



Instituto de Estudos Comparados em Administração de Conflitos



CRN1 - Comparative Constitutional Law and Legal Culture: Asia and the Americas -

2019 Meeting Schedule

MAY 30 TH				
TIME	PAPER SESSION	ROOM	PRESENTER	PAPER
8:00 AM - 9:45 AM	Access to Justice in Asia and the Americas I	Bryce	Cristina Iorio	A Brief Analysis of Access to Justice at Brazilian Federal Small Claim Courts and the Culture of Litigation Through the Perspective of the Clerks.
			Elaine Oliveira	Access to Justice Integrates Minimum Conditions For a Dignified Existence
			Bruno Rezende	How Brazilian Law Tries to Overcome the Economic Barrier in Access to Justice
			Neta Ziv	Israeli Law Firms and Pro Bono Representation of Asylum Seekers: Transforming a Political Controversy Into a Humanitarian Cause
			Marcio da Costa Mello	Supreme Court or Supreme Rapporteurs?
			Matthew Shapiro	The Indignities of Civil Litigation
8:00 AM - 9:45 AM	Constitutional theory development in Asia and in the Americas	Yosemite	Pratyush Muthukumar	The United States Legal System: The Jurisprudence of Partisanship with Supreme Court Rulings
			Chien-Chih Lin	The Evolution of Proportionality in Taiwan Constitutional Jurisprudence
			Adriano Pinto	Dialogue between Courts: an argumentative contribution of judicial decisions?
			Ruy Walter	The interpretative fury of Brazilian Supreme Court and the(unavoidable) approximation to Common Law System
			Davi Silva	Can the Brazilian federalist crisis be explained by abusive constitutionalism?
10:00 AM - 11:45 AM	Constitutional Theory Development in Asia and in the Americas: Law and Democracy	Yosemite	Victor Marcel Pinheiro	Speaking Louder in a Full Room: The Dialogue Theories in Brazilian Federal Supreme Court Practice
			Joshua Braver	A Normative Theory of Court-Packing
			Wayne Batchis	Deregulating the Regulators: The Constitution, Political Parties and the Rules of the Game of Democracy
			Robinson Woodward-Burns	Laboratories of Democracy? State Constitutional Antecedents to Federal Constitutional Rights
			Pedro Marques Neto	The Judicial Oversight of Electoral Campaign Finance Law: An Antidomination Approach
			Rafael Fernandez Fingergut	The Lobby Regulation In Brazil Legislative Branch



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12:45 PM - 2:30 PM	Constitutional theory development in Asia and in the Americas II	Yosemite	Mariana Velasco Rivera	Beyond the Theory of Judicial Review in New Democracies: Understanding Constitutional Change in Mexico
			Ruthann Robson	Courting Revolution: #CourtsWon't SaveUs and #CourtsMatter
			Shubhankar Dam	Downgrading Mandatory Provisions: Constitutional Conventions in India
			Christopher Matera	Law, Power and Vulnerabilities Across Borders: Comparative Constitutionalism and the Poor
			Bivtri Susanti	Liberalism and the Welfare State in Indonesia's Constitution
			Ryan Whalen	Measuring the Difference Between Constitutional Amendment and Constitutional Replacement
12:45 PM - 2:30 PM	Law, Rights and Sexuality in Asia and the Americas	Bryce	Rehan Abeyratne	Comparing Three Approaches to LGBT Rights Adjudication in Asia
			Manoj Mate	From Naz Foundation to Navtej Singh Johar: A Contextual Account of LGBTQ Rights Recognition in India
			Stewart Chang	Revisiting LGBT Rights in Singapore: Provincialization and Performance
			Eric Merriam	The Dignitary Harm of Identity-Based Military Service Exclusion
2:45 PM - 4:30 PM	Current Legal Issues in Asia and the Americas	Bryce	Lucia Frota Pestana de Aguiar Silva	Post-humanism: the dignity of animals and free speech in Brazil and in the United States
			Patricy Justino	Free speech in Brazil and in the United States: from animal adoption campaigns to electoral disputes, the new use of social media.
			Maria Luisa Wilman Schiller	Animal Rights in Brazil and United States: a criticism of welfarism for the dignity of the animals
			Carlos Nascimento	The production of evidence in the brazilian civil procedure and american civil procedure
			Berky Pimentel da Silva	The political discourse of the STF in ADPF 395 (Constitutionality of Coercive Conduct - CPP, article 260). Guardian of the Constitution or the popular will?
			Flavia Affonso	The figure of the Ombudsman and the brazilian democracy.
2:45 PM - 4:30 PM	Current Legal Issues in Brazil	Yosemite	Luiza Silva	An Alternative for the Effectiveness of Human Rights, in the Light of Regulatory Agencies
			Stella Araujo	An Institutional Analysis About the Enlightenment Role of the Brazilian Constitutional Court
			João Henrique Silva	Taxation and Productivity: Why Reform is Needed?
			Abner Serapião	Tensions in Brazilian Federalism
			Andrea Cruz Salles	The Cross Border Bankruptcy From a Comparative of the Brazilian and American Legal Systems
			Wanny Fernandes	The Degree of Development of the Brazilian Administrative State: An Analysis of the Action of Regulatory Agencies and Institutional Defense



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MAY 31 TH

TIME	PAPER SESSION	ROOM	PRESENTER	PAPER
8:00 AM - 9:45 AM	Current Legal Issues in Asia and Americas II	Bryce	Martin Gallié	Evicting the elderly: magistrates face unjust procedural and social policies
			Ana Cristina Augusto Pinheiro	Systemic Law as a Tool for Peaceful Conflicts
			Nilo Rafael Baptista de Mello	Human Dignity in Brazilian procedural law: Courts legitimacy through Human Rights
			Luis Pedriza	Human Dignity under modern Japanese constitutional law
			Justine Guichard	Crimes and Constitutions: The Legacy of Democracy's Institutionalization by Elites in South Korea and Chile
			Leonardo Fernandes de Sá	The Coalition Hyper-presidentialism System and the Judicialization of Politics in Brazil
8:00 AM - 9:45 AM	Human Rights in Asia and the Americas: freedom and religion	Yosemite	Lucien Dhooge	The Religious Freedom Restoration Act at 25: A Quantitative Analysis of the Interpretive Case Law
			Gilad Abiri	Religious Nationalism and the Idea of Religious Freedom
			Ilias Trispiotis	The wrongfulness of religious discrimination
			Erika Pinto	Religious education in brazilian public schools: analysis of the political-juridical process of adoption of the denominational model
10:00 AM - 11:45 AM	Constitutional Cultures in Latin America: Rights, Social Movements, and Institutional Design	Grand Canyon	Maíra Almeida	Hard Look Review and Cost-Benefit Analysis
			Luciana Silveira Ardente	An Institutional Analysis of the Democratic Legitimacy of the Brazilian Administrative State
			Carolina Silva-Portero	Can Constitutions Recognize and Protect Indigenous and Black Peoples' Rights in Latin America? A Comparative Analysis of Ecuador and Bolivia
			Gabriela Espinoza	Constitutional Rights Accountability in the Private Arena
			Gustavo Parma	Particularities of the Mechanism of Judicial Review and Its Role in Maintenance of Democracy
10:00 AM - 11:45 AM	Current Legal Issues in Asia and the Americas III	Bryce	Alexandr Svetlicinii	State-Owned Enterprises under ASEAN Regional Competition Policy: Lessons from the European Competition Network
			Wen-Hsiang Kung	The Engagement of the Indigenous People in Global Climate Governance: Taking the Community Geothermal Power Plant as An Example in Taiwan
			Rostam J. Neuwirth	'Digital Dignity' as an Oxymoron? China's Contribution to the Future of the 'Culture and Trade Debate'
			Vanessa Almeida	The Right to Privacy and New Technologies



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10:00 AM - 11:45 AM	Human Rights in Asia and the Americas: Armed Conflicts and International Law	Yosemite	Nick Robinson	“Foreign Agents” in an Interconnected World: The Politicization of FARA
			Ademar Pozzatti Junior	International Law and Local Public Policy: the role of international cooperation for the enforcement of human rights in South America
			Ronaldo Lucas da Silva	The legal aspects of the concepts of preventive self-defense and preemptive self-defense and the use of drones in International Law
			Vasja Badalic	Civilian victims of targeted killings by paramilitary groups in Afghanistan
			Brian Cox	Two Calls from Kunduz: Exploring the Space between Accidents and War Crimes in Armed Conflict
12:45 PM - 2:30 PM	Current Legal Issues in Asia and the Americas: Democracy and Dissent	Bryce	Jairo Lima / Rubens Beçak	Popular Sovereignty and Constitutional Democracy: The Case of Brazilian Constitutional Amendments
			Denis De Castro Halis	Dissent in Times of Polarization
			M Ehteshamul Bari	The Enactment of Digital Security Laws in Bangladesh as a means of Silencing Dissent: Retreat from the Rule of Law
			Roberto Mancilla	The Secret Constitution: Constitutional transitory norms as political weapons
			Leonardo Cofre	Is there any relation between citizen participation and populism?
			Hsiang-Yang Hsieh	Judicial Review and Divided Politics: The Case of Taiwan
2:45 PM - 4:30 PM	Access to Justice in Asia and the Americas II	Yosemite	Cristiane Motta	Meditation in Brazil-Concept and Effectiveness in a Country with a Litigating Culture
			Giselle Beran Medella D Almeida	May conciliation and Mediation still be considered an alternative way to solve disputes in Brazil? A brief comparison with the Brazilian System of Conciliation and Mediation and the Common Law countries
			Vitor Sardas	Consumer privacy protection in brazilian law
			Livia de Paula /Leonardo	Consciousness Objection in Consumer Protection and Gender Equality Rights
			Bridgette Toy-Cronin	Online Courts: The Promise of Accessibility for Litigants without Lawyers
2:45 PM - 4:30 PM	Human Rights in Asia and the Americas: Gender and Sexuality	Bryce	Olga Frańczak	(Stereo)typical roles – a feminist perspective on the role of law in eradication of harmful gender stereotypes
			Rebecca Bromwich	Troubling the Continued Criminalization of Polygamy in Canada: Considering Twenty-first Century Families and Friendship in the Context of a Politics of Love
			Rosemary Auchmuty	Sex, gender, and women’s legal history
			Roberto Resende	The Right to Reproduction Through Surrogate Gestation in a Compared Perspective Between Brazil and the United States of America



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JUNE 1TH

TIME	PAPER SESSION	ROOM	PRESENTER	PAPER
8:00 AM - 9:45 AM	Human Rights in Asia and the Americas: immigrants and refugees	Yosemite	Erin O'Brien	Anti-slavery activism and the political narrative of modern slavery
			Edna Raquel Hogemann	The Ineffectiveness of the Normative Application of Human Rights
			Priscilla de Oliveira Paula	The international regulation for fundamental rights protection of environmental refugees.
			Ana Paula Teixeira Delgado	The new brazilian law of migration: advances and challenges to the culture of human rights in latin america
			Sandra Gambini	Human dignity and modern slavery
10:00 AM - 11:45 AM	Human Rights, Dignity and Protection	Bryce	Lara Cortes	Constitutional Recognition of the Right to Water: Opportunities and limitations in Brazil, Colombia and Peru
			Franciska Coleman	Corporations, Universities and the Social Regulation of Speech
			Sarah Fulham-McQuillan	Exploring the Unharnessed Power of 'Dignity' in the Irish Constitution
			Stephan Stohler / Thomas M Keck / Rachel Ellett	Free Speech in the Global South
			Imer Flores	Taking Democracy, Dignity, and Rights Seriously
2:45 PM - 4:30 PM	Criminal Justice in Asia and in the Americas	Bryce	José Lemos Filho	Prison System and Human Rights between Brazil and United States.
			Robert Norris	Beyond Blackstone - Better Still That Ten Guilty Persons Not Escape: Documenting the Crimes of True Perpetrators in Cases of Wrongful Conviction
			Carlos Rodrigues	Leniency agreements carried out at the federal level as effective mechanisms for investigating and prosecuting corruption in Brazil
			Marcos Fernandes de Souza	The verification of institutional actions in a concrete case: The Brazilian institutionalized view of the traffic infraction of alcoholism related to administrative and criminal spheres
			Chloe Haimson	The Use of Algorithmic Risk Prediction Tools by Parole Agents
			Vanessa MacDonnell	The Victims Bill of Rights: A Quasi-Constitutional Statute
4:45 PM - 6:30 PM	Criminal Justice in Asia and in the Americas II	Bryce	Felipe Drumond Coutinho de Souza	The Limitations of the Brazilian Plea Bargain Agreement as an Instrument of Efficiency of Constitutional Fundamental Rights
			Sarah Dayanna Lima	The Rape Culture as an Obstacle to the Effectiveness of Sexual Rights of Women in Brazil
			Marcia Oliver	Alternative Practices and Politics of Care: Women Students' Experiences of Rape Culture and Sexualized Violence on Campus
			Renata Rocha	Human Rights Violations during the Federal Intervention in Rio de Janeiro: An Analysis of the Repressive Action in Deprived Communities of the State



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JUNE 2 TH

TIME	PAPER SESSION	ROOM	PRESENTER	PAPER
8:00 AM - 9:45 AM	Courts and Judging in Asia and the Americas	Yosemite	Tu Nguyen	Practices of precariousness: a case study of illegal home construction in Vietnam
			Vanice Valle	Judicial Deference to Administrative Choices Regarding Social Rights Implementation in Brazil
			Elbert Heuseler	Administrative Disciplinary Process at Brazil: (Non) Adequacy of the Constitutional Principles
			Joseph Cox	Courting Conflict? Trust in the Judiciary and Social Conflict
8:00 AM - 9:45 AM	Criminal Justice in Asia and in the Americas: Restorative Justice and Punishment	Bryce	Erin Sheley	Victim Impact Statements at Corporate Criminal Sentencing
			Ana Paula Faria Felipe	Dilemmas of the Justice System in the Administration of Conflicts Under Law 11.340/2006 – Case Study
			Courtney Echols	Assessing The Predictors Of Transitional Justice Efforts In A U.S. Southern State
10:00 AM - 11:45 AM	Courts and Judging in Asia and the Americas II	Yosemite	Daphna Avnieli	The Influence of Immunity on the Behavior and Dignity of Judges.
			Helene Love	Seniors on the Stand: Old Age and Judges Assessments of Witnesses
			Benjamin Pomerance	Order On The Court: John Roberts And The Struggle For Dignity
			Michel Estefan	The Authoritarian Foundations of the Rule of Law: Autonomy and Organizational Capacity in the Judicial Systems of Mexico and Spain
10:00 AM - 11:45 AM	Criminal Justice in Asia and in the Americas III	Bryce	Edwin Grimsley	Decriminalization, Racialization and Legalization: Marijuana Drug Laws in New York City
			Debra Haak	The Case of the Reasonable Hypothetical Sex Worker: Determining the Constitutionality of Canada’s New Adult Prostitution Laws
			Kevin Barry	The Death Penalty & the Fundamental Right to Life
			Jane Eggers / Lisa Haber-Thomson	The Indignities of Capital Processes and Incarceration: A Temporal-Spatial Analysis of the Writ of Habeas Corpus