CONSTITUTIONALISM UNDER EXTREME CONDITIONS
THE MINERVA CENTER FOR THE RULE OF LAW UNDER EXTREME CONDITIONS in collaboration with
BOSTON COLLEGE LAW SCHOOL, under the auspices of THE ISRAELI ASSOCIATION OF PUBLIC LAW
University of Haifa, Israel
Rabin Building, Rabin Observatory
18-19 July 2016
Conveners
Prof. RICHARD ALBERT and Dr. YANIV ROZNAI

Symposium Organizing Committee
Prof. GAD BARZILAI, Dean of University of Haifa Faculty of Law and Principal Investigator, Minerva Center for RLoEC
Prof. ELI M. SALZBERGER, The Director of the Minerva Center for RLoEC
Prof. AMNON REICHMAN, Principal Investigator, Minerva Center for RLoEC
Prof. RICHARD ALBERT, Associate Professor, Boston College Law School
Prof. SUZIE NAVOT, Chairperson, The Israeli Association of Public Law
Dr. YANIV ROZNAI, Fellow, Minerva Center for RLoEC

Monday, 18 July 2016

9:00-09:15 Registration
09:15-09:30 Welcoming Remark
09:30-11:00 Panel: State of Exception and Normalcy
MING-SUNG KUO (University of Warwick), From Institutional Sovereignty to Constitutional Mindset: Rethinking the Domestication of the State of Exception in the Age of Normalization
Discussant: ELI SALZBERGER (University of Haifa)
KUMARAVADIVEL GURUPARAN (University College London), Constitutions as Instruments for Normalising Abnormalcy: The Sri Lankan and Indian Experience
Discussant: YAIR SAGY (University of Haifa)
11:00-11:30 Coffee Break
11:30-13:00 Panel: Constitution-Making
MANAR MAHMOUD (Hebrew University), Challenges of Reconciliatory Constitution-Making in Tunisia and Egypt: A Comparative Perspective
Discussant: GAD BARZILAI (University of Haifa)
ANDREAS BRAUNE (University Erfurt/Friedrich Schiller University Jena), Authoritative Constitution-Making in the Name of Democracy?
Discussant: AMNON REICHMAN (University of Haifa)
13:00-14:00 Lunch
14:00-15:30 Panel: The Next Frontier of Human Rights
PEDRO A. VILLARREAL (Max Planck Institute for Comparative Public Law and International Law), Public Health Emergencies and Constitutionalism: Between the International and the National
Discussant: ANNA MROZEK (Universität Leipzig)
YORAM RABIN (Office of the The State Comptroller of Israel), LIAV ORGAD (IDC) & ROY PELED (The College of Management), The Law Governing the Right of Enemy Alien’s Access to Courts
Discussant: LUKAS HRABOVSKY (Palacky University Olomouc)
15:30-16:00 Coffee Break
16:00-17:30 Panel: Divided Societies
NIKOS SKOUTARIS (University of East Anglia) & ELIAS DINAS (University of Oxford), The Paradox of Territorial Autonomy: How Subnational Representation Leads to Secessionist Preferences
Discussant: MAJA SAHADŽIĆ (University of Antwerp)
NASIA HADJIGEORGIOU (UCLan Cyprus) & NIKOLAS KYRIAKOU (University of Cyprus), Entrenching Hegemony in Cyprus: The Doctrine of Necessity and the Principle of Bi-communality
Discussant: ILAN SABAN (University of Haifa)
17:30 Keynote Address:
AHARON BARAK, President (ret.) of the Supreme Court of Israel and Professor of Law at the Interdisciplinary Center, Herzliya “Human Rights in Times of Terror – A Judicial Point of View”
18:30 Dinner
Tuesday, 19 July 2016

09:15-09:30  Registration

09:30-11:00  Panel: Economic and Financial Crises

ANTONIA BARAGGIA (University of Milan),
The ‘Judicialization’ of Emergency: The Case of the Eurozone Crisis
Discussant: DANIEL BENOLIEL (University of Haifa)

ELISA BERTOLINI (Bocconi University Milan),
Financial crisis as a New Genus of Constitutional Emergency?
Discussant: SUHA JUBRAN BALLAN (University of Haifa)

11:00-11:30:  Coffee Break

11:30-13:00  Panel: Actors in Constitutional Change

FATIH ÖZTÜRK (Istanbul University),
Again: From 1867 to Today, Making a Constitution under an Elite Umbrella in Turkey
Discussant: GUY LURIE (University of Haifa)

TILMANN J. RÖDER (Max Planck Foundation for International Peace and the Rule of Law in Heidelberg),
Militaries as Actors in Constitutional Change Processes
Discussant: Ricardo Sousa Da Cunha (Service of Legal and Constitutional Affairs of the Presidency of the Democratic Republic of Timor-Leste)

13:00-15:00  Lunch & Poster Session

Poster Presenters:

PATRICK GRAHAM (University of New England),
In Pursuit of Power: the Common Law Constitution

LUKAS HRABOVSKY (Palacky University Olomouc),
Emergencies and Constitutional Rights in a Time of Terrorist Threat in the Czech Republic: Do We Need a New Dimension of Emergency?

JOSHUA SEGEV (Netanya Academic College),
Detaining Unlawful Enemy Combatant in Israel. A Matter of Misinterpretation?

MAJA SAHADŽIĆ (University of Antwerp),
The Constitution of Emergency - Reasons Behind Asymmetrical (Constitutional) Arrangements in Bosnia and Herzegovina

RICARDO SOUSA DA CUNHA (Service of Legal and Constitutional Affairs of the Presidency of the Democratic Republic of Timor-Leste),
The Constitutional “Big Bang” in Timor-Leste

15:00-16:30  Political Emergencies and Political Trauma

DANTE GATMAYTAN (University of the Philippines),
Reluctant Radical: Political Trauma and Judicial Review in Post-Marcos Philippines
Discussant: JOSHUA SEGEV (Netanya Academic College)

IOANNIS A. TASSOPOULOS (University of Athens),
Political Emergencies as Challenges to the Impartiality of Public Law: A Defense of the Constitutional Stability of Practical Reason Based on Greek Experience
Discussant: PATRICK GRAHAM (University of New England)

16:30-16:45  Concluding Remarks

Admission is free, but seating is limited so advance registration is required.
For registration: bmichal@geo.haifa.ac.il