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In June 2014, the Institute for Global Law and Policy (IGLP) convenes its 5th annual residential program at Harvard Law School. The IGLP is a collaborative faculty effort to nurture innovative approaches to global policy in the face of a legal and institutional architecture manifestly ill-equipped to address our most urgent global challenges. Global poverty, conflict, injustice and inequality are also legal and institutional regimes. The IGLP explores the ways in which they are reproduced and what might be done in response. We provide a platform at Harvard for new thinking about international legal and institutional arrangements, with particular emphasis on ideas and issues of importance to the global South. Through our workshops, prosemnars, conferences, and research groups, we aim to strengthen the next generation of scholars by placing them in collaboration with their global peers as they develop innovative ideas and alternative approaches to issues of global law, economic policy, social justice and governance.

IGLP’s June 2014 events demonstrate the breadth of scholarship developed by members of the IGLP network. They showcase ongoing and new research projects by IGLP alumni and faculty.

On June 2-3, 2014, the IGLP will host three research conferences:

- **Corporate Power in Global Society: Explication, Critique, Engagement, and Resistance** will interrogate the nature, structure, and effects of corporate power.
- **Heterodox Approaches to Islamic Law and Policy** will compare critical and comparative methodologies and approaches to Islamic law and jurisprudence, and explore topics including Islamic legal history, family law, and finance.
- **Global Legal Thought: The Legacies of Heterodoxy** will compare the development and reception of heterodoxy in legal thought in various regions and legal traditions. This conference will also offer the opportunity to reflect comparatively on Duncan Kennedy’s contributions to American and global legal thought in anticipation of his retirement in 2015.

In addition, **16 collaborative research teams** comprised of IGLP alumni, faculty, and invited guests will meet to discuss new and continuing research projects. These projects represent a wide array of topics in global law and policy:

- Revolution, Constitutionalism and International Law
- Law’s Hegemony
- (Dis)solving Informal Labor Vulnerability through Labor Laws
- Multinational Behavior in Africa: Human Rights Perspectives
- Varieties of State Capitalism and International Economic Order
- Reviving Comparative Law as a Heterodox Discipline
- Critical Global Economic Governance
- Operation CIA: Critical Interdisciplinary Approaches
- History, Anthropology, and the Archive in International Law
- Critical Approaches to International Criminal Law
- Global Art Law and Cultural Property: Productions of Value
- Legal Education on International Public Law: Rethinking the Latin American Experience
- Locating Nature: Making and Unmaking International Law
- Indicators as Political Spaces
- International Legal Structuralism
- Bandung and the Global South: 60 Years of Transformative International Law
IGLP’s global programming began in 2010 with the inaugural IGLP: The Workshop, an intensive residential program designed for doctoral and post-doctoral scholars and junior faculty. Each year, we have sought to develop new programs and diverse ways for IGLP alumni to re-engage at an ever more advanced level, while leaving the door open for expanding our network year by year.

2011

The IGLP hosts its first Pro-Seminars. These intensive research groups offer the opportunity for small groups of scholars to workshop new scholarship and work towards a publication. They have included topics such as Re-Theorizing Liquidity and Renewing Latin American Legal Studies.

2012

IGLP: The Workshop alumni are for the first time eligible to serve as docents at the annual Workshop, where they run writing workshops for participants and support faculty-led classes.

IGLP hosts its first Colloquium, an event for IGLP Core Faculty, invited guests and docents that focuses on a different theme each year.

2013

The annual Workshop moves to Doha, Qatar, where the program offerings expand and the IGLP inaugurates a new focus on Islamic law and the Arab world.

The IGLP hosts its first biannual conference, New Directions in Global Thought: IGLP at Five. The conference brings 300 scholars from around the world to Harvard to present papers on topics including international criminal law, property law, development banks, comparative law, and the environment.

The IGLP is grateful to all of our sponsors and friends for the support they offer us in developing innovative programs and supporting collaborative research.

Our intensive residential program at Harvard each June is sponsored and generously supported by our Lead Sponsor, Santander Universities. For more information visit: www.santanderuniversities.us

Our June events are co-sponsored by our friends at Sciences Po Law School, SOAS at The University of London, Melbourne University Law School and the Program on the Corporation, Law and Global Society at Northeastern University School of Law.

We are particularly grateful to our Lead Sponsor, the Qatar Foundation, and to the Real Colegio Complutense, Visa Inc., J&A Garrigues, S.L.P., and Cleary Gottlieb, Steen and Hamilton LLC, who continue to show their faith in our efforts to provide a focal point for European, international and comparative law, and the study of economic policy and development at Harvard Law School. The Qatar Foundation generously sponsors and hosts our annual intensive Workshop held in Doha each January.
Corporate Power in Global Society: Explication, Critique, Engagement, and Resistance

2-3 June 2014 • Harvard Law School

Conference Conveners:
Grietje Baars (The Netherlands) The City Law School, City University London
Dan Danielsen (United States) Northeastern University School of Law
Dennis Davis (South Africa) High Court of Cape Town
Andre Spicer (New Zealand) Cass Business School, City University London

Conference Host:
The IGLP Corporation in Global Society Research Group in collaboration with the Critical Corporation Project, City University of London

Conference Co-Sponsor:
Program on the Corporation, Law and Global Society, Northeastern University School of Law

- What is “corporate power”? How does it manifest? What are its attributes? How does law figure in its production? Is corporate power unique? Does it inhere in the corporate form or is the form an institutional means for the deployment of economic, political, social, and/or ideological power that originates elsewhere?
- How should we theorize the relationship between corporate power and increasing financialization of the economy? (How) Does capital constitute/shape/limit corporate power? (How) Does law constitute/shape/limit the power of capital?
- How should we (re)theorize power relations between the corporation and the state—hegemonic? hierarchical? complicitous? cooperative? commercial? instrumental? rivalrous? Do different contexts require different analytic frameworks—local/global? developed/developing? MNCs/SMEs? industry sector? strong state/weak state? multinational institutions/industry associations? If corporate/state power relations constitute or are part of a “global system,” how might we talk systemically while retaining “real world” complexity, diversity and nuance in our accounts?
- (How) Should we understand the connection between corporate power and corporate personality or personhood? (How) Should we theorize “corporate subjectivity”? Does corporate subjectivity depend on the production of particular identities or subjectivities among actors comprising the firm—managers, directors, workers, investors? (How) Does corporate power shape subjectivities, cultures and institutions in the social world beyond the internal culture of the firm itself such as the family, NGOs, educational institutions, intimate relationships, individual psyches?
- Are environmental/geological degradation, labor exploitation, financial and political instability and/or corruption inevitable externalities of capitalism? weak states? bad regulation? (How) Should we think about corporate power in relation to these phenomena?
- What is the role of professional service providers (e.g., legal, accountancy, financial, tax advisory) in constituting (or containing/contesting/encroaching on) corporate power?
- How can corporate power be resisted, harnessed or subverted?
# Program of Events

**Monday June 2, 2014**

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<tr>
<th>TIME</th>
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<tr>
<td>7:30 – 8:30 AM</td>
<td>Breakfast  <strong>Austin Hall 100 North Lobby</strong></td>
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</table>
| 8:30 – 9 AM     | **June 2014 IGLP Opening Plenary**  **Austin Hall 100 North Classroom**  
David Kennedy (United States) Harvard Law School |
| 9:30 – 11 AM    | **Panel 1: Imagining Corporate Power**  **WCC 2004**  
“Law, Genealogy, and Literature in the Political Analysis of Corporate Power”  
Joshua Barkan (United States) University of Georgia, Department of Geography  
“Mapping Corporate Power: GVCs, Governance and the New Corporate Imaginary”  
Jennifer Bair (United States) University of Colorado, Department of Sociology  
“Narrative, Image, and the Making of the Corporate Self”  
Gwen Gordon (United States) Wharton School, University of Pennsylvania  
“The Feminized Face of Oil: Shifting Corporate Image and Corporate Power”  
Elana Shever (United States) Colgate University, Department of Sociology and Anthropology |
| 11 – 11:30 AM  | Break  **Hauser Hall 1st Floor Lobby**                               |
| 11:30 AM – 1 PM | **Panel 2: Corporate Power & the Other**  **WCC 2004**  
“Power & Privilege: The (Possible) Advantage of New Organizations in the Global World”  
Swethaa Ballakrishnen (India) Stanford University, Sociology Department  
“Moral Technologies of Market Construction: The Politics of Multinational Firm Entry into Indian Retail Food Supply Chains”  
Amy Cohen (United States) Ohio State University Moritz College of Law  
Jason Jackson (The Bahamas) Wharton School, University of Pennsylvania  
“Jurisdictional Rivalries between Company and State in the Early Modern Period”  
Sundhya Pahuja (Australia) Melbourne University Law School  
“The Security Bazaar: Mapping Actors, Markets and Technologies in Migration and Border Control”  
Richa Kumar (India) Brussels School of International Studies, University of Kent |
| 1 – 2:30 PM    | Lunch  **WCC Milstein West B**                                      |
Monday June 2, 2014 (continued)

2:30 – 4 PM

Panel 3: Corporate Power, State and Capital  

“When Westphalia Encounters Transnationality: Sovereignty, Territory and the Creation of the Foreigner in Kiobel and Co.”

Tomaso Ferrando (Italy) Sciences Po Law School

“Public Debt as Corporate Power: Mapping the New Aristocracy of Finance”

Sandy Hager (Canada) London School of Economics and Political Science

“Global Value Chains and the Corporate Power of Commercial Capital: A Marxian Analysis”

Dean Snyder (United States) Syracuse University Department of Political Science

“Corporate Regulatory Power and Green Governance: An Illustrative Case”

Megan Bowman (Australia) University of New South Wales

4 – 4:30 PM

Break  Hauser Hall 1st Floor Lobby

4:30 – 6 PM

Panel 4: Corporate Power and Corporate Subjectivity  

“Corporate Subjectivity, Corporate Social Responsibility and the Equator Principles in Project Finance”

Heather Hughes (United States) American University, Washington College of Law

“Standardising Industries, Normalising Subjectivities: Corporations in European Order”

Outi Korhonen (Finland) University of Turku

“Playing with Two Legal Categories, Property and Contract: An Explanation of the Rise of Financial Corporate Power from a Legal Perspective”

Jongchul Kim (South Korea) Columbia Law School

6:30 – 8:30 PM

Dinner  WCC 2004

Roundtable Conversation – Corporate Power: Pressing Challenges and Promising Avenues for Critique

Conveners:  Fleur Johns (Australia) University of New South Wales, Faculty of Law; Philip Ireland (United Kingdom) University of Bristol Law School; Dirk Matten (Germany) Schulich School of Business, York University; Dennis Davis (South Africa) High Court of Cape Town
## Tuesday June 3, 2014

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<tr>
<th>TIME</th>
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<tr>
<td>7:30 – 8:30 AM</td>
<td><strong>Breakfast</strong> <em>Hauser Hall 1st Floor Lobby</em></td>
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<td>8:30 – 10:30 AM</td>
<td><strong>Panel 5: Subverting or Harnessing Corporate Power</strong> <em>WCC 2004</em></td>
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<td>“Addressing and Harnessing Corporate Power for Pro-Poor Ends”</td>
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<td><strong>Chris Jochnick</strong> (United States) Oxfam America</td>
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<td>“Exploring Home Grown Regional and Local Strategies to Resist Corporate Power in Africa”</td>
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<td><strong>Meetali Jain</strong> (United States) University of Witwatersrand Law School</td>
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<td>“Polanyi’s Double Move: Lessons from Marikana”</td>
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<td><strong>Michelle Le Roux</strong> (South Africa) University of Witwatersrand Law School</td>
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<td>10:30 – 11 AM</td>
<td><strong>Break</strong> <em>Hauser Hall 1st Floor Lobby</em></td>
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<tr>
<td>11 AM – 1 PM</td>
<td><strong>Panel 6: Corporate Power vs. State Power</strong> <em>WCC 2004</em></td>
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<td>“State Capture and Business Capture: Political and Corporate Power under Neo-Patrimonialism”</td>
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<td><strong>Neil Robinson</strong> (United Kingdom) University of Limerick</td>
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<td>“United in Vigilance: Corporation &amp; State in Counterterrorism”</td>
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<td><strong>Nathanael Ali</strong> (Ethiopia) Erasmus University Law School</td>
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<td>“Beyond Fisheries ‘Management’? Competition, Market Power and Sustainable Resource Extraction”</td>
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<td><strong>Liam Campling</strong> (United Kingdom) Queen Mary University of London, School of Business and Management</td>
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<td><strong>Elizabeth Havice</strong> (United States) University of North Carolina, Department of Geography</td>
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<td>“Making War and Making Law: The Corporation in the Global Regulation of Military Violence”</td>
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<td><strong>Katherine Fallah</strong> (Australia and Lebanon) University of Technology, Sydney</td>
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<td>12:30 – 2 PM</td>
<td><strong>Lunch</strong> <em>WCC Milstein West B</em></td>
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<td>Informal conversation regarding future events and collaboration</td>
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<td>4 – 7 PM</td>
<td><strong>Reception</strong> <em>WCC Milstein East A/B</em></td>
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Conference Conveners:
Cyra Akila Choudhury (United States) Florida International University College of Law
Vanja Hamzić (Bosnia and Herzegovina) SOAS, University of London

Conference Description
This conference will explore current thinking in the field of Islamic Law and Policy. Specifically, it will bring together a diverse group of established and emerging scholars to share critical and comparative methodologies and approaches to Islamic law and jurisprudence. Scholars from law, history, political science, anthropology, economics, and other social sciences will present research on topics including Islamic legal thought, legal history, family law, finance, and the arts.

Program of Events

Monday June 2, 2014

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<td>David Kennedy (United States) Harvard Law School</td>
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<tr>
<td>9:30 – 11 AM</td>
<td>Panel 1: Heterodoxy and Critique in Islamic Legal Thought Hauser Hall</td>
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<td></td>
<td>Room 104</td>
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<td></td>
<td>“Legal Norms and Normal Laws: Why Studying ‘Heterodox’ Islamic Law Matters”</td>
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<td>Robert Gleave (United Kingdom) University of Exeter</td>
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<td>“Read it Slant: Feminist Critical Perspectives on Islamic Law and Legal Theory”</td>
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<td></td>
<td>Kecia Ali (United States) Boston University, Department of Religion</td>
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<td>“Islamic Legal Realism”</td>
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<td></td>
<td>Haider Ala Hamoudi (United States) University of Pittsburgh Law School</td>
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<tr>
<td>11 – 11:30 AM</td>
<td>Break Hauser Hall 1st Floor Lobby</td>
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Monday June 2, 2014 (continued)

11:30 AM – 1 PM  Panel 2: Islamic Legal History and Jurisprudence  Hauser Hall Room 104
“A Critique of Adjudication: Formative Moments in Islamic Legal History”
Nahed Samour (Germany) Humboldt University
“A Tale of Personhoods: ‘Ulamā’ and Fuqahā’”
Gianluca Parolin (Italy) The American University in Cairo Department of Law
“Legal Authority and State Power: Critical Notes on Early Modern Hanafi Jurisprudence”
Samy Ayoub (Egypt) University of Arizona

1 – 2:30 PM  Lunch  WCC Milstein West B

2:30 – 4 PM  Panel 3: Islamic Family Law I  Hauser Hall Room 104
“Critical Inquiries: Muslim Feminist Scholarship and the Practice of Muslim Family Law in the United Kingdom”
Samia Bano (United Kingdom) SOAS, University of London
Dipika Jain (India) Jindal Global Law School
“The Use and Misuse of a Comparative Approach to Family Law Reform”
Lena-Marie Möller (Germany) Max Planck Institute for Comparative and International Private Law

4 – 4:30 PM  Break  Hauser Hall 1st Floor Lobby

4:30 – 6 PM  Panel 4: Politics of Law and Justice  Hauser Hall Room 104
“The International Criminal Court and the Nigerian Crisis: An Inquiry into the Boko Haram”
Mohamed Badar (Egypt and United Kingdom) Northumbria Law School
“The Gulf States, Kafala System and the Crisis of International Law”
George Forji Amin (Finland) University of Helsinki

6 – 8 PM  Dinner  WCC Milstein East A/B
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<td><strong>Breakfast</strong> <em>Hauser Hall 1st Floor Lobby</em></td>
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| 8:30 – 10:30 AM      | **Panel 5: Islamic Finance and Political Economy** *Hauser Hall Room 104*  
|                      | “Law and the Reconstitution of Economic Justice”                       |
|                      | *Karen Rhone* (United States) University of Chicago, Department of Political Science  
|                      | “The Transformation of Islamic Law in Global Financial Markets”       |
|                      | *Jonathan Ercanbrack* (United States) SOAS, University of London      |
|                      | “Critical Issues of Governance in Islamic Financial Institutions: A Reformed Framework”  
|                      | *Bashar Malkawi* (Jordan) University of Sharjah, College of Law        |
|                      | “Contemporary Approaches to Governing the Islamic Banking Industry”    |
|                      | *Karim Ginena* (Canada and Egypt) Faculty of Islamic Studies, Hamad Bin Khalifa University |
| 10:30 – 11 AM        | **Break** *Hauser Hall 1st Floor Lobby*                               |
| 11 AM – 1 PM         | **Panel 6: Islamic Family Law II** *Hauser Hall Room 104*             |
|                      | “Meeting the Challenge of Developing a Gender-Inclusive Methodology in Islamic Law”  
|                      | *Anicée Van England* (United Kingdom) SOAS, University of London      |
|                      | “Surrogacy in Islamic Law: A Maqasidic Analysis”                      |
|                      | *Tawfique Al-Mubarak* (Malaysia) International Institute of Advanced Islamic Studies  
|                      | “Casting a Long Shadow: How the Politics of Independence Shape Women’s Rights in Contemporary Tunisia and Morocco”  
|                      | *John Hursh* (United States) McGill University                        |
| 12:30 – 2 PM         | **Lunch** *WCC Milstein West B*                                        |
Panel 7: Islamic Law, Arts and Revolution  Hauser Hall Room 104

Huda Lutfi (Contemporary Artist, Cairo)
Sherief Gaber (Mosireen Media Collective, Cairo)
Marc Michael (NYU Abu Dhabi)
Ania Zremski (Townhouse Gallery, Cairo)
Natalie Bell (New Museum, NYC)

Moderators:
Chantal Thomas (United States) Cornell University Law School
Amr Shalakany (Egypt) (American University in Cairo)

Reception  WCC Milstein East A/B
Conference Conveners:

David Kennedy (United States) Harvard Law School
Mikhail Xifaras (France) Sciences Po Law School

Conference Description

The aim of this informal conference is to compare the development and reception of heterodoxy in legal thought in various regions and legal traditions. The Conference will also offer the opportunity to reflect comparatively on Duncan Kennedy’s contributions to American and global legal thought in anticipation of his retirement in 2015.

We will convene three two-hour Roundtable discussions over the course of the day, and have asked legal scholars and intellectuals from a variety of national traditions to help us start the conversations around a set of themes. Each Roundtable will provide the opportunity to explore two strands or aspects of heterodox and critical work in the legal field through informal discussion among Roundtable participants and those attending the conference.

Roundtable I: Global Patterns of Heterodoxy: One Narrative or Many?

How might we place critical traditions, heterodox historical narratives and methodological tools in comparative or global perspective? How have critical traditions been “received” or “transplanted”?

Theme A: The Globalization of Legal Thought

The idea that “legal thought” or “legal consciousness” might be investigated on a global basis has animated a lot of work in the IGLP community, influenced in one way or another by Duncan Kennedy’s hypothesis of the “three globalizations:” classical legal thought, the social and the jurisprudence of conflicting considerations. Does the idea of a “globalization of legal thought” add anything to the toolboxes of comparative law (legal families, functionalism, transplants etc), which have sometimes also been harnessed to critical or heterodox projects?

How should we understand the “ideal” element in legal thought, or the “consciousness” idea? Does it make sense to distinguish a “semiotic” approach to the unity and diversity of legal work (based on an analogy to the Saussurian distinction between “langue” and “parole”) and a more organic, historical or spiritual approach to the unity and diversity of national styles of legal reasoning? Is one approach more conducive to critical or heterodox work? Are there elements of each buried within the other in ways that should give us pause?

Theme B: History and Periodization

The “three globalizations” hypothesis imagines a dynamic historical sequence (classical/social/modern) of potentially global significance. How might we understand the “heterodoxicality” of stories like this? In what ways does it function as “critique” in the context of contemporary thinking about law? How does it “intervene” in settled approaches to legal history or comparative law, or disrupt conventional self-understandings in a specific legal field?

How context-specific are our answers to these questions? Is there a parallel or analogous story in other national or regional contexts? How do or might these stories function as interventions, critiques or modes of heterodoxicality in legal fields outside North America? Outside the North Atlantic comparative basin? Is the three globalization hypothesis “the same as” the story of Exégèse/Libre Ecole Scientifique/Doctrine or the story of Formalism/Realism/Post-Realism?
Roundtable II: The Politics of Legal Thought

**Theme A: Heterodoxy, the Critical and the Left**

Do the notions of ‘left,’’ “leftist” or “The Left” have any relevance or indeed any interest for you in your work? Is there a connection between the attempt to develop new heterodox approaches within legal thinking and left-wing politics?

**Theme B: Gender and Legal Thought**

Placing women, gender, feminism, the family, the sexual, and the queer in the foreground of legal analytics has generated an enormous amount of legal scholarship, doctrine and institutional innovation. What is the heterodox part? The critical part? The left part? Are these matters of method? Perspective? Posture? Context?

Roundtable III: Methods of Critique as Engines of Heterodoxy

**Theme A: Critical “Tools” and the Practice of Critique**

Heterodoxy may be more a posture than a narrative – an inclination to lean against conventional habits of legal reasoning or settled points of theory, doctrine or social explanation. Sustaining that posture requires work – and tools of inquiry, habits of skeptical engagement, modes of unpacking or unravelling conventional expressions of legal method. Does it make sense to think of a toolbox of “critical tools” with its own history, its own modes of reproduction, dispersion and reception? Or is it more a matter of deploying the same tools everyone uses, only more so? Is there something distinctive about “looking at things from the perspective of the other” or “focusing on war in the filigree of peace?” How distinctive are the critical moves associated with American legal realism? Critical legal studies? Is distributional analysis more than legal sociology? The semiotics of legal doctrine more than the identification of gaps, conflicts and ambiguities or principles that “hunt in pairs?” Is “genealogy” just a fancy word for history with an attitude? Work with these tools over the last decades has led to a series of more specific analytic proposals and routines (flipping, reversing, continuumizing, “nesting,” unsettling coherence, applying cold methods on hot matters (say, economics on family relations) and hot methods to cold matters (say, morality on contract relations in finance). How well do these tools travel? Can we say anything about their interrelationships as a family of ideas?

**Theme B: Heterodoxy in Legal Thought: The Use of Economics, Cost Benefit Analysis and various “Pragmatisms.”**

Across the social sciences, heterodox traditions are routinely critical of – even allergic to – methods associated with economics, risk analysis, cost benefit analysis and quantification. What about law? Is neoclassical economics intrinsically conservative? Risk analysis inherently status quo preserving? Could there be a progressive agenda for these modes of reason and engagement? Is there a heterodox law and economics/law and development? Is there a heterodox economics of law? If yes, what is its relation to mainstream law and eco/development? And how context-specific are the answers to these questions?
## Program of Events

**Tuesday June 3, 2014**

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<td>8:30 – 10:30 AM</td>
<td><strong>Roundtable I: Global Patterns of Heterodoxy: One Narrative or Many?</strong></td>
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<td><em>Austin Hall 100 North Classroom</em></td>
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<td><strong>Conveners:</strong></td>
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<td>Mikhail Xifaras (France) Sciences Po Law School</td>
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<td></td>
<td><strong>Theme A: The Globalization of Legal Thought</strong></td>
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<td><strong>Discussants:</strong></td>
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<td>Arnulf Becker (Chile) Brown University</td>
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<td>Daniela Caruso (United States) Boston University School of Law</td>
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<td><strong>Theme B: History and Periodization</strong></td>
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<td><strong>Discussants:</strong></td>
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<td>Hani Sayed (Syria) The American University in Cairo</td>
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<td>Antony Anghie (United States) University of Utah</td>
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<td>10:30 – 11 AM</td>
<td><strong>Break</strong> <em>Austin Hall 100 North Lobby</em></td>
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<td>11 AM – 1 PM</td>
<td><strong>Roundtable II: The Politics of Legal Thought</strong></td>
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<td><em>Austin Hall 100 North Classroom</em></td>
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<td><strong>Convener:</strong></td>
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<td>Duncan Kennedy (United States) Harvard Law School</td>
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<td><strong>Theme A: Heterodoxy, the Critical and the Left</strong></td>
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<td><strong>Discussants:</strong></td>
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<td>Horatia Muir Watt (France) Sciences Po Law School</td>
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<td></td>
<td>Akbar Rusalov (Uzbekistan) University of Glasgow</td>
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<td><strong>Theme B: Gender and Legal Thought</strong></td>
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<td></td>
<td>Janet Halley (United States) Harvard Law School</td>
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<td></td>
<td>Vasuki Neshiah (United States) The Gallatin School, New York University</td>
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Tuesday June 3, 2014 (continued)

12:30 – 2 PM  
**Lunch**  
*WCC Milstein East A/B*

2 – 4 PM  
**Roundtable III: Methods of Critique as Engines of Heterodoxy**  
*Austin Hall 100 North Classroom*  
**Convener:**  
*Mikhail Xifaras* (France) Sciences Po Law School

**Theme A: Critical “Tools” and the Practice of Critique**  
**Discussants:**  
*Pierre Schlag* (United States) University of Colorado Law School  
*Martti Koskenneimi* (Finland) University of Helsinki

**Theme B: Heterodoxy in Legal Thought: The Use of Economics, Cost Benefit Analysis and Various “Pragmatisms”**  
**Discussants:**  
*Dina Waked* (Egypt) Sciences Po Law School (to be confirmed)  
*Dan Danielsen* (United States) Northeastern University School of Law

4 – 7 PM  
**Reception**  
*WCC Milstein East A/B*
This pro-seminar will explore the role of law in the construction, operation and governance of global value chains and production networks: structures that have been theorized by sociologists and political economists to map the disaggregated modes of production that comprise much of modern global capitalism. Participants will examine how diverse local, national, regional, international and transnational legal regimes, together with cultural norms and business practices, shape the expectations, background entitlements, institutional forms and bargaining positions of various players in global production networks. They will consider how those legal entitlements and normative expectations interact with material factors of production to produce particular forms of commercial relations as well as particular attributions of power and value creation. Finally, the group will explore how those legal rules and norms come to shape value chain governance, including the allocation of economic surplus and power, as well as the perceived limits of possible regulatory interventions to distribute rents more equitably or to reduce adverse externalities that result from a networked organization of production.

Organizers:

Grietje Baars (The Netherlands) The City Law School, City University London
Dan Danielsen (United States) Northeastern University School of Law
Dennis Davis (South Africa) High Court of Cape Town
Jason Jackson (The Bahamas) Wharton School, University of Pennsylvania
Brishen Rogers (United States) Temple University Beasley School of Law

This Pro Seminar will take place on June 4-6 in WCC 3016.

*IGLP Pro-Seminars are open only to invited and admitted participants.*
Doha-Santander Collaborative Travel Grant Teams

We are pleased to welcome recipients of Doha-Santander Collaborative Collaborative Travel Grants. These grants are available to groups of our IGLP Workshop alumni who apply to come to IGLP in June to deepen the discussions they began together at the IGLP Workshop in Doha in the hope that it may lead to a collaborative research project. Each team will use their time together at the IGLP to continue their discussions and explore the potential to further develop their ideas about potential future projects.

Each team is responsible for arranging its own agenda and meeting times. Teams may meet formally over four 90-minute slots on Monday June 2 or during three 2-hour slots on June 3 while the IGLP Research Conferences are taking place. Room assignments are on page 31.

All of our collaborative team participants are welcome, and encouraged, to attend any conference panels when they are not otherwise holding their own sessions.

The 2014 Doha Collaborative grants are made by possible with the generous support of Santander Universities.

The 2014 June Collaborative Travel Grant Teams: Revolution, Constitutionalism and International Law

- **Team leader:** Vidya Kumar (Canada) University of Birmingham Law School; 2011 IGLP Workshop Participant, 2013 & 2014 IGLP Docent
- **Team members:** Philip Kaisary (United Kingdom) University of Warwick School of Law; 2014 IGLP Workshop Participant; Sanale Sibanda (South Africa) University of Witwatersrand Law School
- **Commentator:** Nathaniel Berman (United States) Brown University

**Description:** This project aims to explore the relationships among revolution, constitutionalism and international law, in both historical and contemporary contexts. By focusing on revolutions outside the global North, the team hopes to contribute to an alternative, critical and heterodox genealogy of constitutionalism. The relationship between emancipatory revolutionary projects and a drive to constitutionalize the results animates the group’s research concerns.
IGLP 2014 JUNE COLLABORATIVE TRAVEL GRANT TEAMS

Law’s Hegemony

**Team Leader:** Honor Brabazon (Canada), University of Oxford; 2014 IGLP Workshop Participant

**Team Members:** Gleider Hernandez (Canada) University of Durham Law School; 2014 IGLP Workshop Participant; Tor Krever (Canada) London School of Economics and Political Science; 2012 IGLP Workshop Participant, 2013 & 2014 IGLP Docent; Mai Taha (Egypt) University of Toronto; 2010 & 2011 Workshop Participant

**Description:** A sign on a metropolitan parkway warns motorists not to drink and drive not because it is dangerous, costly, or immoral, but because it is illegal. Intrigued by a variety of similar instances found in daily life, political discourse, and academic debate, this project aims to explore the authority law commands over alternative systems through which to view, judge, and order our world. The group hopes to push beyond existing analyses of law’s authority coming from the perspective of analytical positivism (e.g. Raz, Hart and Dworkin). Instead, employing a Gramscian conception of hegemony, group members aim to consider the extent to which law can be understood as hegemonic; that is, how its supremacy over other systems of authority, morality, and social organization is considered to be common sense, beneficial, and universal. It seeks to understand why, in what ways, and to what ends law has obtained such significance. The group hopes their discussion will lead to a co-authored book project.

(Dis)solving Informal Labor Vulnerability through Labor Laws: Examining the Failures, Frames and Assumptions

**Team Leader:** Yugank Goyal (India) University of Hamburg; 2012 IGLP Workshop Participant, 2014 IGLP Docent

**Team Members:** Jorge Esquirol (United States) Florida International University College of Law; IGLP Workshop Core Faculty 2010-2014; Vivek Kanwar (United States) Jindal Global Law School; 2011 & 2012 IGLP Workshop Participant, 2014 IGLP Docent; Kerry Rittich (Canada) University of Toronto, IGLP Workshop Core Faculty 2010-2014; Alvaro Santos (Mexico) Georgetown Law, IGLP Workshop Core Faculty 2010-2012 & 2014.

**Description:** This group of IGLP alumni and faculty aims to brainstorm together about the difficulty labor law traditions have had responding to increasing informality and labor vulnerability in developing nations, asking whether these difficulties are symptomatic of problems in labor law architecture or are simply a problem of their implementation. They will explore the roots of labor law’s exclusions in the history of labor law and examine the position of informal labor in the regulatory space constructed by labor law.
**Multinational Behavior in Africa: Human Rights Perspectives**

**Team Leader:** Qingxiu Bu (People’s Republic of China) University of Sussex; 2013 IGLP Workshop Participant, 2014 IGLP Docent

**Team Members:** Luwam Dirar (Eritrea) Cornell Law School; 2012 IGLP Workshop Participant, 2013 IGLP Docent; Kibrom Teweldebirhan (Eritrea) Harvard Law School

**Description:** This team will explore the tensions in the human rights practices of Africa promoted and followed by multinational companies with a global presence, the international human rights community, and China’s approach to ensuring human rights in Africa. The group will explore whether a comprehensive framework of hard law and soft law initiatives, along with other incentives, may be more promising than any of these in isolation.

**Varieties of State Capitalism and International Economic Order: China, Russia, Brazil and Beyond**

**Team Leader:** Ming Du (People’s Republic of China) Lancaster University School of Law; 2011 IGLP Workshop Participant

**Team Members:** Swethaa Ballakrishnen (India) Stanford University; 2014 IGLP Workshop Participant; Y-Vonne Hutchison (United States) La Isla Foundation; 2014 IGLP Workshop Participant; Yaraslau Kryvoi (Belarus) London School of Economics and Political Science; 2011 IGLP Workshop Participant; Nicolás Perrone (Italy) London School of Economics and Political Science; 2011 IGLP Workshop Participant, 2014 IGLP Docent

**Description:** State-owned and controlled enterprises control the commanding heights of the economy in state capitalist countries such as China, Russia and Brazil. The recent global financial crisis seems to have enhanced the appeal of state capitalism. State capitalism comes in a variety of forms, with different roles for state-owned enterprises, sovereign wealth funds, development banks and other actors. These actors take center stage in the global economy and pose challenges for the international economic order. This research project seeks to explore various models of state capitalism in context, and to explore the ways in which they have challenged the world trading and investment system. This research team hopes to shed fresh light on how to better integrate state capitalist countries into the rule-based global economic system. The group will use the June meeting to deepen their discussion, plan for a possible conference on varieties of state capitalism and international economic order in 2015 and plan for a series of articles and an edited book.
Reviving Comparative Law as a Heterodox Discipline

**Team Leader:** Amaya Alvez Marin (Chile) Universidad de Concepción Department of History and Philosophy of Law; 2010 & 2014 Workshop Participant

**Team Members:** Tatsuhiko Inatani (Japan) Kyoto University; 2014 IGLP Workshop Participant; Marta Infantino (Italy) University of Trieste; 2014 IGLP Workshop Participant

**Description:** The group will explore the critical potential of the comparative law field. Praised at the beginning of the 20th century for its potential to explore the globe’s legal diversity, comparative law now struggles to maintain that role in a much more interconnected and globalized world, where information about legal systems is more accessible, and the need for comparative research seems to be waning. Yet globalization has made comparative work and an understanding of legal pluralism ever more important. The group plans to re-examine classic issues of method:

- What depth should our knowledge of legal systems go to, in order to allow us to draw sound comparative conclusions?
- How might we distinguish serious comparative work from superficial or ‘touristic’ surveys?
- What are the ideological agendas, if any, of comparative legal study?
- How does comparative law intersect with conventional distinctions between national and international, public and private, substantive and procedural law?
- How could comparative law move beyond comparison of official and state law to engage unofficial or customary legal arrangements?

The group aims to unearth the discipline's capacity to probe into legal cultures for sources of their resistance to change, for their implicit judgments and assumptions about the usual way of doing things, and for the ways in which people's identities and narratives are intertwined with their daily practices of law. In this respect, we rely on comparative law’s heterodox potential to expand the horizons of legal research, a potential that is yet to be explored.
**Critical Global Economic Governance**

**Team Leader:** Camila Villard Duran (Brazil) University of São Paulo; 2014 IGLP Workshop Participant; Gaye Gungor (Turkey) Gediz University; 2014 IGLP Workshop Participant

**Team members:** Miguel Adame Martinez (Spain) Universidad de Sevilla; 2010 & 2014 IGLP Workshop Participant; Siobhan Airey (Ireland) University of Ottawa; 2014 IGLP Workshop Participant; Rifat Azam (Israel) Radzyner School of Law; 2014 IGLP Workshop Participant; Rui Guo (China) Harvard Law School’ 2014 IGLP Workshop Participant; Y-Vonne Hutchison (United States) La Isla Foundation; 2014 IGLP Workshop Participant; Enrique Prieto Rios (Colombia) Birkbeck School of Law, University of London; 2014 IGLP Workshop Participant; Seyed Mohamad Hassan Razavi (Iran) McGill University; 2014 IGLP Workshop Participant; Maja Savevska (Macedonia), Université Libre de Bruxelles Department of Political Science; 2014 IGLP Workshop Participant; Gaye Gungor (Turkey) Gediz University; 2014 IGLP Workshop Participant

**Description:** This group aims to develop new thinking about global macroeconomic coordination and to explore governance models that might produce macroeconomic reforms that benefit citizens in a time of global economic transition. Group members aim to explore the emerging economic order in ways that may promote the human face of capital and improve understanding of the root causes of the on-going crisis and its spill-over effects throughout the developing world. The group, which began discussions at the Doha Workshop, includes perspectives from outside the G8: Australia, Iran, Ireland, Colombia, China, UK, Spain, Finland, Israel, Macedonia, Turkey, Brazil and Nicaragua. Their goal is to highlight and encourage academic and policy voices from outside the G8 to develop a collection of essays on critical economic governance.

**Operation CIA: Critical Interdisciplinary Approaches**

**Team Members:** Swethaa Ballakrishnen (India) Stanford University; 2014 IGLP Workshop Participant; Y-Vonne Hutchison (United States) La Isla Foundation; 2014 IGLP Workshop Participant

**Description:** This group aims to explore interdisciplinary methods and encourage innovative forms of scholarly expression. Group members intend to discuss a series of classic challenges for interdisciplinary inquiry in the context of their own effort to articulate perspectives from the global periphery. They will focus discussion on three initial issues: how language privileges and affects relationships between and within disciplinary fields, the limits and reach of heterodoxy across disciplines, and the potential for clear articulation beyond the boundaries of a discipline. They intend to explore how they might practically equip themselves so that their research will speak to their disciplines as well as beyond them. The long-term goal of the project is to develop a workshop space for the presentation and exploration of socio-legal empirical data. They plan to use the initial meeting at Harvard to begin planning and to explore these ideas in more depth.

**History, Anthropology, and the Archive in International Law**

**Team Leader:** Rose Parfitt (United Kingdom) Melbourne University Law School; 2010 & 2011 IGLP Workshop Participant, IGLP Docent 2012-2014

**Team Members:** Madelaine Chiam (Australia) Melbourne Law School; 2013 IGLP Workshop Participant, 2014 IGLP Docent; Luis Eslava (Australia) Melbourne University Law School; 2010 & 2011 IGLP Workshop Participant, IGLP Docent 2012-2014; Genevieve Painter (Ireland) University of California, Berkeley Law; 2014 IGLP Workshop Participant; Charlotte Peevers (United Kingdom) University of Technology Sydney; 2011 IGLP Workshop Participant, 2013 IGLP Docent

**Description:** This group will build on a conversation begun in Doha about historical and anthropological methods, the archive, and the temporality of international law. This relationship is already being analysed in the domestic or national context. We aim to transpose this conversation to the international plane – not least because the rise of modern international law is (continually) being heralded by declarations about time, while international law’s practices rest on the construction of its own archive. One substantive lens through which we intend to explore this relationship is the First World War – an event whose portentous and yet largely forgotten intricacies have been rendered largely invisible by the tendency of international lawyers to treat it as no more than a hinge between the ‘imperial’ and the ‘modern.’
The Doha/Santander grant initiative is generously sponsored by Santander Universities to support research by IGLP alumni and faculty pursuing innovative scholarship and research projects that emerged out of the IGLP Doha Workshop. Preference is given to research that revitalizes the Arab and Islamic traditions of law and governance and that explores issues of comparative law, global law, and policy in Qatar, the Middle East, and the North African Region. Applications are reviewed three times per year: application deadlines are April 1, July 1 and November 1. Further information is on our website at www.iglp.law.harvard.edu

We are pleased to announce the recipients of individual research grants for Summer 2014:

**Individual Doha-Santander Research Grants, Summer 2014**

**Plural Customs and Formalization: Land Registration in Ethiopia**

Mekonnen Ayano (Ethiopia) Harvard Law School, 2014 Workshop Participant

This study analyzes the relationship between the plurality of customs and socio-economic relations respecting land in Ethiopia and the ongoing land registration program. The research will map customary practices and the history of land title and registration systems, example the theories justifying formalization, and the consequences of the current formalization model. The work aims to develop alternative formalization procedures that could minimize damage to customary titles, practices and traditions. The grant will support field research in the Dugda district (Ethiopia) to identify the process of rural land registration and how the registration processes interfere with (or not interfere with) customary property titles.

**Women in the new legal profession in India**

Swethaa Ballakrishnen (United States) Stanford University, 2014 Workshop Participant

Although women account for less than 10% of the bar in India, in the two most prestigious law firms, they account for 50% of the workforce, even at senior levels. Using in-depth interviews and new survey data, this project explores the institutional emergence of new legal professional spaces in India with egalitarian advantages for women legal professionals. As elsewhere, legal practice in India has been a male-dominated profession. Nevertheless, data suggests that women are less disadvantaged in new “global” legal workspaces emerging in the wake of market liberalization – which often otherwise resemble Western corporate law firms in their steep stratification. This Indian experience poses a challenge to conventional explanations for the persistence of professional gender hierarchy and of the organizational homogenizing impact of globalization. The grant will support comparative study of women lawyers working on global work in global firms, in traditional law practice and those doing non-global work in global firms.
Authority and Islam: An Ethnography of Fatwa in Myanmar

Melissa Crouch, National University of Singapore, IGLP Workshop Participant 2014

This grant will support research on the dynamics of fatwa (Islamic legal opinions) in the context of Myanmar. This ethnographic exploration of religious authority in Myanmar will use the practice of fatwa to explore the contours of authority among the Islamic communities in Myanmar and enrich our understanding of authority in Southeast Asia more broadly. Although many Islamic organizations in Myanmar issue fatwa for the guidance of their community, there is little scholarship on the construction of Islamic law in Myanmar or how religious authority is mediated through the practice of fatwa. The research focuses on the Islamic Religious Affairs Council, one of the peak Islamic bodies in Myanmar to issue fatwa, primarily in relation to questions of marriage, inheritance and divorce. This project will provide new empirical evidence of the Islamic practices of Muslims in Myanmar and support new theoretical insights into authority and power, and the way fatwa are used as a conduit of religious authority. This grant will support field research in Yangon and Mandalay, Myanmar, including interviews and the collection of primary materials.

Towards an Interruptive History of Islamic Law

Vanja Hamzic (Bosnia and Herzegovina), SOAS, University of London, 2014 IGLP Workshop Docent

This project aims to identify factors shaping the Islamic legal tradition that have been overlooked in much Islamic law historiography, including cyclical globalisation, vernacular knowledge systems, cultural revolutions, crude periodisations and modernist re-configurations. This grant will support a third phase of research: a case study of newly emerging literature on the Mamluk historians of Islamic law and society undertaken through archival work in the United Kingdom and support for translation and acquisition of research materials.

Constitutional reform and women’s rights in today’s Tunisia

John Hursh (United States) McGill University, 2014 Workshop Participant

This project will deepen our understanding of the impact of the Tunisian constitution’s provisions on women’s rights and gender equality through firsthand accounts of policy and advocacy experience by supporters of women’s rights and civil society organizations. The grant will support travel to meet with influential academics, women’s rights supporters, and civil society organization leaders in Tunisia to discuss their role in securing a gender equality provision within the new constitution. The project aims to strengthen understanding of the potential for local and international participation in the legal reform and constitutionalisation process in Islamic majority nations through the Tunisian example.

Islamic Practices of International Heritage Protection and the Politics of Regionalism in International Law

Lucas Lixinski (Brazil) University of New South Wales, 2013 IGLP Docent

This project examines the (relatively sparse) participation of Islamic countries in the international heritage work of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in light of the international heritage protection practices of the Islamic Educational, Scientific and Cultural Organization (ISESCO) to determine the impact of a parallel regional organization on the work of UNESCO. More broadly, the project will interrogate the politics of regionalism in international law, examining Islamic traditions of international law-making and standard-setting, and the relationships between the Islamic tradition and universal-aspiring bodies.
Islamic Law and the Struggle for Governance in Somalia
Mark Massoud (United States) University of California, Santa Cruz, 2014 Workshop Participant
This project investigates the emergence of ideas about the rule of law and human rights in Somalia as a contribution to socio-legal analysis of the role of law and rights discourse, including Islamic law, in the most war-wracked regions of the world. Building on research in Sudan and Somalia, this interdisciplinary study of law and development focuses on how lawyers, activists, and community leaders use legal mechanisms to build peace and security.

Managing Foreign Investment in Natural Resources: Can Colombia Learn from Qatar?
Nicolás Perrone (Argentina) Universidad Externado de Colombia, 2014 Workshop Docent
This project explores the lessons Colombia may learn from Qatar’s laws on foreign investment in natural resources. The natural resource boom in South America makes the management of natural resources a policy priority for countries like Colombia. Harnessing foreign investment without a loss of control or benefit has been a recurring challenge. Gulf countries, including Qatar, have moved from concession to joint venture agreements for the production of oil and gas in the last thirty years, allowing a higher degree of control and giving the government voice and authority over operations, risks and benefits. Although these alternative structures for foreign investment were discredited by the World Bank and the OECD during the nineties, this project examines the potential relevance of the Qatari experience for resource management in Colombia.

G20 “outreach” to Islamic and MENA region nations
Susan Harris Rimmer (Australia) Asia-Pacific College of Diplomacy, Australian National University, 2014 Workshop Participant
This project investigates whether Muslim nations represented on the G20 (Saudi Arabia, Turkey and Indonesia) feel a responsibility to provide leadership in the G20 in ways influenced by Islamic conceptions of finance and banking, and whether and how these nations provide outreach about their G20 discussions to other Islamic states or MENA countries. Turkey’s hosting of the 2015 G20 Leaders’ Summit provides a timely opportunity for this enquiry on Islamic nations’ role in global economic governance. The G20 “outreach strategy” refers to the diplomatic meetings and communications strategies used by the host state to let the rest of the international community know the priorities of the G20 Summits, to consult with non-members and take on board their suggestions and reactions. The strategy aims to address the tension between effective crisis management by a small number of key G20 members and the long term objective to be a legitimate global actor whose decisions are supported by non-members. The study will explore the success of the “outreach” strategy with particular focus on the Islamic world and MENA region. The grant will support research in Jakarta, Saudi Arabia and Turkey.
**The Reconfiguration of Migration through Islamic Finance**

**Shanthi Senthe** (Canada) Osgoode Hall Law School, 2014 Workshop Participant

This research project explores the contours of Islamic finance within non-Islamic jurisdictions, its ‘legal’ integration into the financial system, and its links to remittance and migration patterns using Sri Lanka as a case study. Islamic finance has catapulted into 51 countries, transforming international retail banking networks, affecting global circuits of capital and changing the modalities of financial inclusion initiatives. This study will draw upon earlier qualitative research conducted in Sri Lanka on the regulation of financial inclusion which revealed synergies between the commercialization of Islamic finance and remittances affecting migration patterns. The follow-up study supported by this grant will examine the specific conditions propelling the rise and extension of Islamic finance in specific non-Islamic jurisdictions and the ways in which Islamic finance has transformed the financial regulatory landscape and influenced national dialogue on migration issues.

**The Role of Ethnicity in the Political Organization of Nation-States: The Case of Uyghur Muslims in China**

**Mohammad Shahabuddin** (Bangladesh) Jahangrinagar University, 2014 Workshop Docent

This study will focus on the political mobilization of Uyghur Muslims along the religious line in the autonomous region of Xinjiang in China as part of a broader exploration of the role of ethnicity in the political organization of nation-states and the repercussions for minorities, as evidence by the legal frameworks – both national and international – within which the identities of both the minority and the dominant groups are constructed or reinforced. Although ethnic conflicts typically result from a number of inter-related issues, this research focuses on the tension between two political ideologies: the secular political ideology of the Communist Party of China and the ever-increasing salience of Islam as a political ideology among Uyghur Muslims. The study aims to examine the concept of statehood in Islamic jurisprudence, and address its compatibility with nationalist movements by Muslim minorities along the religious line. The grant will support research using secondary literature and a short field visit to Urumqi, the capital of Xinjiang.

**The rise of the term ‘shari’a-compliant’ in the 21st century finance**

**Nurfadzilah Yahaya** (Singapore) Washington University School of Law, 2013 Workshop Participant

This study places the recent rise of the term and practice of “shari’a-compliant” banking products and investments in Islamic finance in historical perspective. The grant will support archival work in Indonesia and Malaysia to examine colonial documents pertaining to Islamic law and commercial affairs in both Netherlands Indies and Malaya during the late nineteenth and early twentieth centuries. Muslims merchants have historically displayed great flexibility and ingenuity in manipulating and, at other times, circumventing Shari’a. The current popularity of Islamic finance contrasts with this practical attitude. The project will examine the determination of shari’a compliance, if by other names, in financial arrangements during the colonial period in Southeast Asia, and explore the process by which this yielded to today’s more explicit certification of compliance with shari’a.
THE IGLP COLLABORATIVE RESEARCH GRANT PROGRAM

The IGLP encourages the development of progressive and alternative ideas about international law, society and political economy by supporting original, provocative and challenging intellectual work that might not otherwise find support from mainstream institutional resources and that contributes to the emergence of new approaches to international law and global social justice.

Through our Research Grants Program, we seek to facilitate innovative group research and writing projects in these fields and deepen the network of collaboration among our HLS graduate students, IGLP Workshop alumni, and IGLP faculty.

Applications from groups seeking to carry out collaborative research are reviewed three times per year. The application deadlines are April 1, July 1 and November 1, respectively. For more information and to apply visit: www.iglp.law.harvard.edu

Several of the teams who have received research grants from the IGLP are also convening this week to deepen their collaboration. We are pleased to welcome them. All are welcome, and encouraged, to attend any conference panels when they are not otherwise holding their own sessions.

Each group will arrange its own agenda and meeting schedule. Room assignments are on page 31.

IGLP Collaborative Research Grant Teams at June 2014:

In June 2014 the IGLP is pleased to convene six of our IGLP Collaborative Research Grant teams. The IGLP Collaborative Research Grant Program is designed to provide modest funding to small groups of young scholars who are seeking to carry out substantive research on projects related to the core research mission of the IGLP. All projects funded through this Program are promoted as sponsored Research Initiatives of the Institute for Global Law and Policy at Harvard Law School.

Each IGLP Collaborative Research Grant team joining us in June is responsible for arranging its own agenda and meeting times. Teams may meet formally over the four 90 minute slots on Monday June 2 or during three 2-hour slots on June 3 while the IGLP Research Conferences are taking place. Room assignments are on page 31. All of our IGLP Collaborative Research Grant team participants are welcome, and encouraged, to attend any conference panels when they are not otherwise holding their own sessions.
IGLP Collaborative Grant Project Teams joining us in June 2014:  

**Critical Approaches to International Criminal Law (CAICL)**

**Convener:** Heidi Matthews (Canada) Harvard Law School; 2010 & 2011 IGLP Workshop Participant, 2012-2014 IGLP Docent

**Contributors:** Alejandra Azuero-Quijano (Colombia) Harvard Law School; 2011 IGLP Workshop Participant, 2014 IGLP Docent; Grietje Baars (The Netherlands) The City Law School, City University London; 2014 IGLP Docent; Michelle Burgis-Kasthala (Australia) University of Edinburgh; 2012 & 2013 IGLP Workshop Participant; Paul Kingsley Clark (United Kingdom) Garden Court Chambers; 2013 IGLP Workshop Participant, 2014 IGLP Docent; Delphine Dogot (Belgium) Sciences Po Law School; 2013 IGLP Conference Participant, 2012 IGLP Workshop Participant; Christopher Gevers (South Africa) Melbourne Law School; Ioannis Kalpouzos (Greece) The City Law School, City University London; 2014 IGLP Workshop Participant; Tor Krever (Canada) London School of Economics and Political Science; 2012 IGLP Workshop Participant, 2013 & 2014 IGLP Docent; Itamar Mann (United States) Georgetown Law School; 2014 IGLP Workshop Participant; John Reynolds (Ireland) National University of Ireland, Galway; 2012 IGLP Workshop Participant; Jamie Rowen, University of Toronto; 2014 IGLP Workshop Participant; Christine Schwöbel (Germany), University of Liverpool Law School; 2012 IGLP Workshop Participant, 2013 IGLP Docent; Immi Tallgren (Finland) University of Helsinki.

**Description:** Driven by frustration with the absence of a meaningful body of critique of international criminal law (ICL), and by their own isolation in pursuing such work, CAICL members aim to identify and assemble sites of critical approaches to (and from within) ICL. The emerging research network CAICL included a number of IGLP Workshop alumni. A group of these participants were delighted to receive an IGLP collaborative research grant to help sponsor a first substantial CAICL event, which led to the recent publication of an edited collection, *Critical Approaches to International Criminal Law: An Introduction* (2014). At our meeting this June, we will consider history as a sub-theme relevant to many of our individual projects. We will explore the function of history in the construction of ICL as a disciplinary field. The seemingly self-congratulatory tone of mainstream scholarship in ICL has kept out of sight important questions about the dark sides, biases, exclusions, and complicities of the project. This is particularly true with regard to the role of historical narrative in the construction, legitimation, and proliferation of the field. We will consider how this gap could be filled by turning a critical gaze to the ways in which history has been deployed in the service of the ICL agenda. We will also explore possibilities for future collaborative writing projects.

**Global Art Law and Cultural Property: Productions of Value.**

**Convener:** Vivek Kanwar (United States) Associate Professor of Law, Jindal Global Law School


**Description:** If the art market were a country, it would be the 67th biggest country in the world by GDP, and yet there is little understanding of the production of value in art practice and its legal regulation. This project will explore the potential for new methodologies to contribute to art law: from critical legal studies, science and technology studies, law and economics, archaeology, legal aesthetics, to value-chain analyses. The group aims to generate a productive discussion and publication from a series of initial projects.
Legal Education on International Public Law: Rethinking the Latin American Experience

Convener: Paola Acosta (Colombia) Universidad Externado de Colombia; 2014 IGLP Workshop Participant

Contributors: Laura Betancur (Colombia) Universidad de Los Andes; 2014 IGLP Workshop Participant; Enrique Prieto Rios (Colombia) Birkbeck School of Law, University of London; 2014 IGLP Workshop Participant; Jimena Sierra (Colombia) Universidad del Rosario; 2014 IGLP Workshop Participant

Description: The aim of this project is to build up a Working Academic Platform in Latin America for the promotion of interdisciplinary and critical teaching of International Public Law. The platform will permit Latin-American academics to share teaching and research experiences, and to rethink their approach to teaching and researching International Public Law. Although Latin America has long been a source of intellectual and political innovation in international law, the contemporary scholarly tradition is often characterized by a dogmatic form of teaching, based on a reproduction of a Western approach towards the field. The project emerged from participation in the 2014 Doha Workshop, at which scholars from Argentina, Brazil, Chile, Colombia and Peru shared their teaching and research experiences and identified common problems. The group has continued the discussion virtually, exchanging documents and ideas. They propose now to render their collaboration concrete through the establishment of a working platform, the gathering of information about legal education in the field, the organization of a conference and the development of a set of common conclusions and recommendations. Their hope is to generate a regional movement towards the rethinking of teaching and researching in international public law.

Locating Nature: Making and Unmaking International Law


Contributors: Nadia Ahmad (United States) Sustainable Development Strategies Group; 2013 IGLP Workshop Participant; Saptarishi Bandopadhyay (India) Harvard Law School; Aurélien Bouyad (France) Sciences Po Law School; Julia Dehm (Australia) Melbourne University Law School; 2014 IGLP Workshop Participant; Hélène Mayrand (Canada) University of Sherbrooke; 2011 & 2014 IGLP Workshop Participant; Roger Merino Acuña (Peru) University of Bath; 2013 IGLP Workshop Participant; Areli Valencia (Peru) University of Ottawa; 2014 IGLP Workshop Participant; Karolina Zurek (Poland) Swedish Institute for European Policy Studies; 2010 IGLP Workshop Participant, 2012 & 2013 IGLP Docent

Description: This project aims to locate nature as a central disciplinary concept in the international legal field, alongside sovereignty, jurisdiction, trade or development. The project steps beyond “international environmental law,” urging the unmaking and reformulation of central disciplinary tenets to encapsulate healthier understandings of nature. The project began at IGLP in 2011 and led to a symposium issue of the Leiden Journal of International Law in 2014. The next phase will explore ideas of the ‘human’ that underpin global law and policy, including the relationship between human rights law and the environment; environmental justice; and ‘environmentality’ and the evolution of new areas of expertise.
**Indicators as Political Spaces**

**Convener:** Rene Urena (Colombia) Universidad de Los Andes; 2013 IGLP Workshop Participant, 2014 IGLP Docent

**Contributors:** Dawood Ahmed (United Kingdom) University of Chicago Law School; 2013 & 2014 IGLP Workshop Participant; Siobhan Airey (Ireland) University of Ottawa; 2014 IGLP Workshop Participant; Lina Buchely (Colombia) Universidad de Los Andes; 2010 & 2013 IGLP Workshop Participant; Marie Guimezanes (France) Toulouse 1 Capitole University; 2014 IGLP Workshop Participant; Marta Infantino (Italy) University of Trieste; 2014 IGLP Workshop Participant; Jothie Rajah (Singapore), American Bar Foundation; 2013 IGLP Workshop Participant, 2014 IGLP Docent; Michael Riegner (Germany) New York University School of Law; 2014 IGLP Workshop Participant

**Description:** Indicators came into prominence as a tool of global governance in the early 1990s, and by 2014, it is clear that they are here to stay, reshaping governance, policy, and the parameters of law. Building on the work done at the 2013 and 2014 Doha Workshops, and the 2013 IGLP Conference, this Research Group seeks to explore the way in which indicators are used to perpetuate, shift, or resist power relations, and to achieve or prevent social change. Peacekeeping, constitutions, and human rights are among the complex phenomena that are now being measured and ranked. This measuring and ranking takes place all over the world, at many levels, involving many actors – NGOs, corporations, nations, international organizations, and grassroots groups are engaged in this pervasive mode of governance and knowledge creation. This group project aims to explore the new political spaces that are opened by quantitative technologies of governance. The problem is not only whether an indicator is a simplification or not -- a wider approach is necessary. Is global power experienced differently if it is exercised through an indicator? Are there new sites of contestation that appear as this technology is used? How do social movements (both grass-root and elite-based) react to the use of indicators? Do they always resist indicators as an imposition of the North, or is there a process of appropriation or strategic transformation for local needs? What voices, values, and stories are included and excluded by indicators? Does the emphasis on numbers take attention away from context, history, and questions of power?

**International Legal Structuralism**

**Convener:** Justin Desautels-Stein (United States) University of Colorado Law School; 2011 IGLP Workshop Participant, 2012 IGLP Pro-Seminar Convener

**Contributors:** Paulo Barrozo (United States) Boston College Law School; Arnulf Becker (Chile) Brown University; 2011 IGLP Pro-Seminar Convener; Akbar Rasulov (Uzbekistan) University of Glasgow; 2011 IGLP Workshop Participant

**Description:** This research initiative will re-examine the works of international legal scholarship influenced by “structuralism” from the 1980s (David Kennedy’s International Legal Structures and Martti Koskenniemi’s From Apology to Utopia) forward. The group will meet in NYU in the fall of 2014 to explore the current application of legal structuralism in international legal scholarship, now a generation later. The group aims to produce an edited volume for publication.
Research at IGLP is organized in multi-year projects spearheaded by our affiliated faculty. Together, these projects provide a focal point at Harvard Law School for new thinking in the fields of comparative law, global governance and international law.

In June 2014 we are pleased to convene the IGLP Faculty Research Project Team: Bandung and the Global South: 60 Years of Transformative International Law

*The Bandung Project will be convened on June 2 in WCC Room 3016*

**Description:** The Bandung Conference of April 1955 brought together 25 countries to oppose colonialism and neocolonialism and develop forms of political, economic and cultural cooperation across the Third World. The legacies of the Bandung Conference have long reach within critical traditions in international law. This project brings together scholars who have been influenced by the Bandung Conference and seeks to provide an opportunity for them to reflect on the legacies of the conference that animate their work today and the ways they can think about alternative futures going forward.

There are many intersecting and overlapping conversations that Bandung inspires amongst critical international law scholars. Some contributions will provide more historical analysis on the conference and its milieu; others will focus on more contemporary themes that resonate with Bandung’s legacies of South-South cooperation and anti-imperialism. Some ground their interventions in Third World Approaches to International Law (TWAIL); others may locate it within the many spaces after nationalism in their countries. The project has been defined quite broadly to enable a range of different kinds of contributions with the goal of producing a scholarly volume for publication. This project has been organized by Vasuki Nesiah of our Academic Council with the support of IGLP Docents Luis Eslava and Michael Fakhri.
IGLP June 2014 Participants Contributing to the Bandung Initiative:

Raj Balakrishnan (United States) Massachusetts Institute of Technology, Department of Urban Studies and Planning
Arnulf Becker (Chile) Brown University
Matthew Craven (United Kingdom) SOAS, University of London
Luis Eslava (Australia) Melbourne University Law School
Michael Fakhri (Canada) University of Oregon School of Law
Robert Knox (United Kingdom) London School of Economics and Political Science
Vidya Kumar (Canada) University of Birmingham
Boris Mamlyuk (United States) University of Memphis School of Law
Vasuki Nesiah (United States) The Gallatin School, New York University
Sundhya Pahuja (Australia) Melbourne University Law School
Charlotte Peevers (United Kingdom) University of Technology Sydney
Akbar Rasulov (Uzbekistan) University of Glasgow
Hani Sayed (Syria) The American University in Cairo
Mohammad Shahabuddin (Bangladesh) Jahangrinagar University
Mai Taha (Egypt) University of Toronto
COLLABORATIVE TEAM
ROOM ASSIGNMENTS

Doha-Santander Collaborative Travel Grant Teams

*Revolution, Constitutionalism and International Law*  
WCC Room 4062

*Law’s Hegemony*  
WCC Room 5056

*(Dis)solving Informal Labor Vulnerability through Labor Laws*  
WCC Room 4018

*Multinational Behavior in Africa: Human Rights Perspectives*  
WCC Room 5051

*Varieties of State Capitalism and International Economic Order*  
WCC Room 5044

*Reviving Comparative Law as a Heterodox Discipline*  
Griswold Room 550

*Critical Global Economic Governance*  
WCC Room 3061

*Operation CIA: Critical Interdisciplinary Approaches*  
WCC Room 4019

*History, Anthropology, and the Archive in International Law*  
WCC Room 5052

Doha-Santander Collaborative Research Project Teams

*Critical Approaches to International Criminal Law*  
Lewis Room 301

*Global Art Law and Cultural Property: Productions of Value*  
WCC Room 5050

*Legal Education on International Public Law: Rethinking the Latin American Experience Location*  
Monday: WCC Room 4056

*Locating Nature: Making and Unmaking International Law*  
Tuesday: WCC Room 3016

*Indicators as Political Spaces*  
Hauser Hall Room 101

*International Legal Structuralism*  
Griswold Room 350

*Faculty Research Project*

*Bandung and the Global South: 60 Years of Transformative International Law*  
Monday: WCC Room 3016
The Institute for Global Law and Policy (IGLP) at Harvard Law School is a collaborative faculty effort to nurture innovative approaches to global policy in the face of a legal and institutional architecture manifestly ill-equipped to address our most urgent global challenges. Global poverty, conflict, injustice and inequality are also legal and institutional regimes. The IGLP explores the ways in which they are reproduced and what might be done in response. We aim to provide a platform at Harvard for new thinking about international legal and institutional arrangements, with particular emphasis on ideas and issues of importance to the global South. Professor David Kennedy serves as Institute Director.

For more information, visit www.iglp.law.harvard.edu

The IGLP is grateful to all of our sponsors and friends for the support they offer us in developing innovative programs and supporting collaborative research.

In 2014 our intensive June residential program is once again generously supported by our Lead Sponsor, Santander Universities.

It is co-sponsored by the generous support of our friends at Sciences Po Law School, SOAS at the University of London, Melbourne University Law School and by the Program on the Corporation, Law and Global Society at Northeastern University School of Law.

The Qatar Foundation generously sponsors and hosts our annual intensive Workshop in Doha each January.
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Santander Universities is the Lead Sponsor of our June Residential Programming at Harvard including our Colloquium.

THE QATAR FOUNDATION was established with a mission to lead human, social, and economic development of Qatar, through education and research, making Qatar a vanguard for productive change in the region and a role model for the broader international community. As part of its flagship project, Hamad bin Khalifa University, the Foundation is seeking to establish a global law school and research center in Doha, with a mission to become a leader in new thinking about law and governance and to revitalize Arab law and governance traditions. An integral part of its law school project is to contribute to higher education worldwide by convening a global network of young scholars of law and governance, and to place young scholars and aspiring leaders from the region in dialog with global peers. The Foundation aims to extend its global outreach by supporting institutions that share its belief in the values of global dialogue and research, in a way that helps the Foundation fulfill its mission. The Foundation now seeks to support the capacity of the IGLP to develop projects and pursue research of interest to the global community and the region. Additional information about the Qatar Foundation can be found on their website at www.qf.org/qa

The Qatar Foundation is the Lead Sponsor of our intensive Workshop held in January in Doha, which is hosted by Hamad bin Khalifa University.
THE REAL COLEGIO COMPLUTENSE is a non-profit organization established in 1990 by Complutense University of Madrid, Spain in order to foster scholarly and scientific exchange between Harvard University and Spanish universities and institutions. For more information about the RCC please visit www.rcc.harvard.edu. For more information about Complutense University of Madrid please visit www.ucm.es

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CLEARY GOTTLIEB STEEN & HAMILTON LLP is a leading international law firm with 12 offices located in major financial centers around the world, which has helped shape the globalization of the legal profession for more than 60 years. Their worldwide practice has a proven track record for innovation and providing work of the highest quality to meet the needs of our domestic and international clients. In recognition of the firm’s strong global practice, its effectiveness in dealing with the different business cultures of the countries in which it operates, and its success in multiple jurisdictions, Cleary Gottlieb received Chambers & Partners’ inaugural International Law Firm of the Year award. For more information about the firm please visit www.cgsh.com
The 6th annual Workshop is slated to take place during the first full week in January 2015 in Doha, Qatar. IGLP: The Workshop is an intensive residential program designed for doctoral and post-doctoral scholars and junior faculty. The Workshop encourages innovative ideas and alternative approaches to issues of global law, economic policy, and social justice in the aftermath of the economic crisis. Our aim is to strengthen the next generation of scholars by placing them in collaboration with their global peers as they develop innovative ideas and alternative approaches to issues of global law, economic policy, social justice and governance.

We encourage you to apply! Check our webpage and sign up for our Newsletter for more information!
Announcing IGLP: The Conference ✦ June 2015 ✦ Harvard Law School

In 2013 we convened our first international conference at Harvard Law School. New Directions in Global Thought was a celebration of the IGLP’s first five years and brought together more than 300 scholars from over 50 countries to share their work over the course of the two days. We convened over 55 panels on topics ranging from human rights to economic policy to comparative law.

In 2015 we’re doing it again!

The 2015 IGLP: The Conference will be an opportunity for scholars from around the world to celebrate and share the academic collaboration that has taken place at the IGLP over the past seven years. We look forward to once again hosting IGLP alumni and friends, and hope they will find the Conference to be a useful opportunity to share their ongoing research and reconnect with colleagues.

We also invite all those interested in pursuing new thinking about law and global policy to join us in June in Cambridge and to engage with the IGLP Network.

We hope you’ll join us! Check our webpage and sign up for our Newsletter for more information: www.iglp.law.harvard.edu
The Institute for Global Law & Policy's 2014 RESIDENTIAL PROGRAM AT HLS is generously sponsored by

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