



AMERICAN SOCIETY OF
COMPARATIVE LAW
YOUNGER COMPARATIVISTS
COMMITTEE

INAUGURAL NEW PERSPECTIVES ON COMPARATIVE LAW CONFERENCE

APRIL 19-20, 2012

Hosted by THE GEORGE WASHINGTON
UNIVERSITY LAW SCHOOL
WASHINGTON, DC



PROGRAM

THURSDAY, APRIL 19, 2012

6–7:30 PM RECEPTION at One Washington Circle Hotel, Meridian Room

FRIDAY, APRIL 20, 2012

8–8:30 AM CHECK-IN AND BREAKFAST
STUART 101

8:30–8:45 AM OPENING SESSION AND WELCOME
STUART 101

Claudia Haupt, The George Washington University Law School
Dean Paul Schiff Berman, The George Washington University Law School

8:45–10:15 AM FIRST CONCURRENT SESSIONS

STUART 302 Session 1.1: Constitutionalism, Parliamentarism, and Judicial Review
Moderator: *Ozan Varol, IIT Chicago-Kent College of Law*

Constitution-Making Gone Wrong
David Landau, Florida State University Law School

Systems of Parliamentary Committees and Forms of Government: Comparing the U.S. Congress, the British, the French, the Italian, and the European Parliaments
Cristina Fasone, Luiss Guido Carli University

Diffusion of Ideas and Comparative Law: The Doctrine of Separation of Powers
Eoin Carolan, University College, Dublin

STUART 303 Session 1.2: Transplanting Property Rights
Moderator: *Ioanna Tourkochoriti, Harvard University*

Harmonisation of Secured Transactions Laws, Uncitral, and Legal Transplants
Orkun Akseli, Durham University Law School



Comparative Confusion: Transplants in the Law of Personal Property Security in CEE Countries

Hano Ernst, *University of Zagreb Law*

The Derivative Action in Asia: A Complex Reality

Daniel Puchniak, *National University of Singapore Law*

10:30 AM–NOON SECOND CONCURRENT SESSIONS

STUART 302 Session 2.1: Comparative Perspectives on Finance and Corporations

Moderator: **Salil Mehra**, *Temple University Beasley School of Law*

The Development of the New Chinese Banking System: Domestic Modernization or Global Financial Manipulation?

Shruti Rana, *University of Maryland School of Law*

A Comparative Analysis of Indeterminacy in Corporate Law

Jens Dammann, *University of Texas School of Law*

Why is the U.S. Abdicating the Policing of Multinational Corporations to Europe?: Extraterritorialism, Sovereignty, and the Alien Tort Statute

Jodie Kirshner, *University of Cambridge*

STUART 303 Session 2.2: Human Rights

Moderator: **Zachary Calo**, *Valparaiso University Law School*

Of Floors, Ceilings, and Human Rights: The European Fundamental Rights Architecture in Comparative Perspective

Federico Fabbrini, *European University Institute Law Department*

Who's Afraid of International Law?

Timothy Webster, *Whittier Law School*

The Loyalty Dilemma: To Pledge or Not to Pledge?

Liav Orgad, *Radzyner School of Law, Interdisciplinary Center (IDC) Herzliya*

12:30–1:45 PM LUNCH AND PAPER PRIZE PRESENTATION

STUART 101

Moderator: **Richard Albert**, *Boston College Law School*

Veiled Political Questions: Islamic Dress, Constitutionalism, and the Ascendance of Courts

Jill Goldenziel, *Harvard Law School*

Commentators:

Francesca Bignami, *The George Washington University Law School*

Thomas Colby, *The George Washington University Law School*

2–3 PM THIRD CONCURRENT SESSIONS

STUART 302 **Session 3.1: Perspectives on African Law**

Moderator: **Fernanda Nicola**, *American University*

Transnational Rights Enforcement

David Gartner, *Arizona State University Sandra Day O'Connor College of Law*

Conventional and Unconventional Corruption: Analysis and Solutions for the United States and Kenya

Patrick Yingling, *Reed Smith LLP*

STUART 303 **Session 3.2: Perspectives on Latin American Law**

Moderator: **Markus Wagner**, *University of Miami School of Law*

Learning from a “Jaguar”: Labor Law in Chile

Cesar Rosado Marzan, *IIT Chicago-Kent College of Law*

Understood, but Undefined: Why Argentina and Brazil Resist Criminalising “Terrorism”

Rebecca Welsh, *The University of New South Wales Law*

3:15–3:45 PM **FOURTH CONCURRENT SESSIONS**

STUART 302 **Session 4.1: Minorities, Religion, and Comparative Law**

Moderator: **Kristine Kalanges**, *American University School of Public Affairs*

The Rights of the Elderly in the Arab Middle East: Islamic Theory versus Arabic Practice

Radwa S. Elsaman, *Cairo University Law*, and **Mohamed A. Arafa**, *Alexandria University*

Advancing Women’s Rights Through Islamic Law: The Example of Morocco

John Hursh, *Landesa: Rural Development Institute*

Extraterritoriality and Extranationality: A Comparative Study

Zachary Clopton, *Assistant U.S. Attorney, Northern District of Illinois; University of Chicago Law School*

STUART 303 **Session 4.2: Comparative and International Criminal Law**

Moderator: **David Wolitz**, *University of Tennessee College of Law*

The Tension Between Culture and Uniformity in the German Penal Code

Shawn Marie Boyne, *Indiana University School of Law*

Complicity in International Criminal Law: A Case for Clarification

Marina Aksenova, *European University Institute Law Department*

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