

DEBORAH DINNER

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EDUCATION

YALE UNIVERSITY, DEPARTMENT OF HISTORY, Ph.D., 2012
Yale Journal of Law & the Humanities, Articles Editor

YALE LAW SCHOOL, J.D., 2005
Research Assistant in legal history & constitutional law to Reva Siegel & Robert Post

YALE COLLEGE, B.A., *Cum Laude*, distinction in Women's Studies & in History, 1999

PUBLICATIONS AND WORKS IN PROGRESS

Books

The Sex Equality Dilemma: Work, Family, and Legal Change in Neoliberal America
(under contract, Cambridge University Press) (forthcoming 2019)

Articles, Essays, and Book Chapters

Sex in Public (co-authored with Elizabeth Sepper) 29 YALE L. J. ____ (forthcoming)

Sex Equality and the U.S. Welfare Regime: The Story of Geduldig v. Aiello, in
REPRODUCTIVE RIGHTS & JUSTICE STORIES (Melissa Murray, Kate Shaw, & Reva Siegel,
eds., forthcoming 2019)

*Equal by What Measure? The Lost Struggle for Universal State Protective Labor
Standards*, in VULNERABILITY AND THE LEGAL ORGANIZATION OF WORK (Martha
Albertson Fineman & Jonathan W. Fineman eds., 2017)

Beyond "Best Practices": Employment Discrimination Law in the Neoliberal Era, 92
IND. L. J. 1059 (2017)

- Honorable Mention, Dorothy Ross Prize for Best Article by An Emerging Scholar, Society for U.S. Intellectual History
- Reviewed in Jotwell, at <https://worklaw.jotwell.com/neoliberalism-and-the-lost-promise-of-title-vii/>

The Divorce Bargain: The Fathers' Rights Movement and Family Inequalities 102 VA. L.
REV. 79 (2016)

- Selected for Presentation at the 2014 Yale/Harvard/Stanford Junior Faculty Forum and the Harry Krause Emerging Family Law Scholars Workshop

Strange Bedfellows at Work: Neomaterialism in the Making of Sex Discrimination Law,
91 WASH. U. L. REV. 453 (2014).

- Selected for Presentation at the 2012 Yale/Harvard/Stanford Junior Faculty Forum

Law and Labor in the Nineteenth and Twentieth Centuries, in A COMPANION TO
AMERICAN LEGAL HISTORY (Sally E. Hadden and Alfred L. Brophy, eds., 2013).

The Costs of Reproduction: History and the Legal Construction of Sex Equality, 46 HARV. C.R.-C.L. L. REV. 415 (2011).

Recovering the LaFleur Doctrine, 22 YALE J. L. & FEMINISM 343 (2010).

The Universal Childcare Debate: Rights Mobilization, Social Policy, and the Dynamics of Feminist Activism, 1966-1974, 28 L. & HIST. REV. 577 (2010) (peer-reviewed).

- Nupur Chaudhuri Article Prize recognizing the best first article by a member of the Coordinating Council for Women in History

Book Reviews and Short Pieces

A Troubled Relationship: Sex Equality and the Limits of Law 30 J. Women's Hist. ____ (forthcoming 2018) (reviewing NANCY WOLOCH, *A CLASS BY HERSELF: PROTECTIVE LAWS FOR WOMEN WORKERS, 1890S-1990S* (2015) and Katherine Turk, *EQUALITY ON TRIAL: GENDER AND RIGHTS IN THE MODERN AMERICAN WORKPLACE* (2016)).

Book Review, 36 L. & Hist. Rev. ____ (forthcoming 2018) (reviewing Andrew W. Kahrl, *Free the Beaches: The Story of Ned Coll and the Battle for America's Most Exclusive Shoreline*) (2018)), available at <https://lawandhistoryreview.org/article/public-trust-and-public-access-deborah-dinner-reviews-andrew-kahrls-free-the-beaches/>.

Vulnerability as a Category of Historical Analysis: Initial Thoughts in Tribute to Martha Albertson Fineman, 67 EMORY L. J. 1149 (2018) (symposium issue)

A Provocative Journey through the Arcades of Legal History, JOTWELL (November 6, 2017) (reviewing Christopher Tomlins, *Historicism and Materiality in Legal Theory*, in *LAW IN THEORY AND HISTORY: NEW ESSAYS ON A NEGLECTED DIALOGUE* (Maksymilian Del Mar & Michael Lobban eds., 2016)), <https://legalhist.jotwell.com/a-provocative-journey-through-the-arcades-of-legal-history/>.

Engendering the History of Legal Aid, JOTWELL (Jan. 2017) (reviewing FELICE BATLAN, *WOMEN AND JUSTICE FOR THE POOR: A HISTORY OF LEGAL AID, 1863-1945* (2015)), <https://legalhist.jotwell.com/engendering-the-history-of-legal-aid/>.

Book Review, 103 J. AM. HIST. 1096 (2016) (reviewing RISA L. GOLUBOFF, *VAGRANT NATION: POLICE POWER, CONSTITUTIONAL CHANGE, AND THE MAKING OF THE 1960S* (2016)).

Book Review, 33 L. & HIST. REV. 1019 (2015) (reviewing SOPHIA Z. LEE, *THE WORKPLACE CONSTITUTION FROM THE NEW DEAL TO THE NEW RIGHT* (2014)).

A Firebrand Flickers, LEGAL AFFAIRS (March/April 2006) (reviewing CATHARINE MACKINNON, *WOMEN'S LIVES, MEN'S LAWS* (2005) and *ARE WOMEN HUMAN? AND OTHER INTERNATIONAL DIALOGUES* (2006)).

EXPERIENCE

EMORY UNIVERSITY SCHOOL OF LAW	
Associate Professor 2015-2017, with tenure September 2017 - present	
<u>Courses and Expertise:</u>	
Employment Discrimination	Legal History
Family Law	Seminar: Law & Social Movements
Property	Seminar: Family, State & Vulnerability
Fourteenth Amendment	
<u>Service:</u> Chair, Faculty Colloquium & Scholarship Committee; Founding Member, “Monday Mindset” Committee; Member, University Honorary Degrees Committee	
WASHINGTON UNIVERSITY IN ST. LOUIS SCHOOL OF LAW	2011-2015
Associate Professor, Israel Treiman Faculty Fellow 2013-2014	
<u>Service:</u> Admissions Committee; Appointments Committee; Media & Telecommunications Committee; Law Review Advisor; Advisory Council, Center for the Interdisciplinary Study of Work and Social Capital; co-coordinator Regional Junior Faculty Workshop; co-convenor Legal History Reading Group	
HARVARD LAW SCHOOL, Boston, MA	2009-2010
Raoul Berger - Mark DeWolfe Howe Legal History Fellow	
NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY	2008-2009
Samuel I. Golieb Fellow in Legal History	
U.S. COURT OF APPEALS FOR THE SIXTH CIRCUIT COURT, Cleveland, OH	2007-2008
Law Clerk to the Honorable Karen Nelson Moore	
YALE UNIVERSITY, New Haven, CT	
Teaching Fellow Positions in U.S. History & Constitutional Law	2004-2006
RELMAN & ASSOCIATES, Washington, D.C.	2004
Summer Associate	
JEROME N. FRANK LEGAL SERVICES ORGANIZATION, New Haven, CT	2003
Law Student Intern, Community Legal Services Clinic	
PROJECT RENEWAL, INC., New York, NY	1999-2001
Program Analyst	

PROFESSIONAL PRESENTATIONS

University of Alabama School of Law Faculty Workshop (January 2019)

- Invited Talk, “Sex in Public”

Law and Society Association Annual Meeting, Toronto (June 2018)

- Panelist, “Sex in Public: Gender and Public Accommodations Law”

- Commenter, Panel on Constitutional Structure and Gender Equality: New Directions in U.S. and Canadian Jurisprudence
- Chair, Roundtable on Vulnerability Theory and Resilience: Retrospective/Prospective

Conference for REPRODUCTIVE RIGHTS AND JUSTICE STORIES (Foundation Press), Yale Law School (December 2017)

- Invited contributor, “The Story of *Geduldig v. Aiello*”

American Society for Legal History Annual Meeting (October 2017)

- Invited panelist, Presidential Panel on Labor
- Commenter, Panel on “Seeing Difference,” Michael Boucai, Marie-Amelie George, Allison Tait

Rutgers Center for Gender, Sexuality, Law and Policy (October 2017)

- Invited talk, “Working Families: Gender, Labor, and the Limits of Law in Neoliberal America”

University of Georgia School of Law Faculty Workshop (October 2017)

- Invited talk, “‘Displaced Homemakers’”: Feminist Activism and Women’s Domestic Labor from the Civil Rights to the Reagan Era”

Berkshire Conference on the History of Women, Hofstra Univ., June 2017

- “Equal by What Measure: Masculinity, Antidiscrimination Law, and Labor Protection, 1964-1991”

Society for U. S. Intellectual History Annual Meeting, Stanford Univ., Oct. 2016

- Invited speaker, “Plenary Session Panel on “The Many Faces of Gender in American Thought: Considering Our Methods”
- Panelist, “Maternity, Class, and Conservatism: Recasting Divides in Feminist Legal Theory during the 1980s”

Emory University School of Law Faculty Colloquium, Atlanta, GA August 2016

- “Beyond ‘Best Practices’: Employment Discrimination Law in the Neoliberal Era

Workshop on Vulnerability & Social Justice, Leeds Univ., England June 2016

- “Fetal Protection, Reproductive Health and the Triumph of Autonomy”

Law and Society Association Annual Meeting, New Orleans, June 2016

- Panelist, “Beyond ‘Best Practices’: Employment Discrimination Law in the Neoliberal Era”
- Commenter, Jill Hasday, “Intimate Lies”
- Commenter, Hurst Book Award Session, FELICE BATLAN, WOMEN AND JUSTICE FOR THE POOR: A HISTORY OF LEGAL AID, 1863–1945 (Cambridge University Press 2015)

Family Law Scholars and Teachers Conference, New Orleans, June 2016

- “The Rise of the Pregnancy Disability Model: Missed Turns on the Road from Maternalism to Individual Rights”

Workshop on Reproductive and Sexual Justice, Northeastern School of Law, April 2016

- “Missed Turns on the Road from Maternalism to Individual Rights: The Lost Promise of Reproductive Justice”

American Society for Legal History Annual Meeting, Washington, D.C. November 2015

- “Working Fathers: The Origins and Consequences of Sex Neutral Parental Entitlements”

Workshop on Vulnerability at the Intersection of the Changing Firm and the Changing Family, Emory University, October 2015.

- “Neoliberal Antidiscrimination Law: The Case of Title VII”

Employing Vulnerability Theory: Challenges and Opportunities, Workshop at the University of Birmingham in Edgbaston, Birmingham, August 2015.

- “Equal by What Measure? The Struggle for Universal Protective Laws”

Association of American Law Schools Midyear Meeting, Workshop on Next Generation Issues of Sex, Gender and the Law, Orlando, FL, June 2015

- “Contested Labor: Social Reproduction, Work, and Law in the Neoliberal Age”

Family Law Scholars and Teachers Workshop, Orlando, FL, June 2015

- Workshop, “Pregnant Workers: Economic and Health Security versus Anti-stereotyping”
- Comment, Gregg Strauss, “A Positive Right to Marry”

Labor & Working Class History Assoc. Annual Meeting, Washington D.C., May 2015

- “The Struggle for Universal Labor Protections: Labor Feminism, Market Conservatism, and Masculinity”

The Rhetoric of Reproduction Conference, Case Western Reserve University, April 2015

- “Is Antistereotyping Neoliberal?”

Columbia University 20th Century Politics and Society Workshop, March 2015

- Invited paper, “Equal by what Measure? Title VII, Labor Feminism and the Forgotten Struggle for Universal Protective Laws”

University of Pennsylvania Legal History Workshop, February 2015

- Invited talk, “Equal by what Measure? Title VII, Labor Feminism and the Forgotten Struggle for Universal Protective Laws”

Indiana University Maurer School of Law Faculty Workshop, January 2015

- “Equal by what Measure? Title VII and the Fight to Expand Protective Labor Laws, 1962-1972”

Harry Krause Emerging Family Law Scholars Workshop, University of Illinois, College of Law, January 2015

- “The Divorce Bargain: The Fathers’ Rights Movement, Gender, and the Dual System of Family Law”

American Association of Law Schools Annual Meeting, Washington, D.C., January 2015

- Invited speaker, Panel on “Engendering Equality: A Conversation with Justice Ruth Bader Ginsburg and New Voices in Women’s Legal History”

Emory University School of Law Faculty Colloquium, November 2014

- “The Divorce Bargain: The Fathers’ Rights Movement and the Dual System of Family Law”

American Society for Legal History Annual Meeting, Denver, Co, November 2014

- “The Divorce Bargain: The Fathers’ Rights Movement and the Dual System of Family Law”

Tulane Forum on Law & Inequality, New Orleans, LA, November 2014

- “Contested Labor: Production and Reproduction in the Age of Market Conservatism, 1965-2010”

Center for Reproductive Rights, New York, NY, November 2014

- “An Alliance with Libertarians in Pursuit of Abortion Rights? An Historical Perspective on Risks and Benefits”

Yale/Harvard/Stanford Junior Faculty Forum, Palo Alto, CA June 2014

- Selected Presenter, “Liberated Patriarchs: The Fathers’ Rights Movement and the Revolution in Family Law, 1964-2000”

Law & Society Association Annual Meeting, Minneapolis, MN, June 2014

- “Liberated Patriarchs: The Fathers’ Rights Movement, 1964-2000”

American Bar Foundation, Legal History Workshop, Chicago, IL, May 2014

- “Pregnant Workers on the Job: A Renewed Contest Between Distributive Justice and Anti-Stereotyping”

Organization of American Historians Annual Meeting, Atlanta, GA, April 2014

- “From Sex difference to Sex Neutrality: Legal Feminism and Social Policy in the Reagan Era”

Boston University Women’s Liberation Conference, Boston, MA, March 2014

- “Equal by What Measure? Antidiscrimination, Protective Laws, and Labor Feminism”

University of Missouri School of Law, Columbia, MO, February 2014

- “Liberated Patriarchs: The Fathers’ Rights Movement, 1964-2000”

Washington University School of Law, St. Louis, MO, February 2014

- “Liberated Patriarchs: The Fathers’ Rights Movement, 1964-2000”

Saint Louis University School of Law, St. Louis, Mo, November 2013

- “Strange Bedfellows at Work: Neomaterialism in the Making of Sex Discrimination Law”

University of South Carolina School of Law, Columbia, SC, October 2013

- “Strange Bedfellows at Work: Neomaterialism in the Making of Sex Discrimination Law”

Washington University Law, incubator workshop, St. Louis, Mo, August 2013

- “Contested Labor: Production and Reproduction in the Age of Market Conservatism”

Emerging Family Law Scholars Conference, New York, NY, June 2013

- “Dads on the Edge: Fathers’ Rights Movements in the Late Twentieth Century”

Yale/Harvard/Stanford Junior Faculty Forum, Boston, MA, June 2012

- Selected presenter, “The Costs of Life: Feminism, Choice and the Debate over Pregnancy Disability Benefits, 1974-1978”

Law and Society Association annual meeting, Honolulu, HI, June 2012

- Invited panelist, Author Meets Reader Session, Jennifer Nedelsky’s LAW’S RELATIONS
- Panelist, “Neomaterialism”
- Commenter, Joanna Grossman & Deborah Brake, “Working Hard, Hardly Working”

UVA Legal History Workshop, Charlottesville, VA, April 2012

- “The Costs of Life: Feminism, Choice and the Debate over Pregnancy Disability Benefits, 1974-1978”

Association for the Study of Law, Culture, & Humanities annual conference, Dallas, TX, March 2012

- “Hobson’s Reproductive Choice”

Washington University WGSS Colloquium, St. Louis, MO, February 2012

- “Motherhood and Manhood”

Washington University Law & History Colloquium, St. Louis, MO, January 2012

- Commenter, Kenneth Mack, *Representing the Race: The Creation of the Civil Rights Lawyer* (Harvard University Press, 2012)

Washington University Americanist Dinner Forum, St. Louis, MO, December 2011

- “Introduction: The Law of Work and Family”

American Society for Legal History annual meeting, Philadelphia, PA, November 2011

- “The Costs of Life: Feminism, Choice and the Debate over Pregnancy Disability Benefits, 1974-1978”

Washington University Political Theory Workshop, St. Louis, MO, October 2011

- “The Maternalist Turn and the Crisis in Legal Feminism”

Washington University Law Incubator Workshop, St. Louis, MO, August 2011

- “Hobson’s Reproductive Choice”

Berkshire Conference of Women Historians, Amherst, MA, June 2011

- “The Maternalist Turn: Cultural Feminism and the Legal Feminist Crisis in the Reagan Era”

Institute for Constitutional History, Washington, D.C., June 2010

- “Choice, Equality, and Maternalism: The Pregnancy Dilemma in the Origins of Contemporary Legal Feminism”

Policy History Conference, Columbus, Ohio, June 2010

- “The Costs of Life: Feminism, Choice, and the Debate over Pregnancy Disability Benefits”

Law and Society Association annual meeting, Chicago, Illinois, May 2010

- “The Costs of Life: Feminism, Choice, and the Debate over Pregnancy Disability Benefits”

Harvard Law School Legal History Workshop, Boston, MA, February 2010

- “The Campaign Against Mandatory Maternity Leave”

NYU School of Law Legal History Colloquium, New York, NY, April 2009

- “Debating Protective Legislation: The Origins of a Legal Sex/Gender Distinction, 1964-1974”

NYU School of Law Legal History Colloquium, New York, NY, November 2008

- “Reproductive Work: From Social Rights to Individual Rights, 1966-1978”

Yale Journal of Law and Feminism Symposium, Respecting Expecting: The 30th Anniversary of the Pregnancy Discrimination Act, New Haven, CT, November 2008

- Invited speaker, Panel on “Expanding Coverage: How Complementary Legislation Can Supplement the PDA”

Berkshire Conference of Women Historians, Minneapolis, MN, June 2008

- “Managing the Costs of Life: Feminism, Biopower, and the Debate over Pregnancy Disability, 1974-1978”

American Historical Association annual conference, Washington, D.C., January 2008

- “Managing the Costs of Life: Feminism, Biopower, and the Debate over Pregnancy Disability, 1974-1978”

American Society for Legal History annual meeting, Tempe, Arizona, October 2007

- Invited speaker, Panel on When History Meets Law: The Role of Amici Curiae”

Institute for Constitutional Studies, Washington, D.C., June 2007

- “Pregnancy at Work: Feminism, Neomaterialism, and Sex Equality Law, 1966-1991”

American Society for Legal History annual meeting, Austin, Texas, October 2004

- “Transforming Family and State: Women’s Vision for Universal Childcare, 1966-1971”

Law & Humanities Junior Scholar Workshop, Los Angeles, CA, June 2004

- “Transforming Family and State: Women’s Vision for Universal Childcare, 1966-1971”

SELECTED MEDIA

- Tanzina Vega, *Is the Pregnancy Discrimination Act Doing Enough?* The Takeaway, NPR, Oct. 23, 2018, <https://www.wnycstudios.org/story/pregnancy-discrimination-act-doing-enough>
- Jennifer Peebles, et. al., “In #MeToo era, state employees wonder ‘what About me?’” *The Atlanta Journal Constitution* (Aug. 23, 2018), <https://www.myajc.com/news/state--regional-govt--politics/metoo-era-state-employees-wonder-what-about/qCKpM8QBfa4OVFGAaKpdYM/>
- Ashley Fetters, “Everyone Cares About Pregnancy Discrimination,” *The Atlantic* (Aug. 3, 2018), <https://www.theatlantic.com/family/archive/2018/08/everyone-cares-about-pregnancy-discrimination/566717/>
- Kevin Noble Maillard, “A Father’s Struggle to Stop his Daughter’s Adoption,” *the Atlantic* (July 7, 2015), <https://www.theatlantic.com/politics/archive/2015/07/paternity-registry/396044/>

HONORS AND AWARDS

Recipient of Cromwell Foundation Legal History Research Fellowship, 2015

Selected for Junior Faculty Forum at Stanford Law School, 2014

Recipient of the Israel Treiman Faculty Fellowship, Washington University, 2013-2014

Selected for Junior Faculty Forum at Harvard Law School, 2012

Nupur Chaudhuri Article Prize, 2010

Selected for Institute for Constitutional Studies Summer Seminar, 2007, 2010
P.E.O Scholar award, 2009-2010
Distinction in Qualifying Examinations, 2005
Selected for Law & Humanities Junior Scholar Workshop, 2004
Steere Prize for Best Senior Essay in Women's & Gender Studies, 1999

PROFESSIONAL MEMBERSHIPS

American Society for Legal History
Law and Society Association
Labor and Working Class History Association
Society for U.S. Intellectual History
American Historical Association
Coordinating Council for Women in History

PROFESSIONAL SERVICE

Editor, Legal History Section, *Jotwell (Journal of Things We Like Lots)*
Referee, *Law and History Review*; *Law and Social Inquiry*; *Yale Law Journal*
Member, 2014 & 2015 John Reid Book Prize selection committees, American Society for
Legal History (ASLH)
Member, local arrangements committee, ASLH 2012 annual meeting