

Curriculum Vitae

JEANNE L. SCHROEDER

Personal Data

Professor of Law
Benjamin N. Cardozo School of Law
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Books

THE FOUR LACANIAN DISCOURSES OR TURNING LAW INSIDE-OUT (BIRKBECK LAW PRESS 2008)

THE TRIUMPH OF VENUS: THE EROTICS OF THE MARKET (UNIVERSITY OF CALIFORNIA PRESS 2004)

THE VESTAL AND THE FASCES: HEGEL, LACAN, PROPERTY, AND THE FEMININE (UNIVERSITY OF CALIFORNIA PRESS 1998)

Articles

1. *Insider Trading Inside Out*, (work in progress 2026)
2. *Cold Cash: Fantasies of Real Money* (work in progress 2026)
3. *Forms of Property and the Numerus Clausus Rule* THE REAL PROPERTY L. REV. (forthcoming 2026) (with Carlson)
4. *Property and Information*, 18 WASH U. JURIS. J. 109 (2025) (with Carlson)
5. *When Money Isn't Money: The Second Circuit's Gutting of the Discharge-for-Value Defense For Erroneous Payments*, 27 U. PENN. J. BUS. L. 503 (2025)
6. *Third-Party Releases Under the Bankruptcy Code After Purdue Pharma*, 21 AMERICAN BANKRUPTCY INSTITUTE L. REV. 1 (2023) (with Carlson)

7. *Love in the Time of Covid: The Expert, the Hysteric and Trump*, 2.2 LEGALITIES: THE AUSTRALIAN AND NEW ZEALAND JOURNAL OF LAW AND SOCIETY 150 (2022)
8. *Generalized Creditors and Particularized Creditors: Against a Unified Theory of Standing in Bankruptcy*, 96 BANKRUPTCY L.J. 505 (2022) (with Carlson)
9. *Taking Misappropriation Seriously: State Common Law Disgorgement Actions for Insider Trading*, 11 AMERICAN UNIVERSITY BUSINESS LAW REVIEW 151 (2022)
10. *Law Out of Step, Time Out of Joint, Review of DESMOND MANDERSON, DANSE MACABRE: TEMPORALITIES OF LAW IN THE VISUAL ARTS*, 16 J. LAW, CULTURE & HUMANITIES 339 (2020)
11. *Sense, Sensibility and Smart Contracts: A View From a Contract Lawyer*, 49 U.C.C. L. Rev. 251 (2020)
12. *The Four Discourses of Law and Arthur's Legal Plenum*, 40 CARDOZO L. REV. 3285 (2019)
13. *Three Against Two: On the Difference Between Property and Contract in the Context of Bank Accounts*, 35 EMORY BANKRUPTCY DEVELOPMENTS JOURNAL 417 (2019) (with Carlson)
14. *Loan Proceeds and Article 9 Proceeds*, 48 U.C.C. L. J. 155 (2018) (with Carlson)
15. *Love for Sale (Book Review of MARCIA A. ZUG, BUYING A BRIDE: AN ENGAGING HISTORY OF MAIL-ORDER MARRIAGE)*, 39 CARDOZO L. REV. 1429 (2018)
16. *Strange Bedfellows: Lacan and Law*, PHILOSOPHY OF LAW TCRS
17. *Bitcoin Under the Uniform Commercial Code*, 24 U. MIAMI BUS. L. REV. 1 (2016)
18. *Wearables: Tech/Fashion; Masculine/Feminine*, 7 CRITICAL STUDIES IN FASHION AND BEAUTY 41 (2016)
19. *Technology, Gender and Fashion*, CARDOZO ARTS & ENTERTAINMENT L. J. 753 (2016)
20. *Always True to You in My Fashion*, (Book Review of GARY WATT: DRESS, LAW AND NAKED TRUTH: A CULTURAL STUDY OF FASHION AND FORM), 27 LAW AND LITERATURE (2015)
21. *Taking STOCK: Insider and Outsider Trading by Congress* 5 WM. & MARY BUS. L. REV. (2014)

22. *Where Corporations Are: Why Casual Visits to New York Are Bad For Business*, 76 ALBANY LAW SCHOOL LAW REVIEW 1141 (2013) (with Carlson)
23. *Mad Money: Wall Street's Obsession With Bonuses*, 33 CARDOZO L. REV. 2307 (2012)
24. *The Role of Fear in Hegel's Master-Slave Dialectic*, MONOKAL (2009) (with Carlson)
25. *Totem and Taboo and the Concept of Law: Myth in Freud and Hart*, 1 WASH. U. L. SCHOOL J. OF JURISPRUDENCE 139 (2009)
26. *The People's Court* (Book Review of WILLIAM P. MACNEIL, LEX POPULI: THE JURISPRUDENCE OF POPULAR CULTURE (THE CULTURAL LIVES OF LAW) 22 LAW & LITERATURE 180 (2009)
27. *Left Against Rights* (Book Review of COSTAS DOUZINAS, HUMAN RIGHTS AND EMPIRE: THE POLITICAL PHILOSOPHY OF COSMOPOLITANISM, THE CRIT, www.thecritiu.com (2009)
28. *Copy Cats: Plagiarism and Precedent* (unpublished manuscript 2008)
29. *His Master's Voice: H.L.A. Hart's Positivism and Lacanian Discourse Theory*, 18 LAW & CRIT. 117 (2007)
30. *Right is the Symptom of Law's Trauma* (unpublished manuscript 2005)
31. *Unnatural Rights: Hegel's Theory of Personality and Intellectual Property*, 60 U. MIAMI L. REV. 453 (2006)
32. *Beautiful Dreamer* (Book Review of NICOLA LACEY, A LIFE OF H.L.A. HART: THE NIGHTMARE AND THE NOBLE DREAM), 77 U. COLO. L. REV. 803 (2006)
33. *Does God Exist?: Hegel and Things*, 4 (a): THE JOURNAL OF CULTURE AND THE UNCONSCIOUS 1 (2005) (with Carlson)
34. *Envy and Outsider Trading: The Case of Martha Stewart*, 26 CARDOZO L. REV. 2023 (2005)
35. *The Appearance of Wrong and the Essence of Right: Metaphor and Metonymy in Law*, 24 CARDOZO L. REV. 2481 (2003) (with Carlson)
36. *The Lacanomics of Apples and Oranges: A Speculative Account of the Economic Concept of Commensurability*, 15 YALE J. L. & HUMAN. 347 (2003)
37. *Can Lawyers Be Cured?: Eternal Recurrence and the Lacanian Death Drive*, 23 CARDOZO L. REV. 925 (2003)

38. *Law's Non-existent Empire*, 57 U. MIAMI L. REV. 767 (2003) (with Carlson)
39. *Economic Rationality, Empathy, and Corporate Responsibility*, 70 G.W. L. REV. 875 (2002)
40. *A Repo Opera: Reflections on Repos and Criimi Mae*, 76 AM. BANK. L. REV. 565 (2002)
41. *The Stumbling Block: Freedom, Rationality and Legal Scholarship*, 44 WM. & MARY L. REV. 263 (2002)
42. *Just-So Stories: Posnerian Methodology*, 22 CARDOZO L. REV. 351 (2001)
43. *Rationality in Law and Economics Scholarship*, 79 ORE. L. REV. 147 (2000)
44. *The Four Discourses of Law: A Lacanian Analysis of Legal Practice and Scholarship*, 79 TEX. L. REV. 15 (2000)
45. *The Eumenides: The Foundation of Law in the Repression of the Feminine* (unpublished manuscript 2000)
46. *The Hysterical Attorney: The Legal Advocate Within Lacanian Discourse Theory*, 13 INT'L J. SEMIOTICS & L. 181 (2000)
47. *Kenneth Starr: Diabolically Evil?* (Book Review Essay on SLAVOJ ŽIŽEK, THE TICKLISH SUBJECT: THE ABSENT CENTRE OF POLITICAL ONTOLOGY; SIC 2: COGITO AND THE UNCONSCIOUS (Slavoj Žižek ed.); and SLAVOJ ŽIŽEK, THE PLAGUE OF FANTASIES), 88 CAL. L. REV. 653 (2000) (with Carlson)
48. *The Midas Touch: The Lethal Effect of Wealth Maximization*, 1999 WIS. L. REV. 687
49. *Pandora's Amphora: The Ambiguity of Gift*, 46 UCLA L. REV. 815 (1999)
50. *Three's a Crowd: A Feminist Critique of Calabresi and Melamed's One View of the Cathedral*, 84 CORNELL L. REV. 394 (1999)
51. *The End of the Market: A Psychoanalysis of Law and Economics*, 112 HARV. L. REV. 483 (1998)
52. *Juno Moneta: On the Erotics of the Market Place*, 54 WASH. & LEE L. REV. 996 (1997)
53. *Law and Iconomics (Book Review of PETER GOODRICH, OEDIPUS LEX)*, 47 TORONTO L. J. 281 (1997) (with Carlson)

54. *Death and Transfiguration: The Myth That The U.C.C. "Killed" Property*, 69 TEMPLE L. REV. 1281 (1996)
55. *Hegel's Slaves, Blackstone's Objects and Hohfeld's Ghosts: A Comment on Thomas Russell's Imagery of Slave Auctions*, 18 CARDOZO L. REV. 525 (1996)
56. *Never Jam To-Day: On the Impossibility of Takings Jurisprudence*, 84 GEORGETOWN L. J. 1531 (1996)
57. *Some Realism About Legal Surrealism*, 37 WM. & MARY L. REV. 455 (1996)
58. *Repo Redux: Repurchase Agreements Under the 1995 Revisions to the U.C.C.*, 29 U.C.C. L. J. 3 (1996)
59. *Repo Madness: The Characterization of Repurchase Agreements Under the Bankruptcy Code and the U.C.C.*, 46 SYRACUSE L. REV. 999 (1996)
60. *The Vestal and the Fasces: Property and the Feminine in Law and Psychoanalysis*, 16 CARDOZO L. REV. 805 (1995)
61. *Chix Nix Bundle-O-Stix: A Feminist Critique of the Disaggregation of Property*, 95 MICH. L. REV. 239 (1994)
62. *Virgin Territory: Margaret Radin's Imagery of Personal Property as the Inviolable Feminine Body*, 79 MINN. L. REV. 55 (1994)
63. *Is Article 8 Finally Ready This Time? The Radical Reform of Secured Lending on Wall Street*, 1994 COLUM. BUS. L. REV. 291 (1994)
64. *Airplanes in Bankruptcy*, 4 J. BANKR. L. & PRAC. 203 (1994) (with Carlson)
65. *The Subject is Nothing (Book Review of SLAVOJ ŽIŽEK, FOR THEY KNOW NOT WHAT THEY DO: ENJOYMENT AS A POLITICAL FACTOR)*, 5 LAW & CRITIQUE 93 (1994) (with Carlson)
66. *Catharine's Wheel: MacKinnon's Pornography Analysis as a Return to Traditional Christian Sexual Theory*, 38 N.Y.L.S. L. REV. 225 (1993)
67. *Decriminalizing Prostitution: Liberalization or Dehumanization: Introduction*, 1 CARDOZO WOMEN'S L. J. 101 (1983)
68. *The Taming of the Shrew: The Liberal Attempt to Mainstream Radical Feminist Theory*, 5 YALE J. L. & FEMINISM 123 (1992)
69. *Subject: Object*, 47 U. MIAMI L. REV. 1 (1992)

70. *Abduction From the Seraglio: Feminist Methodologies and the Logic of Imagination*, 70 TEX. L. REV. 109 (1991)
71. *Security Interests Under Article 8 of the Uniform Commercial Code*, 12 CARDOZO L. REV. 557 (1990) (with Carlson)
72. *Feminism Historicized: Medieval Misogynist Stereotypes in Contemporary Feminist Jurisprudence*, 85 IOWA L. REV. 1135 (1990)
73. *History's Challenge to Feminism (Book Review of James A. Brundage, Law, Sex, and Christian Society in Medieval Europe)*, 88 MICH. L. REV. 1889 (1990)
74. *Future Nonadvance Obligations Under Article 9 of the UCC: Legitimate Priority or Unwarranted Squeeze-Out?*, 102 BANKING L.J. 412 (1985) (with Carlson)

Book Chapters

1. *The Interpreter, The Lawyer and The Scientist*, in *Administering Interpretation* (Peter Goodrich & Michel Rosenfeld eds. FORDHAM UNIVERSITY PRESS 2019)
2. *The Legal Imaginary and the Real of Right*, in *ŽIŽEK AND LAW*, (Laurent de Sutter ed. ROUTLEDGE 2015)
3. *Unnatural Rights: Hegel's Theory of Personality and Intellectual Property*, in *COPYRIGHT* (Christopher Yoo, ed. EDWARD ELGAR PRESS 2011)
4. *Psychoanalysis as the Jurisprudence of Freedom in ON PHILOSOPHY IN AMERICAN LAW* (Francis J. Mootz ed. CAMBRIDGE UNIVERSITY PRESS 2008) (with Carlson)
5. *Envy and Outsider Trading in MARTHA STEWART'S LEGAL TROUBLES* (Jean MacLoed Heminway ed. CAROLINA ACADEMIC PRESS 2007)
6. *Never Jam To-Day: On the Impossibility of Takings Jurisprudence in A LAND USE ANTHOLOGY* (Jon W. Bruce ed. ANDERSON PUBLISHING 1998)
7. *The Vestal and the Fasces: Property and the Feminine in Law and Psychoanalysis in LAW AND THE POSTMODERN MIND: ESSAYS ON PSYCHOANALYSIS AND JURISPRUDENCE* (David Carlson & Peter Goodrich eds. UNIVERSITY OF MICHIGAN PRESS 1998)

Talks and Conferences

1. Benjamin N. Cardozo School of Law, Festshrift in Honor of Arthur J. Jacobson, paper presented, *The Four Discourses of Law and Arthur's Legal Plenum* (Oct. 2018)

2. New York City Bar, *A Practical Introduction to Smart Contracts and Their Technology*, Panelist (Oct. 2018)
3. CryptoLex2018: A Blockchain Law Center Conference, paper presented, *Bitcoin and the Uniform Chimerical Code* (Sept. 2018)
4. Benjamin N. Cardozo School of Law Symposium, New York, The Laws of Fashion: Between Transgression and Compliance, paper presented, *Wearables: Tech/Fashion; Masculine/Femiine* (April 2015)
5. Southeastern Association of Law Schools, *Insider Trading Discussion Group*, Palm Beach, FL. (Aug. 2013)
6. Benjamin N. Cardozo School of Law Film Clinic Panelist, *Crowdsourcing Investment: New Opportunities and Emerging Law* (Nov. 2012)
7. Benjamin N. Cardozo School of Law Symposium, New York, Fantasy and Markets, paper presented, *Mad Money: Wall Street's Obsession With Bonuses* (Oct. 2011)
8. Georgetown University Law Center, Washington, D.C., Critical Perspectives on Law Faculty Workshop, *Wall Street's Obsession With Bonuses* (March 2010).
9. Washington University Law School, St. Louis, Mo. Inaugural Colloquium, WASH. U. J. OF JURISPRUDENCE, *Totem and Taboo and the Concept of Law: Myth in Freud and Hart* (March 2009)
10. Washington College of Law, American University, Washington, D.C., Faculty Workshop, *The Four Lacanian Discourses or Turning Law Inside Out* (April 2008)
11. New York Society for Women in Philosophy, CUNY Graduate Center, CUNY Graduate Center, New York City, WOMEN, PHILOSOPHY & HEGEL COLLOQUIUM, paper presented, *Hegel, Lacan, Property and the Feminine* (March 2008)
12. Villanova University School of Law, Villanova, PA., Faculty Workshop, *The Four Lacanian Discourses or Turning Law Inside Out* (February 2008)
13. Swansea University, RIGHTS, ETHICS, LAW & LITERATURE INTERNATIONAL COLLOQUIUM, Swansea, U.K., paper presented, *The Four Discourses of Law* (July 2007)
14. Birkbeck College School of Law, University of London, Faculty Workshop *His Master's Voice: H.L.A. Hart avec Lacan*, London, England (October 2005)

15. American Association of Law Schools Section on Commercial and Related Consumer Law panelist *What is (or Should Be) the Law of Banks Deposits*, San Francisco, CA. (January 2005)
16. Socio-Legal Research Centre, Griffith University, QUT Law School, Department of English, Media Studies and Art History, University of Queensland, Conference TRAUMAS OF LAW: JURIDICAL – AESTHETIC – THERAPEUTIC, Brisbane, Australia, keynote address, *Right is the Symptom of Law's Trauma* (July 2004)
17. Jan Van Eyck Circle for Lacanian Ideology Critique Conference: ENDING UP WITH RELIGION AGAIN?: CHRISTIANITY IN CONTEMPORARY POLITICAL AND PSYCHOANALYTIC THEORY, Maastricht, The Netherlands, panel *Religion Within the Limits of Psychoanalysis*, paper presented, *Does God Exist?: Hegel and Things* (with Carlson) (May 2004)
18. Boston University School of Law Faculty Seminar, Boston, MA, *Envy, Jealousy and Insider Trading: The Case of Martha Stewart*, (April 2004)
19. Brooklyn Law School Faculty Seminar, Brooklyn, NY, *Envy, Jealousy and Insider Trading: The Case of Martha Stewart*, (March 2004)
20. Benjamin N. Cardozo School of Law Faculty Seminar, New York, NY, *Envy, Jealousy and Insider Trading: The Case of Martha Stewart*, (October 2003)
21. University of Miami Law School Faculty Seminar, Coral Gables, FL, *Envy, Jealousy and Insider Trading: The Case of Martha Stewart*, (September 2003)
22. Law and Culture Annual Meeting, New York City paper presented, *Envy, Jealousy and Insider Trading: The Case of Martha Stewart* (March 2003)
23. McGill University Law School Faculty Seminar, Montreal, Canada, *The Stumbling Block: Freedom, Rationality and Legal Scholarship* (January 2003)
24. Griffith University, Faculty of Law Faculty Seminar, Brisbane, Australia, *The Four Discourses of Law* (June 2002)
25. University of Sydney, Faculty of Law Faculty Seminar, Sydney, Australia, *The Four Discourses of Law* (June 2002)
26. The George Washington University Law School Symposium, Washington, D.C., *Corporate Irresponsibility: America's Latest Export*, paper presented, *Freedom, Rationality and Corporate Responsibility* (April 2002)

27. Benjamin N. Cardozo School of Law Symposium, New York, THE JOUISSANCE OF TRANSGRESSION: LACAN AND LAW, paper presented, *The Appearance of Wrong and the Essence of Right: Metaphor and Metonymy in Law* (March 2002)
28. Benjamin N. Cardozo School of Law Symposium, New York, NIETZSCHE AND THE LAW, paper presented, *Can Lawyers Be Cured?: Nietzsche's Theory of Eternal Recurrence, the Lacanian Death Drive and Legal Ethics* (Oct. 2001)
29. University of Oregon Law School Conference, *Community, Law, Power: New and Critical Approaches to Law and Economics*, Eugene Oregon, paper presented: *Legal Scholarship in Lacanian Discourse Theory* (March 2000)
30. Annual Critical Legal Studies Conference, London, U.K., paper presented: *The Eumenides: The Foundation of Law in the Repression of the Feminine* (September 1999)
31. Notre Dame Law School Faculty Workshop Series, *The Midas Touch: The Lethal Effect of Wealth Maximization* (September 1999)
32. U.C.L.A. Humanities Consortium Conference, Los Angeles, Ca., THE SUBJECT – ENCORE: THE FORMATION OF THE AMERICAN LACANIAN LINK, Commentator on Nestor Braunstein, *The Subject of Law* (March 1999).
33. Freudian-Lacanian Bilingual Circle of New York, Fundacion Proyecto Al Sur, Clinical Studies: International Journal of Psychoanalysis, Ferkauf Graduate School of Psychology Conference, New York City, PSYCHOANALYSIS AND CULTURE. ON JOUISSANCE: THE MILLENNIUM AND ITS DISCONTENTS, paper presented: *The End of the Market: A Psychoanalysis of Law and Economics* (February 1999).
34. University of London Legal Theory Speaker Series, London, U.K., paper presented: *The Vestal and the Furies: Hegel, Lacan, Property and the Feminine* (May 1998).
35. European Union Institute Conference, Florence, Italy, LAW, LOVE AND THE EUROPEAN UNION, paper presented: *The Vestal and the Furies: Hegel, Lacan, Property and the Feminine* (Dec. 1997)
36. Law and Society 1997 Annual Meeting, St. Louis, Mo., Panel: PSYCHOANALYTIC JURISPRUDENCE REDUX: THREE NEW BOOKS ON LAW AND PSYCHOANALYSIS, paper presented: *The Vestal and the Furies: Hegel, Lacan, Property and the Feminine* (May 1997)
37. Washington and Lee Law School Conference, Lexington, Va, LACAN AND THE SUBJECT OF LAW, paper presented: *Juno Moneta: On the Erotics of the Market Place* (March 1997)

38. Washington and Lee Law School Faculty Seminar, Lexington, Va., paper presented: *Three's a Crowd: Calabresi and Melamed's Repression of the Feminine* (Nov. 1996)
39. ALI-ABA Course, New York City, THE EMERGED AND EMERGING NEW UNIFORM COMMERCIAL CODE, panelist: *Revised Article 8, Secured Transactions*, (Dec. 1995)
40. Benjamin N. Cardozo School of Law Symposium, New York, BONDAGE FREEDOM AND THE CONSTITUTION, commentator (Feb. 1995)
41. Benjamin N. Cardozo School of Law Symposium, New York City, LAW AND THE POSTMODERN MIND, paper presented: *The Vestal and the Furies: The Feminine and Property in Psychoanalysis and Law* (Sept. 1995)
42. Association of American Law Schools, Section on Creditors' and Debtors' Rights Program, panelist: *Bankruptcy Implications of Proposed Amendments to Article 8 of the U.C.C.* (Jan. 1993)
43. Northwestern Law School Faculty Seminar, Chicago, Il., paper presented: *Abduction From the Seraglio*, (Sept. 1991)
44. ALI-ABA Course, Philadelphia, Pa., THE EMERGED AND EMERGING NEW UNIFORM COMMERCIAL CODE, panel moderator: *Secured Transactions Under Article 8*, (Sept. 1991)
45. Benjamin N. Cardozo School of Law/ Graduate Faculty, New School for Social Research, LAW AND HUMANISM SPEAKER SERIES, New York City, commentator (April 1991)
46. Benjamin N. Cardozo School of Law Symposium, New York City, CORPORATE GOVERNANCE AND THE ENVIRONMENT: BEYOND THE TRANSACTIONAL AUDIT, commentator (Sept. 1990)

Courses Taught

Commercial Law; Commercial Paper; Corporate Accounting; Corporate Finance; Corporations; Electronic Commerce; Law and Subjectivity; Sales and Payments; Secured Transactions; Securities Act of 1933; Securities Exchange Act of 1934; Securities Regulation

Employment

1990 to date	Professor of Law (Associate Professor of Law prior to Fall 1992), Benjamin N. Cardozo School of Law, Yeshiva University, New York City
Spring 2009	Visiting Professor of Law, University of Miami School of Law, Coral Gables, FL

May 2008	Visiting Professor of Law, The Interdisciplinary Center, Herzilya, Israel
Spring 2006	Visiting Professor of Law, University of Miami School of Law, Coral Gables, FL
Spring 2002	Visiting Professor of Law, George Washington University Law School, Washington, D.C.
Spring 1990	Lecturer, Eotvas Lorand University, Budapest, Hungary
1989-90	Visiting Associate Professor of Law, Benjamin N. Cardozo School of Law, Yeshiva University, New York City
Spring 1989	Visiting Assistant Professor of Law, Michigan Law School, Ann Arbor MI
1981-89	Of Counsel (1989-91), Member (1987-89), Associate (1981-87), Milgrim Thomajan & Lee P.C., New York City (specializing in corporate finance, federal securities regulation, mergers and acquisitions, and commercial law)
1978-81	Associate, Cravath, Swaine & Moore, New York City

Education

Legal:	J.D., 1978, Stanford Law School; Order of the Coif
College:	A.B., 1975, Williams College; Phi Beta Kappa; Magna Cum Laude