Mandate of RC09

The Research Committee for Comparative Judicial Studies (IPSA RC09) is one of 49 active research committees of the International Political Science Association. Our purpose is to promote scholarly work on law, courts, and judicial processes from a comparative perspective. Ultimately, we seek to bring the study of the various dimensions of judicial systems within the mainstream of comparative political research. RC09 encourages comparative research on judicial systems and the participation of scholars in our program regardless of the disciplinary origins and commitments of those who do the research.

For inquiries regarding this newsletter, contact James Kelly, james.kelly@concordia.ca

RC 09 Executive Committee

Convenor       James B. Kelly, Concordia University (Canada)
Treasurer       Matthew Hennigar, Brock University (Canada)

RC 09 Executive Council (2009-2012): Mary Volcansek, Texas Christian University (USA); Kate Malleson, Queen Mary University of London (United Kingdom); Elisabetta de Francisis, University of Naples (Italy); Peter H. Russell, University of Toronto (Canada); Brian Galligan, University of Melbourne (Australia); Daniela Piana, University of Bologna (Italy)
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1 Next Meeting – University of California, Irvine, July 21-23, 2011

2011 Meeting

International Political Science Association
RC 09 (Comparative Judicial Studies)

The Judicialization of Politics from
International and Comparative Perspectives

Irvine, California, USA
July 21-23, 2011

Hosts:
Professor Charles Anthony Smith (University of California, Irvine)
Professor Diana Kapiszewski (University of California, Irvine)

Co-Conveners:
Professor James Kelly (Concordia University)
Professor Charles Anthony Smith (University of California, Irvine)
Professor Diana Kapiszewski (University of California, Irvine)

Treasurer:
Matthew Hennigar (Brock University, St. Catharines, Canada)

Conference Location:
Social and Behavioral Sciences Gateway Building 1517
University of California, Irvine

Conference Information:

Registration Fee: $125 USD

Registration Date: June 21, 2011 (one month before the conference)
Thursday July 21, 2011
Room: Social and Behavioral Sciences Gateway Building 1517

8:30 – 9:00  Conference Registration
9:00 – 9:15  Introductions and Greeting

9:15 – 11:00  The Judicialization of Politics in Democratic and Authoritarian Asia
Chair  TBA
Papers  Chin-shou Wang (National Cheng Kung University, Taiwan) – “The Rise of Judicial Politics in Taiwan”
        Dante B. Gatmaytan (University of the Philippines), Sopfia Guira (University of the Philippines), Cielo Magno (University of the Philippines) – “The Queen’s Court: Supreme Court Voting and Loyalty to the Arroyo Administration”
        Stephanie Balme (Sciences Po, France) – “Practicing the Judiciary in China: Conflicts between Political and Professional Accountability”
        Sung-Wook Paik (University of Maryland, College Park) – “Do Constitutional Courts Save or Kill Democratic Politics? Revisiting the Korean Constitutional Court’s Decision in the Capital Relocation Case”

11:00 – 11:15  Coffee Break

11:15 – 1:00  Judicialization, Environment, and Identity: Canada in Comparative Perspective
Chair  TBA
Papers  C. L. Ostberg (University of the Pacific), Matthew E. Wetstein (Delta College) – “The Judicialization of Postmaterial Values: Environmental Disputes in Two North American High Courts”
        Greg Flynn (McMaster University, Canada) – “The Policy Impact of the Judicialization of Multi-Venue Disputes: Cross-Border Environmental Problems between Canada and the United States”
        Vuk Radmilovic (University of Toronto, Canada) – “Statutory Invalidation, Remedial Discretion, and Strategic Judicial Behavior: Supreme Court of Canada under External Constraints”
        Emmanuelle Richez (McGill University, Canada) – “The Tension between Nation-Building and Diversity Management Objectives in Canadian Constitutional Jurisprudence”
Dave Snow (University of Calgary, Canada) – “The Judicialization of Assisted Reproductive Technology Policy in Canada and Australia”

1:00 – 2:15 Lunch

2:15 – 4:15 Causes and Consequences of Rights Protection
Chair TBA
Papers: Mary Volcansek (Texas Christian University), Charles Lockhart (Texas Christian University) – “Explaining Support for Human Rights Protections: A Judicial Role?”
Juan Mayoral (European University Institute, Italy) – “Supranational Delegation as a Strategy for National Courts: The Case of Social Security Rights”
Erin Delaney (Columbia University) – “Mediating Diversity: Courts and Rights in Federal Systems”
Daniel Brinks (University of Texas, Austin) and Varun Gauri (World Bank) – “The Distributive Impact of Social and Economic Rights Litigation”

4:15 – 4:30 Coffee Break

4:30 – 6:15 Constitutions and Courts in Latin America: Regional Perspectives
Chair TBA
Papers: Royce Carroll (Rice University) and Lydia Tiede (University of Houston) – “Conflict on Chile’s Constitutional Tribunal”
Mónica Castillejos-Aragón (UC Berkeley) – “The Transformation of the Mexican Supreme Court Into an Arena of Political Contestation”
Katja Newman (UC Irvine) – “Political Constitutions: Comparing Executive Power in Emerging Democracies”
Julio Ríos-Figueroa (CIDE, Mexico) – “Institutional Determinants of Judicial Behavior: Constructing Due Process Rights in Latin America”
Friday, July 22, 2011  
Room: Social and Behavioral Sciences Gateway Building 1517

8:45 – 9:15  RC Business Meeting

9:15 – 11:00  The Effect of Processes on Judicialization
Chair: TBA  
Papers:  
- **Pablo José Castillo Ortiz** (Spanish National Council for Scientific Research) – “Who is Afraid of Karlsruhe? The Judicial Politics of National Courts and the Processes of Ratification of EU Treaties”  
- **Sebastián Linares** (University of Salamanca, Spain), **Elena Martínez Barahona** (University of Salamanca) – “Judicial Selection Mechanisms: Unraveling the Effects on Ideology and Professionalism”  
- **Mary Clark** (American University) – “Judicial Recusal Practices in the U.K. and U.S. Supreme Courts and their Implications for the Judicialization of Politics”  
- **David Brown** (University of Colorado), **Andrew Whitford** (University of Georgia), **Jeff Yates** (Binghamton University) – “Perceptions of the Rule of Law: Evidence about the Impact of Judicial Insulation”  
- **Alison Dundes Renteln** (University of Southern California) – “An Analysis of Domestic Implementation of the Bangalore Principles of Judicial Conduct”

11:00 – 11:15  Coffee Break

11:15 – 1:00  International Rights Protection  
Chair: TBA  
Papers:  
- **Walter Carnota** (University of Buenos Aires, Argentina) – “Conventionality Control, the Inter-American Court of Human Rights, and Domestic Courts: An Interaction”  
- **Jeffrey Staton** (Emory University) and **Alexia Romero** (Stanford University) – “Doctrinal Vagueness on the Inter-American Court of Human Rights”  
- **Wayne Sandholtz** (UC Irvine) – “International Law, Constitutions, and Human Rights”  
- **Heidi Haddad** (UC Irvine) – “Judicial Institution Builders: NGOs and International Criminal and Human Rights Courts”  
- **Michael C. Tolley** (Northeastern University) – “Judicialization of Politics in Europe: Keeping Pace with Brussels, Luxembourg and Strasbourg”
1:00 – 2:30  Lunch

2:30 – 4:15  Brazil’s Supremo Tribunal Federal
Chair  TBA
Papers:  Ênio Saraiva Leão (Federal University of Pernambuco, Brazil) – “Judicial Control of Public Policy and its Consequences on Brazilian Foreign Policy After 1988”
Rainer Schmidt (University of São Paulo, Brazil) – “Public Sphere, Legitimation, and Judicialization: The German and Brazilian Supreme Courts in Comparative Perspective”
José Mário Wanderley (Catholic University of Pernambuco, Brazil), Danilo José Pacheco (Catholic University of Pernambuco, Brazil), Louise Dantas (Catholic University of Pernambuco, Brazil) – “Watching the Watchmen: Brazilian Supreme Court’s Chief Justice Role in Checking Lower Courts’ Judicial Activism”
Matt Ingram (University of Massachusetts, Dartmouth) and Scott Desposato (UC San Diego) – “Judicial Ideology in New Democracies: Ideal Points of Justices on Brazil’s High Court”
Andrei Koerner (State University of São Paulo in Campinas), Celly Cook Inatomi (State University of São Paulo in Campinas) – “Constitutional Review and Judicial Policy in Brazil: A Reassessment of the Thesis of the ‘Mixed Model’”

4:15 – 4:30  Coffee Break

4:30 – 6:15  Brazilian Justice Institutions: Beyond the High Court
Chair  TBA
Papers:  Sídia Porto Lima (Federal University of Pernambuco, Brazil) – “Judicial Activism and Electoral Structure: An Essay about Legislative Activity by the Electoral Tribunal in Brazil”
Ernani Carvalho (Federal University of Pernambuco, Brazil) and Natália Leitão (Federal University of Pernambuco) – “Procuracy Office and Independence”
Lígia Mori Madeira (Federal University of Rio Grande do Sul, Brazil) – “Getting Access to Justice in Context of Judicialization of Politics: A Study of the Role and Effectiveness of the Public Defender’s Performance in Brazil”
Azul Aguiar (Italian Institute of Human Sciences, Italy) – “Reforms to the Public Prosecutor’s Office in Brazil, Mexico, and Chile

8:00 RC 09 Dinner
Restaurant TBA
(location TBA)

Saturday, July 23, 2011
Room: Social and Behavioral Sciences Gateway Building 1517

9:15 – 11:00 Judicialization in Africa and the Middle East
Chair: TBA
Papers:
Rachel Ellett (Beloit College) – “Judicial Supremacy in Regional Courts: A Comparative Analysis of the Caribbean and East African Courts of Justice”
Joseph Isanga (Ave Maria School of Law) – “Constitutional Courts and the Judicialization of Politics in Sub-Saharan Africa”
Abolfazl Masoumi (University of Ottawa, Canada) – “Judicialization of Politics in Iran”
Mahmoud Hamad (Drake University/Cairo University Egypt) and Mohamed Samir Helmy (Administrative Prosecution Authority) – “Judicialization without Democratization: the Council of State and Political Accountability in Egypt”
Aylin Aydin (Sabanci University, Turkey) – “Judicialization of Politics in Developing Democracies: A Case Study of the Turkish Constitutional Court”

11:00 – 11:15 Coffee Break

11:15 – 1:00 National-Level Judicialization in Europe
Chair: TBA
Papers:
Adam McAuley (Dublin College University, Ireland) – “The Ebb and Flow of Judicial Review in Ireland”
Janet Hiebert (Queens University, Canada) – “Can Parliament Protect Rights?”
Lucia Dalla Pellegrina (Bocconi University, Italy) and Nuno Garoupa (University of Illinois) – “Choosing Between the Government and the Regions: An Empirical Analysis of Italian Constitutional Court Decisions”
David Kosař (New York University) – “Judicializing ‘Judicial Politics’ in the Czech Republic and Slovakia”

Simone Benvenuti (University of Rome, Italy) – “A Study on Judicial Culture in Countries from Ex-Yugoslavia: The Supreme Courts of Slovenia, Serbia, and Croatia”

1:00 – 2:15  Lunch

2:15 – 4:15  The Argentine Supreme Court in Comparative Perspective
Chair  TBA
Papers:  Andrés del Río (State University of Rio de Janeiro, Brazil) – “Institutional Developments of the Argentinian National Supreme Court and the Brazilian Federal Supreme Court: Trajectories Compared from Establishment to Re-Democratization”
Gabriel Pereira (University of Oxford) – “The Impact of Judicialization on the Process of Re-Constructing the Legitimacy and Authority of Courts: The Case of the Argentine Supreme Court”
Constanza Figueroa Schibber (Washington University St Louis), Alvaro Herrero (Association of Civil Rights, Argentina), Mariana Llanos (German Institute of Global and Area Studies) – “Judicial Selection and Appointment of Lower Court Judges in Argentina (1983-2009)”
Marcelo Leiras (University of San Andrés, Argentina), Agustina Giraudy (University of North Carolina, Chapel Hill), Guadalupe Tuñón (University of San Andrés, Argentina) – “Who Wants an Independent Court? Political Competition and Supreme Court Instability in the Argentine Provinces (1984-2008)”
Jorge O. Bercholc (University of Buenos Aires, Argentina) – “Judges’ Appointment Process of a Constitutional Court: The Case of the Supreme Court of Argentina”

4:15 – 4:30  Coffee Break

4:30 – 6:15  Judicialization, Rights, and the “Other”
Chair  TBA
Papers:  Sophia Muller (University of Ottawa, Canada), Helaina Gaspard (University of Ottawa, Canada) – “Queer Federalism: a Comparative Study of Lesbian and Gay Rights Advocacy within the Context of Canada and Australia”
Rhonda Evans (East Carolina University) – “Asylum Policy in Australia: What’s the High Court Got to Do with It?”
Rebecca Hamlin (Grinnell College) – “Judicialization and Non-Citizens in Comparative Perspective”
Charles Anthony Smith (UC Irvine) and Heather Smith (Lewis and Clark College) – “International Cheap Talk: The Dutch Government and the ABC Islands Human Trafficking in the Absence of Judicialization”

6:15 Conference Adjourns

2 Conference Hotels – University of California, Irvine, July 21-23, 2011

Wyndham Hotel
3350 Avenue of the Arts
Costa Mesa, CA 92626
714/751-5100 or 877/999-3223
www.wyndham.com
Complimentary Shuttle Service to/from Orange County/SNA Airport
5.58 miles/8.5k from hotel to UCI
$119-$179 (UCI Rate)

Radisson Hotel Newport Beach
4545 MacArthur Blvd.
Newport Beach, CA 92660
800/395-7046
www.radisson.com/newport-beach-hotel-ca92660/canewpor
Complimentary Shuttle Service to/from Orange County/SNA Airport and UCI
2.43 miles/4k from hotel to UCI
$119 (UCI Rate)

Hyatt Regency Newport Beach
1107 Jamboree Road
Newport Beach, CA 92660
949/729-1234
www.newportbeach.hyatt.com
Complimentary Shuttle Service to/from Orange County/SNA Airport
4.5 miles/8k from hotel to UCI
$155 (UCI Rate)
**Atrium Hotel**
18700 MacArthur Blvd.
Irvine, CA 92612
800/854-3012
[www.atriumhotel.com](http://www.atriumhotel.com)
Complimentary Shuttle Service to and from Orange County/SNA Airport and UCI
3.16 miles/5k from hotel to UCI
$95 (UCI Rate)

**Ayres Hotel & Suites**
325 Bristol Street
Costa Mesa, CA 92626
800/322-9992
[www.ayreshotel.com/costamesa/](http://www.ayreshotel.com/costamesa/)
Complimentary Shuttle Service to and from Orange County/SNA Airport and UCI
3.7 miles/5.5k from hotel to UCI
$89 (UCI Rate)

**Hotel UCI**
Located in an undergraduate apartment community on the UCI campus.
949/824-7491 or 949/824-3461
[http://housing.uci.edu/hoteluci/](http://housing.uci.edu/hoteluci/)
$76 - $136
3  Past Meeting – University of Bologna, Italy, June 21-23, 2010

2010 Meeting

International Political Science Association
RC 09 (Comparative Judicial Studies)

Judicial Review as ‘Insurance Policy’: Horizontal and Vertical Accountability in Democratic and Transitional States

Bologna, Italy
June 21-23, 2010

Hosts:  Carlo Guarnieri, University of Bologna, Italy
         Daniela, Piana, University of Bologna, Italy

Convenor: James Kelly, Concordia University, Montréal, Canada

Treasurer: Matthew Hennigar, Brock University, St. Catharines, Canada

Conference Location

Facoltà di Scienze Politiche
University of Bologna
Strada Maggiore 45
Monday, June 21, 2010

Room: Aula Poeti
Facoltà di Scienze Politiche

8:30 – 9:00  Conference Registration

9:00 – 9:15  Introductions and Greeting

9:15–11:00  Constitutional Courts as Insurance Policy?
Chair    David O’Brien (University of Virginia)

Papers  Sylvain Brouard (Sciences Po Bordeaux) and Christoph Hönnige (Universität Kaiserslautern) “Constitutional Courts as Veto Players – Composition rules and the Absorption Hypothesis”

Nuno Garoupa (UIUV) and Tom Ginsburg (University of Chicago) “Building Reputation in Constitutional Courts: Party and Judicial Politics”


Kathie Barrett (Georgia State University) “Constitutional Courts, Legislative Power, and Democracy: What Price Rights?”

11:00 – 11:15  Coffee Break

11:15 – 1:00  Parliamentary Bills of Rights
Chair    Michael Tolley (Northeastern University)


Brian Galligan (University of Melbourne) “Parliamentary and Judicial Oversight of Executive Action: Australia’s tentative national rights protection regime”
Janet L. Hiebert (Queen’s University) “Legislative Reliance on Case Law to Reduce Risk”


1:00 – 2:15  Lunch

2:15 – 4:15  Judicial Review in Transitional States/States of Conflict
Chair Walter Carnota (University of Buenos Aires)

Papers Marny Requa (Queen’s University Belfast) “States of Exception: Politicization of Justice in Transitions from Conflict”

Peter H. Russell (University of Toronto) “Constructing the Judiciary of a New Democracy: The Experience of Nepal”

Menachem Hofnung (the Hebrew University of Jerusalem) “State Security and Freedom of Movement”

Rachel Ellett (Beloit College) and Alexei Trochev (University of Indiana) “Victims, Villains, Heroes or Insurance Providers? Judicial Behavior in Uganda and Ukraine”

Malcolm Feeley (Berkeley) and Zayn Siddique (Princeton) “The Role of the Courts in a "Constrained" Democracy: the Case of Iran”

4:15 -4:30  Coffee Break

4:30 – 6:15  EU Courts, Constitutionalism, and Judicial Independence
Chair Shimon Shetreet (Hebrew University of Jerusalem)

Papers Mary Volcansek (Texas Christian University) “Transnational European Institutions: Accountability and Legitimacy.”

Michael C. Tolley (Northeastern University) “Judicial Review of Administrative Action in the United States and the European Union”
Carlo Rossetti (University of Parma) “The Foreign Relations Subcommittee on terrorism and money-laundering and the BCCI case & the MORO Committee on president Moro assassination by the Red Brigades”

Carlo Guarnieri (University of Bologna) and Daniela Piana (University of Bologna) “Judicial Independence and the Rule of Law: the European Experience”

Tuesday, June 22, 2010

Room: Aula
Facoltà di Scienze Politiche

8:45 – 9:15 RC Business Meeting

9:15 – 11:00 The Politics of Judicial Appointments and Selection
Chair Daniela Piana (University of Bologna)

Papers

Lori Hausegger (Boise State University), Troy Riddell (University of Guelph) and Matthew Hennigar (Brock University) “Evaluating Judges: The Effect of Different Selection Systems on the Quality of Judges”

Peter H. Solomon (University of Toronto) “The Accountability of Judges in Post-Communist States: From Bureaucratic to Professional Accountability”

Sebastián Linares Lejarraga (Universidad de Salamanca) and Elena Martínez Barahona (Universidad de Salamanca) “Searching for balance between Democratic Accountability and Judicial Independence: the Selection of High Justices in Latin America”


11:00 – 11:15 Coffee Break
11:15 – 1:00  The Judicialization of Politics in the UK, USA, Australia, and Israel
Chair  Yitzhak Hadari (Tel Aviv University)

Papers  Kate Malleson (Queen Mary University London) “The judicialisation of politics in the UK: What difference will the new Supreme Court make?”

JASON Pierce (University of Dayton), DAVID L. WEIDEN (Indiana University-Purdue University Indianapolis) and REBECCA WOOD (University of Nevada-Las Vegas) “The Changing Role of the High Court of Australia”

MARGIT COHN (Hebrew University of Jerusalem), “Form, Forumula and Constitutional Ethos: The Political Question/Justiciability Doctrine in the United States, the United Kingdom and Israel,”

1:00 – 2:30  Lunch

2:30 – 4:15  The Judicialization of Politics in Latin America and the Iberian Peninsula
Chair  Sophie Turenne (Cambridge)

Papers  RAUL A. SANCHEZ URRIBARRI (Tulane University) “The (Pernicious) Influence of Informal Connections on Judicial Power in Latin America – A Comparative Assessment”

JODI FINKEL (Loyola Maramount University) “Mexico’s National Commission of Human Rights Ten Years after Democratization: Why is the Ombudsman Office Still Unwilling to Enforce Accountability?”

ROYCE A. CARROLL (Rice University) and LYDIA TIEDE (University of Houston) “Independence and Democratic Accountability: Assessing Chile’s Constitutional Tribunal,”

4:15 – 4:30  Coffee Break
Chair  Zeev Segal (Tel Aviv University)

Papers  Christine Rothmayr Allison (Université de Montréal) “Variations of Judicialization: litigation patterns and judicial policy-making in comparative perspective”

Andrea Chandler (Carleton University) “The Constitutional Court and Supreme Court As Actors in Social Welfare Policy in Russia”

Assaf Meydani (The Academic College of Tel-Aviv-Yaffo) “The Supreme Court as a political entrepreneur: The Case of Israel”

8 pm  RC 09 Dinner

Ristorante C’era una Volta, via D’Azeglio 9
(located 100 metres from Piazza Maggiore)

Wednesday, June 23, 2010

Room: Aula
Facoltà di Scienze Politiche

9:30 – 11:15  Legal Mobilization
Chair  James Kelly (Concordia University)

Papers  Yoav Dotan (Hebrew University of Jerusalem) “Understanding Judicial Behaviour and Legal Mobilization by Analyzing Governmental Positions in Litigation”

Rhonda Evans Case (East Carolina University) “Judicialization of Refugee Policy in Australia: Assessing the Role of Support Structures for Legal Mobilization”

Madalena Duarte (University of Coimbra) “Social Movements and Legal Mobilization”
Lisa Vanhala (University of Oxford) “The Environmental Movement and Judicial Review in the UK: The Recursive Relationship between Law and Social Movement Identity”

11:15 Conference Adjourns

4 Future Meetings

2012 Triennial Meeting
22nd IPSA World Congress
July 8-12, 2012
Madrid, Spain
http://www.ipsa.org/events/congress/madrid2012

5 Recent Publications by RC09 Members


http://www.routledge.com/books/details/9780415576529/

http://www.oup.com/us/catalog/general/subject/Politics/AmericanPolitics/PublicAdministration/~/dmlldz11c2EmY2k9OTc4MDE5OTU1Nzc2OQ


http://www.cambridge.org/gb/knowledge/isbn/item2705433/?site_locale=en_GB

http://www.cambridge.org/gb/knowledge/isbn/item5738930/?site_locale=en_GB

http://www.continuumbooks.com/books/detail.aspx?BookId=157756&SubjectId=1023&Subject2Id=1023

6 **Membership List**

We are in the process of updating the membership list for RC09. Please send a recent entry, in the following format, to James Kelly james.kelly@concordia.ca

**Entry Format**

James B. Kelly  
Associate Professor  
Department of Political Science  
Concordia University  
james.kelly@concordia.ca  
CANADA