ANNUAL MEETING OF THE AMERICAN SOCIETY OF COMPARATIVE LAW

Comparative Law, Faith and Religion: The Role of Faith in Law

Thursday, October 26 – Saturday, October 28, 2017

American University Washington College of Law
4300 Nebraska Avenue, NW
NT01, Ceremonial Classroom, Warren Building, Terrace Level
Washington, DC 20016

Thursday, October 26:
8:30 am – 5:00 pm:
Law’s Porosities/Porosités du droit
Joint Conference of the Société de législation comparée and the American Society of Comparative Law  NT01, Warren, Terrace

Conference: Comparative Law, Faith and Religion: The Role of Faith in Law
5:30 pm Welcome Reception  The Atrium, Capital Building
7:30 pm End
7:30 pm Executive Committee Meeting  N104, Warren, 1st Floor

Friday, October 27:
8:00 am Registration and continental breakfast  Outside NT01, Warren, Terrace
9:00 am Welcome Remarks  NT01, Warren, Terrace
  • Camille Nelson, Dean, American University Washington College of Law
• **Vivian Curran**, President, American Society of Comparative Law

9:15 am  Plenary Panel I: Law & Faith in Comparative Law  **NT01, Warren, Terrace**

• **Anver Emon**, Professor & Canada Research Chair in Religion, Pluralism and the Rule of Law, University of Toronto Faculty of Law
• **Ralf Michaels**, Arthur Larson Professor of Law, Duke University School of Law
• **Suzanne Last Stone**, Professor of Law and Director of the Center for Jewish Law and Contemporary Civilization, Cardozo School of Law
• **James Whitman**, Ford Foundation Professor of Comparative and Foreign Law, Yale Law School
• Moderator: **Padideh Ala’i**, Professor of Law and Director, International and Comparative Legal Studies, American University Washington College of Law

10:45 am  Break  **Outside NT01, Warren, Terrace**

11:00 am  Concurrent Panels I:

• Competing Faiths in Islamic Law  **N101, Warren, 1st Floor**
  - **Haider Ala Homoudi** (chair), University of Pittsburgh School of Law, “Market Fundamentalism, Social Justice and Islamic Jurisprudence: On the Existential Crises of Islamic Finance”
  - **Ebrahim Afsah**, Faculty of Law, University of Copenhagen, “Faith, Rationality and Legal Method: Islamic Law in the Modern State”
  - **Clark Lombardi**, University of Washington School of Law, “Islam and Rule of Law in Constitutional Courts”
  - **Bashar H. Makawi**, College of Law, University of Sharjah, United Arab Emirates, “A Comparison of Contractual Agreements between Islamic Law and Western Legal Traditions”

• Law and Religion in East Asia: Connected Socio-Religious Themes in Divergent Legal Traditions  **N102, Warren, 1st Floor**
  - **Frank S. Ravitch** (chair), Michigan State University College of Law “Law and Religion in Japan, Limited Religiosity but Strong Religious Freedom”
  - **Jaclyn Neo**, National University of Singapore Faculty of Law, “Regulating Religion in Multicultural Polities: The Case of Singapore”
  - **Eunseok Paik**, Handong International Law School, “Religion and Law in Korea: Challenges Old & New”
- **Liu Peng**, Beijing Pu Shi Institute of Social Sciences, “Religion and the Rule of Law in China Today”

- **Challenging State Law**: Religious communities as norm entrepreneurs in comparative perspective  **Y402, Yuma, 4th Floor**
  - **Kyriaki Topidi** (chair), Centre of Comparative Constitutional Law and Religion, Faculty of Law, University of Luzern, “The Unfinished Education: Religion, Education and Power Struggles in multicultural Israel”
  - **Burim Ramaj**, Faculty of Law, University of Fribourg i.Ue / Switzerland, “Legal customs, religion and constitutional law – The Albanian example of normative interaction”
  - **Federica Sona**, Law & Anthropology Department, Max Plank Institute, Halle / Germany, “Muslim partners as norm entrepreneurs: The interplay between shari’ah and the Italian legal system”

- **Women’s Rights and Religious Divorce Law: From Contradiction to Coexistence**  **NT03, Warren, Terrace**
  - **Peter Roudik** (chair), Law Library of Congress
  - **Tariq Ahmad**, Law Library of Congress, “The Law and Politics of Talak-ul-bidaat (or instant and irrevocable divorce) in India”
  - **Karim El Chazli**, Swiss Institute of Comparative Law, “The Verbal Divorce (talaq shafahi) in Egypt between Politics, Religion and Women’s Rights”

12:30 pm  Lunch Buffet  **Outside NT01, Warren, Terrace**

1:30 pm  Plenary Panel II: Hot Topic: Oppression of Religion Minorities  **NT01, Warren, Terrace**

- **Diane Ala’i**, Representative of the Baha’i International Community to the United Nations

- **Dwight Bashir**, Director of Research and Policy, U.S. Commission on International Religious Freedom

- **Jamie Raskin**, Congressman, Maryland’s 8th District, U.S. House of Representatives

- Moderator: **Maximo Langer**, UCLA School of Law
3:00 pm Concurrent Panels II:

- Religion and Constitutional Practices in South and Southeast Asia  
  **N101, Warren, 1st Floor**
  - **Donald L. Horowitz** (chair), Duke University & National Endowment for Democracy
  - **Rehan Abeyratne**, Chinese University of Hong Kong, “Protecting the Powerful: Religion and Constitutional Law in India”
  - **Pranoto Iskandar**, Institute for Migrant Rights, “Religious Constitutionalism in Indonesia”
  - **Eugénie Mérieau**, Faculty of Political Science, University of Göttingen, “Religion and Constitutional Practices in Thailand”
  - **Dian A. H. Shah**, Research Fellow, Centre For Asian Legal Studies, NUS, “Religion and Constitutional Adjudication in Malaysia and Sri Lanka: Forces, Counterforces, and Challenges Ahead”

- Religion, Legal Norms, and Institutions  
  **N102, Warren, 1st Floor**
  - **Peter Lindseth** (chair), University of Connecticut School of Law, “Maurice Hauriou, ‘Catholic Positivism’ and Institutional Legal Theory”
  - **Omar Farahat**, McGill University, Faculty of Law, “Juristic Deliberation and the Formation of Norms in Islamic Legal Theory”
  - **Ivana Isailovic**, Center for European Studies, Harvard University, Northeastern University School of Law, “Recognition and Religion in French Courts: the Case of Family Law”
  - **Hoi Kong**, McGill University, Faculty of Law, “Buddhism and Legal Norms”
  - **Chaim Saiman**, Villanova University Charles Widger School of Law, “Rabbinical Courts in the Contemporary West: A Forum of Jewish Law or a Jewish Legal Forum?”

- Exploring Contradictions in Faith in the Caribbean Context:  
  Postcolonialism, Tradition And The Constitution  
  **Y402, Yuma, 4th Floor**
  - **Yonique Campbell** (chair), University of the West Indies
  - **Alan Greene**, Durham University, “Natural Law and Constituent Power: Re-Appraising The State (Ryan) v Lennon”
- **Latoya Lazarus**, University of the West Indies, “Christianity and the Enactment of Citizenship in the Anglophone Caribbean: Attending to Sexuality and Gender in the Law”
- **Se-shauna Wheatle**, Durham University, “Creolization of Caribbean Constitutional Law”

- Constitutions and the "Return" of Religion in Secular and Majority-Muslim States  **NT03, Warren, Terrace**
- **Stefanus Hendrianto** (chair), Boston College, “Working within the Transcendental Frame? On Constitutional Reform and Religion”
- **Anna Su**, University of Toronto, “Varieties of Burdens: On Religious Accommodations”
- **Yvonne Tew**, Georgetown University, “Constitutionalizing Islam in Contemporary Malaysia”

4:30 pm  Break  **Outside NT01, Warren, Terrace**

- **Mary Anne Case**, Arnold I. Shure Professor of Law, University of Chicago Law School
- **Rebecca French**, Professor of Law, SUNY at Buffalo School of Law
- **Jae Ho Sung**, Professor of Law, Sungkyunkwan University (SKKU)
- Moderator: **Amr Shalakany**, Assistant Professor of Law & Director, Law and Society Research Unit, American University in Cairo

6:15 pm  End of Sessions

6:30 pm  Reception  **Founders Lobby, Yuma, Terrace**

7:00 pm  Conference Dinner  **Claudio Grossman Hall, Yuma, Terrace**
- Keynote Speaker: **Marta Cartabia**, Vice President of the Constitutional Court of Italy on “Religious Pluralism in Constitutional Adjudication”
- Introductory Remarks: **Fernanda Nicola**, Professor of Law and Director, Program on International Organizations, Law and Diplomacy, American University Washington College of Law

9:00 pm  End

**Saturday, October 28:**
7:30 am  Continental breakfast  **Outside NT01, Warren, Terrace**
8:30 am  Plenary Panel IV: Young Comparativists “New Perspectives on Comparative Law”:  **NT01, Warren, Terrace**
  - Moderator: *Virginia Harper Ho*, Professor of Law & Edwin W. Hecker, Jr. Teaching Fellow, Co-Director, Polsinelli Transactional Law Center, University of Kansas School of Law
  - “Stealth Theocracy”, *Yvonne Tew*, Georgetown University
    Discussant: *Mark Tushnet*, William Nelson Cromwell Professor of Law, Harvard Law School
  - “Innovation Through Interpretation: How Judges Make Policy in China”, *Zhiyu Li*, NYU
    Discussant: *Don Clarke*, David Weaver Research Professor of Law, GWU
10:45 am  End
11:00 am  Society Business Meeting  **NT01, Warren, Terrace**
12:30 pm  Lunch  **Outside NT01, Warren, Terrace**