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STUDIES



LOVE, NATURE AND MARRIAGE IN THE WEST, BETWEEN LAW AND RELIGION

Religiowest and Chaire de recherche sur les religions en modernité avancée

Seminar 3, Badia Fiesolana
via dei Roccettini, 9 – San Domenico di Fiesole

13 May 2013

■ PROGRAMME

- 10.00-10.15 Introduction
David Koussens
Nadia Marzouki
- 10.15-11.00 **Danièle Hervieu Léger**
Nature and Civil Code: The Catholic Argument Against Marriage for All in France
- 11.00-11.30 *Coffee break*
- 11.30-12.15 **Irène Théry**
From Civil Marriage (1792) to Same-sex Marriage in France: A Historical Sociology Approach
- 12.15 14.00 *Lunch*
- 14.00-14.45 **Janet Bennion**
Media, Gender, and the Law in Mormon Polygamy 14.45-15.30
- Lori Beaman**
Not Enough to Go Around: Rethinking Polygamy's Wrongs
- 15.30-16.00 *Coffee break*
- 16.00-16.45 **Marie Pierre Robert**
The Criminalization of Polygamy or the Importance of Monogamous Marriage in Canada
- 16.45-17.00 **Anver Emon**, discussant
- 17.00-17.45 Conclusion and general discussion
Olivier Roy



Chaire de recherche
sur les religions
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■ PARTICIPANTS

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■ BIO NOTES

Lori G. Beaman, Ph.D. is the Canada Research Chair in the Contextualization of Religion in a Diverse Canada and Professor in the Department of Classics and Religious Studies at the University of Ottawa. Her publications include *Defining Harm: Religious Freedom and the Limits of the Law* (UBC Press, 2008); "Is Religious Freedom Impossible in Canada?" *Law, Culture, and the Humanities* 6(3) 2010: 1-19; "It was all slightly unreal': What's Wrong with Tolerance and Accommodation in the Adjudication of Religious Freedom?" *Canadian Journal of Women and Law* 23(2) 2011: 442-463; "Religious Freedom and Neoliberalism: From Harm to Cost-Benefit," in *Religion and Neoliberal Policy and Governance*, edited by F. Gauthier and T. Martikainen, Ashgate, 2012: 193-210 and "Battles over Symbols: The 'Religion' of the Minority Versus the 'Culture' of the Majority," *Journal of Law and Religion* 28(1) 2012/3: 101-138. She is co-editor, with Peter Beyer, of *Religion and Diversity in Canada* (Leiden: Brill Academic Press, 2008). She is principal investigator of a 37 member international research team whose focus is religion and diversity (religionanddiversity.ca).

Janet Bennion is a professor of anthropology at Lyndon State College in Vermont, specializing in Mormon fundamentalist polygyny. She has a Ph.D. in Anthropology from University of Utah and a Masters in Social Anthropology from Portland State University. Her scientific publications include *Polygamy in Primetime*, by University of Brandeis Press (2012), which provides a history and impact of polygamy in North America, *Women of Principle: Female Networking in Contemporary Mormon Polygyny* (Oxford University Press 1998) which is the first ethnography ever published about Mormon fundamentalism and provides female conversion narratives, and *Desert Patriarchy* (University of Arizona Press 2004) which presents her theory explaining the role of the desert environment (Chihuahua, Mexico) in the development and maintenance of a patriarchal gender ideology.

Anver M. Emon joined the Faculty of Law in 2005. Dr. Emon's research focuses on premodern and modern Islamic legal history and theory; premodern modes of governance and adjudication; and the role of Shari'a both inside and outside the Muslim world. He teaches in the areas of torts and statutory interpretation, and offers specialized seminars on Islamic legal history, gender and Islamic law, and law and religion. In addition to publishing numerous articles, Emon is the author of *Islamic Natural Law Theories* (Oxford University Press, 2010), and *Religious Pluralism and Islamic Law: Dhimmis and Others in the Empire of Law* (Oxford University Press, 2012), as well as the co-editor of *Islamic Law and International Human Rights Law: Searching for Common Ground?* (Oxford University Press, 2012). He is the founding editor of *Middle East Law and Governance: An Interdisciplinary Journal*, and series editor of the *Oxford Islamic Legal Studies Series*.

Danièle Hervieu-Léger is research director at the Ecole des Hautes Etudes en Sciences Sociales. She has been the head of the Centre d'Etudes Interdisciplinaires des Faits Religieux from 1993 to 2004. She has been the editor of the journal *Archives de Sciences Sociales des Religions* from 1986 to 2004. She is currently member of the Centre d'Etudes Sociologiques et Politiques Raymond Aron (CESPRA, EHESS/CNRS). She was the president of the EHESS from 2004 to 2009. Specialized in the sociology of religions, Danièle Hervieu-Léger has devoted most of her work to the sociological study of religious modernity: secularization, individualization of belief, transformation of institutions. Her most current publications include: "La religion en mouvement : le pèlerin et le converti," Paris, Flammarion, 1999. Coll. Champs, 2001; "La religion en miettes ou La question des sectes", Paris, Calmann-Lévy, 2001; avec Jean-Paul Willaime "Sociologies et religion : approches classiques", Paris, Presses universitaires de France (PUF), 2001; "Catholicisme, la fin d'un monde", Paris, Bayard, 2003. She is also the editor (with Regine Azria) of the *Dictionnaire des faits religieux*, Paris, PUF, 2010

David Koussens (PhD Sociology) is an assistant professor at the Department of Religious Studies of the University of Sherbrooke where he holds the Research Chair on Religions in Advanced Modernity. He is currently a Visiting Scholar at the Centre Perelman de philosophie du droit at the Université libre de Bruxelles. He was a Max Weber Fellow at the European University Institute in 2010-2011 and a Postdoctoral Fellow at the Centre de recherche en éthique de l'Université de Montréal in 2011. His most recent publications include : « Vivre sa spiritualité dans le catholicisme. Des homosexuels en paroisse... et en Église? » In Béraud, Céline, Saint-Martin, Isabelle and Gugelot, Frédéric (eds). *Catholicisme(s). Lignes de force, interrogations et changements*, Éditions de l'EHESS, p. 203-214 ; « De l'Église à la paroisse. Discours sur l'homosexualité au Québec », *Québec Studies*, vol. 12, no 33, p. 55-67 ; « Symboles et rituels catholiques dans les institutions publiques québécoises : Aspects juridiques, débats politiques et enjeux laïques », *Annuaire Droit et religions*, vol. 6, tome 1, p. 161-172.

Nadia Marzouki is a Research Fellow in the Religowest Program at the RSCAS of the European University Institute. She received her PhD in political science from Sciences-Po, Paris in 2008. She has been a Postdoctoral fellow at the Council on Middle Eastern Studies, Yale University (2008-2010), and a visiting scholar at the University of Berkeley (2004-2005) and at Princeton University (2005-2006). Her work examines public controversies about Islam in Europe and the United States, and about Evangelical Christianity and religious freedom in North Africa. She is the author of *L'Islam, une religion américaine?* (Seuil, 2013). She is also co-editing a book with Olivier Roy, on *Religious conversions in the Mediterranean World*, (Palgrave/Macmillan, publication planned for Winter 2013).

Marie-Pierre Robert is an associate professor at the Faculty of Law of the University of Sherbrooke. She is co-director of the Centre of research Society, Law and Religions of the University of Sherbrooke and of the graduate studies diploma in criminal law practice. She has a doctorate in law from the Institute of Comparative Law of McGill University. In her researches, she focuses on the relationship between criminal law and cultural and religious diversity. She published on the topics of polygamy, honour killings and cultural defense. She is also the co-editor of the criminal law collection of the *JurisClasseur Québec*. Some of her recent publications: Marie-Pierre Robert, "La constitutionnalité de la criminalisation de la polygamie au Canada: une question d'objectif" dans *Annuaire Droit et Religions*, Presses universitaires d'Aix-Marseille (à paraître en 2013) ; Marie-Pierre Robert, «Les crimes d'honneur ou le déshonneur du crime : étude des cas canadiens» (2011) 16 *Revue canadienne de droit pénal* 49–87 ; Marie-Pierre Robert et Stéphane Bernatchez, «La criminalisation de la polygamie soumise à l'épreuve de la Charte » (2010) 40 *Revue générale de droit* 541.

Olivier Roy is Professor at the European university Institute where he heads the Mediterranean Programme at the Robert Schuman Centre for Advanced Studies. He has been a Senior Researcher at the French National Center for Scientific Research (since 1985), Professor at the Ecole des Hautes Etudes en Sciences Sociales (since 2003), and visiting Professor at Berkeley University (2008/2009). He headed the OSCE's Mission for Tajikistan (1993-1994) and was a Consultant for the UN office of the Coordination for Afghanistan (1988). His field work include Afghanistan, Political Islam, Middle East, Islam in the West and comparative religions. He received an "Aggregation de Philosophie" and a Ph.D. in Political Science. He is the author of "The failure of Political Islam" (Harvard UP 1994), "Globalized Islam" (Columbia University Press, 2004) and more recently of "La Sainte Ignorance" ("Holy Ignorance", Columbia University Press, 2010). He is presently working on "Islamic norms in the public sphere", conversions, apostasy and comparative religions.

Irène Théry is a Sociologist, Director of Studies at the EHESS(Ecole des Hautes Etudes en Sciences Sociales, Paris). She is specialized in legal sociology, sociology of the family and private life. She is also a member of the Haut Conseil de la Famille. Her work examines the social and political history of family law in France, contemporary modes of regulations of private conflicts, and current transformations in family links. She is the author of the notion of "recomposed family" and is a pioneer of the first research on this topic in France. She is the author of numerous books. Among the most recent ones are: "La Distinction de sexe, Une nouvelle approche de l'égalité", Odile Jacob, 2007; "Ce que le genre fait aux personnes" (co-direction d'ouvrage collectif), ed. de l'EHESS, 2008; "Des humains comme les autres, bioéthique, anonymat et genre du don", Paris, éditions de l'EHESS, 2010; "Mariage de même sexe et filiation", éditions de l'EHESS, 2013.