

Commission on Folk Law and Legal Pluralism

XIIIth International Congress

April 7-10, Chiang Mai, Thailand

Program Schedule

Day 1, Sun April 7 th		PLENARY SESSIONS Pratumrat Convention Hall
9:15 – 9:30	Opening Ceremony: <i>Prof. Melaine Wiber</i>	
SESSION # 1		Symposium V: Methodological and Theoretical Issues in Legal Pluralism Panel 7 <i>Chair: Prof. Melanie Wiber</i>
9:30 – 11:00	Gordon Woodman	Why There Can be no Map of Law
	Franz von Benda-Beckmann	Who's Afraid of Legal Pluralism?
	Juliane Neuhaus	Legal Pluralism, Village Courts and International Law in Papua New Guinea. Contradictions and New Opportunities for Women (Work in Progress)
11:00-11:30	TEA/COFFEE BREAK	
SESSION # 2		Symposium V: Methodological and Theoretical Issues in Legal Pluralism Panel 7 <i>Chair: Prof. Gordon Woodman</i>
11:30 – 1:00	Peter Lovell and Melanie Wiber	Property, Kinship and Using Vision to Think: Theorizing the Importance of Kinship to Sustainable Resource Management
	Werner Zips	"The Double-bladed Sword": A Comparative Analysis of the Bond between the Rule of Law and the Concept of Justice in Akan Legal Thought
	Monique Nuijten	Reconsidering the Concept of the "Field" in Legal Anthropology
1:00 – 2:00	LUNCH	
SESSION # 3		Symposium II: Plural Laws, Ethnicity, Religion, Democracy and Human Rights Panel 4: Ethnicity, Religion and Constitutional Democracy <i>Chair: Prof. Franz von Benda-Beckmann</i>
2:00 – 4:00	Joanna Pfaff-Czarnecka	Religion, Migration and Law: Accommodating Non-Christian Religions in Switzerland
	Rajendra Pradhan	Legal Pluralism, Models of Society, and the Politics of Cultural Difference in Nepal
	Riyaz Punjabi	The Contest between Customary/Folk Laws and Religion: Impact on Human rights (A Case Study of Kashmir)
	Surinder K. Shukla	The Case of Sikh Separatism and Transnational Politics in Post Colonial India
4:00 – 4:30	TEA/ COFFEE BREAK	
SESSION # 4		Symposium II: Plural Laws, Ethnicity, Religion, Democracy and Human Rights Panel 4: Ethnicity, Religion and Constitutional Democracy
4:30 – 6:30	Peter Oud	Documentary: <i>Rulers of the Steppe</i> followed by discussion
7:00 – 8:30	DINNER	
8:30 – 10:00	Meeting of Asian Regional Network of the Commission on Folk Law and Legal Pluralism (To be chaired by Prof. Franz von Benda-Beckmann) At Water Pavilion (Rabieng Tara)	

Day 2, Mon April 8th		PARALLEL SESSIONS
SESSION # 5		
Room A (Patumkarn)		Symposium I: Legal Pluralism and Natural Resource Management Panel 1: Asian Resource Management in Transition: Implications for Customary Laws <i>Chair : Owen J. Lynch</i>
9:00 – 11:00	Amalendu Jyotishi	Institutional Pluralism: The Case of Swiddeners in Orissa
	Pampa Mukherjee	Commons, Customary Laws and Natural Resources: Forest Management in Kumaon Himalayas, India
	I Nyoman Nurjaya	Adat Law and its Capacity within the State Agrarian Law: A Case of Indonesia
	To Xuan Phuc	Discrepancy Between Customary Law and State Law in Forest Management: A Study of a Dao Upland Community in Northern Vietnam
Room B (Pratumwan)		Symposium I: Legal Pluralism and Natural Resource Management Panel 2: Crisis in South Asia's Fisheries: A Legal Pluralist Perspective <i>Chair: Dr. Maarten Bavinck</i>
9:00 – 11:00	Kazi Ali Toufique	Profit, Environment and Voice: Shrimp Culture in Bangladesh
	Oscar Amarasinghe	Modernisation of Fisheries and the Declining Role of Non-State Institutions in the Management of Coastal Fisheries in Sri Lanka
	Derek Johnson	Rapid Growth, Resource Crisis, and Regulatory Vacuum in the Gujarat Fishery: Can a Legal Pluralist Approach Help Save the Day?
Room C (Sripratum)		Symposium II: Plural Laws, Ethnicity, Religion, Democracy and Human Rights Panel 4: Ethnicity, Religion and Constitutional Democracy <i>Chair :Prof. Joanna Pfaff-Czarnecka</i>
9:00 – 11:00	Joris J. van de Sandt	Communal Resource Tenure and the Quest for Indigenous Autonomy: On State Law and Ethnic Reorganization in two Colombian Resguardos
	Arnaldo Moraes Godoy	Legal Pluralism and Indigenous Issue in South América
	Burra Srinivas	Relativism and Universalism in International Human Rights Law
	Alexander Kalabanov & Elena Miskova	The Russian Local Northern and Siberian Indigenous Peoples Organizations: How to Help them to Organize their Activity?
11:00 – 11:30	TEA/COFFEE BREAK	
SESSION # 6		
Room A (Patumkarn)		Symposium I: Legal Pluralism and Natural Resource Management Panel 1: Asian Resource Management in Transition: Implications for Customary Laws <i>Chair: Dr. Ujjwal Pradhan</i>
11:30 – 1:00	Bishnu Raj Upreti	Legal Pluralism as Conceptual Basis in Conflict Study: Experience of Researching Management of Natural Resource Conflict in Nepal
	Rakhmat Hidayat	Between Two Confusions (A Field Experience in an Effort for Strengthening the Customary Population Bargaining Position in Forest Resource Management)
	Douglas Hill	State, Community and Governance in Rural Development: The Experience of West Bengal, India

Room B (Pratumwan)		Symposium I: Legal Pluralism and Natural Resource Management Panel 2: Crisis in South Asia's Fisheries: A Legal Pluralist Perspective Chair: Dr. K. T. Thomson
11:30 – 1:00	Kaleekal T. Thomson	Conflicting Notions of Property Rights in Southern Tamilnadu Fisheries
	Maarten Bavinck	The Many Faces of the State in Fisheries Regulation: A Case Study from Tamil Nadu
	K. Karunaharan	Non-state Institutions and the Regulation of Fish Marketing along the Coromandel Coast, Tamil Nadu
Room C (Sripratum)		Symposium I: Legal Pluralism and Natural Resource Management Panel 3 : Legal Complexity and (irrigation) Water Resources Chair: Dik Roth
11:30 – 1:00	Rutgerd Boelens, Dik Roth, Margeet Zwarteveen	Legal Complexity and Irrigation Water Resources: Analysis, Recognition and Beyond
	Ruth Meinzen-Dick & Rajendra Pradhan	Water Rights, Multiple Uses and Intersectoral Water Transfers: A Framework for Analysis
	Amreeta Regmi	Technology, Groundwater and Water Rights: A Preamble to the Water Extracting Devices in the Kathmandu Valley
1:00 – 2:00	LUNCH	
SESSION # 7		
Room A (Patumkarn)		Symposium I: Legal Pluralism and Natural Resource Management Panel 1: Asian Resource Management in Transition: Implications for Customary Laws Chair: D.Parthasarthy
2:00- 4:00	T. K. Mishra	Natural Resource Management and Sharing in an Aborigine Dominated Village of West Bengal, India: A Case Study
	Ruchi Pant	Exploring the Role of Folk Law in Natural Resources Management in the Legal Pluralistic Societies of North East India
	Owen J. Lynch	Whose Nations? Whose Resources?
	Vong Xuan Tinh	Re-establishing Community Management of Land in Central Highland Villages (In the Framework of the 1993 Land Law Enforcement)
Room B (Pratumwan)		Symposium I: Legal Pluralism and Natural Resource Management Panel 2: Crisis in South Asia's Fisheries: A Legal Pluralist Perspective Chair: Dr. Maarten Bavinck
2:00- 4:00	Maarten Bavinck	Documentary: Fishing in a sea of greed
Room C (Sripratum)		Symposium I: Legal Pluralism and Natural Resource Management Panel 3 : Legal Complexity and (irrigation) Water Resources Chair: Rutgerd Boelens
2:00- 4:00	Bryan Bruns	Routes to Rights-based Water Resources Management
	Ingo Gentes	Water Law and Indigenous Rights in South Andean Region (Ecuador, Peru, Bolivia And Chile)
	Dik Roth	In the Shadow of Uniformity: Legal Anthropological Research on Balinese Irrigation Management, Luwu, South Sulawesi, Indonesia
	Indra Kumar Sodemba	A Comparative Study of Legal Complexities in Farmer Managed and Agency Managed Irrigation Systems in Nepal
4:00 – 4:30	TEA/COFFEE BREAK	

SESSION # 8		
Room A (Patumkarn)		Symposium I: Legal Pluralism and Natural Resource Management Panel 1: Asian Resource Management in Transition: Implications for Customary Laws <i>Chair : Rabi Poudel</i>
4:30 – 6:00	Yonariza	Southeast Asia Land Tenure in Transition: Cases from Indonesia, Philippines, and Thailand
	Pattana Kitiarsa	Contesting for Communal Rights: Lessons from Villagers' Protests against the Pak Mun and Rasisalai Dams in Northeast Thailand
	Myrthena L. Fianza	"By Reason of Customary Right" Some Aspects of Moro Indigenous Land Tenure Patterns and the Conflict in Southern Philippines
Room B (Pratumwan)		Symposium I: Legal Pluralism and Natural Resource Management Panel 2: Crisis in South Asia's Fisheries: A Legal Pluralist Perspective <i>Chair: Dr. K. T. Thomson</i>
4:30 – 6:00	J. B. Rajan	Disappearing Indigenous Regulations on Fishery: A Case of <i>Kada_Kkodi</i> (Sea Court) in Kerala, South India
	Janet A. Rubinoff	A Fisheries Farce in Goa: Manipulation of Legal Systems and the Monsoon Fisheries Ban in Western India
Room C (Sripratum)		Symposium I: Legal Pluralism and Natural Resource Management Panel 3 : Legal Complexity and (irrigation) Water Resources <i>Chair: Margreet Zwarteveen</i>
4:30 – 6:00	Barbara van Koppen, Douglas J. Merrey and Nitish Jha	Redressing Race and Gender Inequities in Water Law: A Contest Between Three Legal Frameworks
	Liangsi Niumai John	Water Resource Management of the Nagas: Gender and Socio-Legal Analysis
	Pranita Bhushan Udas	Gender, Law and Institution: A Case Study in WUA, Nepal
Cultural show and dinner Hosted by the Commission in Chiang Mai city (and night shopping) (Prof. Gordon Woodman) Departure for dinner 6:45 p.m. Return 11:00 p.m.		

Day 3, Tue April 9th		PARALLEL SESSIONS [TWO ROOMS]
SESSION # 9		
Room A (Patumkarn)		Symposium I: Legal Pluralism and Natural Resource Management Panel 1: Asian Resource Management in Transition: Implications for Customary Laws <i>Chair: Pattana Kitiarsa</i>
9:00 – 11:00	Paul Chantrill	New Initiatives in Indigenous Resource Management in Australia: A Case Study of the Kowanyama Land and Natural Resource Management Office and its Relevance for Communities in Southeast Asia
	D. Parthasarathy	Law, Property Rights, and Social Exclusion: A Capabilities and Entitlements Approach to Legal Pluralism
	Radhika Johari, Ganesh Pangare and Ujjwal Pradhan	Of Sanctions and Sanctuary-Making: The Politics of Survival in Sariska National Park, Rajasthan
	Ajit Menon	Where are the Forests?: Local Land Use and Legal Pluralism in The Kolli Hills
Room C (Pratumrat)		Symposium IV: Crossing the Border: Legal Pluralism in a Transnational Setting Panel 6 <i>Chair: Prof. Shalini Randeria</i>
9:00 – 11:00	Patricia Urteaga-Crovetto	Identities, Subsoil Resources and the Law : Oppositional Legal Maps in the Southeastern Peruvian Amazonia
	Indira J. Simbolon	Access to Land of Highland Indigenous Minorities: The Case of Plural Property Rights in Cambodia
	Andrew MacNaughton	Humbling the Litigious: Foreign Nationals Exploring Rights in a Japanese Company
	Bertram Turner	Chr'ka in Southwestern Morocco: Forms of Agricultural Cooperation between Khammessat System and Legal Pluralism
11:00 – 11:30	TEA/COFFEE BREAK	
SESSION # 10		
Room A (Patumkarn)		Symposium I: Legal Pluralism and Natural Resource Management Panel 1: Asian Resource Management in Transition: Implications for Customary Laws <i>Chair: June Prill—Brett</i>
11:30 – 1:30	Dil Raj Khanal	Legal Pluralism in Community Forest
	Rabi Poudel	How Attentive Are We? Multi-Normative Orders and Threats to the Credibility of the User Groups
	Shivani Chaudhry	Community-based Property Rights in South Asia: Public or Private?
	Nursyirwan Effendi	Nagari Markets: Social Management of Local Economic Resources in Minangkabau, Indonesia
Room C (Pratumrat)		Symposium III: Gendered Perspectives on Law Panel 5 <i>Chair: Dr. Anne Griffiths</i>
11:30 – 1:30	Rie Odgaard and Agnete Weis Bentzon	The Role of Law in Women's Struggle for Access to Landed Property"
	Jane Scoular	Engendering Social Inclusion in the Context of 'Routes out of Prostitution'
	Laurentia Sulistyowati Irianto	Competition between the State Law and Customary Law in the Court Room (A Study of the Batak Women's Strategy to Gain Justice in Inheritance Cases)
	Beverly Stoeltje	Customary Law and Womens Rights: Asante Queenmothers and their Courts
1:30 – 2:30	LUNCH	

SESSION # 11		
Room A (Patumkarn)		Symposium I: Legal Pluralism and Natural Resource Management Panel 1: Asian Resource Management in Transition: Implications for Customary Laws <i>Chair: Ganesh Pangare</i>
2:30 – 4:00	Phan Dang Nhat	The Mountain Village Role, with the Resonnes Administration Rights and the Customary Law Management, in the Vietnam West Highlands Development
	Sarah S. Bernasor	Indigenous Forest Resource Management and Sustainable Livelihoods: Are they Compatible
	June Prill-Brett	The Interaction of National Law and Customary Law in Natural Resource Management in Northern Philippines
	M.S.Vani	Customary Law and Modern Governance of Natural Resources in India – Conflicts, Prospects for Accord and Strategies.
4:00 – 4:30	TEA/ COFFEE	
SESSION # 12		Panel Meetings
7:00 – 8:30	DINNER	
8:30 – 10:00	Commission meeting after dinner (open to all) [Water Pavilion] <i>Chair: Prof. Keebet von Benda Beckmann</i>	

Day 4, Wed April 10th		PLENARY SESSIONS (Pratumrat Convention Hall)
SESSION # 13		Symposium IV: Crossing the Border: Legal Pluralism in a Transnational Setting Panel 6 <i>Chair: Prof. Keebet von Benda-Beckmann</i>
9:00 – 11:00	Gerhard Anders	The ‘Trickle-down’ Effects of the Civil Service Reform in Malawi: Studying up
	Shalini Randeria	Contesting the Lion’s Share: Biodiversity, the World Bank’s “Project Law” and Scattered Sovereignties in Post-colonial India
	Sten Schaumburg-Müller	The Challenges of Realism in (local) Law Research
	Kirsten H. Bach	Land Management on the Cross Road between Local Norms and Practices and State Laws, Framed by National and International Agents of Power
11:00 – 11:30	TEA/COFFEE	
SESSION # 14		Symposium III: Gendered Perspectives On Law Panel 5 <i>Chair: Beverly Stoeltje</i>
11:30 – 1:30	Kishali Pinto Jayawardena	Examining Gendered Sites of Struggle in a Shifting Legal Order of a “Pluralistic” Sri Lankan State against Universal Human Rights Norms
	Christoph Eberhard and Nidhi Gupta	Women’s Rights in India in-between Transnational Law and Custom - A Pluralist and Dialogical Challenge
	Anne Griffiths	Bakwena Women's World's: Remaking Law in Africa
	Armando Guevara Gil	Between Freedom and Perpetual Vows: The Case of the Nun Dominga Gutierrez (Arequipa, Peru, 1831)
1:30 – 2:30	LUNCH	
SESSION # 15		Symposium V: Methodological and Theoretical Issues in Legal Pluralism Panel 7 <i>Chair: Prof. Franz von Benda-Beckmann</i>
2:30 – 4:00	Tom G. Svensson	Formal and Informal Aspects of the Conception Legal Pluralism: Contemporary Customary Law Discourse among two Aboriginal Peoples - the NISGA'A in Northern B.C., Canada and the SAMI in Norway
	Boipuso Nkwae, Mele E.T. Rakai and S. Nichols	Comparison of Western Theories of Property and the Evolution of Property Institutions in Traditional Societies
	Keebet von Benda-Beckmann	The Contexts of Law
4:00 – 4:30	TEA/COFFEE BREAK	
SESSION # 16		
4:30 – 5:30	Prof. Melaine G. Wiber and Prof. Keebet von Benda-Beckmann	Concluding session
Regional meeting [2] before or after dinner (Room to be fixed later) Chair: Dr. Rajendra Pradhan		
7:00 – 8:30	DINNER	