

Stanford Law School

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# Stanford Program in Law and Society

Inaugural Conference for Junior Researchers

May 16 – 17, 2014

Stanford Law School, Room 290

## Conference Theme: On Law and (In)formality

The Inaugural Conference for Junior Researchers explores the limits of law and the legal system. How does society function where there is a lack of formal legal structure, where order may be maintained through social norms, customs, or other informal rules of behavior? How is society governed when laws are not enforced, or when actors (state or citizens) operate outside of the law, resorting to extralegal options to achieve social order? What is the connection between law and informality? And somewhere in between these two ends of the spectrum, what happens at the blurred edges or limits of law? In other words, we seek to investigate if, when, and why law matters.

Law and society research has always been concerned with the limits of legal structures governing a particular society. This line of research has illuminated situations where the formal legal system doesn't necessarily govern human behavior. It may refer to spaces in society where there is a lack of public or private enforcement of formal legal rules. It may also refer to situations where social or cultural norms, rather than formal legal ones, provide social order. Or it may indicate areas where chaos or violence is the pattern defining a particular social system. Other definitions of the term may be imagined, which indicates that this is a broad and ongoing research agenda.

# SCHEDULE

All sessions will be held in Room 290, Stanford Law School, except for parallel panel session 1B which will be in Room 80 (Moot Courtroom).

## FRIDAY May 16, 2014

TIME	SESSION
8:00 – 9:00	<b>REGISTRATION; BREAKFAST</b>
9:00 – 10:15	<b>WELCOME &amp; KEYNOTE</b>  <b>WELCOME</b> Rolando Garcia Miron & Itay Ravid, Conference Co-Chairs  <b>OPENING REMARKS</b> Professor Lawrence Friedman, Marion Rice Kirkwood Professor of Law, Stanford Law School; Faculty Advisor to the Stanford Program in Law and Society  <b>KEYNOTE SPEECH</b> Professor Bryant Garth, J.D. '75, Chancellor's Professor of Law, University of California, Irvine
10:15 – 10:30	<b>BREAK</b>
10:30 – 11:45	<b>PANEL SESSION 1A – Room 290</b>  <b>Dispute Resolution – from Courts to ADR and to Courts again?</b> <b>Discussant: Professor Deborah Hensler, Stanford Law School</b> <b>Chair: Jeff Goldenhersh, J.D. '16, Stanford Law School</b>  <b>Members Only? Online Dispute Resolution in the Kibbutz Society</b> Rachel Ran, Research Assistant, Faculty of Law, University of Haifa, Israel  <b>From Nyaya Panchayats to Gram Nyayalayas: The Indian State and Informal Rural Justice</b> Shishir Bail, Graduate Fellow, Law, Governance and Development Initiative, Azim Premji University, India  <b>Rethinking of Aversion to Litigation and Seeking Answer for Asian Litigation Pattern - Evidence from Business Disputes in Vietnam</b> Dr. Quach Thuy Quynh, Lecturer of Law, Centre of Commerce and Management, RMIT International University, Vietnam

**PANEL SESSION 1B – Room 80 Moot Courtroom**

**On the Relationship between Institutional and Communal Law Enforcement**

**Discussant:** Professor Yifat Holtzman-Gazit, School of Law, College of Management, Israel

**Chair:** Louise Reilly, J.S.M. Candidate, Stanford Law School

**The Work of Mourning: Affective Law and the Search for Disappeared in Kashmir**

Ather Zia, Ph.D. Candidate, Department of Anthropology, U.C. Irvine, USA

**The Feedback Effects of Police Strategy**

Laurel Eckhouse, Ph.D. Candidate, Department of Political Science, U.C. Berkeley, USA

**Law and (In)formality at Ipanema Beach**

Pedro Rubim Borges Fortes, Law Professor, FGV Law School, Brazil; DPhil Candidate, Faculty of Law, University of Oxford, England; J.S.M. '08, Stanford Law School, USA

**11:45 – 12:45 LUNCH**

**12:45 – 14:15 PANEL SESSION 2**

**Traditional Legal Concepts and Socio-legal Reconstructions**

**Discussant:** Professor Michele Dauber, Stanford Law School

**Chair:** Swethaa Ballakrishnen, Ph.D. Candidate, Department of Sociology, Stanford University

**Sir Henry Maine's 'Modern Law': From Status to Contract and Back Again?**

Katharina Isabel Schmidt, Visiting Researcher, Yale Law School, USA

**Law in Crisis: Beyond Preservative Jurisprudence**

Andrew Brighten, Ph.D. Candidate, School of Law, U.C. Berkeley, USA

**How Independent is the International Court of Justice? Some answers from its provisional measures jurisprudence**

Erlend M. Leonhardsen, Research Fellow, Faculty of Law, University of Oslo, Norway

**Peer Review in International Law: Making Informality Work**

Georgios Dimitropoulos, LL.M. Candidate, Yale Law School, USA

**14:15 – 14:45 BREAK**

**14:45 – 16:00**    **PANEL SESSION 3**

**Legal Transplantations and Historical Perspectives**  
Discussant: Professor Amalia Kessler, Stanford Law School  
Chair: Emily Zhang, J.D. '15, Stanford Law School

**What We Can and Cannot Learn From Drug Decriminalization in Portugal**

Hannah Laqueur, Ph.D. Candidate, School of Law, U.C. Berkeley, USA

**The Legal Transplant from America to Taiwan: the Transplantation and Implementation of Workplace Sexual Harassment Law**

Bo-Shone Fu, S.J.D. Candidate, University of Wisconsin Law School, USA

**Practicing Law in a Civil War: Poland 1945**

Molly Marie Pucci, Ph.D. Candidate, Department of History, Stanford University, USA

**16:00 – 16:30**    **BREAK**

**16:30 – 18:00**    **PANEL SESSION 4**

**Corporations, the Private Sector, and Legal Enforcement**  
Discussant: Professor Bryant Garth, University of California, Irvine  
Chair: Rolando Garcia Miron, J.S.D. Candidate, Stanford Law School

**The Effort for CSR in Thailand: Supporting “Pak Shi” Activities or True Benefit to Society?**

Since Sang-aroonsiri, LL.M. Candidate, Graduate School of Law, Kyoto University, Japan

**Blurred Lines: a Study of Law-Firm Funding**

Radek Goral, J.S.D. Candidate, Stanford Law School, USA

**Structuring Corruption: the Legal Form of Illegal Deals**

Gisela Ferreira Mation, Visiting Researcher, Yale Law School, USA

**Tax Evasion and Tax Avoidance of Chilean Elites: Characteristics and Determinants**

Jorge Atria, Ph.D. Candidate, Freie Universität Berlin, Germany

**18.30 – 21:00**    **CONFERENCE DINNER – Russo Café**

**SATURDAY May 17, 2014**

<b>TIME</b>	<b>SESSION</b>
<b>8:00 – 8:45</b>	<b>BREAKFAST</b>
<b>8:45 – 10:00</b>	<b>PANEL SESSION 5</b>  <b>Order in Order-less Places</b> Discussant: Professor Lawrence Friedman, Stanford Law School Chair: Natalia Renta, J.D. '15, Stanford Law School  <b>Producing Social Order in Shelter</b> Alethea Sargent, Law Clerk to the Honorable Maxine M. Chesney; J.D. '12, Stanford Law School, USA  <b>California Prison Politics and the 'Making' of Race in the Era of Hyper-Incarceration</b> Nicole Lindahl, Ph.D. Candidate, School of Law, U.C. Berkeley, USA  <b>Magnetic Ties: Conduits to Sex Work in Post-Socialist China</b> Yeon Jung Yu, Ph.D. Candidate, Department of Anthropology, Stanford University, USA
<b>10:00 – 10:15</b>	<b>BREAK</b>
<b>10:15 – 11:30</b>	<b>PANEL SESSION 6</b>  <b>The Community, the Family and the Self – on the Struggle for Identity in the Local and Global Context</b> Discussant: Professor Manuel Gómez, Florida International University Chair: Katherine Zhao, J.D. '14, Stanford Law School  <b>Don't Be a Drag, Just Be a Queen – How Drag Queens Protect Their Intellectual Property without Legal Regulation</b> Eden Sarid, Associate, S. Horowitz & Co. Advocates and Patent Attorneys, Israel  <b>The Wrongness of Being Displaced in India: A Study of the Aftermath of Communal Violence in Uttar Pradesh (India) in 2013</b> Asmita Singh, LL.M. Candidate, Columbia Law School, USA  <b>Local Court, Social Ordering and Indigenous Rights: Legal Pluralism in China</b> Wei Shuai, J.S.D. Candidate, City University of Hong Kong, Hong Kong
<b>11:45 – 12:45</b>	<b>LUNCH</b>

**12:45 – 14:00**    **PANEL SESSION 7**

**Constitutional Reforms from a Socio-legal Perspective**

**Discussant:** Professor James Cavallaro, Stanford Law School

**Chair:** Cindy Garcia, J.D. '16, Stanford Law School

**Lost in Narration: A Preliminary Look at News Coverage of the 2007 Thai Constitution-Making**

Arm Tungnirun, J.S.M. Candidate, Stanford Law School, USA

**Rethinking Democracy: Indigenous Political Movements and Constitutional Change in Ecuador and Bolivia**

Carolina Silva Portero, S.J.D. Candidate, Harvard Law School, USA

**Entrenchment and Constitutional Politics: Interpreting Eternity Clauses**

Thomaz Pereira, J.S.D. Candidate, Yale Law School, USA

**14:00 – 14:15**    **BREAK**

**14:15 – 15:45**    **PANEL SESSION 8**

**Administrative Law, Regulation, and Governance**

**Discussant:** Professor William Simon, Columbia Law School

**Chair:** José Aleman, J.D. '14, Stanford Law School

**Property Rights and Transparency in California's Carbon Market: Lessons for Climate Policy Implementation**

Dr. Danny Cullenward, Philomathia Research Fellow, Berkeley Energy and Climate Institute, U.C. Berkeley; J.D./Ph.D. '13, Stanford University, USA

**Government-Nonprofit Policy Partnerships: Tensions between Bureaucratic and Social Accountability Models**

Dr. Natasha Salinas, Professor of Law, School Of Economics, Business And Political Science, Federal University of São Paulo (Unifesp), Brazil

**Designing Interlocal Cooperation: Institutional Collective Action and the Brazilian Public Consortium Law**

Julia Cadaval Martins, S.J.D. Candidate, Georgetown Law School, USA

**Public-Private Interaction in Global Food Safety Governance**

Ching-Fu Lin, S.J.D. Candidate, Harvard Law School, USA

**15:45 – 16:15**    **BREAK**

**16:15 – 17:30**    **PANEL SESSION 9**

**The Role of Law in Education**

**Discussant: Professor Robert Gordon, Stanford Law School**

**Chair: Sophia Rios, J.D. '15, Stanford Law School**

**From Hyderabad to Harvard: How U.S. law schools make clerking on India's Supreme Court worthwhile**

Abhinav Chandrachud, J.S.D. Candidate, Stanford Law School, USA

**Formally or Informally Disabled: the Difference Dilemma and Alternatives to the Learning Disability Evaluations Requirements of the IDEA**

Doron Dorfman, J.S.M. Candidate, Stanford Law School, USA

**Not in My School: The conflict between Law and Religion from the Eyes of Religious Educators**

Netta Barak-Corren, S.J.D. Candidate, Harvard Law School, USA

**17:30 – 17:45**    **BREAK**

**17:45 – 18:30**    **CLOSING PLENARY**

**CLOSING REMARKS**

Dean M. Elizabeth Magill, Richard E. Lang Professor of Law and Dean of Stanford Law School

Professor Manuel A. Gómez, J.S.D '07, Associate Professor of Law, Florida International University