

**International Conference of the Commission on Legal Pluralism  
in collaboration with the Indian Institute of Technology Bombay  
14-16 December 2015  
Mumbai, India**

*Conference Programme*

**Monday 14 December 2015**

*08h00 Registration (Ground Floor Foyer, Victor Menezes Convention Centre)*

*08h30 to 10h30 Plenary Session P.C. Saxena Auditorium*

08h30 to 08h45 Welcome by Maarten Bavinck, President of the Commission on Legal Pluralism

08h45 to 09h00 Welcome by D.Parthasarathy, Indian Institute of Technology Bombay

**09h00 to 10h30 Plenary Panel 1: Science, Technology and Law**

Chair Pampa Mukherji

09h00 to 10h00 Speakers:

- 1) Upendra Baxi, 'The materiality of contemporary globalization: The new technologies and the future of legal pluralism'
- 2) Shishir Jha, 'Prof., no one is reading you: when the copyright and economics of publishing trumps access'

10h00 to 10h30 Q&A and Debate

*10h30 to 11h00 Tea*

*11h00 to 13h00 Parallel Panels*

Panel 1: Theoretical and Methodological Approaches to Legal Pluralism

Room 4 Victor Menezes Convention Centre

Chair: Marc Simon Thomas

- 1) Ido Shahar, 'Legal Pluralism: An organizational perspective, some theoretical and conceptual premises'
- 2) Anthony C. Diala, 'Towards an adaptation theory of customary law in post-colonial societies'
- 3) Kirstin Conti and Joyeeta Gupta, 'Methods for global assessment of legal plural regimes: Applications to groundwater governance'
- 4) Marc Simon Thomas, 'Legal Pluralism in the Ecuadorian Highlands: Between Dichotomy and Interlegality'

Q&A + Debate

Panel 2: Legal Pluralism and Multiple Legal Orders I

Room 5 Victor Menezes Convention Centre

Chair: Jennifer Corrin

- 1) Ghislain Otis, 'Indigenous peoples and choice of personal law under modern treaties in Canada: is fair competition between legal orders possible?'
- 2) Akif Togel, 'The chance of a plural legal system in Turkey: Applying empirical research to practice'
- 3) Sue Farran, 'Customising' the resolution of land disputes in Vanuatu: pluralism or hybridity?'

Q&A + Debate

11h00 to 13h00 Parallel Panels

Panel 3: Neo-liberalism, natural resource management, legal pluralism and sustainability: Problem and prospects I

Room 11 Victor Menezes Convention Centre

Chair: Chatubhoom Bhoombhoo

- 1) Chatubhoom Bhoombhoo, 'Neo liberalism and water management in Thailand: the impacts to Muang Fai water resource management customary law in Thailand'
- 2) Shikha Lakhanpal, 'Legal pluralism in the sustainability domain in the Indian Himalayas'
- 3) Adam Jadhav and Ramachandra Bhatta, 'Coastal development in Karnataka The many guises of neo liberalism'

Q&A + Debate

Panel 4: Customary Criminal Justice Systems

Room 14 Victor Menezes Convention Centre

Chair: Janine Ubink

- 1) Giselle Corradi, 'Indigenous Criminal Justice and the Right to a Fair Trial: conflicts over jurisdiction in Bolivia'
- 2) Clara Neupert-Wentz, 'Traditional governance and the provision of internal security'
- 3) Annika Kovar, 'Disputed spaces: United Nations peacekeeping and customary criminal justice in Abyei'
- 4) Janine Ubink, 'Customary criminal justice in a highly fragile state: A case study of Somalia'

Q&A + Debate

13h00 to 14h00 Lunch

14h00 to 16h00 Parallel Panels

Panel 5: The regulation of legal pluralism by the state

Room 4 Victor Menezes Convention Centre

Chair: Giselle Corradi

- 1) Ido Shahr, 'Legal pluralism as an instrument of control and as a mechanism of legitimacy-building: Examining the trade-off'
- 2) Masami Mori Tachibana, 'Constitutional or un-constitutional: Way to have own basic law of Muslims in the Philippines'
- 3) James S Krueger 'To Privatize or Preserve? Legal Pluralism and the Decision to Set Aside Reserve Lands in Kenya and Ethiopia'

Q&A + Debate

Panel 6: Legal Pluralism and Multiple Legal Orders II

Room 5 Victor Menezes Convention Centre

Chair: Jennifer Corrin and Sue Farran

- 1) Kalindi Kokal, 'Limitless at the limits: Grassroots responses to institutional plurality in dispute processing'
- 2) Sulistyowati Irianto, 'Pluralism in Islamic Indonesian inheritance laws: A gender perspective in law'

Q&A + Debate

14h00 to 16h00 Parallel Panels

Panel 7: Legal pluralism and ocean resources I

Room 11 Victor Menezes Convention Centre

Chair: Maarten Bavinck and Svein Jentoft

- 1) Maarten Bavinck and Svein Jentoft, 'Legal pluralism, governance and capture fisheries: an introduction'
- 2) Divya Karnad, 'Pluralism and fragmentation of fisheries governance along the Konkan coast, Maharashtra'
- 3) Jackie Sunde, 'Towards an alternative ecology of marine resource governance of small-scale fisheries in South Africa'

Q&A + Debate

Panel 8: Alternative legal regimes in agriculture: peasant rights

and open source seeds

Room 5 Victor Menezes Convention Centre

Chair: Priscilla Claeys

- 1) Priscilla Claeys 'Towards a new international instrument protecting the human rights of peasants. Progresses made, challenges forward'
- 2) Karine Peschard 'Alternative legal regimes in agriculture: peasant rights and open source seeds'

Q&A + Debate

16h00 to 16h30 Tea

16h30 to 18h00 Round Table Discussion with Civil Society P.C. Saxena Auditorium

The promise and challenge of open source seed systems in India'

Chair: Karine Eliane Peschard

Speakers: G.V. Ramanjaneyulu and Shalini Bhutani

**18h00 to 19h30: Reception offered by the Journal of Legal Pluralism and General Assembly of the Commission on Legal Pluralism**

**Tuesday 15 December 2015**

09h00 to 10h30 Plenary Session P.C. Saxena Auditorium

**09h00 to 10h30 Plenary Panel 2: Natural Resources, Land and Property: Old and New Forms of Legal Pluralism**

Chair K. Narayanan

09h00 to 10h00 Speakers:

- 1) Amalendu Jyotishi, Kuntala Lahiri-Dutt and Sashi Sivramkrishna, 'Formal to informal: Transitions in institutions and governance of gold mining in Nilgiri-Wayanad region of India over the last 170 years'
- 2) Ajit Menon: title to be confirmed
- 3) Maarten Bavinck and D. Parthasarathy, 'Ocean- and coastal grabbing: a contemporary legal pluralist perspective'
- 4) Robert Groves, 'First nation identities and governance over resources in New Brunswick: Modern recognition or re-colonization?'

10h00 to 10h30 Q&A and Debate

10h30 to 11h00 Tea

11h00 to 13h00 Parallel Panels

Panel 9: Legal pluralism, knowledge regimes, science and technology I

Room 4 Victor Menezes Convention Centre

Chair: Bertram Turner

- 1) Bertram Turner, Introduction to the panel
- 2) Pampa Mukherje, 'Scarce resources and shared practices: The institution of 'sanjha kuh', groundwater sharing institutions in Punjab, India'
- 3) Tomoaki Kanamaru, 'Materialization of hazards in the identification of risk: Legal pluralism in a food safety regulation reform in Japan'
- 4) Kirstin Conti and Joyeeta Gupta, 'Accommodating and supporting legal pluralism in the Stampriet transboundary aquifers'

Q&A + Debate

Panel 10: Legal pluralism and multiple legal ordersIII

Room 5 Victor Menezes Convention Centre

Chair: Sue Farran

- 1) Nafay Choudhury, 'Forum shopping in Afghanistan: Towards a conciliation of laws'
- 2) Mengia Hong Tschalae, 'Adjudicating gender-justice in the offices of Muslim women's rights: Organizations in the Indian city of Lucknow'
- 3) Jennifer Corrin, 'An embarrassment of riches: Options for dispute resolution in Solomon Islands'

Q&A + Debate

Panel 11: Neo-liberalism, natural resource management, legal pluralism and sustainability: Problem and prospects II

Room 11 Victor Menezes Convention Centre

Chair: Chatubhoom Bhoomiboonchoo

- 1) Inayatullah Jan and Mushtaq Ahmed 'Legal pluralism in traditional societies: a case of agricultural marketing relations in northwest Pakistan'
- 2) Shakeel Hayat and Joyeeta Gupta 'Public Irrigation Rules Vs Traditional Warabandi: A Case of Legal Pluralism'
- 3) Indira Simbolon, 'Resolution of Conflict involving Land Acquisition Process: Legal Pluralism in Projects Funded by International Financial Institution'

Q&A + Debate

Panel 12: Legal pluralism and contemporary socio-economic discourses in Africa I

Room 14 Victor Menezes Convention Centre

Chair: Werner Zips

- 1) Werner Zips: Indigenous Cultures on Sale 'Legal Pluralism in the Case of living Museums and Cultural Villages in Namibia'
- 2) Kagiso A. Maphalle and Anthony C. Diala, 'Customary law and intellectual property rights: The protection of indigenous knowledge systems in SS Africa'
- 3) Fatimata Diallo, 'De-problematizing the (un)fitness: Is the exploratory concept of practical norms relevant to the customary law debate?'

Q&A + Debate

13h00 to 14h00 Lunch

*14h00 to 16h00 Parallel Panels*

Panel 13: Legal Pluralism, Knowledge Regimes, Science, and Technology II

Room 4 Victor Menezes Convention Centre

Chair: Bertram Turner

- 1) Arun Som, 'Technologies of Policing, Pluralization: And Emerging Legal system in India'
- 2) Katrin Seidel, 'Rule of Law promotion: technologies of legal knowledge transfer in emerging South Sudan'
- 3) Dik Roth and Madelinde Winnubst, 'Norms turning into facts: the ups and downs of flood protection norms in the Netherlands'

*Q&A + Debate*

Panel 14: Legal Pluralism and Marriage

Room 5 Victor Menezes Convention Centre

Chair: Giselle Corradi

- 1) Michael Yarbrough 'Legal Pluralism and the Social Production of Marital Status'
- 2) Waheeda Amien, 'Religious arbitrations in South Africa: Implications for women's rights'
- 3) Asonzeh Ukah, 'Until Death Do Us Part: Religion, Marriage and Divorce Arbitration among Nigerian Pentecostal Christians'
- 4) Aina Khan, 'Unregistered Muslim marriages: A ticking time bomb?'

*Q&A + Debate*

Panel 15: Legal Puralism and Ocean Resources II

Room 11 Victor Menezes Convention Centre

Chair: Bavinck, Maarten and Svein Jentoft

- 1) Nayak, Prateep Kumar, 'Fishing for Power: Understanding the Paradox of Marginalisation through Local Metaphors and Political Ecology Narratives'
- 2) Amrita Sen and Sarmistha Pattanaik 'Conservation Politics and Natural Resource Conflicts in the Protected Areas of India: A Case Study of the Marginal Existence in Sundarbans
- 3) Krishna Malakara, Trupti Mishra, Anand Patwardhan 'Role of governance in climate change adaptation in coastal fishing communities of Mumbai'

*Q&A + Debate*

Panel 16: Legal pluralism and contemporary socio-economic discourses in Africa II

Room 14 Victor Menezes Convention Centre

Chair: Janine Ubink

- 1) Otto Ben Adol, 'Customary leadership and legal pluralism: towards an integrative approach to post-war land conflict resolution in northern Uganda'
- 2) Anying Irene, 'Multiplicity of Land Dispute Resolution Mechanisms: Do they create a Potential For Land Dispute Resolution over Customary Land Tenure in the Post War Northern Uganda?'
- 3) Tushar Kanti Saha 'The Hunger for Land, Food, Famine and Fate of the Poor in Sub-Saharan Africa'

*Q&A + Debate*

*16h00 to 16h30 Tea*

16h30 to 18h00 Round Table Discussion with Civil Society P.C. Saxena Auditorium

Software Patents and Social Justice

Chair: Venkatesh Hariharan

Speakers: Subramaniam Vutha, Sharad Sharma, Rajeev Gupta

16h30 to 17h30 Meeting of the Asian Group on Legal Pluralism (AILP) Room 4

For more details, please contact Pampa Mukherjee (pmkh@rediffmail.com)

**19h00 to 21h00 Conference Dinner**

**Wednesday 16 December 2015**

*08h30 to 10h30 Parallel Panels*

Panel 17: Customary Justice and the State in Colonial and Post-colonial India I

Room 4 Victor Menezes Convention Centre

Chair: James Jaffe

- 1) Gopika Solanki, "A Court of Her Own: Autonomy, Gender, and Women's Courts in India"
- 2) Leilah Vevaina 'Rights of Ingress: Intermarried Women and Sacred Space'
- 3) Shyama Prasad Rout 'Gender, religion and legal pluralism: issues of legal governance in secular India'
- 4) Anuj Bhuvania 'State law pluralism and the 'misuse of law' in India'

*Q&A + Debate*

Panel 18: Religion, Culture, Minorities and Legal Pluralism I

Room 5 Victor Menezes Convention Centre

Chair:

- 1) Soumen Mukherjee, 'An Indic Sittlichkeit: Interstitial Dharma and the recasting of Hinduism as civil religion'
- 2) Smita Pendharkar, 'Legal Pluralism, populism and the transformation of a pilgrimage tradition'
- 3) Omer Awass, 'Transformation in Islamic Law through the Lens of the Postcolonial Fatwa'
- 4) Visakh, M S, 'Vernacular Construction of the Legal Cosmos in a Globalized World: Islamic Legal Orders in the Context of Religious Reform in Kerala'

*Q&A + Debate*

Panel 19: Legal Puralism and Ocean Resources III

Room 11 Victor Menezes Convention Centre

Chair: Bavinck, Maarten and Svein Jentoft

- 1) Hemantkumar A. Chouhan, D. Parthasarathy, and Sarmistha Pattanaik, 'Coastal Environmental Vulnerability, CRZ Violations: Issues and Challenges for the Management of Coastal Space in Mumbai'
- 2) Jentoft, Svein 'Sami fisheries tenure rights: Introducing the Fjord Fisheries Committee in Norway'

*Q&A + Debate*

Panel 20: Legal Pluralism and women's rights in Africa

Room 14 Victor Menezes Convention Centre

Chair: Waheeda Amien

- 1) Katrijn Vanhees, "Improving land rights for women in Rwanda: blind trust in the magic of formal marriage?"
- 2) Desiree Pushpeganday Manicom 'Essentialist gendered discourse and practice in South African Social Welfare Policy, Legislation and programmes'
- 3) Kairedin Tezera Adera, 'Protection of Women's Rights in Plural Legal Settings: A focus on customary justice system among Muslim Siltie, Southern Ethiopia'

*10h30 to 11h00 Tea*

11h00 to 13h00 Parallel Panels

Panel 21 'Customary' Justice and the State in Colonial and Post-colonial India, II

Room 4 Victor Menezes Convention Centre

Chair: Marc Galanter

- 1) Amrita Shodhan 'The East India Company's Use of Panchayats as a Post-Conquest judicial Solution'
- 2) Sindhyar Talpur 'Wadero's legal order and the Hari in colonial and post-colonial Sindh'
- 3) Zoe E. Headley, Social Death and the Colonial Court (1860 – 1940): Adjudicating the Ultimate Panchayat Sanction'
- 4) James Jaffe, 'Layering Law upon Custom: The British in Colonial West India'

Q&A + Debate

Panel 22: Religion, Culture, Minorities and Legal Pluralism II

Room 5 Victor Menezes Convention Centre

Chair:

- 1) Joyce Das, 'Land rights and inheritance practices: Good laws, bad outcomes for women of the Christian community in rural Bangladesh'
- 2) Chiara Lapi 'Can Law 'Sustain' Cultural Diversity? The Inheritance Laws of Indian Minority Communities Challenge the Italian Legal System'
- 3) Katja Seidle 'Cosmopolitan Law and Economies of Justice in post-transitional Argentina'
- 4) P Prasannavadanam Thampi, Amalendu Jyotishi, Ram Bishu 'Cultural pluralism amongst small business entrepreneurs in India: a study of the rural and urban divide'

Q&A + Debate

Panel 23 Human Rights Through the Lens of Legal Pluralism:

*Paths to Emancipation and Redistribution? I*

Room 11 Victor Menezes Convention Centre

Chair: Valeska David and Derek Inman

- 1) Derek Inman, The African Commission on Human and Peoples' Rights and the *Endorois* Decision: Using Human Rights 'Integration' to Help Realize Indigenous Peoples' Land Rights in Kenya'
- 2) Tamara Relis 'Complexities Of Human Rights and Development Comparing Victims, Families and Lawyers In Indian State And Non state Justice Processes'
- 3) Mohamed Fahmy Menza 'Citizenship: Between Discourse and Practice: Experiences of Sociopolitical Transformation in the new Egypt'

Q&A + Debate

Panel 24 Interactions between non-judicial Forms of Conflict Resolution and the State

Room 14 Victor Menezes Convention Centre

Chair: Tina Lorizzo

- 1) Sepalika Welikala 'Community Mediation and Neoliberal Legalities in Sri Lanka'
- 2) Imelda Deinla 'Legal pluralism or expression of domination: the primacy of rido in Muslim Mindanao'
- 3) Tina Lorizzo 'The interaction between non-judicial mechanisms of conflict resolution and the state: the case-study of Maputo'

Q&A + Debate

13h00 to 14h00 Lunch

14h00 to 16h00 Parallel Panels

Panel 25: 'Customary' Justice and the State in Colonial and Post-colonial India, III

Room 4 Victor Menezes Convention Centre

Chair: Marc Galanter

- 1) Padmapriya Srivathsa 'Gendered Subjects in Hindu Family Law'
- 2) Kripa Ananthpur, 'Role of Customary Village Councils in Local Democracy: Implications for 'good' governance'
- 3) Tanja Marielle Herklotz 'The "other" legislator: How the Indian higher judiciary shapes religious personal laws to provide for gender justice?'

*Q&A + Debate*

Panel 26: Future Just Societies: Diversity Management in Modern Nation States

Room 14 Victor Menezes Convention Centre

Chair: Latif Tas

- 1) Parvathi Menon, 'The uncomfortable balance between a minority and a peoples: The global/local disconnect'
- 2) Roseline Nyman, 'Using yoga, meditation and Ubuntu as tools to combat corruption'
- 3) Latif Tas, 'Multiple Legal Governances and the Role of the State: The Case of Kurdish Customary Legal Practice in Turkey and the diaspora'

*Q&A + Debate*

Panel 27: Human Rights Through the Lens of Legal Pluralism:

Paths to Emancipation and Redistribution? II

Room 11 Victor Menezes Convention Centre

Chair: Valeska David and Derek Inman

- 1) M. Isabel Garrido Gómez 'Norms Regarding Justice And Human Rights'
- 2) Michael Dusche 'Indian Legal Pluralism and Habermas Philosophy of Law'
- 3) Farrukh B. Hakeem 'Human Rights: An Alternative Perspective'
- 4) Valeska David and Julie Fraser 'A legal pluralist approach to the use of cultural perspectives in the interpretation and implementation of human rights norms as a way to recognition and redistribution'

*Q&A + Debate*

16h00 to 16h30 Tea



*16h30 to 18h00 Plenary Session P.C. Saxena Auditorium*

**16h30 to 18h00 Plenary Panel 3: Global Perspectives on Legal Pluralism**

Chair Kushal Deb

16h30 to 17h30 Speakers:

1) Marc Galanter, 'Sorting Out Pluralisms: Describing the Indian Legal Scene'

2) Keebet Von Benda-Beckmann, 'The new Indonesian village police: vigilantes, enforcers of Islamic regulations, or institutes of customary law?'

3) Flavia Agnes, Personal and Uniform Civil Code Debates in India

17h30 to 18h00 Q&A and Debate