

## The 2008 David J. Stoffer Lecture

*presented by*

### **THE DAVID J. STOFFER MEMORIAL FUND**

David Stoffer (1899-1960) was a graduate of Harvard College and Harvard Law School. He taught for many years at Mercer Beasley Law School, New York University, and Rutgers School of Law-Newark, specializing in Constitutional Law, Federal Practice, and Administrative Law.

As a student of the administration of justice, David Stoffer wrote about subjects of vital concern to the bench and bar. He was the author of the annual survey of the work of New Jersey's Courts, which appeared in the fall issues of the *Rutgers Law Review* from 1949 to 1955.

David Stoffer served as chairman of the Supreme Court's Committee on Training for the Practice of Law and as sub-chairman of the Essex County Bar Association from December 1958 until May 1960.

The David J. Stoffer Memorial Fund, established in 1961 by his widow, Ruth, supports lectures and other activities that are designed to enrich the intellectual life of Rutgers Law School and the legal community.



**VERA BERGELSON**

Professor of Law and Robert E. Knowlton Scholar  
Rutgers School of Law-Newark

## **“AUTONOMY, DIGNITY, AND CONSENT TO HARM”**

Tuesday, January 29, 2008

## Vera Bergelson

## 2008 Stoffer Lecture

### “AUTONOMY, DIGNITY, AND CONSENT TO HARM”

Professor Bergelson holds a Ph.D. in philology from the Institute of Slavic and Balkan Studies in Moscow, Russia, and was a lecturer at Moscow State University, the Polish Cultural Center in Moscow, and the Literary Institute. She received her J.D. *cum laude* from the University of Pennsylvania Law School, where she was on the Law Review and was named to the Order of the Coif. Before joining the Rutgers faculty in 2001, she was an associate with Cleary, Gottlieb, Steen & Hamilton in New York for six years. She teaches Criminal Law, Property, International Law, Property and Privacy, and the Moral Puzzles of Criminal Law.

Among Professor Bergelson's recent publications are “The Right to Be Hurt: Testing the Boundaries of Consent,” in the *George Washington Law Review* (2007), and “Rights, Wrongs, and Comparative Justifications” in the *Cardozo Law Review* (2007). Her book *VICTIMS, OFFENDERS, AND COMPARATIVE RESPONSIBILITY* is due to be published by Stanford University Press in 2008. In addition, she is an author of a chapter for a collective work, *THE ETHICS OF CONSENT: THEORY AND PRACTICE* (Alan Wertheimer and Franklin G. Miller, eds.), to be published by Oxford University Press in 2008.

Tonight, Professor Bergelson will discuss one of the most controversial issues in criminal law and moral philosophy, namely, people's right to consent to pain, injury or death. The issue has recently moved to the forefront of public, legislative, and academic debates in the United States and abroad due to several high-profile criminal trials and investigations that involved consenting victims in various contexts – from experimental medical treatment and mercy killing to sadomasochism and even cannibalism. This rule has been criticized for its arbitrary scope, outdated rationales, and potential for moralistic manipulation. Professor Bergelson's scholarship is an attempt to develop a set of normative requirements for a new rule governing consensual physical harm and a general defense of consent.

6:00 pm

The Baker Trial Courtroom  
Cohn Court Complex

WELCOME . . . . . DEAN STUART L. DEUTSCH

LECTURE . . . . . PROFESSOR VERA BERGELSON

**Lecture will be followed by a Reception in the  
Berson Board Room to recognize  
other Faculty who also are accomplished  
Criminal Law or Juvenile Justice Scholars.**