught the Program's anchoring research seminar, the Workshop on the Political Economy of Modern Capitalism, with Professor Sven Beckert (History, Harvard University) since 2005. Desan's research explores money as a legal and political project. See, e.g., "Beyond Commodification: Contract and the Credit-Based World of Modern Capitalism," in *Transformation of American Law II: Essays for Morton Horwitz* (2010). Earlier work focused on the adjudicative power of legislatures and sovereign

immunity. Desan is on the Board of the Institute for Global Law and Policy and is an editor of the journal *Eighteenth Century Studies*. This year (2015–2016), she is a fellow at the Radcliffe Institute for Advanced Study.

Elizabeth Blackmar is a Professor of History at Columbia University. Her scholarship focuses on the history of property relations in the U.S. Her books include *Manhattan for Rent, 1785-1850* and *The Park and the People: A History of Central Park*, co-authored with Roy Rosenzweig. She has published articles on the history of Real Estate Investment Trusts (REITs), the tropes of the “free rider” and “tragedy of commons” in contemporary economic and legal discourse, and the history of family trusts in the 19th century. She is currently working on a book on the history of land and capital from the colonial era to the present.

#### **PROGRAM CONTENT:**

This seminar explores a category, capital, that is often treated as a given—wealth accumulated or money amassed and seamlessly reinvested. But the shape and character of capital have been at the center of constitutional debate throughout American history. We focus in particular on land and money, critical to state formation and capitalist development in the U.S. from the Revolutionary era to the Gilded Age. The contests to define or control each expose competing sovereignties (Native American, imperial, settler; state and federal) before and long after ratification of the Constitution. Those contests have also informed the development of political ideologies, party formation, and modes of constitutional interpretation, as well as the architecture of governmental authority.

The seminar will examine classic Constitutional cases (e.g. *Chisholm v. Georgia*, *McCulloch v. Maryland*, *Fletcher v. Peck*, cases on state bills of credit in the Jacksonian era, the Legal Tender cases, and *Pollock v. Farmers' Loan and Trust Co.*) in relation to underlying political and economic debates over the meaning of territorial and jurisdictional sovereignty; over the powers of Congress, the presidency and state legislatures to govern money and banking; and over the legitimacy of state actions to set the terms for the accumulation and/or redistribution of wealth.

#### **LOGISTICS:**

Friday afternoons, 1–4 pm, March 18, April 1, 15, and 29. The seminar will meet at the New-York Historical Society, 170 Central Park West, New York City.

#### **APPLICATION PROCESS:**

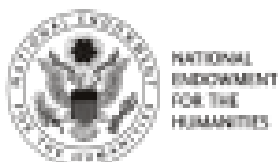
The seminar is designed for graduate students and junior faculty in history, political science, law, and related disciplines. All participants will be expected to complete the assigned readings and participate in seminar discussions. Although the Institute cannot offer academic credit directly for the seminar, students may be able to earn graduate credit through their home departments by completing an independent research project in conjunction with the seminar. Please consult with your advisor and/or director of graduate studies about these possibilities. Space is limited, so applicants should send a copy of their C.V. and a short statement on how this seminar will be useful to them in their research, teaching, or professional development. Materials will be accepted only by email at [MMarcus@nyhistory.org](mailto:MMarcus@nyhistory.org) until **January 15, 2016**. Successful applicants will be notified soon thereafter. For further information, please contact Maeva Marcus at (202) 994-6562 or send an email to [MMarcus@nyhistory.org](mailto:MMarcus@nyhistory.org).

#### **ADDITIONAL INFORMATION:**

There is no tuition or other charge for this seminar, though participants will be expected to acquire the assigned books on their own.

## ABOUT ICH:

The Institute for Constitutional History (ICH) is the nation's premier institute dedicated to ensuring that future generations of Americans understand the substance and historical development of the U.S. Constitution. Located at the New-York Historical Society and the George Washington University Law School, the Institute is co-sponsored by the American Historical Association, the Organization of American Historians, and the American Political Science Association. The Association of American Law Schools is a cooperating entity. ICH prepares junior scholars and college instructors to convey to their readers and students the important role the Constitution has played in shaping American society. ICH also provides a national forum for the preparation and dissemination of humanistic, interdisciplinary scholarship on American constitutional history.



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