What would law be like if we organized it around the value of Christian agape love?
Agape love is love that is focused on the good of the other and is distinguished from other forms of love—from friendship, romance, and sexual love. Murphy notes that agape love is not simply concerned with making people’s lives more pleasant—it is not “cuddly.” If agape is the aim, a polity might “design legal practices and institutions with a view to the moral and spiritual improvement of affected citizens.” Other theological and moral traditions also wrestle with the relationship between law and religious concepts of love, including Judaism’s hesed and ahava, Islam’s rahman, and Hinduism’s kama.

The notion of law grounded in love has a rich history. Jesus summarized the Mosaic law as love of God and neighbor. John Calvin said that all nations’ laws “must be in conformity to that perpetual rule of love.” Over the centuries groups have sought to ground law in love, to good and ill effect. The idea that law should be a manifestation of love stands in tension with modern and postmodern notions that law should be solely concerned with individual autonomy or efficiency or that law is by nature only a matter of power.

Law might bear several sorts of relationships to love. Love might be the motivation behind the work of lawyers, judges, legislators, police, and politically active citizens. The adoption and enforcement of wise laws can be among the most loving things that someone can do. It may also be that law can teach and encourage love.

The idea of law grounded in love generates numerous big questions which will be addressed throughout this conference by people from the fields of philosophy, political science, law, economics, theology, and literature. We hope you can join us.
Welcome and Conference Introduction

Deanell Reece Tacha, Duane and Kelly Roberts Dean and Professor of Law

Robert F. Cochrane, Jr., Louis D. Brandeis Professor and Director, Herbert and Elinor Nootbaar Institute on Law, Religion, and Ethics

Plenary Session I

Agape: The Activity of Reframing

James Boyd White, L. Hart Wright Professor of Law Emeritus, Professor of English Emeritus, University of Michigan

Response

Darryl Tippens, Provost, Pepperdine University

Author Conversation

Jeffrie Murphy, Regents’ Professor of Law, Philosophy, and Religious Studies, Arizona State University

Plenary Session II

Welcome and Moderator

Michael A. Helfand, Associate Professor of Law and Associate Director, Diane and Guilford Glazer Institute for Jewish Studies

Love as Law: A Hindu Approach

Varun Soni, Dean of Religious Life, University of Southern California

Law AS Love: A View from the Talmud

Chaim Saiman, Professor of Law, Villanova School of Law

Love, Justice, and Polity in Catholic Social Doctrine

Patrick Brennan, John F. Scarpa Chair in Catholic Legal Studies, Villanova University School of Law

Humanizing Legal Systems: Exploring the Capacity for a Humane Approach to Justice from a Muslim Perspective

Najeeba Syeed-Miller, Assistant Professor of Interreligious Education, Claremont School of Theology

Breakout Session I

Breakout A: Theology and Law

Love as the Foundation of Jewish and Natural Law in the Religio-Legal Philosophy of Rabbi Samson Raphael Hirsch

Shlomo C. Pill, SJD Candidate in Law and Religion, Emory University School of Law

Why Agape Is Not More ‘Christian’ than Eros and Philia

Roberto Sirvent, Associate Professor of Political and Social Ethics, Hope International University

Agape, Eros, Caritas, and the Law

Kevin Lee, Professor, Campbell University School of Law

An Eastern Orthodox View of Love, Law, and Martin Luther King, Jr.

Brandon Paradise, Associate Professor of Law, Rutgers Law School—Newark

Breakout B: Love and Legislation: What Might It Look Like? Would It Be a Good Thing?

Agape, the Golden Rule, the Rule of Law, and Wealth Maximization: All the Same Idea?

Eric Rasmusen, Dan R. and Catherine M. Dalton Professor of Business Economics and Public Policy, Indiana University’s Kelley School of Business

Legislating Love: Love of Neighbor as the Essence of the Israeli Legal System

Mark Goldfeder, Senior Lecturer and Director of the Law and Religion Student Program, Center for the Study of Law and Religion, Emory Law School

The Law of Love

Perry Dane, Professor of Law at the Rutgers School of Law, Camden

The Impossibility of Imposed Love: Separation of Church and State and the Formation of a Truly Loving Society

Michael D. Peabody, Partner, Bradford & Barthel, LLP

Plenary Session III

Calvin, Law, and Love

Richard Mouw, Professor of Faith and Public Life, Fuller Theological Seminary

Lunch
Plenary Session IV

Is Agape the Last, Best Hope for the Legal Profession?

Robert Vischer, Dean and Professor of Law, University of St. Thomas School of Law

Breakout Session II

Breakout A: Law School and Law Practice

Calvin on Love and Litigation

Eric G. Enlow, Dean, Handong International Law School

Love and Law in the Real World of Law Practice

Mark Hiepler, Partner, Hiepler & Hiepler

Agape and Legal Education

Jerry Organ, Professor of Law and Associate Director of the Holloran Center for Ethical Leadership in the Professions, University of St. Thomas School of Law

Teaching Agape to Law Students

L.O. Natt Gantt, II, Professor and Director of Academic Success and Advising, and Codirector, Center for Ethical Formation and Legal Education Reform, Regent University School of Law

Breakout B: Liberalism, Post-Liberalism, and Law

Render Unto Rawls: Law, Gospel and the Evangelical Fallacy

Wayne Barnes, Professor of Law, Texas A&M University School of Law

Agape and a Post-Secular Pluralistic Conception of Law

Mark C. Modak-Truran, Jr. Will Young Professor of Law, Mississippi College School of Law

Sacralizing Law: Political Forgiveness and Liberal Justice

Zachary Calo, Associate Professor, Valparaiso University Law School

Disordered Love, Disordered Law: Why Christian Love Necessitates Christian Culture

Jeffrey J. Ventrella, Senior Counsel and Senior Vice President of Student Training and Development, Blackstone Alliance Defense Fund

Speakers’ Dinner and Reception

Plenary Session V

“Be Instructed, All You Who Judge the Earth”: The Dialectic of Love During the World, According to Augustine

Charles Mathewes, Carolyn M. Barbour Professor of Religious Studies, University of Virginia

Response

Alberto R. Coll, Professor of International Law, Director, European and Latin American Legal Studies, De Paul University College of Law

Plenary Session VI: Agape and Law

Can Law Accept Its Limits? The Challenge and Risk of Allowing Agape a Role in the Law

Linda Ross Meyer, Professor of Law at Quinnipiac University School of Law

Why Christian Love Is an Improper Category to Apply to Civil Law: A Contrarian Perspective

David VanDrunen, Robert B. Strimple Professor of Systematic Theology and Christian Ethics, Westminster Seminary California

Love and Justice in the Law: Catholic Reflections on Nicholas Wokersorff

Michael P. Moreland, Vice Dean and Professor of Law, Villanova University

Breakout Session III

Breakout A: Law, Love, and Politics

Less than Embrace, More than Restraint: Bundles of Loves, Periodic Catastrophes, and the Realist Case for Political Forgiveness

Christopher J. Dowdy, PhD Candidate, Religious Studies, Southern Methodist University

Is the Current Social Justice Movement Committing Societal Malpractice

Marlene McMillian, Tyndale Theological Seminary

The When and the Where of Love: The Complexity of Subsidiarity as a Framework for Law

Lucia Silecchia, Professor of Law, The Catholic University of America
Breakout B: Criminal Law

Restorative Justice

Barbara Armacost, Professor of Law, University of Virginia School of Law

What’s Love Got to Do with It? Incarceration in the United States and Conditions of Confinement

Lynn Branham, Visiting Professor of Law, Saint Louis University School of Law

Dignity and Rehabilitation

Meghan J. Ryan, Assistant Professor of Law, Southern Methodist University, Dedman School of Law


James W. McCarty III, PhD Candidate in Religion, Ethics, and Society, Emory University

Lunch

Plenary Session VII: Finding Love in Law Where You Might Not Expect It

The Relevance of Agape to Fiduciary Duties, If Any

Stephen Bainbridge, William D. Warren Distinguished Professor of Law, UCLA School of Law

Love and Corporate Theory

Lyman Johnson, Robert O. Bentley Professor of Law, Washington and Lee University School of Law and LeJeune Distinguished Chair in Law University of St. Thomas School of Law

Law and Love in International Politics: Possibilities and Limits

Alberto R. Coll, Professor of International Law, Director, European and Latin American Legal Studies, DePaul University College of Law

Love and Intellectual Property

Thomas C. Berg, James L. Oberstar Professor of Law and Public Policy, University of St. Thomas School of Law

Breakout Session IV

Breakout A: Love and Law, Immigration and Race

Love, Law, and the Immigrant

Michael Scaperlanda, Gene and Elaine Edwards Family Chair in Law, University of Oklahoma College of Law

Whiteness, Inequality, and Love

Brant Lee, Professor of Law, University of Akron

Love, Grace, and the Immigration Laws

Jennifer Lee Koh, Associate Professor of Law, Western State College of Law

The Prodigal Illegal: Christian Love and the Legal Status of Unauthorized Migrants

Victor C. Romero, Maureen B. Cavanaugh Distinguished Faculty Scholar and Professor of Law, Penn State

Breakout B: Love and Law, Family and Education

Love, Indeterminacy, and Family Law

Joel A. Nichols, Associate Dean for Academic Affairs and Professor of Law, University of St. Thomas School of Law

Trifling Violence: The U.S. Supreme Court, Domestic Violence and a Theory of Love

Jeff Baker, Associate Clinical Professor of Law and the Director of Clinical Education, Pepperdine University School of Law

Turning Juvenile Detention Hearings into Community Healing: Why Settle for the Minimum of American Law When We Are Called to Fulfill God’s Justice?

David Dominguez, Professor of Law, Brigham Young University

Philanthropy and E(ta)xactions: Can the Twain Meet?

Mildred Robinson, Henry L. & Grace Doherty Charitable Foundation Professor of Law, University of Virginia School of Law

Conference Conclusion and Reception
Registration, complete conference schedule, lodging, and travel information can be found at:

law.pepperdine.edu/nootbaar/annual-conference

Registration Closes February 1, 2014.

Herbert & Elinor Nootbaar

Wonderful friends of Pepperdine, Herb and Elinor Nootbaar generously endowed the Institute on Law, Religion, and Ethics in 2007. Residents of Laguna Beach, California, they have fascinating life stories of hard work, perseverance, continuing success in the feed and grain industry, strong religious faith, and devotion to the community. Herb and Elinor's extraordinary gift enables law students to work with human rights and religious freedom organizations around the world, as well as to study the relationship between law, religion and ethics. In March of 2011, we mourned the death of our beloved Elinor; in November of 2013, we celebrated Herb's 105th birthday.
The Diane and Guilford Glazer Institute for Jewish Studies was established based on the understanding that as a Christian University, Pepperdine's students are especially open to discussions of faith and identity, but are often unacquainted with Christianity's ongoing relationship with Judaism. The Glazer Institute is designed to increase a majority-Christian academic community's exposure to, discussion of, and awareness of Judaism, Jewish Studies, and Israel. The Glazer Institute seeks to provide new avenues for students to explore and connect Jewish and Christian identities through various opportunities—curricular and cocurricular.

PEPPARDINE.EDU/GLAZER-INSTITUTE

The Herbert and Elinor Nootbaar Institute on Law, Religion, and Ethics was created to explore the nexus between these three disciplines, with particular emphasis on the intersection of faith and law. The purpose of the Institute is to bring the redemptive capacity of religious faith and moral insight to law, and to bring persons trained in the law to serve “the least of these” throughout the world. The Institute encourages the examination of law and religion from the broad range of Christian, Jewish, and other religious perspectives represented in the law school’s students, staff, and faculty. We seek to do so at a theoretical level through seminars, conferences, and scholarship. We also put theory into action, working with governments and human rights organizations to bring peace, justice, and the rule of law around the globe.

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