



SCHOOL
OF LAW

Center for Law and Religion

Religious Legal Theory Conference:

Religion in Law, Law in Religion

Friday, November 5, 2010
8:30 a.m. – 4:30 p.m.

St. John's School of Law
8000 Utopia Parkway, Queens, NY





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Religious Legal Theory Conference:

Religion in Law, Law in Religion

8:30 – 9 a.m.

Registration/Breakfast Solarium, Ground Floor

9 – 9:15 a.m.

Welcome Belson Moot Court Room, Second Floor

9:15 – 10 a.m.

Plenary Session I Belson Moot Court Room, Second Floor

Steven Smith

University of San Diego Law School

Religion, Standing, and the Soft Constitution

10 – 10:15 a.m.

Break

10:15 a.m. – 11:45 p.m.

Concurrent Sessions I

A. Varieties of Religious Legal Theory Belson Moot Court Room, Second Floor

Moderator:

Mark L. Movsesian

St. John's School of Law

Zachary Calo

Valparaiso University School of Law

Law and the Secular

Paul Horwitz

University of Alabama School of Law

Constitutional Agnosticism

Samuel Levine

Touro College Law Center

A Preliminary Examination of Religious Legal Theory as a Movement

David Opderbeck

Seton Hall Law School

Law and the Eschatology of Hope

B. Religious Conceptions of Law and Loyalty Room 2-12

Moderator:

Keith Sharfman

St. John's School of Law

Perry Dane

Rutgers School of Law-Camden

The Challenge of Change in Jewish Law

Haider Hamoudi

University of Pittsburgh School of Law

Juristic and State Institutions: The Paradox of Iraq

Chaim Saiman

Villanova Law School

Halakhah: The Rabbinic Idea of Law

Anna Su

Harvard Law School

To Try a Man's Soul: Loyalty in Law and Religion



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C. American Law and Religion: Selected Topics Room 2-16

Moderator:

Marc DeGirolami

St. John's School of Law

Richard Esenberg

Marquette University Law School

The Unbearable Lightness of Endorsement

Michael Helfand

Pepperdine University School of Law

Fighting for the Debtor's Soul: Church Autonomy and Religious Arbitration

John Inazu

Duke University School of Law

Religious Group Autonomy and the Right of Assembly

Nelson Tebbe

Brooklyn Law School

Nonbelievers

11:45 – 1 p.m.

Lunch Solarium, Ground Floor

1 – 1:45 p.m.

Plenary Session II Belson Moot Court Room, Second Floor

Steven Shiffrin

Cornell University Law School

Theology and Our Constitution

1:45 – 2 p.m.

Break

2 – 3:30 p.m.

Concurrent Sessions II

A. Biblical Law Room 2-16

Moderator:

Nina Crimm

St. John's School of Law

Nathan Chapman

Stanford Law School

Speech, Creation and Law

Robert Cochran

Pepperdine University School of Law

Jesus and the Civil Law

Joel Nichols

University of St. Thomas School of Law

Civil Obedience and Disobedience in the New Testament

B. Comparative Law and Religion Room 2-12

Moderator:

Brett Scharffs

BYU School of Law

Keisuke Abe

Seikei University

Separation of Church and State in Japan:

What Happened to the Conservative Supreme Court?

Matthew Harrington

University of Montreal – Faculty of Law

The Religion Guarantees in the Canadian Context

Simeon Ilesanmi

Wake Forest University

Disestablishment Without Impartiality: An Examination of the Religion

Clause in the Nigerian Constitution

Andrea Pin

University of Padua

(European) Stars or (American) Stripes: Are the European Court of Human Rights'

Neutrality and the Supreme Court's Wall of Separation One and the Same?

Rosemary Salomone

St. John's Law School

Behind the Veil: Religion, Ethnicity, and Democratic Schooling in France
and the United States

C. Duties of Judges, Lawmakers and Citizens Belson Moot Court Room

Moderator:

Margaret Turano

St. John's School of Law

Ian Bartrum

Drake Law School

Voting for Nonpublic Reasons: Conscience and Political Evolution

René Reyes

Villanova University School of Law

The Supreme Court's Catholic Majority: Doctrine, Discretion,
and Judicial Decision-Making

Robin Wilson

Washington and Lee Law School

Privatizing Family Law in the Name of Religion

Melissa Yates

Rutgers University-Camden

Obligations to Raise Good Citizens

3:30 p.m.

Reception Solarium, Ground Floor

Conference Luncheon generously provided by



Moderator Biographies

Religious Legal Theory Conference:

Religion in Law, Law in Religion





Nina J. Crimm

*Bernard L. Schwartz Senior Fellow
St. John's School of Law*

Professor of Law. A.B., Washington University; M.B.A., J.D., Tulane University; LL.M. in Taxation, Georgetown University.

Professor Crimm began her legal career in Washington, D.C. as law clerk for Judge Irene F. Scott, United States Tax Court; practiced in a Washington, D.C. law firm in the area of federal taxation; worked as Attorney-Advisor/Senior Attorney in the Office of the Chief Judge of the United States Tax Court; and was a member of the full-time faculty of George Washington University School of Government and Business Administration. She became a full-time professor at St. John's University School of Law in fall 1987. Professor Crimm was a Visiting Professor of Law and Visiting Scholar in Residence at Arizona State University School of Law for several semesters in 2003-2005. She has been an Adjunct Professor of Law at several New York area law schools.

Through an international competition, Professor Crimm was awarded the ATAX Research Fellow at the University of New South Wales, a division of the University of New South Wales School of Law, in Sydney, Australia in Summer 2001. Professor Crimm was one of two national recipients for 2002-2003 of a research grant by the prestigious Washington D.C. nonpartisan nonprofit organization, the American Tax Policy Institute.

Professor Crimm is the co-author of a book on political speech, houses of worship, and conditional tax subsidies published in 2010 by Oxford University Press. She is the author of *Tax Issues of Religious Organizations*, published first in 2002 and as a new edition in 2009, by the Bureau of National Affairs as Tax Management Portfolio No. 484. She also is the author of *Tax Court Litigation: Practice and Procedure*, published in 1992 by Little, Brown and Company. She is the co-editor of *West's McKinney's Forms, Tax Practice and Procedure* and has written a number of book chapters involving topics of federal taxation.

Professor Crimm is "The Quarterly Commentator" for *The Exempt Organization Tax Review*, timely commenting on various policy and legal matters affecting nonprofit organizations. She is the author of numerous law review and law journal articles focused on her area of expertise — nonprofit organizations, taxation, and domestic and foreign policies relevant to cutting edge issues involving national security, the First Amendment's Free Speech and Religion Clauses, and healthcare policies and practices, especially as impacting vulnerable population segments.

Professor Crimm teaches Nonprofit Organizations, Global Philanthropy and U.S. Assistance, Contemporary Public Policy and the Internal Revenue Code, Basic Personal Income Taxation, Corporate Income Taxation, and U.S. Taxation of International Transactions.



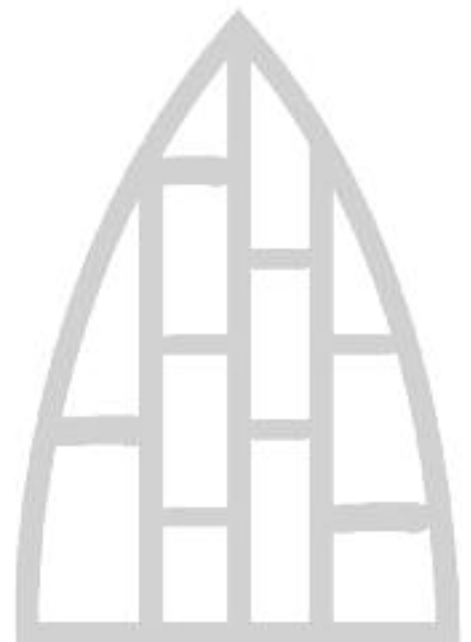
Marc O. DeGirolami

*Assistant Professor of Law
St. John's School of Law*

Marc O. DeGirolami joined the St. John's faculty in 2009. He teaches Criminal Law, Professional Responsibility, and Law and Religion.

Professor DeGirolami graduated *cum laude* from Duke University and received his J.D. *cum laude* from Boston University School of Law. He holds a masters degree from Harvard University as well as an LL.M. and a J.S.D. from Columbia Law School. At Columbia, he was a James Kent Scholar and a Bretzfelder Fellow in Constitutional Law, and he won the Walter Gellhorn Prize awarded for the highest grade-point average in the class. Following law school, he clerked for Judge William E. Smith of the U.S. District Court for the District of Rhode Island and Judge Jerome Farris of the U.S. Court of Appeals for the Ninth Circuit. His professional experience includes service as an Assistant District Attorney in Cambridge, Massachusetts. Prior to joining the St. John's faculty, he taught legal research and writing as an Associate-in-Law at Columbia Law School, and then served as a Visiting Assistant Professor and Scholar in Residence at Catholic University's Columbus School of Law.

Professor DeGirolami's scholarship focuses on Law and Religion and Criminal Law. His papers have appeared or will be published in various law journals including *Legal Theory*, *Ohio State Journal of Criminal Law*, *Boston College Law Review*, *Alabama Law Review*, and *St. John's Law Review*, among others.





Mark L. Movsesian

*Frederick A. Whitney Professor of Contract Law
Director of the Center for Law and Religion
St. John's School of Law*

Professor Movsesian is the Frederick A. Whitney Professor of Contract Law and the Director of the Center for Law and Religion. He writes in law and religion, contracts and international law; his articles have appeared in the *Harvard*, *North Carolina*, and *Washington & Lee Law Reviews*, the *American Journal of International Law*, the *Harvard International Law Journal*, the *Virginia Journal of International Law*, and many others. He has been a visiting professor at Notre Dame and Cardozo Law Schools and has delivered papers at numerous workshops in the United States and Europe. In addition to Contracts, he teaches Comparative Law & Religion and International Commercial Arbitration.

Professor Movsesian graduated *summa cum laude* from Harvard College and *magna cum laude* from Harvard Law School. In law school, he was an editor of the *Harvard Law Review* and a recipient of the Sears Prize, awarded to the two highest-ranking students in the second-year class. He clerked for Justice David H. Souter of the Supreme Court of the United States and served as an attorney-advisor in the Office of Legal Counsel at the United States Department of the Justice. Before starting at St. John's, he was the Max Schmertz Distinguished Professor of Law at Hofstra University.



Brett Scharffs

*Professor of Law
Associate Director, International Center for Law and Religion Studies
BYU*

Brett G. Scharffs is the associate director of the International Center for Law and Religion Studies. His scholarly interests are law and religion, corporate law, international business law and philosophy of law.

Professor Scharffs clerked for the Honorable David B. Sentelle on the U.S. Court of Appeals, D.C. Circuit, and worked as a legal assistant to the Honorable George H. Aldrich at the Iran-U.S. Claims Tribunal in The Hague. Before teaching at BYU, he worked as an attorney for the New York law firm, Sullivan & Cromwell. Before coming to BYU Law School, he taught at Yale University and the George Washington University Law School. He is currently serving as Chair of the Law and Religion section of the American Association of Law Schools.



Keith Sharfman

*Professor of Law
St. John's School of Law*

Keith Sharfman teaches and writes in the areas of antitrust, bankruptcy, commercial law, corporate finance, corporate reorganization, law and economics, and legal valuation. He received a B.A. in economics and international relations from Johns Hopkins and a J.D. from the University of Chicago. Following law school, he clerked for Judge Frank Easterbrook of the U.S. Court of Appeals for the Seventh Circuit and then was an associate at Latham & Watkins, where he worked on a wide range of antitrust, bankruptcy, corporate finance, and intellectual property matters.

For more than a decade, Professor Sharfman has published extensively in a variety of scholarly journals. Recent articles include "Contractual Valuation Mechanisms and Corporate Law," 2 *Virginia Law & Business Review* 53 (2007); "Judicial Valuation Behavior: Some Evidence from Bankruptcy," 32 *Florida State University Law Review* 387 (2005); "Derivative Suits in Bankruptcy," 10 *Stanford Journal of Law, Business & Finance* 1 (2004); "Valuation Averaging: A New Procedure for Resolving Valuation Disputes," 88 *Minnesota Law Review* 357 (2003); and "Is It Ever Too Late for Innocence?," 64 *University of Pittsburgh Law Review* 263 (2003) (with George C. Thomas et al.).

In recognition of his scholarship, the National Conference of Bankruptcy Judges selected Professor Sharfman in 2006 as an American Bankruptcy Law Journal Fellow, and in 2007 he became a member of that Journal's editorial advisory board. He also serves as faculty advisor to the *American Bankruptcy Institute Law Review*.



Margaret Valentine Turano

*Associate Academic Dean and Professor of Law
St. John's School of Law*

Education: B.A. (French), College of New Rochelle; M.A. (Comparative Literature), University of Wisconsin; J.D., St. John's University; LL.M., Yale Law School

Subjects: Trusts & Estates, Law and Literature

Faculty Director, Law School Writing Center

Book(s): New York Estate Administration (with Radigan, West Publishing Co. 1986) (Lexis Publishing 2009).

New York Law of Trusts & Estates (scheduled 2010) (LexisNexis Matthew Bender Academic Division)

Practice Commentaries: McKinney's Laws of New York, Surrogate's Court Procedure Act (four volumes); McKinney's Laws of New York, Estates Powers & Trusts Law (five volumes)

Professor Turano has received the Dean's Teaching Award three times and was voted Professor of the Year by the students in 2008.



Speaker Biographies

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Keisuke Abe

*Professor of Law
Seikei University, Tokyo*

Keisuke Mark Abe is Professor of Law at Seikei University in Tokyo, Japan. A graduate of the University of Tokyo (LL.B., LL.M., Ph.D.) and of Harvard Law School (LL.M.), he teaches Comparative Law, Constitutional Law, and Bioethics and Law. He is the co-author, with Professors Naoki Onishi and Shin Chiba, of *The Separation of Church and State in Historical Perspective* (Sairyusha Publishing Company, 2006). Professor Abe is on research leave from Seikei University and is currently a visiting fellow at the University of Cambridge. He is now working on a book on transformation of Japanese law under the pressure of global economy.



Ian Bartrum

*Assistant Professor
Drake University Law School*

Ian Bartrum teaches constitutional law, law and religion, and constitutional theory at Drake Law School. He has also taught at Vermont Law School, and has served as the Irving Ribicoff Fellow at Yale Law School. His writing has appeared in the *Northwestern University Law Review*, the *Michigan Law Review*, the *Virginia Law Review*, the *William & Mary Bill of Rights Journal*, *Constitutional Commentary*, and the *NYU Journal of Law and Liberty*, among other journals. His article, "The Constitutional Canon As Argumentative Metonymy" was recognized by the AALS as the Steven Gey Paper in Constitutional Law for 2010. He is a graduate of Hamilton College, Vermont Law School, and Yale Law School.



Zachary Calo

*Associate Professor of Law
Valparaiso University School of Law*

Zachary Calo is Associate Professor of Law at the Valparaiso University School of Law, where he has taught since 2007. He previously practiced banking and commercial law in Washington, DC. He holds a J.D. from the University of Virginia School of Law, a B.A. and M.A. in history from The Johns Hopkins University, a Ph.D. in American religious history from the University of Pennsylvania, and is a Ph.D. candidate in theological ethics in the Department of Religious Studies at the University of Virginia. He has been a visiting fellow at the Brookings Institution, the Pew Forum on Religion and Public Life, and the Institute for Humane Studies. He serves on the Organizing Committee of the AALS Law and Religion Section and is a member of the Editorial Board of the *European Journal of Law and Religion*. He is currently writing books on the history of twentieth century American Catholic social thought, the legal thought of Richard Hooker, and jurisprudence and secularism.

Nathan Chapman

*Olin-Searle Fellow in Law
Stanford Law School*

Nathan Chapman joined Stanford Law School in 2010 as an Olin-Searle Fellow in Law. He came from WilmerHale in Washington, D.C., where he litigated a variety of complex commercial and civil rights cases. Before that he clerked for the Honorable Judge Gerald Bard Tjoflat on the United States Court of Appeals for the Eleventh Circuit. He graduated from Duke University School of Law and Duke Divinity School in 2007. He writes on religion and law, civil procedure, and professional responsibility.



Robert F. Cochran, Jr.

*Louis D. Brandeis Professor of Law
Director, Nootbaar Institute on Law, Religion and Ethics
Pepperdine University School of Law*

Robert F. Cochran, Jr. is the Louis D. Brandeis Professor of Law and the Founder and Director of the Herbert and Elinor Nootbaar Institute on Law, Religion, and Ethics at Pepperdine University. He was also the founder of Pepperdine's Union Rescue Mission Legal Clinic. Professor Cochran is the author of eight books and over 40 articles and book chapters. His books include: *Lawyers, Clients, and Moral Responsibility* (West, 2nd ed. 2009; 1st ed. 1994) (with Thomas L. Shaffer); *Faith and Law: How Religious Traditions From Calvinism to Islam View American Law* (NYU Press, 2008); and *Christian Perspectives on Legal Thought* (Yale University Press, 2001) (with Michael McConnell and Angela Carmella). Forthcoming books include: *Louis D. Brandeis's MIT Lectures on Law* (Carolina Academic Press, 2011) and *The Bible and the Civil Law*. Professor Cochran is the editor of the *SSRN Law and Religion eJournal* and the moderator of the LawReligionEthics.net blog.



Perry Dane

*Professor
Rutgers School of Law – Camden*

Professor Dane came to Rutgers from the Yale Law faculty. He received his B.A. *summa cum laude* from Yale College and his J.D. from Yale Law School, where he was Note Editor of the law journal and received the Israel H. Peres Prize awarded by the faculty for the best student contribution to the *Yale Law Journal*. After law school, he clerked for Judge David Bazelon of the U.S. Court of Appeals and Justice William Brennan of the U.S. Supreme Court.

Professor Dane has written landmark articles on choice of law, religion and law, the jurisprudence of Jewish law, legal pluralism, and jurisdiction. He teaches courses in Conflicts of Law, Constitutional Law, American Indian Law, Jurisdiction, Law and Religion, Nonprofit Organizations, the Canadian Legal System, and "The Debate on

Same-Sex Marriage," and seminars on "Legalism" and "Religion and the State in Cross-National Perspective." In January 1997, Professor Dane was a Distinguished Visiting Professor at the University of Toronto Faculty of Law, teaching an intensive course on Religion and the Law. More recently, in January 2008, he taught a course on Religion and the State in Cross-National Perspective as a visiting professor at the University of Western Ontario Faculty of Law. During the 2000-01 academic year, Professor Dane was a faculty fellow at the Rutgers Center for the Critical Analysis of Contemporary Culture during their program on "Secularism." He is presently a Faculty Affiliate of the Rutgers Institute for Law and Philosophy. He has also been a member of the national seminar of the Project on Religious Institutions at Yale University's Program on Non-Profit Organizations, a guest of the Shalom Hartman Institute In Israel, and a participant in a variety of scholarly conferences around the nation and the world.

During the 2010-11 academic year, Professor Dane will be full-time resident fellow at the Tikvah Center for Law & Jewish Civilization at the New York University Law School.



Richard M. Esenberg

*Visiting Assistant Professor of Law
Marquette University Law School*

Richard M. Esenberg comes to Marquette University Law School as an accomplished practitioner. For the past ten years, Professor Esenberg served as Vice President and General Counsel of Rite Hite Holding Corporation in Milwaukee. From 1981 to 1997, he was an associate and then partner at Foley & Lardner.

Professor Esenberg has overseen international acquisitions and business expansions throughout Europe, Latin America, and Canada. He also has served as lead trial counsel in major intellectual property and advertising litigation and as trial counsel in numerous public-law cases.

Professor Esenberg holds a J.D., *magna cum laude*, from Harvard Law School, where he was an editor of the *Harvard Law Review*, and a B.A., *summa cum laude*, in political science from the University of Wisconsin-Milwaukee. He recently published "You Cannot Lose If You Choose Not to Play: Toward a More Modest Establishment Clause," 12 *Roger Williams Law Review* 1 (2006) and his recent paper, "Of Speeches and Sermons: Worship in Limited Purpose Public Forums" is forthcoming in the *Mississippi Law Journal*. Professor Esenberg is a frequent columnist for the *Milwaukee Journal Sentinel* and publishes a blog, "Shark and Shepherd".

Professor Esenberg's research interests are in law and religion, the regulation and nature of public discourse and state courts and the Wisconsin constitution.



Haider Hamoudi

*Assistant Professor of Law
University of Pittsburgh School of Law*

Professor Hamoudi received his B.Sc. from the Massachusetts Institute of Technology in 1993, with a double major in Physics and Humanities with a Near Eastern Studies Concentration. He was both a member of the Physics Honor Society, *Sigma Pi Sigma*, and a Burchard Scholar for Excellence in the Humanities and Social Sciences. In 1996, Professor Hamoudi received his J.D. from Columbia Law School, where he was a Harlan Fiske Stone Scholar. After graduating, he served as a law clerk to the Honorable Constance Baker Motley in the Southern District of New York and then worked as an Associate at the law firm of Debevoise & Plimpton until 2003.

Haider Ala Hamoudi's scholarship focuses on Middle Eastern and Islamic Law, particularly, but not exclusively, as it pertains to matters of commerce. He has called for a reassessment of the manner in which law in the Muslim world is understood and approached, with less reliance on medieval texts and more emphasis on the positive law of the nation states of the Muslim world and on the political, social, economic and ideological influences that influence its interpretation. He has written for numerous law reviews, spoken at conferences sponsored by the MacMillan Center at Yale University, the American Association of Law Schools and the New York City Bar Association, and given interviews to various news organizations including *The New York Times*, *Forbes.com*, *Slate.com*, the McNeil-Lehrer News Hour Online and the *New York Law Journal*. In 2009, Professor Hamoudi was awarded the Hessel Yntema prize, awarded by the American Society of Comparative Law for the best article produced in the *American Journal of Comparative Law* the previous year by an author under the age of 40.

Professor Hamoudi is currently spending his time in Baghdad advising the Constitutional Review Committee of the Iraqi legislature, responsible for developing critical amendments to the Iraq Constitution deemed necessary for Iraqi national reconciliation, on behalf of the United States Embassy in Baghdad. He is also advising on other key pieces of legislation, including a hydrocarbons law, a revenue management law, and an antitrust law. In 2003 and 2004, Professor Hamoudi served as a legal advisor to the Finance Committee of the Iraq Governing Council, as well as a Program Manager for a project managed by the International Human Rights Law Institute of DePaul University School of Law to improve legal education in Iraq.

Professor Hamoudi is also the author of a blog on Islamic Law entitled *Islamic Law in Our Times*.





Matthew P. Harrington

*Titular Professor of Law
Faculty of Laws
University of Montreal*

Matthew P. Harrington is Titular Professor of Law in the Faculty of Laws in the University of Montreal. A graduate of McGill University (B.Th.), Boston University (J.D.) and the University of Pennsylvania (S.J.D.), Mr. Harrington has teaches constitutional law and property. His research interests center on the problem of judicial review as well as the economic origins of modern property rights in the religion context. Harrington's most recent book is entitled *The Jay and Ellsworth Courts* and is a study of the origins of the United States Supreme Court, and he is currently at work on a book about judicial review and the sovereignty of Parliament. Various works on property rights and judicial review have been published in *Wisconsin Law Review*, *Hastings Law Journal*, and the *George Washington University Law Review*.



Michael A. Helfand

*Associate Professor
Pepperdine University School of Law
and Associate Director
Pepperdine University Glazer Institute for Jewish Studies*

Michael A. Helfand is an Associate Professor at Pepperdine University School of Law and Associate Director of the Pepperdine University Glazer Institute for Jewish Studies. Professor Helfand received his J.D. from Yale Law School in 2007. In 2009, he received his Ph.D. in Political Science from Yale University, where his fields included contemporary theory, political philosophy, and American politics.

Professor Helfand's scholarship focuses on law and religion, arbitration, constitutional law, and contracts. In particular, he works on the intersection of group rights and the law, including religious arbitration, Equal Protection Clause jurisprudence, and political theories of toleration. Professor Helfand has published in the *University of Pennsylvania Journal of Constitutional Law*, the *William & Mary Bill of Rights Journal*, and the *Journal of Law & Religion*.

Prior to joining the Pepperdine Law faculty this Fall, Professor Helfand was an associate at Davis Polk & Wardwell LLP, where his practice focused on complex commercial litigation. Before entering private practice, Professor Helfand clerked for the Honorable Julia Smith Gibbons of the U.S. Court of Appeals for the Sixth Circuit. In addition, Professor Helfand continues to consult for the Beth Din (rabbinical court) of America and represents clients seeking enforcement of religious arbitration awards in U.S. courts.



Paul Horwitz

*Gordon Rosen Professor of Law
University of Alabama School of Law*

Professor Horwitz teaches law and religion, constitutional law, and legal profession. He received his B.A. in English Literature from McGill University in Montreal in 1990, M.S., with honors, in Journalism from Columbia University in 1991, LL.B. from the University of Toronto in 1995 where he was co-editor-in-chief of the *University of Toronto Faculty of Law Review*, and LL.M. from Columbia Law School in 1997. Professor Horwitz clerked for the Honorable Ed Carnes of the United Court of Appeals for the Eleventh Circuit. Before joining the University of Alabama, Professor Horwitz was an associate professor at the Southwestern University School of Law in Los Angeles. He has also been a visiting professor at the University of Iowa College of Law, the University of San Diego School of Law, and Notre Dame Law School. In addition to having written and spoken widely on issues of constitutional law, Professor Horwitz is a member of the popular legal blog Prawfsblawg.



Simeon O. Ilesanmi, Ph.D., JD

*Washington M. Wingate Professor
Department of Religion
Wake Forest University*

Simeon O. Ilesanmi is Washington M. Wingate Professor and former Director of Graduate Studies in Religion at Wake Forest University where he teaches and writes in the areas of comparative ethics, political theory, and religion and law. He studied at the University of Ife (now Obafemi Awolowo University) where he received a B.A. in religious studies with First Class Honors. He received his PhD in Religion from Southern Methodist University and his JD from Wake Forest University School of Law. In addition to numerous peer-reviewed articles, he is also the author of *Religious Pluralism and the Nigerian State* (Ohio University Press) nominated in 1999 for the Council of Graduate Schools' Arlt Award and editor of two forthcoming books that focus on the intersections of religion, law and politics. In 1999/2000, he was appointed member of Princeton's Institute for Advanced Study and a Laurance S. Rockefeller visiting fellow at Princeton University's Center for Human Values. He has also received fellowships from the National Endowment for Humanities (summer program), Harvard University's Center for the Study of Values in Public Life, and the United States Institute of Peace, and has been a visiting scholar at the War Studies Department of King's College, University of London. He is an associate editor of the *Journal of Religious Ethics*, past Series editor of the *African Association for the Study of Religion*, editorial Advisory Board member for Georgetown University Press's *Advancing Human Rights Series*, editorial board member of *African Philosophy: A Journal on African Philosophy*, and a former Board member of the *Society of Christian Ethics*. He is a member of the American Bar Association and the North Carolina Bar.



John D. Inazu

*Visiting Assistant Professor of Law
Duke University School of Law*

John D. Inazu focuses his scholarship on the First Amendment freedoms of speech, assembly, and religion, and related issues of political and legal theory.

From 2009-10, Inazu was a fellow of the Duke Law Program in Public Law. Prior to that, he was a teaching fellow and instructor in the political science department at the University of North Carolina at Chapel Hill. From 2004 to 2005, he clerked for Judge Roger L. Wollman, United States Court of Appeals for the Eighth Circuit. From 2000 to 2004, Inazu served as an associate general counsel for the Department of the Air Force at the Pentagon as part of the Air Force General Counsel's Honors Program, where he focused on governmental contracts litigation, national security, and military personnel matters.

Inazu is a *cum laude* graduate of both Duke University School of Law and Duke University's Pratt School of Engineering. He holds a PhD in political science from the University of North Carolina at Chapel Hill. His scholarly work appears in the *Connecticut Law Review*, *Tulane Law Review*, *Tennessee Law Review*, *Marquette Law Review*, and other academic publications. His book, *Liberty's Refuge: The Forgotten Freedom of Assembly*, is forthcoming from Yale University Press.



Samuel Levine

*Professor of Law
Director of the Jewish Law Institute
Touro College Law Center*

Professor Levine joined the Touro College Law Center faculty in 2010. He previously served on the faculty of Pepperdine University School of Law in Malibu, California from 2002-2010. He has published more than forty law review articles in the areas of legal ethics, criminal law, law and religion, Jewish law, and constitutional law. His articles have appeared in numerous law reviews, including *Fordham Law Review*, *Houston Law Review*, *Indiana Law Review*, *Maryland Law Review*, *Notre Dame Law Review*, *Tulane Law Review*, and *Utah Law Review*, as well as peer-reviewed journals, such as the *American Journal of Legal History*, *Constitutional Commentary*, *Dublin University Law Journal* (Trinity College Dublin), and the *Journal of Law and Religion*. Professor Levine's scholarship has also appeared in textbooks and anthologies, has been included in course adoptions in the United States and Israel, has been cited by courts in the United States and New Zealand, and has been cited by scholars in the United States, Israel, Canada and Australia.

Professor Levine has delivered a number of public and endowed lectures, including: the inaugural lecture in Trinity College Law Review's Distinguished Speaker Series at Trinity College Dublin; the inaugural Yale L. Rosenberg Memorial Lecture at the

University of Houston Law Center; the second annual Holocaust Remembrance Lecture at Washington University School of Law; a plenary address at the Conference on Religious Legal Theory at Seton Hall School of Law; a public lecture as part of the University of Tulsa's Jewish Law Lecture Series; and a public lecture on legal ethics at Loyola University Maryland.

Professor Levine has also spoken at numerous other law schools, including Boston College, Brigham Young University, Cardozo, Catholic University, Fordham, George Mason, Harvard, Notre Dame, University of Colorado, University of San Diego, University of Southern California, and Yale. In addition, Professor Levine has presented scholarly papers at conferences in connection with various institutions and organizations, including the American Society for Legal History, the Archdiocese of Los Angeles, the Association of American Law Schools, the Center for Ethics at Yeshiva University, Chabad of Malibu, Gratz College, the Jewish Law Association, the Orthodox Union, and Spertus Institute of Jewish Studies.

Professor Levine received a J.D. from Fordham Law School, graduating *cum laude* and Order of the Coif, and an LL.M. from Columbia Law School, graduating with Highest Honors as a James Kent Scholar. He then served as an appellate prosecutor in the Kings County District Attorney's Office, as a law clerk to United States District Court Judges Loretta A. Preska and David N. Edelstein in the Southern District of New York, and as an adjunct professor at Fordham Law School. He has also taught at St. John's University School of Law.

He has served as chair of the AALS Section on Jewish Law and as co-chair of the AALS Section on Law and Religion, and he has served on the Executive Committee on the AALS Sections on Criminal Justice and Professional Responsibility.



Joel A. Nichols

*Associate Professor of Law
University of St. Thomas*

Joel A. Nichols is Associate Professor of Law at the University of St. Thomas (Minneapolis). His work centers upon the relationship of theology and religion to law, especially regarding family law, constitutional law, and international human rights. He is the editor of *Marriage and Divorce in a Multi-Cultural Context: Reconsidering the Boundaries of Civil Law and Religion* (Cambridge University Press 2010) and co-author of *Religion and the American Constitutional Experiment*, Third Edition (with John Witte, Jr.) (Westview Press 2010). He has published articles in the *NYU Law Review*, *Vanderbilt Journal of Transnational Law*, *Journal of Church and State*, *Journal of Law and Religion*, and *Emory Law Journal*, among others. Nichols' current research involves the engagement of evangelical Christians in human rights. He is heavily involved with Viva (a Christian international human rights organization that works with children at risk), serving on the Board of Directors for Viva North America, assisting the International Center in Oxford, United Kingdom, with organizational strategic planning, and has provided human rights and leadership training in Africa.



David W. Opderbeck

*Associate Professor of Law
Seton Hall Law School*

Professor Opderbeck's work focuses on the regulation of access to scientific and technological information. His published work has employed the tools of game theory, classical microeconomics, and statistical analysis to address issues such as intellectual property restrictions on essential medicines in developing countries, open source biotechnology, patent damages reform, and the interaction of law and social norms concerning music file sharing.

In addition to his traditional legal scholarship, Professor Opderbeck is interested in the philosophical and moral foundations of information policy and other aspects of the law. He has written on a virtue ethics approach to biotechnology law, and most recently has explored the philosophical aspects of information policy in a groundbreaking essay that seeks to apply a critical realist approach to the ontology of information. He was a principal organizer of a conference on "Religious Legal Theory: State of the Art" that was held at the Seton Hall Law School in 2009.

Professor Opderbeck graduated *cum laude* from Seton Hall Law School in 1991 and earned an LL.M. in Trade Regulation from New York University Law School in 1998. He previously was a Partner in the Intellectual Property / Trade Regulation group at McCarter & English, LLP, where he represented clients in the life sciences, consumer products, telecommunications, computer software, and other industries. Representative litigated cases include *Wedeco UV Technologies, Inc. v. Calgon Corp.*, 2006 WL 1867201 (D.N.J. 2006); *Bamberger v. Rohm & Hass Corp.*, 1998 WL 684263, 40 Fed.R.Serv.3d 667 (D.N.J. 1998); *McCall v. Metropolitan Life Ins. Co.*, 956 F. Supp. 1172 (D.N.J. 1996).



Andrea Pin

*Assistant Professor and Lecturer
University of Padua*

Andrea Pin is an Assistant Professor and Lecturer at the University of Padua in the Department of Public Law and Appointed Professor of Public Comparative Law at the Faculty of Law at the University of Padua.

René Reyes

Visiting Assistant Professor
Villanova University School of Law

René Reyes is a Visiting Assistant Professor at Villanova University School of Law. Prior to his appointment at Villanova, he served as a Climenko Fellow and Lecturer on Law at Harvard. His recent publications include "The Fading Free Exercise Clause," 19 *William & Mary Bill of Rights Journal* __ (forthcoming); "Justice Souter's Religion Clause Jurisprudence: Judgments of Conscience," 43 *Connecticut Law Review* __ (forthcoming); and "Conscience Reexamined: Liberty, Equality, and the Legacy of Roger Williams," 36 *Hasting Constitutional Law Quarterly* 1 (2008).



Chaim Saiman

Associate Professor of Law
Villanova University School of Law

Chaim Saiman, an associate professor at Villanova Law School, works in the areas of comparative private law and Jewish law. His recent articles include, "Framing Jewish Law for the Law School Context," "Restitution and the Production of Legal Doctrine; Public Law, Private Law and Legal Science," "Restitution in America: Why the US Refuses to Join the Global Restitution Party?;" and "Jesus' Legal Theory—A Rabbinic Reading." Currently, he is working on "The Distribution of Doctrinal Complexity Across Common Law Systems," which compares the nature of US and Commonwealth private law discourse as well on a book titled, *Halakha: The Rabbinic Idea of Law*, which analyzes the relationship between legal doctrine, philosophy and theology in Jewish law and culture. Prior to teaching at Villanova, Chaim served as an Olin Fellow at Harvard Law School, a Golieb Fellow in legal history at NYU Law School, and as a law clerk to Judge Michael McConnell on the Tenth Circuit Court of Appeals.

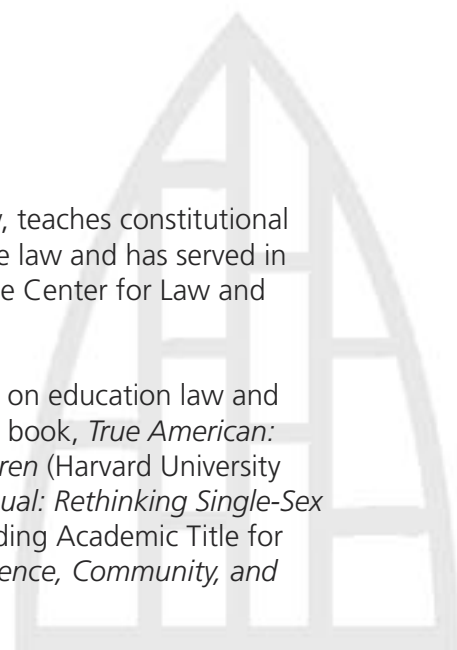


Rosemary C. Salomone

Kenneth Wang Professor of Law
St. John's School of Law

Rosemary Salomone, the Kenneth Wang Professor of Law, teaches constitutional law, administrative law, and a seminar on children and the law and has served in past years as Associate Academic Dean and Director of the Center for Law and Public Policy.

She has lectured internationally and published extensively on education law and policy and children's rights. In addition to her most recent book, *True American: Language, Identity, and the Education of Immigrant Children* (Harvard University Press, 2010), she also is the author of *Same, Different, Equal: Rethinking Single-Sex Schooling* (Yale University Press) (selected as an "Outstanding Academic Title for 2005" by *Choice Magazine*), *Visions of Schooling: Conscience, Community, and*



Common Education (Yale University Press), and *Equal Education Under Law: Legal Rights and Federal Policy in the Post "Brown" Era* (St. Martin's Press). She has been a recipient of numerous research and academic awards including St. John's University's highest honor, the St. Vincent de Paul Teacher-Scholar Award; the University Outstanding Faculty Achievement Award; and grants from the National Science Foundation, the U.S. Department of Education, the Spencer Foundation, and Harvard University. She has held fellowships at Columbia University School of Law and at the Soros Foundation's Open Society Institute. Her present research examines citizenship and schooling within the context of immigrant integration in the United States and Western Europe, particularly France.

Prior to St. John's, she was an Associate Professor at the Harvard Graduate School of Education where she taught education law, school finance, and language policy and was a lecturer in Harvard's Institute for Educational Management. From 1985 to 1995, she was a member of the Board of Trustees of the State University of New York. She is a former chair of the Section on Education Law of the Association of American Law Schools and of the Education and the Law Committee of the Association of the Bar of the City of New York, where she served on the Council on Children. She was elected to membership in the American Law Institute in 2008. She currently serves on the Advisory Boards of the National Coalition of Single-Sex Public Schools and of the Education Law Abstracting Journal.

Professor Salomone is a graduate of Columbia University (Ph.D., LL.M., M.Phil.), Brooklyn Law School (J.D.), Hunter College (M.A.), and Brooklyn College (B.A.)



Steven H. Shiffrin

*Charles Frank Reavis, Sr., Professor of Law
Cornell Law School*

Steven H. Shiffrin is the Charles Frank Reavis, Sr., Professor of Law at Cornell Law School. He began his law school teaching career at UCLA in 1977, receiving tenure in 1981. He has been a visiting professor of law at Boston University, Harvard University, Seattle University, and the University of Michigan. He joined the Cornell faculty in 1987. Professor Shiffrin is the author of *Dissent, Injustice, and the Meanings of America*, Princeton University Press, 1999, and *The First Amendment, Democracy, and Romance*, Harvard Press, 1990, winner of the Thomas J. Wilson Award. His writings have appeared in many publications, including the *Cornell Law Review*, the *Harvard Law Review*, the *Michigan Law Review*, the *Northwestern Law Review*, the *UCLA Law Review*, *Commonweal*, and the *New York Times Book Review*. He is a coauthor of *Constitutional Law*, 10th ed., 2006, and *The First Amendment*, 4th ed., 2006, both of which are widely used casebooks in the field. His most recent book, *The Religious Left and Church-State Relations*, was published by Princeton University Press in the fall of 2009.



Steven D. Smith

*Warren Distinguished Professor of Law
University of San Diego*

Steven D. Smith is a Warren Distinguished Professor of Law at the University of San Diego. His scholarly writings on law and religion include *The Disenchantment of Secular Discourse* (Harvard U Press 2010) and *Foreordained Failure: The Quest for a Constitutional Principle of Religious Freedom* (Oxford U Press 1995).



Anna Su

*SJD Candidate
Harvard Law School*

Anna Su is an SJD Candidate at Harvard Law School. She obtained her JD and BA in Political Science from Ateneo de Manila University in the Philippines. She is writing her dissertation on the relationship between the global legal regime of religious liberty and the rise of American power.

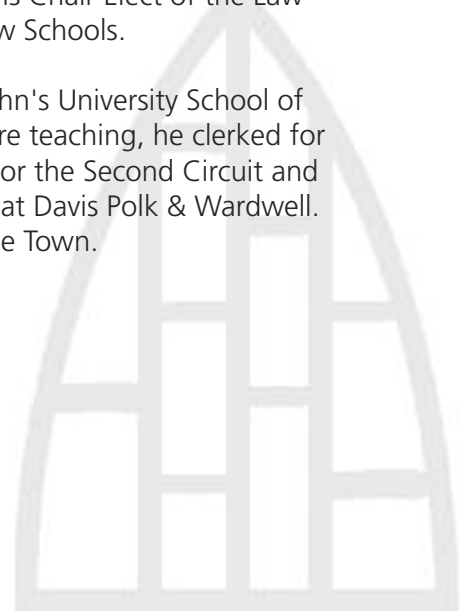


Nelson Tebbe

*Associate Professor of Law
Brooklyn Law School*

Nelson Tebbe teaches constitutional law, religion and the law, and professional responsibility. His scholarship focuses on the relationship between religious traditions and constitutional law, both in the United States and abroad. His articles have appeared in the *Georgetown Law Journal*, *Journal of Religion*, *Michigan Law Review*, and *University of Pennsylvania Law Review*. He is Chair Elect of the Law and Religion Section of the Association of American Law Schools.

Professor Tebbe joined Brooklyn Law School from St. John's University School of Law, where he received a Dean's Teaching Award. Before teaching, he clerked for Judge John M. Walker Jr. of the U.S. Court of Appeals for the Second Circuit and practiced law at the American Civil Liberties Union and at Davis Polk & Wardwell. He was also a Fulbright Scholar at the University of Cape Town.





Robin Fretwell Wilson

*Class of 1958 Law Alumni Professor of Law
Washington and Lee University School of Law*

Robin Fretwell Wilson is the Class of 1958 Law Alumni Professor of Law at Washington and Lee University School of Law, where her scholarship focuses on healthcare law, bioethics, family law, and children and violence. She is the editor of four recent books, including *Health Law and Bioethics: Cases in Context* (Aspen, 2008, with Joan Krause, Sandra Johnson, and Richard Saver), *Reconceiving the Family: Critical Reflections on the American Law Institute's Principles of the Law of Family Dissolution* (Cambridge University Press, 2006); *The Handbook of Children, Culture & Violence* (Sage Publications, 2006, with Nancy Dowd and Dorothy Singer); and *Same-Sex Marriage and Religious Liberty* (Rowman & Littlefield, 2008, with Douglas Laycock and Anthony Picarello). Her work has been featured in the *New York Times*, the *Washington Post*, the *Los Angeles Times*, and the *Wall Street Journal*. A member of the American Law Institute, Professor Wilson has worked extensively on behalf of state law reform efforts. In 2007, she received the Citizen's Legislative Award for her work on changing Virginia's informed consent law. Professor Wilson is the past Chair of the Section on Law, Medicine & Health Care of the Association of American Law Schools, as well as the Section on Family and Juvenile Law.



Melissa Yates

*Assistant Professor of Philosophy
Rutgers University – Camden*

Melissa Yates is an Assistant Professor of Philosophy with a B.A. from Grinnell College, and a Ph.D. from Northwestern University. She specializes in moral and political philosophy, with a particular interest in theories of deliberative democracy following John Rawls and Jürgen Habermas. Her research considers the epistemic, normative, and legal implications of conflicting ethical, cultural, and religious worldviews in democratic theory. She is currently writing a book titled, *Evaluative Pluralism: Epistemic Promises of Public Deliberation*. The central questions of this book include: "What are the limits of a person's ability to comprehend, from the outside, claims embedded in cultural and religious worldviews?" and "What normative constraints should we adopt in our public deliberation with others?" This project is an outgrowth of her dissertation, "Religion in the Public Sphere: Reflection on Rawls and Habermas."

Dr. Yates teaches courses in Ethics, Social and Political Philosophy, and Feminist Philosophy. She is currently designing a course on Religion and Democracy, and has also taught courses in Contemporary Legal Theory, History of Early Modern Philosophy, Philosophy of Religion, Metaphysics, and Bioethics.

