



Untying the Knots

THEORIZING CONFLICTS BETWEEN GENDER EQUALITY AND RELIGIOUS LAWS



TUESDAY, APRIL 15, 2008 | 8:30 AM - 5:30 PM | HASSENFELD CONFERENCE CENTER, BRANDEIS UNIVERSITY

This international conference will create a forum for dialogue among lawyers, activists, and academics working on conflicts between gender equality and practices justified in terms of cultural and religious norms. Participants will discuss controversies and transformations in Jewish, Muslim, and African customary law in the United States, Canada, Israel, Morocco, Senegal, and South Africa.

The conference is generously funded by gifts from the Harry and Jeanette Weinberg Hadassah Endowment Fund and the Dan Fischel and Sylvia Neil Philanthropic Fund.

The Project on Gender, Culture, Religion, and the Law was initiated by a grant from Sylvia Neil and Dan Fischel. The Project was launched in February 2007 as part of the celebrations marking the 10th anniversary of the Hadassah-Brandeis Institute, a research center at Brandeis University whose mission is to develop fresh ways of thinking about Jews and gender worldwide.

HASSENFELD CONFERENCE CENTER, BRANDEIS UNIVERSITY

Space is limited. Please reserve a place by emailing hbi@brandeis.edu.
Parking is available in J Lot; a shuttle will be provided.

Directions are available on our website: www.brandeis.edu/hbi
Questions: hbi@brandeis.edu or 781-736-2064



Sponsored by:

- The Hadassah-Brandeis Institute Project on Gender, Culture, Religion and the Law at Brandeis University
- The Fanya Gottesfeld Heller Center for the Study of Women in Judaism at Bar Ilan University
- The International Center for Ethics, Justice and Public Life at Brandeis University
- The Schusterman Center for Israel Studies at Brandeis University



Program: Untying the Knots

8:30 Coffee and Welcome

9:00 – 10:00 **Keynote: Is Pluralism an Ideal or a Compromise?**

Martha Minow, HARVARD LAW SCHOOL

10:00 – 10:15 Break

10:15 – 11:45 **Panel I: Multicultural Toleration and the Recognition of Personal Law**

Moderator: Ayelet Shachar, UNIVERSITY OF TORONTO/ HARVARD LAW SCHOOL

1. Rashida Manjoo, UNIVERSITY OF CAPE TOWN
The Recognition of Muslim Personal Laws in South Africa: Implications for Women's Human Rights
2. Anne Saris, UNIVERSITÉ DU QUÉBEC À MONTRÉAL
Between State and Religious Orders: The Resolution of Family Conflicts by Canadian Muslim Women
3. Linda McClain, BOSTON UNIVERSITY SCHOOL OF LAW
Marriage Pluralism in the United States

11:45 – 12:15 Lunch

12:15 – 1:45 **Panel II: Intersections of Civil and Religious Law**

Moderator: Lenore Weitzman, GEORGE MASON UNIVERSITY

1. Ruth Halperin-Kaddari, BAR ILAN UNIVERSITY
Gender and the Struggle Over Jurisdiction between Rabbinical Courts and Civil Courts in Israel
2. Susan Weiss, CENTER FOR WOMEN'S JUSTICE
How the Tort of Get-Refusal Can Help Unravel the Israeli Version of the Multi-Cultural Dilemma: Theory and Practice
3. Norma Baumel Joseph, CONCORDIA UNIVERSITY
Civil Solutions to Religious Problems: A Feminist Perspective

1:45 – 3:15 **Panel III: Innovative Approaches to Jewish Law**

Moderator: Sylvia Barack Fishman, BRANDEIS UNIVERSITY

1. Ronit Ir-Shai, BAR ILAN UNIVERSITY / HARVARD DIVINITY SCHOOL
Women's Dignity and the Philosophy of Halakhah: What is the Right Question?
2. Irit Koren, COLUMBIA UNIVERSITY
Orthodoxy, Feminism, and the Traditional Jewish Wedding Ritual: What It Takes to Foster Change in a Religious System
3. Michal Roness, NISHMAT WOMEN'S HOTLINE
The Yoetzet Halakhah: Avoiding Conflict When Instituting Change

3:15 – 3:30 Break

3:30 – 5:00 **Panel IV: What is Effective Law Reform?: Comparative Perspectives**

Moderator: Lisa Fishbayn, BRANDEIS UNIVERSITY

1. Fatou Camara, UNIVERSITÉ CHEIKH ANTA DIOP DE DAKAR
The Temple of Initiated Women: A Framework for Culturally Meaningful Feminist Expression in Rural Areas
2. Souad Eddouada, IBEN TOFAIL UNIVERSITY
Contextualizing the Family Code Change in Morocco
3. Likhapha Mbatha, UNIVERSITY OF THE WITSWATERSRAND
Recognition of Polygamous Marriages in South Africa

5:00 – 5:15 Concluding Remarks



Professor Martha Minow

Professor Martha Minow is the Jeremiah Smith, Jr. Professor of Law at Harvard Law School. She is the author of *Making all the Difference: Inclusion, Exclusion, and American Law* (Cornell University, 1990), *Not Only for Myself: Identity, Politics & the Law* (The New Press, 1997), and most recently *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Beacon, 1998). She has edited the book *Family Matters: Readings on Family Lives and the Law* (The New Press, 1993) and co-edited with Gary Bellow *Law Stories* (University of Michigan Press, 1996).

Her scholarship includes articles about the treatment of women, children, persons with disabilities, and members of ethnic, racial, or religious minorities. Her main areas of research are war crimes and genocide; law and social change; legal reasoning; and family law.



LISA FISHBAYN, *Director*
SYLVIA NEIL, *Founder & Chair*