Comparing European and North American Approaches to Human Rights

Spring 2014 Colloquium

All sessions will take place from 3:45-5:45 p.m.  
Unless otherwise indicated, they will be held in the  
Sheffield Room (TNH 2.111) at the School of Law

Schedule

February 3, 2014

Approaches to Counter-terrorism

- **Fionnuala Ní Aoláin**, Dorsey & Whitney Chair in Law, University of Minnesota Law School, and Professor of Law, University of Ulster’s Transitional Justice Institute in Belfast
- **Aziz Rana**, Associate Professor of Law, Cornell University Law School

This event is co-sponsored by the Robert S. Strauss Center for International Security and Law

February 17, 2014

Approaches to Race, Citizenship and Immigration

- **Liz Fekete**, Executive Director, Institute of Race Relations, London
- **Leti Volpp**, Robert D. and Leslie Kay Raven Professor of Law in Access to Justice, University of California, Berkeley, School of Law

This event is co-sponsored by Ethnic and Third World Literatures
March 3, 2014

**Approaches to Religious Freedom and Secularism**

- **Sonia Dayan-Herzbrun**, Professor Emeritus of Social Sciences, University Paris Diderot-Paris 7
- **Hilal Elver**, Research Professor in Global Studies and Co-director of the Project on Climate Change, Human Security and Democracy, University of Santa Barbara
- **Richard Falk**, Albert G. Milbank Professor of International Law and Practice, Emeritus, Princeton University, and Research Professor, Global and International Studies, University of California, Santa Barbara

*This event is co-sponsored by the Center for Middle Eastern Studies and the Institute for Historical Studies*

*It will be held in the Eidman Courtroom (CCJ 2.306) in the School of Law*

March 24, 2014

**Approaches to Employment Discrimination**

- **Laura Carlson**, Associate Professor of Law, Stockholm University School of Law
- **Samuel Bagenstos**, Professor, University of Michigan School of Law

April 7, 2014

**Approaches to Universal Jurisdiction**

- **Juan Garcés**, Spanish Attorney, Lead Counsel in criminal case against Augusto Pinochet in Spain
- **Michael Tigar**, Emeritus Professor of the Practice of Law, Duke Law School, and Professor Emeritus of Law, Washington College of Law, American University

April 21, 2014

**Approaches to Labor Rights**

- **Mitchel Lasser**, Jack G. Clarke Professor of Law and Director of Graduate Studies, Cornell Law School
- **Kerry Rittich**, Professor, Faculty of Law and the Women's and Gender Studies Institute, University of Toronto
Participant Bios

Samuel Bagenstos is Professor of Law at the University of Michigan School of Law. He specializes in constitutional and civil rights litigation. He is author of numerous law review articles and of Law and the Contradictions of the Disability Rights Movement (Yale University Press, 2009) and Disability Rights Law: Cases and Materials (Foundation Press, 2010). From 2009-2011, he served as the Principal Deputy Assistant Attorney General for Civil Rights, the number-two official in the Civil Rights Division. Today, he frequently consults with civil rights organizations and remains an active appellate and Supreme Court litigator in civil rights and federalism cases. Bagenstos has also testified before Congress on several occasions, including in support of the Fair Pay Restoration Act, the ADA Amendments Act, the Employment Non-Discrimination Act, and the Convention on the Elimination of All Forms of Discrimination Against Women, as well as on the application of the ADA to advancing technology and the problem of mental illness in prisons. Prior to joining the University of Michigan, Bagenstos was on the law faculties at Harvard and Washington University. And prior to joining academia, he clerked for Judge Stephen Reinhardt on the Ninth Circuit and Justice Ruth Bader Ginsburg of the U.S. Supreme Court. He earned his BA with highest honors and highest distinction from the University of North Carolina and his J.D. magna cum laude from Harvard Law School.

Laura Carlson is an Associate Professor of Law at Stockholm University School of Law. Her research interests include Swedish and European equality law, labor and employment law, and comparative law. Her books include The Fundamentals of Swedish Law (Studentlitteratur AB, 2009), Swedish Labour and Employment Law: Cases and Materials (Lustu Forlag, 2008)(with Ronnie Eklund and Tore Sigeman), Searching for Equality: Sex Discrimination, Parental Leave and the Swedish Model with Comparisons to EU, UK & US Law (Coronet Books, 2007), and American Business Law: A Civil Law Perspective (Lustu Forlag, 2004). Prior to academia, Carlson clerked for United States Federal Chief Magistrate Franklin L. Noel. She earned a B.A. in History from Carleton College, legal degrees from Stockholm University and Uppsala University in Sweden, and a J.D. cum laude from the University of Minnesota School of Law.

Sonia Dayan-Herzbrun is Professor Emeritus of Social Sciences at University Paris Diderot-Paris 7. She is the editor of Turmoil, an interdisciplinary journal on contemporary politics and a member of RING (the National Interdisciplinary Network on Gender). Dayan-Herzbrun is a member of the French National Commission of UNESCO and Vice President of the Commission’s Social Sciences Committee. In 1991, she founded the Centre for the Sociology of Political Practices and Representations (CSPRP), and is Vice President of the Association of University Members for the Respect of International Law in Palestine. In 1987, she completed a study of Palestinian women for the U.N. Dayan-Herzbrun publishes on topics related to social theory, critical theory, post-colonialism, feminism, and the Middle East. Her most recent book is Women and Politics in the Middle East (L’Hartmattan, 2005).

Hilal Elver is a Research Professor in Global Studies and Co-director of the Project on Climate Change, Human Security and Democracy at the University of California, Santa Barbara. She has also taught at the Ankara University School of Law. Elver was appointed by the Turkish government to serve as founding
legal advisor of the Ministry of Environment and by the United Nations Environment Program (UNEP) at the Mediterranean Academy of Diplomatic Studies in Malta as the UNEP Chair in Environmental Diplomacy. She has published on international environmental law, human rights, and women’s rights. Her most recent book, *The Headscarf Controversy: Secularism and Freedom of Religion* (Oxford Press, 2012), offers the “first global examination of the headscarf controversy” and examines legal and political debates in Turkey and European countries on the exclusion of observant Muslim women from the public sphere in the name of women’s rights. She earned a J.D. and Ph.D. from University of Ankara Law School and an S.J.D. from UCLA School of Law.


**Liz Fekete** is the Executive Director of the Institute of Race Relations (IRR) and head of its European research program. She has worked with IRR for three decades and specializes in contemporary racism, refugee rights, far-right extremism, and Islamophobia across Europe. She is currently an associate of the International State Crime Initiative at King’s College London. Her recent project, “Alternative Voices on Integration in Europe,” foregrounds the work of youth groups and innovative anti-racist projects whose initiatives are largely ignored by the mainstream. Fekete has written and spoken widely on issues of migration, race, and security in Europe, and her books include *A Suitable Enemy: Racism, Migration and Islamophobia in Europe* (Pluto Press, 2009), and *They Are Children Too: a Study of Europe’s Deportation Policies* (Institute of Race Relations, 2007). Fekete was part of the CARF (Campaign Against Racism and Fascism) Collective and an expert witness at the Basso Permanent People’s Tribunal on asylum and the World Tribunal on Iraq. She earned a B.A. in Humanities from Middlesex University.

**Juán Garcés** is a Spanish attorney and was the lead prosecutor in the Spanish case against General Augusto Pinochet of Chile. He coordinated and led a multinational team of ten lawyers representing nearly 4,000 plaintiffs in approximately 3,000 cases of assassination, forced disappearance, and torture under Pinochet’s regime. Since 2009, Garcés’ work has focused on having the Spanish courts investigate the crimes against humanity committed under General Franco’s dictatorship. Garcés has published a number of books including *Soberanos e Intervenidos. Estrategias globales Americanos y españoles* (Siglo XXI, 2008), *Allende y La Experiencia Chilena* (Siglo XXI, 1976), and *Democracia y contrarrevolución* (1975). Before the military coup in 1973, Garcés was a political advisor to Salvador Allende. He has also served as the advisor to the General Director of UNESCO. Garcés received the Right Livelihood Award in
1999 for outstanding vision and work on behalf of the planet and its people, and was honored by the French President Jacques Chirac in 2000 with the Chevalier de l'Ordre Nationale du Mérite. He earned a law degree from the University Complutense of Madrid and doctorates in political science from both the University of Madrid and the Sorbonne.

Mitchel Lasser is the Jack G. Clarke Professor of Law and Director of Graduate Studies at Cornell Law School and co-directs the Cornell Summer Institute of International and Comparative Law in Paris. He teaches and writes in the areas of comparative law, law of the European Union, constitutional law, and judicial process. He is author of numerous law review articles, as well as of Judicial Transformations: The Rights Revolution in the Courts of Europe (Oxford University Press, 2009) and Judicial Deliberations: A Comparative Analysis of Judicial Transparency and Legitimacy (Oxford University Press, 2004). Before joining Cornell in 2004, Lasser was the Samuel D. Thurman Professor of Law at the University of Utah's S.J. Quinney College of Law. He has since been a Visiting Professor at the University of Paris-I (Panthéon-Sorbonne), the University of Lausanne, the University of Geneva, the Institut d'Études Politiques de Paris, the European University Institute in Florence, NYU School of Law, and Yale Law School. He received a B.A. from Yale College, a J.D. from Harvard Law School, and an M.A. in French literature and a Ph.D. in comparative literature from Yale University.

Fionnuala D. Ní Aoláin is the Dorsey & Whitney Chair in Law at the University of Minnesota Law School and a co-founder and professor of the University of Ulster’s Transitional Justice Institute in Belfast, Northern Ireland. Her research interests include international law, human rights, national security, transitional justice, and feminist legal theory. She has published widely across a variety of topics including emergency powers, conflict regulation, transitional justice, and sex-based violence in times of war. Her books include Exceptional Courts and Military Commissions in Comparative and Policy Perspective (Cambridge University Press, 2012) (with Oren Gross), On the Frontlines: Gender, War and the Post-Conflict Process (Oxford University Press, 2011), (with Naomi Cahn and Dina Haynes), Law in Times of Crisis (Cambridge University Press, 2006) (with Oren Gross), and The Politics of Force (Blackstaff Press, 2000). Ní Aoláin was a representative for the prosecutor at the International Criminal Tribunal for the Former Yugoslavia and was appointed by the Secretary General of the UN as Special Expert on promoting gender equality in times of conflict and peace-making. She also was appointed as a consultant by the Office of the High Commissioner on Human Rights and UN WOMEN to prepare a study on Reparations for Conflict Related Sexual Violence. She has twice been nominated to the European Court of Human Rights, and has served on the Irish Human Rights Commission. She has held professorships and fellowships at Harvard Law School, Columbia Law School, Princeton University, and the Institute of Advanced Studies at Hebrew University in Jerusalem. Ní Aoláin received her LL.B. and Ph.D. in law at the Queen’s University Law Faculty in Belfast and holds an LL.M from Columbia Law School.

Aziz F. Rana is an Associate Professor of Law at Cornell University Law School. His research interests include American constitutional law and political development, with a particular focus on citizenship, national security, and immigration. He is the author of The Two Faces of American Freedom (Harvard University Press, 2010). His current book project, No Other Gods: Security, Citizenship, and the Victory of
Constitutional Patriotism, examines how emerging constitutional veneration in the mid-twentieth century, especially in relation to national security imperatives, helped shape popular politics. Rana was an Oscar M. Ruebhausen Fellow in Law at Yale University. He holds an A.B. from Harvard University, a J.D. from Yale Law School, and a Ph.D. in Government from Harvard University, where his dissertation was awarded the Charles Sumner Prize.

Kerry Rittich is Professor at the Faculty of Law and the Women’s and Gender Studies Institute at the University of Toronto. She teaches and writes in the areas of international law and international institutions, law and development, human rights, labour law, and critical and feminist theory. Among her publications are Labour Law, Work and Family: Critical and Comparative Perspectives (Oxford University Press, 2005), Recharacterizing Restructuring: Law, Distribution and Gender in Market Reform (The Hague: Kluwer Law International, 2002) (with Joanne Conaghan, University of Kent), and numerous articles and book chapters. In 2004, she completed a report for the Law Commission of Canada entitled, Vulnerable Workers: Legal and Policy Issues in the New Economy. Rittich has been the Mackenzie King Visiting Professor of Canadian Studies at Harvard Law School and the Weatherhead Center for International Affairs at Harvard University, as well as a fellow at the European University Institute. Before entering academia, she served as Law Clerk to Madame Justice Claire L’Heureux-Dubé at the Supreme Court of Canada. Rittich obtained an LL.B. from the University of Alberta and an S.J.D. from Harvard University.

Michael E. Tigar is Emeritus Professor of the Practice of Law at Duke University School of Law and Professor Emeritus of Law at American University Washington College of Law. His work focuses on constitutional law, criminal law and procedure, the French legal system, and human rights. He has written extensively about litigation, trial practice, criminal law, and criminal defense. He is the author or editor of more than a dozen books, including Thinking About Terrorism: The Threat to Civil Liberties in Times of National Emergency (American Bar Association, 2007), Fighting Injustice (American Bar Association, 2003), and Law and the Rise of Capitalism (2d ed., Monthly Review Press, 2000). Tigar has taught at the University of Texas School of Law, where he held the Joseph D. Jamail Chair in Law, at UCLA School of Law, and at Faculté de Droit et des Sciences Politiques, Université Paul Cezanne, Aix-en-Provence. In addition to his extensive work as a legal scholar, he has had a long and distinguished career as a litigator. He has argued seven cases before the U.S. Supreme Court and over one hundred appellate cases. He has represented many notable clients, including The Washington Post, John Connally, Sen. Kay Bailey Hutchison, Scott McClellan, Rep. Ronald Dellums, Mobil Oil, Fernando Chavez, Lynne Stewart, and Terry Lynn Nichols. He was an associate and a partner at Williams & Connolly, and a partner in his own firm, Tigar & Buffone. Tigar earned a B.A. and J.D. from the University of California at Berkeley.

Leti Volpp is the Robert D. and Leslie Kay Raven Professor of Law in Access to Justice at the University of California, Berkeley, School of Law. Her research interests include citizenship, migration, culture, and identity. She has been published widely on issues of citizenship, migration, and identity, and is the co-editor of Legal Borderlands: Law and the Construction of American Borders (Johns Hopkins University Press, 2006) (with Mary Dudziak). Her most recent publication, “Imaginings of Space in Immigration Law”, in Law, Culture and the Humanities (2012), explores legal, ethical, and practical discussions related
to immigration. Prior to teaching at Boalt Hall, she held professorships at American University and Washington College of Law and visited at UCLA School of Law. Before entering academia, Volpp received a Skadden Fellowship to work at Equal Rights Advocates and the ACLU Immigrants’ Rights Project and also clerked for U.S. District Court Judge Thelton E. Henderson of the Northern District of California. Her honors include two Rockefeller Foundation Humanities Fellowships, a MacArthur Foundation Individual Research and Writing Grant, and the Association of American Law Schools Minority Section Derrick A. Bell, Jr., Award. Volpp holds an A.B. from Princeton University, an M.S.P.H. from Harvard University, an M.S. from University of Edinburgh, and a J.D. from Columbia University.