

**“Religion, Democracy, and Equality”**  
**August 21-23, 2013**  
**ICLARS Program Draft**

**Wednesday August 21, 2013**  
**Hilton Garden Inn**  
**Richmond, Virginia**

**Young Scholar Sessions**

**2:00-2:50 p.m.**

Chair: **José Antonio Calvi**, Universidad Católica Sedes Sapientiae, Peru

**Juan Manuel Gutierrez Bartol**, Universidad de Montevideo, Uruguay, “Indagaciones Ficticias y Jurídicas Sobre las Contricciones Economicas al Culto”

**Juan Martin Vives**, Universidad Adventista del Plata, Argentina, “New Wine into Old Wineskins: About Argentina's Civil Code Reformation and the Legal Personality of Minority Religions”

**Rodrigo Vitorino Souza Alves**, Universidad Federal de Uberlandia, “Religion and Anti-Discrimination Norms in Brazil”

**3:00-3:50 p.m.**

Chair: **Ofrit Liviatan**, Weatherband Center for International Affairs, Harvard University, USA

**James Nelson**, Columbia Law School, USA, “Conscience, Incorporated”

**Free Williams**, University of Virginia, USA, “The Definition of Religion in American Courts: Religious Minorities and Conformist Pressures”

**Megan Pearson**, London School of Economics, UK, “Of Gods and Gays: Proportionality and Sexual Orientation Discrimination”

**4:00-4:50 p.m.**

Chair: TBA

**Rebeca Vazquez Gomez**, University of La Coruna, Spain, “The Ban of Burqa: A Security Issue: The Example of Italy”

**Nathan C. Walker**, Harvard Divinity School, “Unveiling Freedom: Bans on Teachers’ Religious Garb”

**Maria Jose Valero Estarellas**, Centro Universitario Villanueva, Complutense University Spain, “By the Sweat of Your Face You Shall Eat Bread’. State Neutrality, Religion, and the Workplace in the Recent Case Law of the European Court of Human Rights”

**5:00-5:30**

Chair: TBA

**Itai Apter**, Department for International Agreements and International Litigation, Ministry of Justice, Israel, “Freedom of Religion International: Finding Pathways to Enforce Freedom of Religion Protections by the International Community”

**Michael A. Helfand**, Pepperdine University School of Law, USA, “Between Law and Religion: Procedural Challenges to Religious Arbitration Awards”

**5:00-6:30 p.m. Dinner**

**6:30 p.m. Conference Keynote**

**Heiner Bielefeldt**, U.N. Special Rapporteur for Freedom of Religion or Belief

**Thursday August 22, 2013**  
**The College of William & Mary**  
**Williamsburg, Virginia**

**9:00-10:30 a.m. Plenary Session**

*Religious Pluralism and Treatment of Religious Minorities*

Chair: **Tahir Mahmood**, Founder and Chairman, Amity University Institute of Advanced Legal Studies New Delhi, India

**Angela Banks**, Associate Professor, William and Mary Law School, USA

**Asher Maoz**, Dean, Peres Academic Center Law School, Israel

**Ayelet Shachar**, Professor of Law, Canada Research Chair in Citizenship and Multiculturalism, University of Toronto Faculty of Law, Canada

**John Witte Jr.**, Director of the Center for the Study of Law and Religion, Jonas Robitscher Professor of Law, Alonzo L. McDonald Family Foundation Distinguished Professor, Emory University, USA

**10:30-11:00 a.m. Break**

**11:00 a.m.-12 noon Parallel Sessions**

*Session 1 – Religious Pluralism and Treatment of Religious Minorities*

Chair: TBA

**Iain Benson**, University of the Free State- Bloemfontein, South Africa, “The Search for Pluralism in the Writings of Said Nursi and in the Roman Catholic Tradition

**Ed Gaffney**, Valparaiso University School of Law, USA, “‘Full and Free Exercise of Religion’: James Madison on Established Religion from the Ancient to the Modern World”

**Ian Leigh**, University of Durham, UK, “Multiculturalism, Religious Law and ‘the Human Rights Proviso’”

***Session 2 – Religious Pluralism and Treatment of Religious Minorities***

Chair: TBA

**Enyinna Nwauche**, Department of Law, University of Botswana, “Minority Religious Organisations and Registration in Africa: A Constitutional Inquiry”

**Mary Anne Plaatjies-Van Huffel**, Stellenbosch University, South Africa, “The Quest to Religious Pluralism and Treatment of Religious Minorities in Post-Apartheid South Africa”

**Norberto Padilla**, Catholic University of Argentina, “The Argentine experience on religious pluralism”

**Octavio Lo Prete**, Argentinian Council for Religious Liberty, “Treatment of Minority Religions in Argentina”

***Session 3 – Religious Pluralism and Treatment of Religious Minorities***

Chair: **María Concepción Medina González**, Ministry of Education, Mexico

**Elena Miroschnikova**, Leo Tolstoy State Pedagogical University, Tula, Russia, “Religious Pluralism and Treatment of Religious Minorities in Religious Education”

**H.-M.Th.D. ten Napel**, Leiden Law School, Institute for Public Law, Section of Constitutional and Administrative Law, The Netherlands, “Religious Pluralism, Eastern Ethnical Monism and Western ‘Civic Totalism’”

**Nicolae V. Dura**, “Ovidius” University of Constanta, Romania

**12:00-1:00 p.m. Lunch**

**1:00-2:30 p.m. Plenary Session**

***Hate Speech, Hate Crimes, and Religious Minorities***

Chair: **Sophie van Bijsterveld**, Tilburg University, the Netherlands

**Agnès Callamard**, Executive Director, Article 19

**Toby Mendel**, Executive Director, Centre for Law and Democracy, Canada

**Mohammed Saeed Eltayeb**, Bureau of Human Rights, Qatari Ministry of Foreign Affairs

**Michael O’Flaherty**, Professor of Human Rights Law and Co-director of the Irish Centre for Human Rights, National University of Ireland, Galway; Chief Commissioner of the Northern Ireland Human Rights Commission

**Robert C. Post**, Dean and Sol and Lillian Goldman Professor of Law, Yale Law School, USA

**Jeroen Temperman**, Assistant Professor of Public International law, Erasmus University, Rotterdam, the Netherlands

**2:30-3:00 p.m. Break**

**3:00-4:00 p.m. Parallel Sessions**

***Session 1 – Religious Symbols, Public Reason, and the State***

Chair: **Mark Movsesian**, Center for Law and Religion. St. John's University, USA

**Perry Dane**, Rutgers University School of Law, USA, “Endorsement, Legal Reason, and the Misguided Quest for Reasonableness”

**Javier Martínez-Torrón**, Complutense University School of Law, Spain, “Institutional Religious Symbols, State Neutrality and Protection of Minorities”

***Session 2 – Hate speech, hate crimes and religious minorities***

Chair: TBA

**H. Victor Conde**, California Baptist University, USA, “Rights of Religious Institutions and Their Ministers Within the Ambit of Defamation of Religion in the International Human Rights Arena Particularly the UN Human Rights Council”

***Session 3 – Religious Pluralism***

Chair: **Ian Leigh**, University of Durham, UK

**Supriyanto Abdi**, University of Melbourne, Australia, “Negotiating State Neutrality and Religious Freedom in Muslim-Majority Countries: The Case of Liberal-Progressive Islam in Indonesia”

**Ofrit Liviatan**, Weatherband Center for International Affairs, Harvard University, USA, “The Limits of Equality-Based Legislation as Vehicle of Pluralism: Lessons from Northern Ireland”

**Barak D. Richman (with Michael Helfand)**, Duke University School of Law, USA, “On Religion and Money”

**4:30-5:30 Walking tour of historic Williamsburg**

**Friday, August 23, 2013**  
**The University of Virginia**  
**Charlottesville, Virginia**

**9:00-10:30 a.m. Plenary Session**

***Religion and Gender: Same-Sex Marriage***

Chair: **Silvio Ferrari**, Professor of Law and Religion, University of Milan

**Rex Ahdar**, Professor of Law, University of Otago, New Zealand

**Ursula Basset**, Professor of Law, Pontificia Universidad Católica Argentina

**Kent Greenawalt**, University Professor, Columbia University Law School, USA

**Douglas Laycock**, Robert E. Scott Distinguished Professor of Law, Horace W. Goldsmith Research Professor of Law, Professor of Religious Studies, University of Virginia, USA

**Renata Uitz**, Professor of Comparative Constitutional Law, Chair of Comparative Constitutional Law Program, Central European University, Hungary

**10:30-11:00 a.m. Break**

**11:00 a.m.-12:00 noon Parallel Sessions**

***Session 1 – Religion and Gender***

Chair: **Merilin Kiviorg**, Wolfson College, University of Oxford, UK

**Pieter Coertzen**, Faculty of Theology, Stellenbosch University, South Africa, “Marriage Under the SA Constitution and Religious Legal Systems”

**Olabisi Aina**, “Gender, Religion, Culture and Law: Emerging Issues in African Democratic Governance”

**Joseph E. David**, Faculty of Oriental Studies, University of Oxford, UK, “Familial Imagination in Law and Religion”

**Carmen Asiaín Pereira**, Faculty of Law, University of Montevideo, Uruguay

***Session 2 – Religion and Gender: The U.S. Health and Human Services Contraceptive Mandate Controversy***

Chair: **Zachary Calo**, Valparaiso University School of Law, USA

**Helen Alvaré**, George Mason School of Law, USA

**Fredereck M. Gedicks**, J. Reuben Clark Law School, Brigham Young University, USA

***Session 3 – Is Religion Special?***

Chair: **Ed Gaffney**, Valparaiso University School of Law, USA

**Barry Bussey**, Canadian Council of Christian Charities, “Does Religion Merit Special Protection in the Law? (Within the Canadian Legal Context)”

**Micah Schwartzman**, University of Virginia School of Law, USA, “Religion as a Legal Proxy?”

**Mark Movsesian**, Center for Law and Religion. St. John’s University, USA, “Psychic Sophie and the Rise of the Nones”

**12:00- 1:00 p.m. Lunch**

**1-2:30 p.m. Plenary Session**

***Religion and Anti-Discrimination Norms***

Chair: **Gerhard Robbers**, Director, Institute for European Constitutional Law and Director, Institute for Legal Policy, University of Trier Germany

**Katayoun Alidadi**, doctoral researcher, Catholic University of Leuven, Belgium; project researcher in the FP7 Programme RELIGARE ‘Religious Diversity and Secular Models in Europe - Innovative Approaches to Law and Policy’

**Carmen Domínguez Hidalgo**, Director, Center for the Family/Professor of Civil Law, Catholic Pontifical University of Chile

**Andrew Koppleman**, John Paul Stevens Professor of Law and Professor of Political Science, Northwestern University, USA

**Lawrence Sager**, Alice Jane Drysdale Sheffield Regents Chair, University of Texas School of Law, USA

**Eiichiro Takahata**, Professor of Law, Nihon University, Japan

**2:30-3:00 p.m. Break**

**3:00-4:00 p.m. Parallel Sessions**

***Session 1 – Religion and Anti-Discrimination Norms***

Chair: **Iain Benson**, University of the Free State- Bloemfontein, South Africa

**Mark Hill**, Honorary Professor of Law, Cardiff University, UK, “Religion and Anti-Discrimination Norms: The Turning of the Tide in Strasbourg and Luxembourg”

**Merilin Kiviorg**, Wolfson College, University of Oxford, UK, “Collective Religious Autonomy versus Individual Rights: A Challenge for the ECtHR?”

**Augustin Motilla de la Calle**, Universidad Carlos III de Madrid, Spain, “Discrimination Laws in EU: Labour Discrimination in Religious Matters”

***Session 2 – Religion and Anti-Discrimination Norms***

Chair: TBA

**Greg Walsh**, School of Law, The University of Notre Dame Australia, “Anti-Discrimination Legislation and the Appropriate Regulation of the Employment Decisions of Religious Schools”

***Session 3 – Regional Studies***

Chair: **Juan Navarro Floria**, Pontificia Universidad Católica Buenos Aires, Argentina

**Jose Luis Llaquet**, “The Novel Catalan Regulation of Cult Centres”

**Piotr Stanisz**, The John Paul II Catholic University of Lublin, Poland, “The Status of Religious Organizations in Poland: Equal Rights and Differentiation”

***Session 4 – Regional Studies***

Chair: TBA

**Rene Pahud de Mortanges**, Faculty of Law, University of Fribourg, Switzerland, “How Swiss Law Deals with Religious Minorities”

**Yaron Catane**, Legal Counsel, Chief Rabbinate- Hebrew University, Israel, “The Challenges of Israel’s Chief Rabbinate: Legal, Religious, and Cultural Aspects”

**Barbara Ann Flanagan**, Department of Political Science, Central Washington University, USA, “Religious Freedom in the Land of the Pharaohs”

**4:30-5:30 p.m. Tour of Monticello and other historic sites in Charlottesville**

**6 p.m. Closing Dinner**