

**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”
 - **Havva G. Guney-Ruebenacker**, Research Fellow in Law & Social Change, Islamic Legal Studies Program, Harvard Law School, "Islamic Marriage Contracts in American Courts: The Case of Mahr/Dower and its Misunderstood Economics"
 - **Ruth Levush**, Law Library of Congress, “Releasing Agunot from the Chains of Marriage: Israel and Beyond”

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”
 - *Alecia Johns*, Conyers, Dill and Pearlman (British Virgin Islands), “Examining the Influence of Religion on the Development of Jamaican Constitutional Law”

- **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”
 - **Richard Albert**, Boston College, “Religion, Secularism and Limitations on Constitutional Amendment”
 - **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](#)
- 4:45 pm Plenary Panel III: Reflections on Religion, Faith and the Law: Bridging Differences [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](#)