

Religion in Contemporary Legal Systems

17th Annual
International Law
and Religion
Symposium



October 3-5, 2010 | Brigham Young University | Provo, Utah

The Seventeenth Annual
International Law and Religion Symposium

Religion in Contemporary Legal Systems

A Symposium Held at
Brigham Young University
Provo, Utah

October 3-5, 2010

Sponsored by:

The International Center for Law and Religion Studies

The J. Reuben Clark Law School

The David M. Kennedy International Center
of Brigham Young University

in conjunction with

The International Academy for Freedom of Religion and Belief



Table of Contents

Sunday, October 3.....5

Monday, October 4.....6-8

Tuesday, October 5.....10-14

2nd Floor Map.....16

3rd Floor Map.....17



Sunday, October 3, 2010

7-8:30 PM

Opening Session

Room 303 J. Reuben Clark Law Building

Moderator: **Brett G. Scharffs**, Francis R. Kirkham Professor of Law and Associate Director, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Welcome: **James R. Rasband**, Dean, J. Reuben Clark Law School, Brigham Young University

Sandra Rogers, International Vice President, Brigham Young University

Presentation of Distinguished Service Award by W. Cole Durham, Jr.

Speakers: **Tahir Mahmood**, Founder-Chairman, Amity Institute of Advanced Legal Studies; Immediate Past Member, Law Commission of India, Government of India, India
Thomas B. Griffith, Circuit Judge, United States Court of Appeals for the District of Columbia Circuit, United States

8:30-9:30 PM

Reception

***Howard W. Hunter Law Library, Second Floor
J. Reuben Clark Law Building***

MONDAY, OCTOBER 4TH

Monday, October 4, 2010

8:30-10:30 AM First Plenary Session:

Religion, Law and the Encounter with Secularism

Room 303 J. Reuben Clark Law Building

Introduction: **James R. Rasband**, Dean, J. Reuben Clark Law School, Brigham Young University

Welcome: **Cecil O. Samuelson**, President, Brigham Young University

Moderator: **Robert T. Smith**, Managing Director, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Rafael Palomino Lozano**, Professor, Universidad Complutense de Madrid, Spain

Carolyn M. Evans, Professor, Centre for Comparative Constitutional Studies, Melbourne Law School, Australia

Jorge Adame Goddard, Professor, Institute for Legal Research, Universidad Nacional Autónoma de México, Mexico

Iain McLean, Professor, Oxford University, United Kingdom

10:30-10:45 AM Break

10:45-12 PM China

Room 303 J. Reuben Clark Law Building

Moderator: **Brett G. Scharffs**, Francis R. Kirkham Professor of Law and Associate Director, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Qianfan Zhang**, Professor, Peking University; Vice President, Chinese Constitutional Law Association, China
Chuanhui Zeng, Professor, Institute of World Religions, China

Latin America: Academic Perspectives

Room 306 J. Reuben Clark Law Building

Moderator: **David H. Moore**, Professor of Law, J. Reuben Clark Law School, Brigham Young University

Speakers: **Vicente Prieto**, Professor, Universidad de la Sabana, Colombia

Valerio Mazzuoli, Juris Doctor, Universidade Federal Mato Grosso, Brazil

Religion, Law and the Encounter with Secularism: Discussion

Room 205 J. Reuben Clark Law Building

Moderator: **Kif Augustine-Adams**, Associate Dean and Charles E. Jones Professor of Law, J. Reuben Clark Law School Brigham Young University

Speakers: **Iain T. Benson**, Professor of Law, University of the Free State, Bloemfontein, South Africa; Senior Associate Counsel, Miller Thompson LLP, Canada

Zachary Calo, Professor, Valparaiso University, United States

Tore Lindholm, Professor, University of Oslo, Norway

Nigeria and Ghana

Room 208 J. Reuben Clark Law Building

Moderator: **A. Keith Thompson**, International Fellow, International Center for Law and Religion Studies, J. Reuben Clark Law School Brigham Young University

Speakers: **Adesumbo Bola Ajibola**, Professor, Crescent University; Abeokuta and Islamic Mission for Africa, Nigeria

Samuel Kwame Adibu Asiedu, Justice, Fast Track Court, Ministry of Justice, Ghana

Matthew Hassan Kukah, Reverend Father, Vicar General, Kaduna Catholic Arch Diocese, Nigeria

12:15-2 PM

Lunch for Conference Delegates and Invited Guests
Assembly Hall, Hinckley Alumni and Visitors Center
Brigham Young University

MONDAY, OCTOBER 4TH

2-3:45 PM

Second Plenary Session:

Islam in Contemporary Legal Systems

Room 303 J. Reuben Clark Law Building

Moderator: **David M. Kirkham**, Senior Fellow for Comparative Law and International Policy, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Abdul Salam Al-Abbadi**, Minister of Awqaf and Islamic Affairs, Jordan

Kamal Hossain, Former Minister of Law, Bangladesh

Alexey Malashenko, Scholar in Residence, Carnegie Endowment for International Peace, Russia

3:45-4 PM

Break

4-5 PM

Nepal and Mongolia

Room 303 J. Reuben Clark Law Building

Moderator: **David M. Berrett**, International Fellow, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Amber Prasad Pant**, Faculty of Law and Dean, Tribhuvan University, Nepal

Enkhjargal Oyunbadam, Member, Religious Issues Council, Office of the President of Mongolia, Mongolia

Latin America: Legislative Perspectives

Room 206 J. Reuben Clark Law Building

Moderator: **Gary B. Doxey**, Associate Director, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Mario Valle**, Member of Congress, Nicaragua

Pelegrin Horacio Castillo Seman, Member of the House of Representatives, Dominican Republic

Islam in Contemporary Legal Systems: Discussion

Room 205 J. Reuben Clark Law Building

Moderator: **Donna Lee Bowen**, Professor, Brigham Young
University

Speakers: **Amina Rasul**, Director, Philippine Council on Islam and
Democracy, Philippines
Hazem Ali Ibrahim Al Nsour, Attorney at Law, Hazem
Al Nsour Law Firm, Jordan

South Africa

Room 208 J. Reuben Clark Law Building

Moderator: **Leslie Hadfield**, Assistant Professor, Brigham Young
University

Speakers: **Erasmus (Rassie) Malherbe**, Professor of Public Law,
Faculty of Law, and former Head of the Department of
Public Law, University of Johannesburg, South Africa
Nico Patrick Swartz, Faculty of Law, University of
Orange Free State, South Africa

Tuesday, October 5, 2010

8:30-9:45 AM

Third Plenary Session:

The Challenge of Protecting Religious Sensitivities

Room 303 J. Reuben Clark Law Building

Moderator: **Elizabeth A. Sewell**, Associate Director, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Tad Stahnke**, Director of Policy and Programs, Human Rights First, United States

Syafiq A. Mughni, Professor of Islamic Civilization at IAIN Sunan Ampel Surabaya; Consultant for Board of Interfaith Harmony, Regional Government of East Java, Indonesia

Jeroen Temperman, Professor Erasmus University, Rotterdam, Netherlands

9:45-10 AM

Break

10-11 AM

Vietnam and Thailand

Room 303 J. Reuben Clark Law Building

Moderator: **John P. Colton**, Sustaining Fellow, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Nguyen Van Thanh**, Deputy Director, Department of Religion and Ethnic Minorities, Central Committee of the Vietnam Fatherland Front, Vietnam

Nguyen Dac Tuan, Director General, Department of Cao Dai Affairs, Government Committee for Religious Affairs, Vietnam

Sommanat Juaseekoon, Legal Officer, Legal Affairs Bureau, Ministry of Justice, Thailand

Mexico, Guatemala and Honduras

Room 206 J. Reuben Clark Law Building

Moderator: **Guillermo García Montúfar**, Professor, University of Lima, Peru

Speakers: **Elizabeth Brenda Mandujano Alanuza**, Director, General Directorate of Religious Associations, Mexico
Sandra Lucía Segura Rangel, Director of Delegations, Commission for the Regularization of Land Tenure, Mexico
Mario David Antonio García Velásquez, Director, Emisoras Unidas, Guatemala
Leonidas Rosa Suazo, Director, Bufete Rosa y Asociados, Honduras

Uganda and Ethiopia

Room 208 J. Reuben Clark Law Building

Moderator: **David Westerby**, Sustaining Fellow, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Rosemary Nabifo Wamimbi**, Assistant Commissioner of Immigration, Government of Uganda, Uganda
Woubeshet Senegiorgis, Attorney at Law, Ethiopia

Europe

Room 205 J. Reuben Clark Law Building

Moderator: **Gordon Smith**, Associate Dean and Glen L. Farr Professor of Law, J. Reuben Clark Law School, Brigham Young University

Speakers: **Franz Winter**, Religious Studies Scholar, University of Vienna/Federal Centre for Sect Issues, Austria
Ofrit Liviatan, Lecturer, Department of Government and Associate of the Weatherhead Center for International Affairs, Harvard University, United States

11-11:15

Break

11:15-12:15 PM **Australia and Canada**

Room 303 J. Reuben Clark Law Building

Moderator: **Neville Rochow**, Barrister and Research Associate,
Research Unit for the Study of Society, Law and Religion,
Australia

Speakers: **Lori Gail Beaman**, Professor, University of Ottawa,
Canada
Rocco Mimmo, Founder and Chairman, Ambrose Centre
for Religious Liberty, Australia

Colombia and Ecuador

Room 206 J. Reuben Clark Law Building

Moderator: **William H. Wingo**, International Fellow, International
Center for Law and Religion Studies, J. Reuben Clark Law
School, Brigham Young University

Speakers: **Jorge García Calume**, Legal Director, Ministry of the
Interior and Justice, Colombia
Ramiro Alfredo Rivadeneira Silva, Ministry of the
Government of Ecuador, Ecuador

Senegal and Cape Verde

Room 208 J. Reuben Clark Law Building

Moderator: **James M. Dester**, Sustaining Fellow, International Center
for Law and Religion Studies, J. Reuben Clark Law
School, Brigham Young University

Speakers: **Ahmadou Tall**, Magistrat, Ministry of Justice, Senegal
Jorge Manuel Santos Sousa Brito, Universidade Jean
Piaget de Cabo Verde, Cape Verde

Russia and Ukraine

Room 205 J. Reuben Clark Law Building

Moderator: **Robert Lochhead**, International Fellow, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Tatyana Petrova**, Advisor for Religions and Ethnoculture, Department of Culture, Russia

Igor Simonov, Chief Advisor, Office of the President of the Russian Federation in the Volga Federal District, Russia

Oleksandr Zaiets, Director, Institute of Religious Freedom, Ukraine

Lev Simkin, Attorney at Law, Russia

12:15-2 PM

Lunch for Conference Delegates and Invited Guests

Rooms 3220-3224 Wilkinson Student Center, Brigham Young University

2-3 PM

Indonesia, Philippines, and Samoa

Room 303 J. Reuben Clark Law Building

Moderator: **Craig H. Christensen**, International Fellow, International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University

Speakers: **Piet Hizbullah Khiaidir**, Chairman, Muhammadiyah Youth Organization, Indonesia

Santanina Rasul, Former Senator, Philippines

Patu Falefatu Sapolu, Chief Justice of Samoa, Supreme Court of Samoa, Samoa

Pakistan

Room 205 J. Reuben Clark Law Building

Moderator: **Eric K. Hutchings**, Utah House of Representatives

Speakers: **Zahoor Ahmed Buledi**, Provincial Assembly Member,
Balochista, Pakistan

Athar Hassan Gorchani, Provincial Assembly Member,
Punjab, Pakistan

Muhammad Taimur Khan, Provincial Assembly
Member, Khyber Pakhtunkhwa, Pakistan

Heer Soho, Provincial Assembly Member, Sindh,
Pakistan

Brazil and Guyana

Room 206 J. Reuben Clark Law Building

Moderator: **Arlen Woffinden**, International Fellow, International
Center for Law and Religion Studies, J. Reuben Clark Law
School, Brigham Young University

Speakers: **Perly Cipriano**, Deputy Secretary for the Advancement
of Federal Human Rights, Special Secretary for Human
Rights, Brazil

Roberto Arriada Lorea, Permanent Judge, Court of
Domestic Violence and Family Violence against Women
in Porto Alegre, Rio Grande do Sul, Brazil

Ronald P. McGarrell, Pastor, Family Federation for
World Peace and Unification, Guyana

3-3:15 PM

Break

3:15-5 PM

Fourth Plenary Session

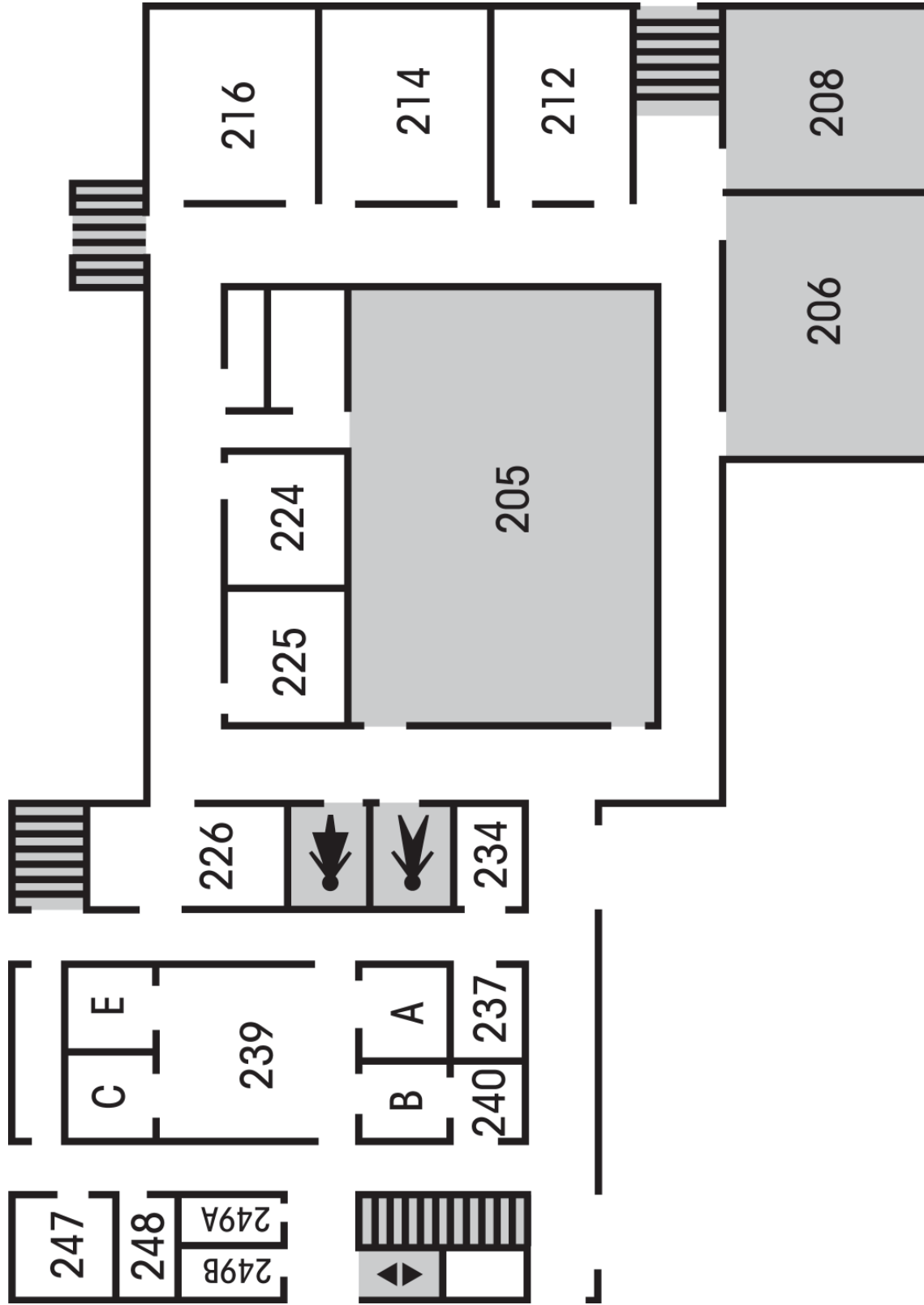
Room 303 J. Reuben Clark Law Building

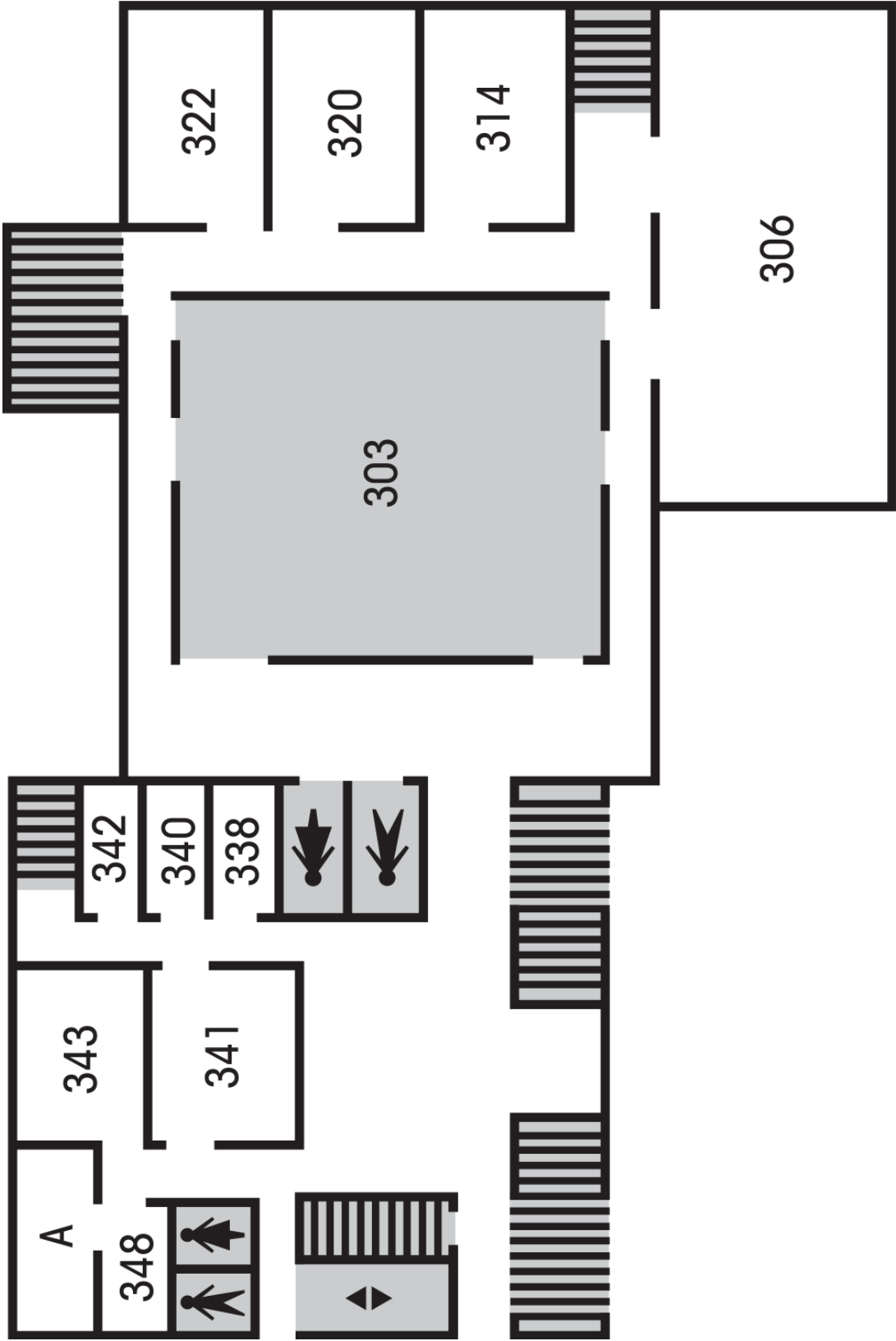
Moderator: **W. Cole Durham, Jr.**, Susa Young Gates University Professor of
Law and Director, International Center for Law and Religion
Studies, J. Reuben Clark Law School, Brigham Young University

**Conference Summation and Concluding Reflections on
Conference Themes**



SECOND FLOOR MAP









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the International Center for Law and Religion Studies
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